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Skrivan tal-Kamra

2013

ANNUAL REPORT



BROADCASTING AUTHORITY MALTA

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The Hon. Dr Joseph Muscat KUON, Ph.D., M.P
Prime Minister
Office of the Prime Minister
Auberge De Castille
Valletta

27th March 2014

Honourable Prime Minister,

Broadcasting Authority Annual Report 2013

In accordance with sub-article (1) of article 30 of the Broadcasting Act, Chapter 350 of the Laws of Malta, we have pleasure in forwarding the Broadcasting Authority's Annual Report for 2013.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'A. Tabone'.

Anthony J. Tabone
Chairman

A handwritten signature in blue ink, appearing to read 'P. Cassar'.

Pierre Cassar
Chief Executive

CONTENTS

Chairman's Statement	7
The Chief Executive's Statement	11
1. Review of the Year by the Chief Executive	13
1.1 The Broadcasting Authority	13
1.2 Human Resources	13
1.3 Staff Development	13
1.4 Sponsorship – Malta Journalism Awards	14
1.5 Sponsorship - Maltese Language	14
1.6 Reaching Out to the Industry: EBU R128 Audio Standard	14
1.7 Għargħur Transmitting Facility	16
1.8 Thematic Reports compiled by the Monitoring Department for 2013	17
1.9 New initiative	17
1.10 Visit by Libyan Officials	17
2. Administrative Offences	18
3. Broadcasting Licences	19
3.1 Radio Broadcasting Licences	19
3.1.1 <i>Community Radio Stations</i>	19
3.1.2 <i>Nationwide Analogue Radio</i>	19
3.1.3 <i>Digital Radio Platform</i>	20
3.2 Nationwide Television and Satellite Stations	20
3.2.1 <i>Television Stations</i>	20
3.2.2 <i>Satellite Licences</i>	22
3.2.3 <i>New applications</i>	22
3.2.4 <i>Own Broadcast Stations</i>	22
4. Broadcasting Legislation	23
4.1 Family Viewing	23
4.2 Correct Use of the Maltese Language	24
4.3 Guidelines on Food Hygiene on Television Programmes	24

5. Programme Complaints	25
5.1 Hon. Dr Franco Debono vs PBS Ltd re: <i>Xarabank</i> dated 15 th December 2012 and <i>TVHemm</i> dated the 17 December 2012	25
5.2 Labour Party vs TVM re: <i>Bondiplus</i> 10 January 2013	25
5.3 Alternattiva Demokratika vs ONE	26
5.4 Alternattiva Demokratika vs NET TV	26
5.5 Alternattiva Demokratika vs PBS Ltd	26
5.6 Saviour Balzan vs TVM re: <i>Bondi+</i>	26
5.7 PN vs MLP re: Labour Party Political Spot	27
5.8 Deaf People Association vs PBS Ltd	27
5.9 PN vs PBS Ltd re: Prime Ministerial Broadcast	27
5.10 Campaign for National Independence (CNI) vs PBS Ltd	28
5.11 Commissioner for Children vs TVM re: <i>Captain Biceps</i>	28
5.12 Nationalist Party vs TVM re: <i>News</i> 24 September 2013	28
5.13 Nationalist Party vs TVM re: <i>News</i> dated 5 December 2013	29
6. Political Broadcasts - General Elections	30
7. International Relations	33
7.1 European Platform for Regulatory Authorities (EPRA)	33
7.2 Mediterranean Network of Regulatory Authorities (MNRA)	33
7.3 Meeting of EU Regulatory Authorities called by Ofcom	34
7.4 EU AVMSD Contact Committee and Working Group of EU Regulatory Authorities	34
8. Radio and Television Audience Assessment	36
8.1 During this broadcasting season	37
8.2 Radio Audiences	37
8.3 Television Audiences	42
8.4 Favourite Programmes	47
Appendices	
I Consultation Document: Family Viewing	54
II Broadcasting Authority Directive on Programmes and Advertisements broadcast during the period 7th January to 9th March 2013	56



Anthony J. Tabone
CHAIRMAN

CHAIRMAN'S STATEMENT

The year under review was General Election year. It was a keenly contested election and followed a rather lengthy campaign. In the circumstances, the Broadcasting Authority was obliged to mobilise all its resources to ensure careful, constant vigilance of broadcasting output which moved hand in hand with decisions of the Board to ensure a keen observance of the provisions of Article 119 of the Constitution of Malta and those of the Broadcasting Act.

The Authority took some landmark decisions during the campaign, one of which was its directive on the way the Leaders' Debates should be conducted. Without in any way impinging on the producers' rights to broadcast debates between the political parties' leaders, the Authority felt that the time was ripe to regulate these debates through a set of conditions under which they should be held. The aim of the directive was to ensure that the viewer would have the opportunity to follow a well balanced debate and would clearly understand what is being debated. The results of this decision have been very positive.

What is termed as the 'campaign silence period' - that is the day before the actual polling day of

the General election and Polling Day itself - sees the Authority in operation for practically twenty four hours a day to ensure that the provisions of its own directives and also those of the Electoral Law (insofar as broadcasting media are concerned) are scrupulously observed by all television and radio stations broadcasting in Malta. In agreement with the Chief Electoral Officer and the Commissioner of Police, the Authority decided, this time, that during these two days it was to meet representatives of the two main political parties practically every two hours to ensure that any issues that may arise are tackled without delay and unnecessary complaints are avoided. This initiative worked well and was found

to be of great value to all parties concerned.

As can be seen from this Report, the Authority was very active during the year under review.

The Authority met formally thirty five times and a number of informal consultations were held. One can follow the number of decisions taken by the Authority during these meetings in various sections of this Annual Report.

But the work of the Authority is not limited to just ensuring impartiality and balance on broadcast media. The fast evolving media landscape makes

THE FAST EVOLVING MEDIA LANDSCAPE MAKES IT IMPERATIVE FOR THE AUTHORITY TO KEEP ABREAST OF DEVELOPMENTS HAPPENING IN THE FIELD AND TO ENSURE THAT ITS OWN OPERATIONS ARE UPDATED TO MEET THESE CHANGES

it imperative for the Authority to keep abreast of developments happening in the field and to ensure that its own operations are updated to meet these changes. During the year under review, considerable effort was made to update the recording and archiving system at the Authority. Through the good relations that exist between the Broadcasting Authority and the National Media and Infocommunication Authority of Hungary, we have managed to acquire, free of charge, custom developed software to have the recording and archiving system in Malta updated to meet today's requirements. The Authority is currently processing the procurement of the necessary hardware to have the system in place by mid-2014.

We have also taken an active part in both the European Platform for Regulatory Authorities (EPRA) meetings and those of Mediterranean Network of Regulatory Authorities (MNRA). Our participation in these organisations, besides helping the Authority benefit from the experience of much larger regulatory bodies, gives us the opportunity to share best practices, and in this respect, Malta is highly regarded. The presentations by both the Chief Executive and Head of Monitoring at these international meetings have been highly applauded.

A lot of work has been undertaken by members of the Monitoring Staff in compiling a Code for the Protection and Development of Minors. The need to widen the scope of the Code for the Protection of Minors has long been felt. Although the current legislation (SL.350.05) speaks of programmes which might seriously impair the physical, mental or moral development of minors, it deals mainly with advertising issues. The draft code, which has now been drawn up and which is currently in the consultation stage, aims to extend the scope to cover personal development, and social development – which relates to the building of a healthy society through positive values, stricter regulation on violence in children's programmes and the diversity of stereotypes. It is expected that the final submissions for the relative subsidiary legislation to be amended would be made by the middle of 2014. Work is also currently under way on the updating of the Guidelines on Privacy as Standards in Broadcasting, and it is also planned that these Guidelines will be formalised and published during 2014.

Another important aspect of the Authority's mission is training and in this respect, it is my pleasure to be able to report the Authority's active contribution in this area. The Authority is working on the introduction of the R128 Audio Standard, which has been published by the European Broadcasting Union in August 2010 and which is being rapidly adopted by a number of States on both sides of the Atlantic. The introduction of this audio standard marks one of the most fundamental changes in the history of audio broadcasting and solves a major source of irritation for television audiences: that of pitches in audio levels between programme breaks, between programmes, and between broadcasting channels. Apart from an introductory session earlier on during the year, a series of training sessions for audio editors at a number of stations and those working for programme producers have been scheduled for the beginning of 2014.

It is with a certain satisfaction that we can report on the number of licences issued for broadcasting content on a number of Satellite Television Stations. Malta is slowly but surely acquiring a reputation as a professionally run and serious jurisdiction for the licensing of satellite television stations. This is in line with the Authority's aim of widening the scope of its operations and exploiting the opportunities of a single European market.

As can be attested from the Audited Financial Report of the Authority for the year under review, the Government subvention has now been reduced to the minimum level allowed by law - €582,350. This contrasts sharply with the level of the subvention made in 2002 which amounted to €628,930. The decrease in subvention exerts additional pressure on the Authority to generate its own income to be able to meet the various higher operational costs, including the salary increases over the past twelve years. The Government subvention today does not even cover the salaries of the staff, but the Authority managed to increase its income during the year under review to offset the increase in operational costs and the decrease in Government subvention.

In conclusion, I would like to reiterate my sincere appreciation for the support of my colleagues on the Board during a difficult and sensitive year of operation. My thanks also go to the Chief Executive for his valuable advice and dedication and also

for the way he managed certain delicate issues that arose during the year. Needless to say, the Authority's attainment of its objectives has been largely due to the members of the management and staff who have shown a high level of commitment and put in a lot of hard work during the year.

Anthony J. Tabone
Chairman

CHAIRMAN AND MEMBERS OF THE BROADCASTING AUTHORITY DURING 2013



CHAIRMAN
Mr Anthony J. Tabone Dip. MRS, MCIM



MEMBER
Ms Rose Sciberras B.A. (Hons), L.P.



MEMBER
Dr Peter Fenech LL.D., M.A.



MEMBER
Mr Alfred Mallia Milanese



MEMBER
Dr Reno Borg B.A. (Hons), M.A., LL.D.



CHIEF EXECUTIVE
Mr Pierre Cassar
B.A. (Hons), M.Sc (Leicester),
Dip. Laws of Proc. (Melit.)



SECRETARY
Dr Simon Manicolo B.A., LL.D.

THE CHIEF EXECUTIVE'S STATEMENT

The first nine weeks of the year in review comprised the electoral campaign, and the Authority channelled all its available resources to ensure that the provisions of impartiality and balance as dictated by the Constitution and the Broadcasting Act were adequately met by all broadcasting stations, including community radio stations.

For the first time ever, political debates and news conferences organised by the Authority as part of the scheme of political broadcasts included simultaneous interpretation in sign language, making these programmes accessible to people with a hearing impairment.

Changes to the Broadcasting Act

enacted in late 2012 ensured that, for the first time, a uniform licensing regime for broadcasting stations was created – this was made to include the so-called ‘own broadcast stations’ that have mushroomed over recent years by electronic network operations. These niche stations have now all been licensed by the Authority during the year in review.

The Għarghur Transmitting Site ranked high on the Authority’s agenda again during this year as a number of initiatives were undertaken to

strengthen the operations at this site which is pivotal not only to broadcasting companies but also to a number of private telecommunications companies that make use of the antenna for their operations. As things stand, the country relies solely on this broadcasting tower to provide analogue FM broadcasting. Although the Authority strives to limit switch-offs, whenever routine maintenance needs to be conducted on the structure, analogue radio stations have to switch off their signals to render the platforms safe from any radiation emitted by

the equipment. Such instances were limited to two occasions during the year in review to limit the inconvenience to the barest minimum.

However, the Authority believes that a contingency plan needs to be implemented so that radio stations have a back-up whenever works are conducted on the tower which necessitate switch-off.

International relations remain crucial for the Authority to exchange opinions and identify areas of cooperation and collaboration, especially with other European jurisdictions. As a result of the excellent relations with the Hungarian regulator, a memorandum of understanding was signed between the two organisations through which

WE HAVE A MISSION TO REGULATE AND EDUCATE,
AND WE BELIEVE THAT WE ARE DOING OUR UTMOST TO
REACH THESE GOALS THROUGH A FLEXIBLE APPROACH
WHICH ALLOWS THE INDUSTRY TO FLOURISH AND EVOLVE
WITHIN THE PARAMETERS OF THE LAW

a specific software created specifically for the capturing and archiving of audio-visual content was made available free of charge to the Broadcasting Authority.

For a number of years the Authority had been trying to identify the best system for the storing of audio-visual data in a bid to enhance the operations of the Monitoring Department and the Authority in general. With the present linear and analogue method of capturing data fast becoming obsolete, the Authority set its sights on introducing a completely new system by the end of 2014. During the year in review, the necessary preliminary work in conjunction with this project was completed in view of the publication of the tender document and other ancillary works which need to be carried out in conjunction with this project.

Despite its limited resources, the Authority maintained its presence in the international field by actively contributing to the proceedings of the plenary session of the Mediterranean Network of Regulatory Authorities (MNRA) held in Cyprus and the May session of the European Platform of Regulatory Authorities (EPRA) which was held in Krakow, Poland.

By way of conclusion, I wish to thank the Chairman and the Members of the Board who constitute the Broadcasting Authority. On average, the Authority meets practically once a week except for a short break during the summer months.

Contrary to popular belief among broadcasting professionals, the Authority very rarely imposes fines resulting from breaches of broadcasting legislation. On the contrary, the Authority strongly believes in reaching out to the stakeholders in a bid to foster a better understanding and appreciation of broadcasting law, in particular the provisions of the Audio-Visual Media Services Directive, which is now a common denominator in EU states.

We have a mission to regulate and educate, and we believe that we are doing our utmost to reach these goals through a flexible approach which allows the industry to flourish and evolve within the parameters of the law. My sincere thanks to the members of staff across all levels for their work and input throughout the year. Every little effort goes a long way in ensuring that goals and objectives are met.

Pierre Cassar
Chief Executive



Pierre Cassar
CHIEF EXECUTIVE

REVIEW OF THE YEAR

1.1 THE BROADCASTING AUTHORITY.

During the year under review, the Authority was composed of:

Chairman:	Mr Anthony J Tabone Dip. MRS, MCIM
Members:	Dr Reno Borg M.A, B.A. (Hons), LL.D. Dr Peter Fenech LL.D., M.A. Mr Alfred Mallia Milanes Ms Rose Sciberras, B.A. (Hons), L.P.
Chief Executive:	Mr Pierre Cassar M.Sc., B.A. (Hons), Dip. Laws of Proc. (Melit.)
Secretary:	Dr Simon Manicolo B.A., LL.D.

The Authority held a total of 35 meetings during the year.

1.2 HUMAN RESOURCES

The Authority currently has a workforce of 29 employees, half of whom are engaged within the Monitoring Department. Two members of staff are currently on a career break. Towards the end of the year, the Authority's Senior Office Assistant retired after 13 years at the Authority.

The Authority renewed the contract of its Technical Consultant, Mr Joe Francalanza, who is entrusted with the management, maintenance and other technical requirements

of the Gharghur Transmitting Tower.

The Authority actively believes in providing the right family friendly measures for its staff, and to this effect whilst one employee works on flexible hours, another two benefit from reduced hours while one other has a teleworking arrangement.

1.3 STAFF DEVELOPMENT

The Authority continues to support members of staff who seek to further their academic studies in specialised fields. During the year, the Chief Executive successfully completed the Diploma in Laws of Procedure at the Faculty of Laws, University of Malta, while the Head of Monitoring concluded her dissertation as part of her doctorate in Film and Media Studies at the University of Stirling.

Meanwhile, Laurence Buhagiar, Deputy Head Monitoring, is reading for a Masters Degree in Human Resource Management and Training with the University of Leicester, and Ian Sammut, one of the Authority's Senior Programme Monitors, is reading for a Masters Degree in Education for Sustainable Development, University of Malta.

In December, the Authority commissioned the Foundation for Human Resources Development (FHRD) to conduct a one day seminar on motivational aspects and team building techniques at the workplace for all members of staff. This

assignment followed a detailed HR audit of all members of staff working at the Authority. During the seminar, participants engaged in various practical exercises which were specifically designed to foster better understanding of organisational goals.



1.4 SPONSORSHIP – MALTESE LANGUAGE

As in recent years, the Authority continued to support members of the media opting to follow the certificate course in proof-reading of the Maltese language. This one-year course spread over two semesters is organised by the Department of Maltese Studies at the University of Malta.

During the year in review, the Authority sponsored the following individuals to follow the course:

- Mr Tony Dimech from PBS Ltd
- Mr Mario Grima from RTK
- Mr Gerald Fenech, a freelance journalist

The Authority believes in assisting producers and journalists hailing from the broadcasting industry to attend such courses in a bid to improve the level of Maltese in the broadcasting industry.

1.5 SPONSORSHIP – MALTA JOURNALISM AWARDS

Organised by the Institute of Journalists (IGM), the Malta Journalism Awards are eagerly awaited by journalists working for various media organisations. The Authority has been supporting this initiative for a number of years, and once again, four categories relating to broadcast journalism were sponsored by the Authority. These are: Broadcast Journalism TV - Script Category, Broadcast Journalism TV - Film category, Broadcast Journalism TV- Script Features and the Broadcast Journalism - Radio Category.

This year the news conference launching the event was held at the Authority's offices on 20th March and was addressed by the Authority's chairman and IGM's Head, Mr Malcolm Naudi.

The final night was held on 15th June, and the winners in the categories sponsored by the Authority were:

- Broadcast Journalism - Television Script News: Mario Micallef, PBS
- Broadcast Journalism - Television Script Features: Bijografiji Team, PBS
- Broadcast Journalism - TV Film: Mark Zammit Cordina, The Times
- Broadcast Journalism – Radio: Andrew Azzopardi, PBS

1.6 REACHING OUT TO THE INDUSTRY: EBU R128 AUDIO STANDARD



In spring 2013, the Broadcasting Authority monitored 149 sample broadcasts on local television stations, ranging from programmes to leaders, commercials, news items, etc. The audio level difference between programmes was

huge, with some being far below the required R128 standard and others far above. In spite of these huge differences, the overall average of this sample was close to that recommended by the European Broadcasting Union R128 Loudness Recommendation, i.e. that of “-22LUFS”. The difference in audio levels of commercials monitored by the Authority was also high, ranging from the loudest volume of “-11LUFS” to the softest commercial of “-34LUFS” and in these cases, deviating widely from the R128 Recommendation.

In August 2010 the European Broadcasting Union published its loudness normalisation and permitted maximum level of audio signals, the EBU R128 Loudness Recommendation, on how broadcasters can measure and normalise audio using Loudness Meters instead of Peak Meters as has been the common practice. This recommendation marks one of the most fundamental changes in the history of audio broadcasting and solves a major source of irritation for television audiences: that of pitches in audio levels between programme breaks, between

programmes, and between broadcasting channels.

On the other side of the Atlantic, the same method of measuring and normalising audio loudness was the basis for the implementation of the CALM Act in the United States through the application of what is known as the A/85 audio standard which provides guidance to broadcasters and creators of audio for high definition (HD) or standard-definition (SD) television content. The CALM Act was enforced in the United States as from December 2012.

Adoption of the Loudness Recommendation R128 has been spreading through Europe, with R128 being applied in France, the Netherlands, Italy, and Switzerland [by the summer of 2012]; by Germany and Austria [from August 2013]; and by Scandinavian countries and Poland [by the end of 2013].

This standard is not only being adopted by Member States of the European Union and their neighbours, but also by other countries such as Japan, Brazil, China, and Turkey. International broadcast services like BBC and Sky were the first broadcasting services that required compliance to this standard in all their broadcasts. France linked the EBU R128 standard to its audiovisual legislation, requiring production and distribution equipment used in France to fully respect this audio standard; broadcasters are to manage audio correctly, while broadcast material provided by production houses has to comply.

Half-Day Seminar

On 19th June 2013 the Broadcasting Authority organised a half-day seminar on these samples. Although taking the initiative for the implementation of the R128 audio-levelling standard to increase the quality of broadcasts received by media consumers, the Authority promoted and opted for the concept of a co-regulatory and/or self-regulatory approach to the implementation of this standard and invited not only audio and video professionals from the local television stations but also all independent producers, production houses, advertising agencies and, most importantly, media platform operators.

Following the seminar, the Authority acted through a consultation process involving a follow-up questionnaire circulated amongst all those invited for the introductory seminar on the R128 standard and consultative meetings with individual broadcasting stations and media platform operators



Mr Anthony J. Tabone, Chairman of the Broadcasting Authority flanked by Mr Pierre Cassar, CEO [left] and Mr Daniel Talma from the Faculty of Media and Knowledge Sciences, UOM.

to identify individual operational and technical requirements for the application of this standard.

The problems of varying audio levels is well acknowledged by broadcasters. Their main concern for varying audio levels is that of maintaining audio levels during on-air productions, especially those of ambient noises in drama and controlling live studio emotions, which are not always possible. Although nearly all stakeholders were willing to include this standard in their working norms as part of their standards of practice, it was clear that the lack of training services for audio technicians had to be addressed urgently; this was particularly the case where audio-technicians were limited in number, not available, and/or the services of “fill-ins” are used as this area is quite often deemed secondary to other production requirements.

As part of the planned introduction of R128 metering for TV broadcasts, all Maltese stations were visited by Mr Daniel Talma from the Faculty of Media and Knowledge Sciences of the University of Malta to discuss this transition. Through these visits, broadcasting stations were able to discuss their current equipment, production chain and workflow, clarify in practice their production processes, and assess the expected impact of the introduction of R128 for each broadcasting station.

In general, all station managers were positive towards the concept of R128 and agreed that it makes sense to migrate to this standard - most stations already compare their audio levels with Italian or British stations and try to be on-par by applying different forms of audio-levelling practices. While for some stations the technical migration will be easier since they already have a digital workflow,

other stations still have a partially analogue workflow and the impact of R128 will be stronger.

No broadcasting station has a dedicated audio person to edit/mix the audio as this is all done by video editors, the exception being for live broadcasts where a video editor would be completely dedicated as an audio person for that broadcast. The audio know-how of video editors is deemed quite basic by broadcasting stations. Training for the audio metering standard R128 is required.

However, local broadcasting stations indicated that most audio issues arise from broadcasting content provided by production houses - the quality differs from very professional to amateurish productions. Although some audio-levelling is made to these productions, this is not always the case especially those of commercials which are always aired as received from content providers.

Local media producers and editors clearly need training with audio levelling. Although video editors and audio engineers are considered to be two different professions, the scale of the local media market requires that both tasks are performed by the main editor of productions, the video editor.

Way forward

The aim of this exercise undertaken by the Broadcasting Authority is to start with a test phase on 1st July 2014 aiming at R128 audio compliance. Following a nine-month period, all television broadcasting stations will be committed to broadcast according to R128 as from 1st April 2015.

The next step is that of organizing a series of training courses for audio/video editors and media production personnel of local broadcasting stations. By the time of going to print, two sets of five lectures every Wednesday from 1230 to 1530 and from 1615 to 1915 were held on 5th, 12th, 19th, 26th February 2014 and on 5th March 2014 at the Institute of Art and Design, MCAST Mosta.

1.7 GĦARGĦUR TRANSMITTING FACILITY

The transmitting facility at Għargħur, which includes the Master Antenna, is a crucial site for broadcasting and telecommunications services in Malta. Since assuming responsibility for this facility in 1999, the Authority has undertaken a number of projects and initiatives to strengthen the operations at this site.

During the year in review, the Authority concluded the installation of individual smart meters for all users at the site. This necessitated infrastructural works and the laying of new cables to provide the service. The project meant that, for the first time, all meters are housed within one room at the complex with clear identification for ease of reference.

In addition, the Authority has also embarked on another initiative through which all obsolete equipment currently attached to the Tower is being dismantled and removed. Such a measure not only allows for much needed space to be freed for the possible installation of new equipment but also reduces the likelihood of any unused equipment disengaging from the structure owing to weather conditions.

Late in the year, the Malta Air Traffic Control Services reported an interference on one of their main frequencies. Preliminary investigations hinted that this could possibly stem from one of the national radio frequencies being used on the combiner unit. To this effect, initial technical tests were conducted by technicians from the Malta Communications Authority; these yielded inconclusive results. Given the situation, the Authority decided to commission the British company Alan Dick Co. Ltd. to investigate the cause of the interference. This is expected to take place in early 2014.

As Malta has only one main transmitting hub which houses all the transmitters used by nationwide radio stations, any maintenance on the Tower necessitates a complete switch-off. During the year in review, two switch-offs were necessary. One was on April 19th and the other on 16th December 2013 – both were for urgent works. Whenever possible, scheduled maintenance is conducted during the night as this proves to be the least disruptive to radio stations.

1.8 THEMATIC REPORTS COMPILED BY THE MONITORING DEPARTMENT FOR 2013

An analytical report on *NET* News bulletins aired between 6th February 2013 and 20th February 2013. The report drew up a number of conclusions in view of Subsidiary Legislation 350.14 – the legal Requirements applicable to News Bulletins and Current Affairs Programmes.

An analytical report that covered a one-week transmission from 18th to 24th February 2013,

highlighting any trends in the transmission of *Calypso Music TV*. Such a report would consist of quantitative and qualitative information regarding this music station.

An analysis of the Autumn/Winter schedule and April-June 2013 schedule for *TVM* and *TVM2* and a quantitative and qualitative report highlighting aspects which would need the attention of the Monitoring Department.

A qualitative report analysing the trends of the news bulletins aired on *Smash TV* covering two periods – a week in May 2013 (22nd May to 29th May 2013) and a one-month period between 28th June 2013 and 29th July 2013. The aim of the report was to analyse whether the news bulletins were in line with the Requirements of News and Current Affairs Programmes.

An analytical report on *TVM* news content for May 2013, giving quantitative and qualitative analysis after presenting an overview of what news reports were included in *TVM* 8pm news bulletins.

A report analyzing *TVM* news bulletins during the first two weeks of August 2013. The report highlighted particular trends in the news over the summer period which usually tends to be a quiet period for news.

A descriptive report on current affairs programming on *TVM* broadcast between October and November 2013 analysing their content in view of the fact that a number of programmes were new to PBS Ltd's schedule.

A report studying the possibility of compiling guidelines on privacy as standards in broadcasting. This report reviewed broadcasting legislation and guidelines of other regulatory authorities in order to come up with suggestions on matters of privacy in local programmes.

Promise of performance monitoring reports of a number of community radio stations to analyse their schedule content: *Big FM*, *Radju Xeb-er-ras*, *BKR Radio*, *Deejays Radio*, *Radju Hompesch*. Such reports are meant to give an overview of what programming the community radio stations are producing and also to indicate whether such stations are adhering to their proposed schedule.

A report giving a comprehensive review of broadcasting legislation relating to the protection of minors. Primarily, existing legislation focuses on the portrayal of minors in audio-visual commercial communication. The report focused on a holistic approach to the portrayal and participation of minors in different programme genres. The Authority discussed the contents of the report and a consultation document is planned on being published in 2014.

A presentation delivered to PBS sales team on regulations of advertising, product placement and sponsorship. The presentation delivered by the Head Monitoring Department highlighted various aspects of the current legislation regulating advertising content in television and radio programming.

1.9 NEW INITIATIVE

In the last quarter of the year under review, the Authority agreed that the organisation should feature on the social media. To this effect, the potential use of tools such as Facebook, Twitter and Youtube were considered. It is envisaged that the Authority will use Youtube to upload all programmes produced in conjunction with the general elections. This will serve as a reference page for those involved in research or those who wish to access one of the discussion programmes or party political spots produced as part of the scheme of political broadcasts organised by the Authority for the General Elections 2013.

1.10 VISIT BY LIBYAN OFFICIALS

The Chief Executive delivered a presentation to Libyan officials from the Ministry of Communications and Culture who visited Malta on a fact-finding mission. The presentation delved into the key parameters that are necessary for any broadcasting legislation to be enacted in Libya.

ADMINISTRATIVE OFFENCES

In terms of the Article 41 of the Broadcasting Act, the offences listed in the Fifth Schedule to the Act are considered to be administrative offences and thus punishable by the Authority. In determining whether a person is guilty or otherwise of an administrative offence, it is the duty on the part of the Authority to ensure that the principles of a fair and public hearing are observed and guaranteed.

In the event that the Authority is satisfied that the person has committed an offence as listed in the First Column of the Fifth Schedule under the Act, it may: (a) issue a warning in writing; or (b) direct the offender not to broadcast for a period of time; or (c) impose an administrative penalty as established in the second column of the Fifth Schedule to the Broadcasting Act, including applying a suspended penalty. The Authority may choose to apply separately or concurrently the measures listed in (b) and (c).

During the year in review, the Chief Executive issued a total of 41 charges against broadcasting stations. The issuing of charges and the procedures related to the hearing thereof emanate and are regulated under the Broadcasting Act (Article 41) and Subsidiary Legislation 350.07. During these proceedings, the Authority acts as a quasi-judicial body where the Chief Executive acts as a prosecutor, which role is completely distinct from

the other functions pertaining to his office.

Besides, on a number of occasions, the attention of stations is informally drawn to shortcomings flagged by the Monitoring Department. Normally stations are very cooperative and the highlighted problems are instantly rectified, thus avoiding the need of further regulatory intervention.

The table hereunder represents the total number of charges processed by the Authority in 2013 according to station.

	Station	Charges
Television	TVM	14
	NET	6
	ONE	14
	Favourite	3
Nationwide Radios	RTK	2
	Calypso Radio	1
	Radio 101	1
Total		41

These 41 charges were decided as follows:

- 21 warnings, 4 suspended sentences, 3 instances where the Authority did not proceed with the hearing of the case, and 2 instances where the charges were not proved.
- There were 11 instances where the station was found guilty of a breach under the Broadcasting Act and a penalty in terms of the Fifth Schedule to the same Act was imposed.

BROADCASTING LICENCES

Article 10 (2) of the Broadcasting Act stipulates that:

“No person may provide sound or television broadcasting services in Malta for Malta or any part thereof without the licence in writing of the Authority, nor may any person retransmit sound or television broadcasting services from Malta to any foreign state without the licence in writing of the Authority.”

Apart from TVM and TVM2, both of which are licensed by the Government, the Authority licenses different genres of stations which at present include the following:

- free-to-air digital terrestrial television stations;
- commercial television stations;
- satellite television stations;
- nationwide analogue radio stations;
- nationwide digital radio stations (on the DAB+ network);
- analogue community radio stations.

3.1 RADIO BROADCASTING LICENCES

3.1.1 Community Radio Stations

Under the Broadcasting Act, licences issued to community radio stations can be of two types:

- long term – 3 years
- temporary – a maximum of one month duration.

During the year under review the Broadcasting Authority issued 37 licences for community radio stations:

- twelve were for a renewal of licence for a further three years (in total during 2013 twenty-eight community radio stations were transmitting on a long-term basis);
- twenty-five short-term licences were issued during the course of the year, some stations having requested more than one licence to transmit during different times of the year.

Radju Lehen il-Gużeppini stopped transmitting on a permanent basis in February 2013 and subsequently obtained two short term licences (one from 10th May and the other from 12th December 2013).

Power FM which used to broadcast on 90.4MHz opted not to renew its licence and ceased operation in December 2012.

In April 2013 the Authority approved a request from *Pure Gold Christian Radio* to change its name to *Radio Messiah 97.8FM*.

3.1.2 Nationwide Analogue Radio

The number of nationwide stations on the FM dial has remained unaltered at 13 and this is the maximum limit of stations that the current

combiner houses at Ghargħur.

In September 2013 the Authority approved a request from 'XFM 100.20' to change its name to 'Solid 100.20'.

3.1.3 Digital Radio Platform

Established in 2008, DigiB+ operates the only digital radio platform in Malta and has rolled out a number of foreign stations together with most of the local analogue FM stations. In 2013 DigiB Network also carried the community radio service BKR Radio, which was allowed to simulcast for two years until 30th November, and from 15th June the community radio station Radio Galaxy. BKR Radio opted not to migrate to the platform on a permanent basis but retained its community status on the FM dial.

During the year in review no new radio stations were licensed by the Authority to broadcast exclusively on the DAB+ network.

The current line-up of local stations on the DigiB network includes *Bay Easy*, *Bay Retro*, *Kiss*, *All R&B*, *All Rock* and *DJ956*. Late in the year, the Authority approved a change in name from *All R&B* to *BKR Digital*.

LOCAL TV CHANNEL LINE-UP

	Free-to-air	Cable Network	Digital Aerial
TVM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TVM HD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TVM 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TVM 2 HD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ONE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Net TV	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Smash TV	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Favourite Channel [F living]	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Calypso Music TV [Xejk]	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
iTV		<input checked="" type="checkbox"/>	
Prime Shopping Channel		<input checked="" type="checkbox"/>	
Yes Lifestyle ^[1]		<input checked="" type="checkbox"/>	
Weather & Info Channel		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Promo Channel		<input checked="" type="checkbox"/>	
Melita More		<input checked="" type="checkbox"/>	
Melita More HD		<input checked="" type="checkbox"/>	
Malta Stars		<input checked="" type="checkbox"/>	
Melita Sports 1		<input checked="" type="checkbox"/>	
Melita Sports 1 HD		<input checked="" type="checkbox"/>	
Melita Sports 2		<input checked="" type="checkbox"/>	
Melita Sports 2 HD		<input checked="" type="checkbox"/>	
Melita Sports 3		<input checked="" type="checkbox"/>	
Melita Sports 4		<input checked="" type="checkbox"/>	
Go Stars			<input checked="" type="checkbox"/>
GO Sports 1			<input checked="" type="checkbox"/>
GO Sports 1 HD			<input checked="" type="checkbox"/>
GO Sports 2			<input checked="" type="checkbox"/>
GO Sports 3			<input checked="" type="checkbox"/>
GO Sports 4			<input checked="" type="checkbox"/>
GO Sports 5			<input checked="" type="checkbox"/>
GO Sports 6			<input checked="" type="checkbox"/>
GO Sports 7			<input checked="" type="checkbox"/>
GO Sports 8			<input checked="" type="checkbox"/>

^[1] Licensed 27th December 2013

3.2 NATIONWIDE TELEVISION AND SATELLITE STATIONS

3.2.1 Television Stations

During the year in review, the Authority processed and issued one commercial licence to *Yes Lifestyle*, a teleshopping channel. The station is expected to commence broadcasts on the Melita network as from early 2014.

In addition, two free-to-air stations changed their name. In September, the Authority approved the change in name for Calypso Music TV which was re-branded as Xejk TV while in the same vein Favourite Channel became F living. The latter became more of a niche station with the majority of its programming focusing on lifestyle.

COMMUNITY RADIO STATIONS LICENSED TO BROADCAST DURING 2013

Lic. No	Station	Duration	Valid From	Freq MHz	Power Watts	2013											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
488/608	Bastjanizi FM [Qormi]	3 years	23-Nov-13	95	8.8	X	X	X	X	X	X	X	X	X	X	X	X
492/606	Radio City 107.6FM (Valletta)	3 years	2-Dec-13	107.6	11.6	X	X	X	X	X	X	X	X	X	X	X	X
496/612	La Salle FM [Vittoriosa]	3 years	1-Dec-13	99.4	6.5	X	X	X	X	X	X	X	X	X	X	X	X
497/603	Radju Xeb-er-ras [Valletta]	3 years	25-Jul-13	90.8	6.5	X	X	X	X	X	X	X	X	X	X	X	X
498/580	Radju Lehen il-Qala [Qala, Gozo]	3 years	17-Feb-13	106.3	11.1	X	X	X	X	X	X	X	X	X	X	X	X
507/581	Radju Prekursur [Xewkija, Gozo]	3 years	19-Feb-13	99.3	4.6	X	X	X	X	X	X	X	X	X	X	X	X
508/582	Radju Sokkors [Kercem, Gozo]	3 years	01-Mar-13	95.1	2.8	X	X	X	X	X	X	X	X	X	X	X	X
509/602	BKR Radio 94.5FM [B'Kara]	3 years	01-Aug-11	94.5	7.4	X	X	X	X	X	X	X	X	X	X	X	X
512/585	Energy FM [Fgura]	3 years	24-Mar-13	96.4	6	X	X	X	X	X	X	X	X	X	X	X	X
516/584	Lehen il-Belt Gorgiana [Qormi]	3 years	01-Mar-13	105.6	6.7	X	X	X	X	X	X	X	X	X	X	X	X
519/598	Radju Santa Katarina [Żurrieq]	3 years	29-Jun-13	90.6	9.9	X	X	X	X	X	X	X	X	X	X	X	X
531	Radju Vilhena [Floriana]	2 years	14-Jan-12	106	5.6	X	X	X	X	X	X	X	X	X	X	X	X
533	Radju Hompesch [Żabbar]	3 years	20-Mar-12	90	7.4	X	X	X	X	X	X	X	X	X	X	X	X
535	Trinitarji FM [Marsa]	3 years	01-Apr-12	89.3	8.8	X	X	X	X	X	X	X	X	X	X	X	X
536	South End FM [Birżebbuga]	3 years	15-Mar-12	91	10.4	X	X	X	X	X	X	X	X	X	X	X	X
539	Pure Gold Christian Radio [Qormi]	3 years	01-May-12	97.8	9.6	X	X	X	X	X	X	X	X	X	X	X	X
541	Lehen il-Belt Victoria [Victoria, Gozo]	3 years	25-Jun-12	104	4.3	X	X	X	X	X	X	X	X	X	X	X	X
545	Radio Galaxy [Hamrun]	3 years	14-Jun-12	105	9.1	X	X	X	X	X	X	X	X	X	X	X	X
558	Kottoner 98 FM [Cospicua]	3 years	29-Jul-12	98	9.9	X	X	X	X	X	X	X	X	X	X	X	X
563	Y4J Radio [Naxxarh]	3 years	06-Oct-12	105.4	4.6	X	X	X	X	X	X	X	X	X	X	X	X
564	Deejays Radio 95.6FM [San Ġwann]	3 years	23-Nov-12	96.5	5.5	X	X	X	X	X	X	X	X	X	X	X	X
566	Radju Bambina [Xagħra, Gozo]	3 years	13-Dec-12	98.3	7.6	X	X	X	X	X	X	X	X	X	X	X	X
567	Radju Sacro Cuor [Fontana, Gozo]	3 years	15-Nov-12	105.2	7.7	X	X	X	X	X	X	X	X	X	X	X	X
569	Radju Elenjani 95.8FM [B'Kara]	3 years	03-Nov-12	95.8	10.6	X	X	X	X	X	X	X	X	X	X	X	X
572	Radju Katidral [Victoria, Gozo]	3 years	01-Dec-12	90.9	2.8	X	X	X	X	X	X	X	X	X	X	X	X
573	Radju Vizeitazzjoni [Għarb, Gozo]	3 years	12-Dec-12	92.4	2.8	X	X	X	X	X	X	X	X	X	X	X	X
574	Radju Luminarja [Nadur, Gozo]	3 years	14-Dec-12	106.9	4.2	X	X	X	X	X	X	X	X	X	X	X	X
579	Big FM [B'Kara]	3 years	01-Jan-13	107.1	8.9	X	X	X	X	X	X	X	X	X	X	X	X
590	Ġużeppini 891FM [Għaxaq]	1 month	10-May-13	89.1	9.8					X							
611	Ġużeppini 891FM [Għaxaq]	1 month	12-Dec-13	89.1	9.8												X
577	2013 Circuit Assembly of Jehovah's Witnesses [Dolmen, St. Paul's Bay]	2 days	05-Jan-13	108	0.5	X											
587	2013 Circuit Assembly of Jehovah's Witnesses [Dolmen, St. Paul's Bay]	1 day	14-Apr-13	108	0.5				X								
588	2013 Circuit Assembly of Jehovah's Witnesses [Dolmen, St. Paul's Bay]	1 day	19-May-13	108	0.5					X							
605	International Bible Students Assoc. [Dolmen, St. Paul's Bay]	3 days	6-Sep-13	108	0.5									X			
583	Radju Lauretana [Għajnsielem, Gozo]	18 days	16-Mar-13	89.3	4.3			X									
592	Radju Lauretana [Għajnsielem, Gozo]	20 days	22-May-13	89.3	4.3				X								
586	Radju Kazin Banda San Filep [Żebbuġ, Malta]	1 month	10-May-13	106.3	7.6					X							
589	Radio 12th May [Żebbuġ, Malta]	1 month	10-May-13	96.5	7.9					X							
591	Tal-Gilju FM [Mqabba]	17 days	31-May-13	95.4	3.2						X						
607	Tal-Gilju FM [Mqabba]	1 month	29-Nov-13	95.4	3.2												X
593	Radju Margerita [Sannat, Gozo]	30 days	01-Jul-13	96.1	3.5						X						
594	Radju Sant'Andrija [Luqa]	1 month	15-Jun-13	88.4	9.4						X						
609	Radju Sant'Andrija [Luqa]	1 month	15-Nov-13	88.4	9.4												X
595	Radju Banda Fgura [Fgura]	28 days	17-Jun-13	93.1	5.9						X						
596	Lehen il-Karmelitani 101.4FM [Żurrieq]	1 month	1-Jul-13	101.4	8.5							X					
610	Lehen il-Karmelitani 101.4FM [Żurrieq]	1 month	1-Dec-13	101.4	8.5												X
597	Radju Marija Assunta [Għaxaq]	1 month	22-Jul-13	98.9	9.1							X					
599	Radio Leonardo 105.2FM [Kirkop]	10 days	16-Aug-13	105.2	4.9								X				
600	Radju Lauretana [Għajnsielem, Gozo]	1 month	5-Aug-13	89.3	4.3								X				
613	Radju Lauretana [Għajnsielem, Gozo]	29 days	8-Dec-13	89.3	4.3												X
601	Radju 15 t'Awwissu [Qrendi]	25 days	23-Jul-13	98.3	3.5							X					
616	Radju 15 t'Awwissu [Qrendi]	18 days	15-Dec-13	98.3	3.5												X
604	Radju Maria Bambina 90.2FM [Mellieħa]	1 month	15-Aug-13	90.2	9.1								X				

A licence issued by the Ministry for Tourism, Culture and the Environment in February 2013 authorised Public Broadcasting Services Ltd to operate the television stations TVM and TVM2, transmitting on the GIO platform, and the radio stations Radju Malta (on frequency 93.7FM), Magic Malta (on frequency 91.7FM) and Radju Parlament (on frequency 106.6FM). However, it is still within the Authority's remit to regulate these stations.

3.2.2 Satellite Licences

Station	Company	Valid	
		From	To
<i>Yurdum TV</i>	Aureusfin Ltd.	30 Dec 2011	29 Dec 2014
<i>Berat TV</i>	Aureusfin Ltd.	30 Dec 2011	29 Dec 2014
<i>MMC</i>	Aureusfin Ltd.	30 Dec 2011	29 Dec 2014
<i>Sebil</i>	Aureusfin Ltd.	30 Dec 2011	29 Dec 2014
<i>Al Ahly TV</i>	Thema Ltd	7 Aug 2013	6 Aug 2017
<i>TV Dozhd</i>	Thema Ltd	7 Aug 2013	6 Aug 2017
<i>Ya Hala!</i>	Thema Ltd	7 Aug 2013	6 Aug 2017
<i>kykNET Musiek</i>	Thema Ltd	7 Aug 2013	6 Aug 2017
<i>kykNET</i>	Thema Ltd	7 Aug 2013	6 Aug 2017
<i>Jeem TV</i>	Thema Ltd	7 Aug 2013	6 Aug 2017
<i>Baraem.TV</i>	Thema Ltd	7 Aug 2013	6 Aug 2017
<i>Al-Resalah</i>	Thema Ltd	30 Dec 2013	29 Dec 2017

Following the registering of the company *Thema Limited*, the Authority issued seven new satellite licences to the company on 7th August and another one on 30th December 2013 for satellite television services valid for four years.

During the course of the year, Aureusfin informed the Broadcasting Authority that they no longer required a Maltese licence for Kanal 99 and Kanal 34 as they were using a Turkish licence. The company also closed the stations A9 and Vadi which had 3-year licences issued in December 2011 as well as Dijle TV, Medya TV and Ekin TV, which all had licences issued in 2012 for 3 years.

The total number of satellite channels currently licensed by the Authority to *Aureusfin Limited* and to *Thema Limited* is 12.

3.2.3 New applications

At the end of the year the Authority was dealing with two applications from foreign-based companies for satellite television services under the Broadcasting Act. Two companies *Motowizja Television Limited* and *Television Production Network Malta Limited* had already been set up and the Authority was in the process of issuing three new satellite television licences.

3.2.4 Own Broadcast Stations

As a result of legislative changes to the Broadcasting Act which were enacted in 2012, private operators in the broadcasting field, whether cable or digital terrestrial, who include own broadcast channels in their line-up, must now apply for a content licence from the Authority. This amendment ensures that all television channels originating from Malta are covered by a content licence in order to meet the obligations set out under the AVMS.

The law defines own broadcast channels as those stations which are originated by the operator rather than retransmitted from satellite or free-to-air broadcast television stations. Essentially, these stations are thematic in nature and the overwhelming majority of the applications received by the Authority from the two main electronic communications networks (Melita and GO) were for sports related channels.

During the year in review, the Authority licensed a total of 21 such channels. In some instances, a separate licence document was issued for a channel which broadcasts both in standard definition and also in high definition. For all intents and purposes, the simultaneous transmission of content in higher quality is deemed to constitute one service and operators will not be paying a licence fee for such stations.

Out of the 21 channels, 15 stations broadcast sporting events.

BROADCASTING LEGISLATION

During the year in review, no amendments to the Broadcasting Act (Chapter 350 of the Laws of Malta) were enacted by Parliament.

However, Authority officials conducted a series of talks with Government officials on the need to amend two particular Articles of the Broadcasting Act to bring them in line with the interpretation given by the European Commission so that Maltese legislation would be fully compliant with the transpositions of the Audio-Visual Media Services Directive.

According to the Commission, Article 10(1) and 16(l) of the Broadcasting Act are too broad and can be interpreted as limiting freedom of reception and transmission. Despite a detailed explanation that Malta does not in any way inhibit freedom of reception or transmission, the Commission maintained its position that these two articles were deemed not compliant with the transposition of the AVMS.

Given the outcome, Malta informed the Commission that these two Articles would be amended. In truth, the amendments would simply necessitate the removal of the words “and in any other law” from both Articles. It is envisaged that these amendments would come into force in early 2014.

CONSULTATION DOCUMENT

4.1 Family Viewing

Following the introduction of new audience classification introduced by the Malta Council for Culture and the Arts, the Authority deemed it opportune to conduct a consultation process on possible amendments to the existing secondary legislation on Family Viewing.

The new ratings introduced by the MCCA allowed for a new category, 12A, which essentially implies that the programme can be followed by youngsters under the age of 12 provided that they do so accompanied by an adult. In addition, the 15 year category was introduced as opposed to the 16 year threshold used by the Authority.

Apart from the overall classification, the consultation document sought to elicit feedback from stakeholders on the need for a classification system to be used during programme trailers as well as during features broadcast during magazine programmes.

In addition, the new legal notice as proposed by the Authority was to include a specific proviso which would prohibit stations from allowing minors to be present in a studio during programmes which were essentially targeting an adult audience.

The consultation document was published in early November and stakeholders were given three weeks to submit their feedback. Unfortunately no feedback was forthcoming and at the turn of the year the Authority will be proceeding by forwarding its proposal to Government for an amendment to the existing Legal Notice. A copy of the consultation document is found in Appendix 1

4.2 CORRECT USE OF THE MALTESE LANGUAGE

Following discussion with the *Kunsill Nazzjonali għall-Ilsien Malti*, the Authority considered some potential changes to the existing legislation governing the correct use of the Maltese language on local media. Linguists and members of the public at large have often criticized broadcasting stations for their incorrect use of the Maltese language on the airwaves. Magazine shows seem to be the most vulnerable as a number of presenters have coined new terminology which essentially consists of a crossbreed between English and Maltese terms.

Following these discussions with the *Kunsill*, the Authority will be launching a consultation document in early 2014 which will seek to sensitize broadcasting stations in making an extra effort to ensure the correct use of the Maltese language on the airwaves.

4.3 REQUIREMENTS ON FOOD HYGIENE ON TELEVISION PROGRAMMES

With cooking slots becoming increasingly popular during magazine programmes and with a number of such programmes falling short of the standards imposed by the industry to ensure compliance with health and safety regulations, the Authority set up a committee to draw up a list of requirements that stations would have to adhere to during such programmes.

The committee comprised a number of professional individuals hailing from various aspects of this particular industry. The members were as follows:

- Mr John Cassar – Chairperson
- Mr Henry Mifsud from the Institute of Tourism Studies
- Ms Gloria Mizzi, a programme presenter
- Mr John Attard Kingswell and Mr Sandro Sammut from the Environmental Health Department of the Ministry for Health
- Mr Ian Sammut, Senior Programme Monitor of the Broadcasting Authority
- Ms Anna-Maria Buhagjar, Broadcasting Authority Staff, was Secretary to the Committee.

The Committee presented a list of requirements which the Authority started discussing towards the end of the year in review. These seek to underline the importance of food hygiene and food safety. A comprehensive approach to the topic is expected to be implemented in 2014.

PROGRAMME COMPLAINTS

5.1 HON. DR FRANCO DEBONO VS PBS LTD RE: XARABANK DATED 15TH DECEMBER 2012 AND TVHEMM DATED 17TH DECEMBER 2012

On 21st December 2012 The Honourable Dr Franco Debono complained that during the edition of *Xarabank* broadcast on 15th December with the participation in the studio of Dr Simon Busuttill and Dr Anglu Farrugia, comments and declarations were made by Dr Busuttill in his regard when he was not present to rebut. In his second complaint in relation to the edition of *TVHemm* broadcast on 17th December, Dr Debono complained of the way the programme had degenerated into a debate between the presenter and himself on matters that did not reflect the intended topic. In addition, the presenter's attitude in his regard did not allow him enough time to present his arguments on the issues raised. Dr Debono commented on the remedy of right of reply contemplated by law for this type of complaint and said that he was requesting instead to be invited on the next edition of both programmes so that he could give his views.

The Authority, after having taken note of the submissions of the complainant and the station, and after consulting previous decisions on similar cases, decided that the complaint referring to *TVHemm* was not justified and did not subsist since Dr Debono had been afforded ample time during

the said programme to air his views on the issues discussed. Nevertheless, the Authority noted that the behaviour of the presenter was in breach of the rules governing presenters and their obligation to remain impartial when conducting programmes on the Public Service station. The Authority also criticised the manner in which the said presenter had treated his guest and how he became involved in unruly discussions with same. In view of this, the Authority felt it had to draw the attention of the station to avoid similar incidents in the future.

Regarding the other complaint relating to the edition of *Xarabank* of 15th December, the Authority held that in actual fact the station had offered Dr Debono a fair remedy and it was up to him whether to avail himself of said remedy. The Authority also held that it could not uphold the request put forward by Dr Debono to participate in a subsequent edition of the programme and directed that the remedy afforded should be in line with provisions of Subsidiary Legislation 350.14.

5.2 LABOUR PARTY VS TVM RE: BONDIPLUS 10 JANUARY 2013

The Labour Party complained of the manner this edition of the programme was conducted and the discriminatory treatment afforded to Dr Toni Abela as Deputy Leader of the said party who was

a guest in the programme together with Dr Simon Busuttill. The Party complained about the clips used, which in addition to the interruptions and aggressive behaviour of the presenter, put Dr Abela at a disadvantage vis-à-vis his counterpart. The party held that during the programme the presenter was not impartial and was clearly in breach of the provisions of the relative Subsidiary Legislation. The party contended that all these elements and factors put together rendered the programme unbalanced.

In its decision the Authority upheld the complaint by the Labour Party relating to the behaviour of the presenter vis-à-vis Dr Toni Abela which was deemed inappropriate and partial. The Authority also pointed out that comments passed by the party representative in the initial part of the programme affected the rest of the programme. The Authority also held that the clips used during the programme were in actual fact one-sided and had caused some difficulties to the Party representative. Further, the Authority pointed out that as a matter of principle, presenters should refrain from arguing with their guests.

5.3 ALTERNATTIVA DEMOKRATIKA VS ONE

On 18th January 2013, Alternattiva Demokratika complained that ONE had not adhered to the Directive issued by the Broadcasting Authority in conjunction with the General Election campaign. The AD contended that, notwithstanding the fact that the said Directive covering the period from 7th January to 9th March 2013 clearly specified that AD had to be invited to participate in discussion programmes at prime time, this did not take place and it was therefore requesting a remedy.

The Authority, after having taken note of the submissions of the parties, and after taking note of the fact that during the said sitting the parties had already started to identify possible remedial action and alternative arrangements in line with the Authority's Directive, decided that it would refrain from proceeding with the case any further.

5.4 ALTERNATTIVA DEMOKRATIKA VS NET TV

As in the previous complaint, on 18th January 2013 Alternattiva Demokratika complained that NET TV had not adhered to the Directive issued by the Broadcasting Authority in conjunction with the General Election campaign. AD contended that, notwithstanding the fact that the said Directive covering the period 7th January to 9th March 2013

clearly specified that AD had to be invited to participate in discussion programmes at prime time, this did not take place and it was therefore requesting a remedy.

The Authority, after having taken note of the submissions of the parties, and after taking note of the fact that during the said sitting the parties had already started to identify possible remedial action and alternative arrangements in line with the Authority's Directive, decided that it would refrain from proceeding with the case any further.

5.5 ALTERNATTIVA DEMOKRATIKA VS PBS LTD

On 18th January 2013, Alternattiva Demokratika complained that PBS Ltd had repeatedly failed to invite the said Party to participate in the editions of *TVAM*, *Close-Up* and *Bondiplus* in breach of the Directive issued by the Broadcasting Authority in view of the General Election campaign. In addition, AD complained that the setting adopted for the special edition of *Xarabank* featuring the leaders of the contending parties was inappropriate and discriminatory to a certain extent in its regard and its representative was left on the side of the set unlike the other participants.

The Authority, after having taken note of the submissions of the parties, held that with regards to the first part of the complaint dealing with the exposure afforded in certain programmes to AD, the complaint was not justified. On the other hand, it held that even though there should be a distinction between the time allocated to AD and the other two political parties, it felt that AD could have been afforded greater participation in the edition of *Xarabank*. The Authority held that even though it did not feel it should interfere with the distribution of time during the programme, it noted that the parties were already discussing ways to rectify the issue and the shortcoming addressed in future editions of *Xarabank*. As a matter of clarification, the Authority further specified that it was instructing the station to explore ways in which the presentation, presence and participation of AD representatives was at par with that of the other two parties and that equal facilities were afforded to all.

5.6 SAVIOUR BALZAN VS TVM RE: BONDII+

On 19th February 2013, Mr Saviour Balzan complained about what he described as verbal attacks and intimidating tactics used by Mr Lou Bondi the presenter of *Bondi+* in regard to Malta

Today and its Directors. Mr Balzan stated that this behaviour was discriminatory as it was not adopted with other newspapers and that had Mr Bondi been an independent journalist, not a presenter on the national station, he would not have brought up the case before the Authority. Asked about the remedy he was requesting, Mr Balzan said that he expected that, in the final stages of the Electoral Campaign, Mr Bondi would adopt a more prudent approach in his regard and refrain from attacking him personally and his newspaper.

At this point the parties agreed on an amicable solution to the issues raised and that the presenter and producer would be instructed to refrain from making references to persons and/or organisations which were outside the scope of the discussion and had nothing to do with the story or subject being dealt with during the programme.

In view of this arrangement, the Authority decided to refrain from taking any further cognisance and action.

5.7 PN VS MLP RE: LABOUR PARTY POLITICAL SPOT

On 26th February 2013, the Nationalist Party complained about a political spot produced by the Labour Party as part of the Scheme of Political Broadcasts organised by the Broadcasting Authority. The PN contended that the content of the spot was deceitful and presented clips featuring the Prime Minister out of context. It was therefore requesting that this spot be pulled off the air.

The Authority, after taking note of the submissions of the parties and in particular of the fact that the PL had declared that it was going to retract and replace the spot, decided to refrain from taking any further cognisance and action.

5.8 DEAF PEOPLE ASSOCIATION VS PBS LTD

On 12th March 2013, the Deaf People Association complained that PBS Ltd had terminated its sign language interpretation service during its *News Summary* and *Xarabank*. It contended that people suffering from a hearing impairment had the right to access information in the news and discussions during one of the most popular television programmes. Asked about its formal demands, the Association requested that the sign language interpretation service be restored for the *News Summary*, *Xarabank* and the Budget Speech for the benefit of its members and other users having the same condition.

The Authority, after taking note of the submissions of the parties, held that even though it appreciated and fully acknowledged the claims put forward by the Deaf People Association, it was not in its competence to order the station to provide a service that technically went beyond the station's obligation under the relevant rules and regulations. The Authority referred to the Subsidiary Legislation 350.32 which stated that a General Interest Objective Station was bound to provide at least 30 minutes per week of programming aimed at persons with hearing impairment. The Authority noted that PBS Ltd was already meeting its obligations under the said provisions, and therefore the complaint by the Association could not be upheld. Nevertheless, in its decision the Authority encouraged the national broadcaster to strive to provide hearing impaired citizens with the best possible service.

5.9 PN VS PBS LTD RE: PRIME MINISTERIAL BROADCAST

On 2nd July 2013, the Nationalist Party complained about the Prime Ministerial broadcast on 17th June 2013, marking the first 100 days of the new legislature. The Party contended that, in actual fact, this was not what is normally considered a Ministerial broadcast, both in form and in content. Referring to the guidelines issued by the Authority in 1992 on Ministerial broadcasts, the Party said that the broadcast in question was more of a political production whereby a political, controversial and non-factual message was conveyed, and as a result of this, the said Party was requesting an adequate and equal remedy in order to put forward its views on the issues raised by the Prime Minister during the broadcast.

The Authority, after having taken into consideration the submissions by the parties, held that to date it did not have the comfort of other previous decisions on similar events, and that the guidelines cited by the PN actually referred to Ministerial Broadcasts and could not actually be applied to the case under discussion. The Authority also contended that nevertheless such broadcasts had to be of national interest and not propagandistic, in line both with the provisions of the Constitution and the Broadcasting Act. The Authority argued that the first 100 days were very important for a new Administration, and one could hardly envisage a situation where the said Authority would intervene and stop a Prime

Ministerial broadcast. The Authority held that the fact that the Prime Minister made reference to the electoral manifesto did not necessarily imply the introduction of issues of political controversy. The Authority concluded that the guidelines cited had been drawn up more than 20 years ago and possibly are in dire need of amendments. On the basis of this argumentation, the Authority decided that the complaint was not justified, and therefore it could not award any remedy.

5.10 CAMPAIGN FOR NATIONAL INDEPENDENCE (CNI) VS PBS LTD

On 4th September 2013, the Campaign for National Independence (CNI) complained that, since its inception in 2008, the movement was never afforded adequate facilities on the national broadcasting service to air its views against Malta's membership in the European Union. It contended that PBS was continuously broadcasting programmes in favour of membership and argued that, as the topic was in fact a matter of political controversy, in terms of Article 119 of the Constitution, the movement had to be given time and facilities so that it could present its views. In view of this, said movement was requesting a programme per week within which its perspective would be aired.

The Authority, after taking note of the submissions of the parties, decided that it could not uphold the complaint and accept the request by CNI for a weekly programme. The Authority held that the station had given its assurance that, as in all other cases, news value prevailed and CNI would feature in its News bulletins, provided its activities and coverage were newsworthy. The Authority also noted the commitment of the station to undertake to invite CNI for programmes discussing matters of interest. In view of these assurances provided by the station, the Authority decided that no further action was called for.

5.11 COMMISSIONER FOR CHILDREN VS TVM RE: CAPTAIN BICEPS

On 16th September 2013, the Commissioner for Children complained and requested the intervention of the Authority regarding the cartoon series *Captain Biceps* which, according to the same office, contained violent scenes interspersed with comedy, possibly leading children to see violence in a light-hearted manner.

The Authority analyzed the submissions of both parties and decided that the programmes under discussion did not pose any problems. The complaint of the Commissioner for Children was therefore not justified, and the Authority felt that no further action was required.

5.12 NATIONALIST PARTY VS TVM RE: NEWS 24 SEPTEMBER 2013

In its complaint of 25th September 2013, the Nationalist Party contended that the station failed to follow up and report the story about the appointment of Minister Konrad Mizzi's wife without a call for applications and the Party's press conference on the same subject. The Party argued that this was an important issue and the station should have taken the initiative to report and not wait for the reaction of the Party. The Nationalist Party also complained of the fact that the report about its Press Conference was relegated to the latter part of the News Bulletin and also included the reactions of Malta Enterprise, the Labour Party and the Minister. The Party contended that this presentation mitigated the effectiveness of its message and was clearly aimed at appeasing the Government.

In its decision, the Authority held that the station could not uphold the claim by the Nationalist Party that the station was duty bound to take the initiative and investigate and report the story without awaiting the reaction of the Nationalist Party. The Authority noted that in this case the station had adopted a pre-established editorial policy and it did not intend to interfere with the merits of said policy. In relation to the part of the complaint referring to the presentation of the coverage about the Press Conference, the Authority held that the station had faithfully conveyed the contents of said conference and it did not consider the inclusion of the reactions by Malta Enterprise, the Labour Party and the Minister as in any way aimed at mitigating or distorting the same contents. The Authority concluded that the order of ranking of the same coverage within the same News Bulletin was not abusive or in any way in breach of the relative provisions of the law. In view of these considerations, the Authority declared that complaint was not justified and no further action was required.

5.13 NATIONALIST PARTY VS TVM RE: NEWS DATED 5 DECEMBER 2013

On 11th December 2013, the Nationalist Party complained of the fact that the station completely omitted and did not report the speech of the Minister of Finance before the European Parliament over the Citizenship Scheme and the reaction of the Nationalist Party to it. The Party contended that this issue was topical, controversial and of current public policy, and the station was duty bound to report the comments made by the Minister which contrasted with the position conveyed by the Government. The party argued that this omission on the part of the station caused imbalance against the Nationalist Party.

In its decision, the Authority held that the choice of news items and what constituted news value was at the discretion of the station, as confirmed by its Subsidiary Legislation 350.14. The Authority argued that it was not its intention to interfere with said discretion, but nevertheless it had to point out that the right attributed to the station to choose and decide over news value was not absolute. In view

of this, the Authority disagreed with the arguments pronounced by the station that the speech of the Minister did not constitute any news value, and it was of the opinion that the station should have reported excerpts of the same, including the parts relating to the citizenship scheme for the benefit of its viewers. On the part of the complaint referring to balance, the Authority held that a situation of imbalance was created when a station opts to broadcast one side of the story, completely omitting the other and in the case under discussion this did not occur. During the hearing, it transpired that reference to the speech of the Minister was in actual fact reflected in two reports relating to activities by the Leader of the Opposition and the Prime Minister broadcast on the 8 December 2013. In view of this, the Authority concluded that even though the station was in breach when it concluded that the speech of the Minister did not constitute news value, it felt that this matter alone did not create an imbalance against the Party and therefore it could not uphold the complaint and move on to award a remedy.

POLITICAL BROADCASTS GENERAL ELECTIONS

The General Election was held on 9th March and the electoral campaign started in full swing at the turn of the year, making it one of the longest electoral campaigns in recent history. The Authority was quick to address the situation by communicating the Directive which governed all programmes broadcast by every broadcasting station during the period 7th January to 9th March.

As the campaign spanned a period of nine weeks, the Authority decided that election candidates could participate in the same programme more than three times as this was deemed to be more practical.

The scheme of political broadcasts drawn up by the Authority worked well and for the first time ever, political discussions were also accompanied by sign language.

In addition, on polling day, the Authority scheduled a number of meetings with representatives of the two main political parties to discuss minor broadcasting issues that arose from that day's output of the political stations. In addition, the Authority was in constant liaison with the Chief Electoral Commissioner as well as the Commissioner of Police to ensure that the provisions governing the so called 'silence period' were observed by all broadcasting stations.

As per Article 13(4) of the Broadcasting Act, the

Authority organised a scheme of political broadcasts starting on 9th January. This consisted of debates, press conferences and party productions broadcast on TVM. In the case of the debates and press conferences, these were simulcast on *Radju Malta* and, for the first time, these broadcasts were also inset with sign language translators.

A total of seven debates, each of 60 minute duration, were broadcast as follows:

9th January 2013 - Opening Debate

"Il-Proposti tal-Partit Nazzjonalista u tal-Partit Laburista għal din l-elezzjoni"

- Partit Nazzjonalista: Hon. Min. Tonio Fenech
- Partit Laburista: Dr Chris Cardona

23rd January 2013 - AD Debate

"Magħna taf fejn int" - suġġett magħżul mill-Alternattiva Demokratika

- Alternattiva Demokratika: Carmel Cacopardo
- Partit Nazzjonalista: Dr Simon Busuttil and Clyde Puli
- Partit Laburista: Dr Toni Abela and Carmel Hili

30th January 2013 - PN Debate

"Qabza oħra ta' kwalità" - suġġett magħżul mill-Partit Nazzjonalista

- Partit Nazzjonalista: Dr Simon Busuttil and Dr

Tonio Fenech

- Partit Laburista: Dr Gavin Gulia and Adrian Meli

6th February 2013 - PL Debate

“Malta tagħna lkoll” - sugġett magħżul mill-Partit Laburista

- Partit Nazzjonalista: Dr Simon Busuttil and Edwin Vassallo
- Partit Laburista: Dr Michael Falzon and Dr Deborah Schembri

25th February 2013 - PN Debate

“Il-Partit Nazzjonalista se johlq 25,000 job ġdid” - sugġett magħżul mill-Partit Nazzjonalista

- Alternattiva Demokratika: Prof Arnold Cassola
- Partit Nazzjonalista: Dr Chris Said and Clyde Puli
- Partit Laburista: Prof Edward Scicluna and Emanuel Micallef

27th February 2013 - PL Debate

“Uċuh Maltin, Poplu wieħed” - sugġett magħżul mill-Partit Laburista

- Alternattiva Demokratika: Mario Mallia
- Partit Nazzjonalista: Dr Simon Busuttil and Dr Beppe Fenech Adami
- Partit Laburista: Dr Luciano Busuttil and Dr Chris Fearn

6th March 2013 - Closing Debate

“Il-proposti tal-Partiti”

- Partit Nazzjonalista: Dr Lawrence Gonzi, Kap tal-Partit
- Partit Laburista: Dr Joseph Muscat, Kap tal-Partit

A total of seven press conferences were broadcast as follows:

14th January 2013 - PL Press Conference

“Kontijiet orħos, arja aktar nadifa” - Dr Konrad Mizzi

Journalists: Jesmar Baldacchino, *Radio 101*; Amy Borg, *Il-Mument*; Roberta Fenech, *It-Torċa*; Sergio Mallia, *TVM*; Kurt Sansone, *The Times*.

16th January 2013 - PN Press Conference

“Finanzi fis-sod” - Dr Tonio Fenech

Journalists: Reno Bugeja, *TVM*; Johnathan Attard, *ONE*; Chris Peregin, *The Times*; Krista Caruana, *Kullhadd*; James Piscopo, *RTK*

11th February 2013 - PL Press Conference

“Roadmap b’għoxrin priorità għall-ħames snin illi ġejjin” - Dr Joseph Muscat

Journalists: David Bonello, *TVM*; Kenneth Xuereb, *Net TV*; Mark Micallef, *The Sunday Times*; Catherine Aquilina, *RTK*; Jesmar Baldacchino, *In-Nazzjon*.

13th February 2013 - PN Press Conference

“Qabza oħra ta’ kwalità fl-edukazzjoni” - Dr Simon Busuttil

Journalists: Maria Muscat, *TVM*; Ramona Attard, *ONE*; Chris Peregin, *The Times*; Gaetano Micallef, *L-Orizzont*; Karl Stagno Navarra, *Illum*.

28th February 2013 - AD Press Conference

“Magħna taf fejn int” - Michael Briguglio

Journalists: David Bonello, *TVM*; Jerome Caruana Cilia, *Net TV*; Anthony David Gatt, *ONE*; Annaliza Borg, *The Malta Independent*; Nestor Laiviera, *Malta Today*.

4th March 2013 - PL Press Conference

“Malta Tagħna Lkoll” - Dr Joseph Muscat

Journalists: Mario Micallef, *TVM*; Jesmar Baldacchino, *Net TV*; Keith Micallef, *Independent on Sunday*; Miriam Dalli, *Malta Today*; Manuel Galea, *Bay Radio*.

5th March 2013 - PN Press Conference

“Futur fis-Sod” - Dr Simon Busuttil

Journalists: Mario Micallef, *TVM*; Johnathan Attard, *ONE Radio*; Noel Grima, *Independent on Sunday*; Rebecca Buttigieg, *Bay Radio*; Jurgen Balzan, *Malta Today*.

Mr Michael Briguglio, Chairperson of *Alternattiva Demokratika*; Dr John Zammit for *Alleanza Liberali Demokratika Maltija*; Nazzareno Bonnici for *Partit tal-Ajkla*; and Tonio Mercieca were assigned a five minute interview.

In addition, broadcasting time was assigned to the political parties for political spots/productions. Whilst *Alternattiva Demokratika* was assigned a total of 60 minutes for such spots, the other two parties were each assigned a total of 120 minutes. Political spots are usually aired during prime time and political parties have the right to select the time when such spot is to be aired. No such broadcasts are allowed during news bulletins. In the case of a clash, the Authority adopts a roster system which

ensures fair distribution of political productions by the different political parties during prime time broadcasts.

As per Article 15 of the Broadcasting Act, the Authority issued a Directive covering programmes broadcast between 7th January and 9th March 2013. The Directive outlines specific regulations which all broadcasting stations have to follow in the run-up to the Local Council Elections. A copy of this directive is found as Appendix 2.



INTERNATIONAL RELATIONS

International relations are considered to serve as a platform for the creation of synergies, and the Broadcasting Authority has long established a leading presence both in EPRA and the MNRA.

On the eve of the General Elections, the Authority hosted a delegation from the OSCE which visited Malta specifically to report on the proceedings of the General Elections. The meeting with the Authority focused on the scheme of political broadcasts, which is broadcast by the state broadcaster, and the provisions governing the so-called days of silence.

In April, the Chairman and Chief Executive visited Hungary to sign a collaboration agreement with the Hungarian Regulatory Authority. As a result of this agreement, the Hungarians granted the Authority a licence, free of charge, for the use of software specifically designed for the capture and archiving of audio-visual signals. This makes it possible for the Authority to upgrade its system of recording and introduce a digital content management system for more efficient monitoring.

7.1 EUROPEAN PLATFORM OF REGULATORY AUTHORITIES (EPRA)

The Authority was present for the 37th meeting held in Krakow between 8th and 12th May. The Chairman, Chief Executive and Head of Monitoring

attended this meeting during which the Chief Executive contested the election for one of the posts of the vice-chairs of the network. He was nominated by the Authorities of Ireland, Holland, Gibraltar, Cyprus and Portugal. He garnered a total of 15 votes but failed to get elected.

During one of the thematic workshops of this meeting, the Chief Executive delivered a short presentation on political communication in Malta during an electoral campaign.

The Authority was also present for the 38th meeting which was held in Vilnius between 2nd and 4th October. The main themes discussed during this meeting regarded practices and methodology of video on-demand services and assessing plurality in an online environment.

The Authority was represented by its Chairman, the Chief Executive and Head of Monitoring. The Chairman, the Chief Executive and the Head of Monitoring participated in the working group on political communication.

7.2 MEDITERRANEAN NETWORK OF REGULATORY AUTHORITIES (MNRA)

The Chief Executive represented the Authority during the Technical Commission Meeting held in Nicosia, Cyprus between 20th and 22nd June at the invitation of the Cyprus Radio and Television

Authority. During the meeting, Malta was charged with the task of preparing a roadmap for the future of the Network, with a preliminary report to be presented during the plenary session to be held in November.

The fourteenth plenary session of the MNRA was held in Limassol, Cyprus in November. The Chief Executive and the Head of Monitoring attended this meeting where the role of the public broadcaster was the main theme for discussion.

On the second day of the conference, the Chief Executive outlined Malta's plan of action to strengthen the operation of the network and safeguard its relevance. The members present unanimously decided to delegate Malta and Cyprus to compile a roadmap on the Network which would be discussed during the 2014 plenary meeting scheduled to be held in Mauritania.

7.3 MEETING OF EU REGULATORY AUTHORITIES CALLED BY OFCOM

The need has long been felt for the creation of a committee representing regulatory authorities of all EU member states. An initial approach was undertaken by Cyprus in 2011 but lacking tangible support, the initiative failed to gain momentum.

In December, Ofcom called a meeting in London in a bid to create a committee of regulatory authorities within the EU to enable a platform for discussion and exchange of ideas. The idea behind this venture stemmed from the various different interpretations that regulatory authorities tend to assign to particular aspects of broadcasting. The transposition of the AVMS by all member states paved the way for a more uniform and streamlined approach to broadcasting regulation.

The Authority was meant to be represented through its Chief Executive. Unfortunately, a last minute mishap prevented Malta's participation in London, but the Authority still contributed to the support of this initiative by submitting its proposals to Ofcom.

Following this initial meeting, the EU Commission took on board the proposal and is expected to convene all regulatory authorities within the EU for an inaugural meeting of this forum and the election of the first Chair and Vice-Chairs. This is expected to take place in Brussels in early 2014.

7.4 EU AVMSD CONTACT COMMITTEE AND WORKING GROUP

Head of Monitoring was nominated as the Contact Point of the Contact Committee on the Audiovisual Media Services Directive. The first meeting she attended was the 38th Contact Committee meeting of the AVMSD which took place on 30th May 2013. For this meeting, Malta, together with other EU countries, participated in a questionnaire on indicators for monitoring Article 13 of the AVMSD, which refers to European Works. In this meeting, the Green Paper: 'Preparing for a Fully Converged Audiovisual World: Growth, Creations and Values' was discussed further, following previous meetings of this Contact Committee. Another subject on the agenda was explored by Dr Wolfgang Schulz of the Hans-Bredow-Institut who put forward studies regarding a public consultation on the independence of regulatory bodies competent for audiovisual media services and on possible options for strengthening their independence.

The topic focusing on the List of Events of Major importance was also dealt with, and the EU Commission presented an update on audience figures indicators and information on the applicability of the list. The Commission also presented the results of a survey on the current practice in respect to short news reporting under Article 15 of AVMSD, a survey in which Malta also participated. Malta also took part in questionnaires on indicators for monitoring the application of Articles 13, 16 and 17 of the AVMSD, and such findings were summarised during this Contact committee meeting.

During this meeting, the member states were informed that the Commission will continue to monitor the AVMSD implementation and is also planning to conduct a study on the exposure of minors to TV alcohol advertising. OFCOM informed the Commission about its publication regarding alcohol advertising.

Malta was represented by the BA Head of Monitoring in a meeting of the Working Group of EU Regulatory Authorities in the field of Audiovisual Media Services which was held on 19th November 2013. This Working Group discussed with the EU Commission the formalisation of the Working Group of EU regulatory authorities in the field of audiovisual media services, afore-mentioned. Furthermore, results and further discussion on the implementation of Article 13 of the AVMSD took

place during this working group meeting. Malta participated in the questionnaire which was related to the implementation of this Article and discussed further the promotion of European films and TV series online.

The Working Group discussed examples of charity appeals presented by different member states wherein members, including Malta, participated through the use of media clips of different methods of presentation of charity appeals which was discussed during the meeting. Another subject – commercial communications – was also discussed, particularly on the different methods of product placement as presented by different member states.

Finally, the state of play of the AVMSD transposition was put forward during this working group, with Malta, together with other member states, being notified of the launch of infringement procedure.

RADIO AND TELEVISION AUDIENCE ASSESSMENT

In accordance with Article 30(2) of the Broadcasting Act, Cap. 350 of the Laws of Malta, the Broadcasting Authority commissioned the National Statistics Office [N.S.O.] to compile the relevant data on audiences through telephone interviews. Since the broadcasting season starts in October of each year, this report covers the audiences for October 2012 to September 2013.

Data was collected on a daily basis through telephone calls by the N.S.O. The stratified sample

data was based on national demographics. The sample was forwarded to the Authority on a quarterly basis while the analysis was published through the Authority's website. Respondents were only known to the N.S.O.; no personal data is revealed and no respondent can ever be identified. The overall response rate of 51.35% was constantly slightly above the norm accepted for this kind of assessment [45%-50%] while the margin of error of each assessment was adequate for the estimation of radio and television audiences – see table below.

POPULATION, RESPONSE RATES AND MARGIN OF ERROR

Responses	Oct 2012 – Sep 2013		Oct-Dec 2012		Jan-Mar 2013		Apr-Jun 2013		Jul-Sep 2013	
	No.	%	No.	%	No.	%	No.	%	No.	%
Accepted	7,306	51.35%	1,843	51.52%	1801	51.49%	1822	51.57%	1840	50.84%
Refused	466	3.28%	127	3.55%	127	3.63%	113	3.20%	99	2.74%
Non-Contact	2632	18.50%	698	19.51%	666	19.04%	609	17.24%	659	18.21%
Unreachable	3763	26.45%	892	24.94%	893	25.53%	969	27.43%	1009	27.88%
Ineligible	60	0.42%	17	0.48%	11	0.31%	20	0.57%	12	0.33%
Contacted	14,227	100%	3,577	100%	3498	100%	3533	100%	3619	100%
Not used	432		112		116		111		93	
Total	14,659		3,689		3,614		3,644		3,712	
Population [12 yrs and over]			372,993		373,273		373,852		374,200	
Response Rate			51.52%		51.49%		51.57%		50.84%	
Margin of Error [95% confidence]			± 2.28%		± 2.30%		2.29%		± 2.28%	

For this broadcasting season some changes in the data collected were introduced. For previous assessments respondents were asked which radio/television station they listened/watched most for at least 10 minutes with the possibility of identifying three time-slots for one particular radio and one television station. Thus from the list of stations, respondents would identify the station they followed most and would indicate up to three different periods during which they had followed that station.

For this assessment period, respondents were given the possibility of naming a maximum of three television stations followed the previous day while also identifying up to a maximum of three different time-slots, this giving a maximum combination of nine time-slots for each television viewer. Radio listeners, on the other hand, were given the possibility of also naming a maximum of three different stations but limiting the time-bracket to one time-slot per station.

The list of radio stations read out to respondents was also increased to include five stations which are broadcast on the DAB+ platform: *Bay Easy, Bay Retro, All Rock, All R & B, and Kiss*.

Every broadcasting quarter, the analysis of radio and television audiences was carried out on two parameters: audience reach which is defined as the number of listeners/viewers of particular stations; and audience share which is the total amount of broadcasting time that is consumed by listeners/viewers. These two measures can be made use of differently depending on the scrutiny being made by the end-users of this assessment. While advertisers are interested in the number and composition of consumers that tune in to a particular broadcasting station, broadcasting stations are more concerned with the length of time they can maintain their audiences.

8.1 DURING THIS BROADCASTING SEASON

This assessment period was characterised by the General Election that was held on 9th March. Local broadcasting was characterised not only by the Political Broadcasting Scheme organised by the Broadcasting Authority during January and February and broadcast on the public broadcaster, but also by political activities regularly held and reported on local media. Broadcasting schedules were continuously amended by the main broadcasting stations as dictated by these events of national importance.

RADIO REACH BY QUARTERS

	Radio Listeners ¹	Did Not Listen to Radio	No Response
Oct-Dec 2006	56.018%	43.982%	
Jan-Mar 2007	51.951%	48.049%	
Apr-Jun 2007	55.420%	44.469%	0.111%
Jul-Sep 2007	52.667%	47.222%	0.111%
Oct-Dec 2007	51.518%	48.482%	
Jan-Mar 2008	55.920%	44.080%	
Apr-Jun 2008	53.575%	46.369%	0.056%
Jul-Sep 2008	53.190%	46.584%	0.226%
Oct-Dec 2008	52.371%	47.629%	
Jan-Mar 2009	53.665%	46.335%	
Apr-Jun 2009	54.164%	45.836%	
Jul-Sep 2009	56.253%	43.747%	
Oct-Dec 2009	55.876%	44.070%	0.054%
Jan-Mar 2010	57.611%	42.389%	
Apr-Jun 2010	57.724%	42.276%	
Jul-Sep 2010	57.330%	42.452%	0.218%
Oct-Dec 2010	54.981%	44.856%	0.163%
Jan-Mar 2011	57.278%	42.611%	0.111%
Apr-Jun 2011	55.495%	43.956%	0.549%
Jul-Sep 2011	54.809%	44.536%	0.656%
Oct-Dec 2011	50.163%	48.317%	1.520%
Jan-Mar 2012	47.143%	51.923%	0.934%
Apr-Jun 2012	46.154%	52.308%	1.538%
Jul-Sep 2012	44.970%	54.432%	0.598%
Oct-Dec 2012	46.033%	52.900%	1.067%
Jan-Mar 2013	47.754%	51.413%	0.833%
Apr-Jun 2013	45.291%	53.988%	0.721%
Jul-Sep 2013	44.074%	55.753%	0.174%

¹ Includes "No Particular Radio Station" and "Did not remember which station they had followed".

8.2 RADIO AUDIENCES

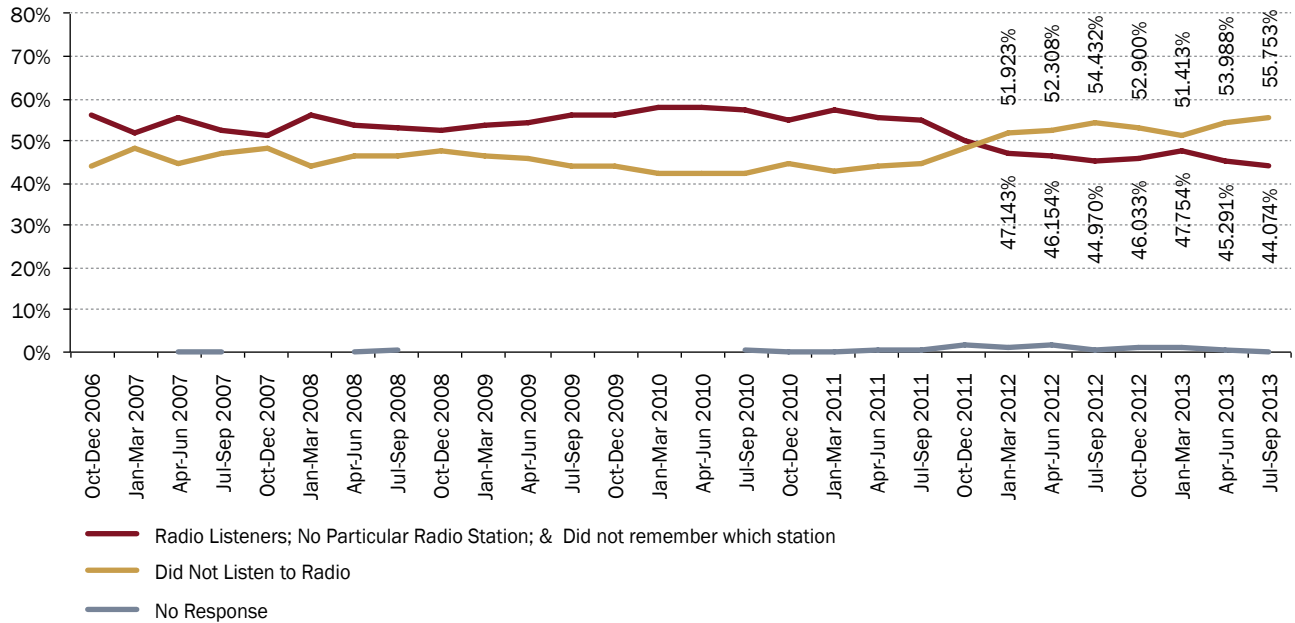
Respondents were asked which radio station they had listened to the day before the interview. This data does not indicate whether radio listeners are regular listeners or occasional since they would have to be asked specifically whether they usually listen to radio followed by the question whether they had listened to radio the day before the interview. This data has been similarly monitored since October 2006.

During this assessment period, the trend that started during the quarter January-March 2012, indicating that the number of those who did not listen to radio exceeded the number of all radio listeners, has also continued. The last quarter [July-September 2013] of this broadcasting season registered the lowest ever radio reach [44.074%] and the highest number of non-listeners [55.753%] - a difference of 11.679%. The number of respondents who did not reply was always minimal.

The presumption that radio is listened to more during the summer months than during the winter months may not hold true completely except for those who are avid listeners. The number of radio

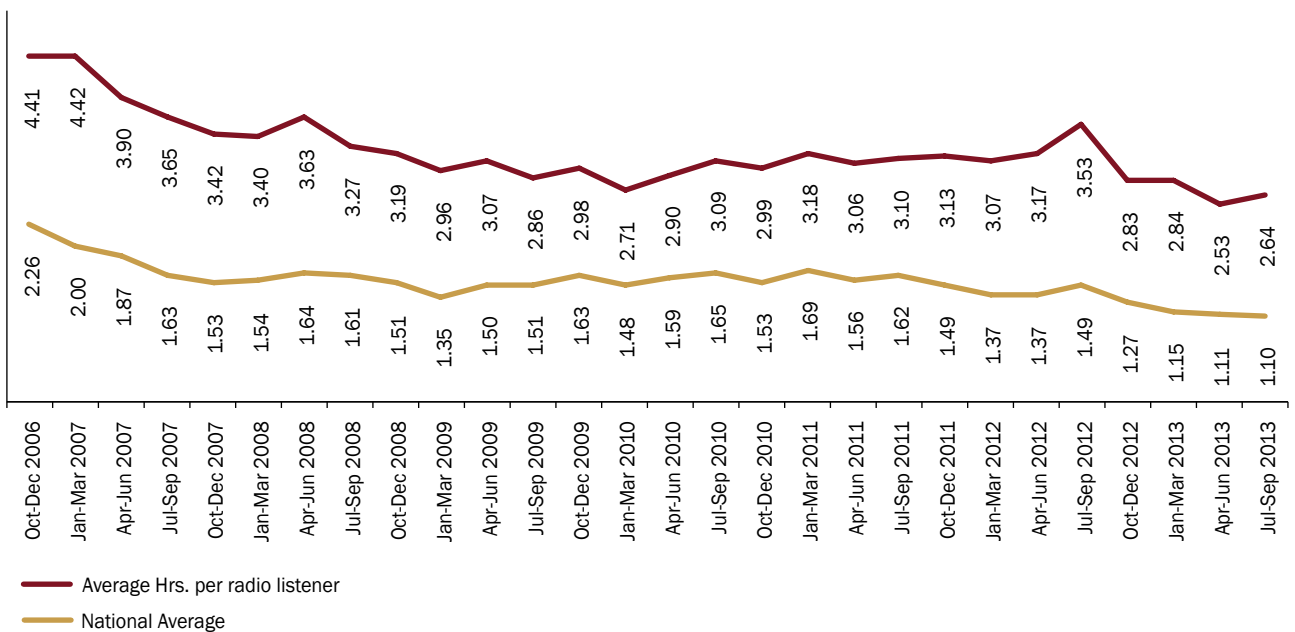
listeners increased during the first quarter [October-December 2012] of this broadcasting year over that of the previous summer quarter and continued to increase during January-March 2013 – the pre-election period. The number of radio listeners then constantly dropped from 47.754% during January-March 2013 to 44.074% during July-September 2013.

RADIO REACH BY QUARTERS (OCT/DEC 2006 - JUL/SEP 2013)



Another indicator for radio listening is the length of time each consumer made use of his radio set. The number of hours spent differs from quarter to quarter, and radio listeners have spent an average of 2.71hrs a day over the whole broadcasting season from October 2012 to September 2013.

AVERAGE HOURS OF RADIO LISTENING



Both the average hours of regular radio listeners as well as the national average calculated over the whole population have been decreasing since October-December 2006. While the values for the national average have more than halved during the last seven years from 2.26hrs to 1.10hrs for July-September 2013, a slightly less decrease can be seen amongst regular listeners from 4.41hrs to 2.64hrs for the same seven-year period.

For each broadcasting quarter the total number of radio listeners was analysed by broadcasting station, thus giving the effective percentage number of radio listeners that each radio broadcasting station has attracted. Since the quarter of October-December 2008, Bay Radio has attracted the largest number of radio listeners, followed by ONE Radio. Since 2006 the third largest number of radio listeners varied between Calypso Radio, Radju Malta and RTK; however, for this assessment period Radju Malta has always attracted the third largest group.

Every quarter, the number of listeners of each particular station was multiplied by the time that each has spent listening to his radio set and the figures were then averaged out over the total

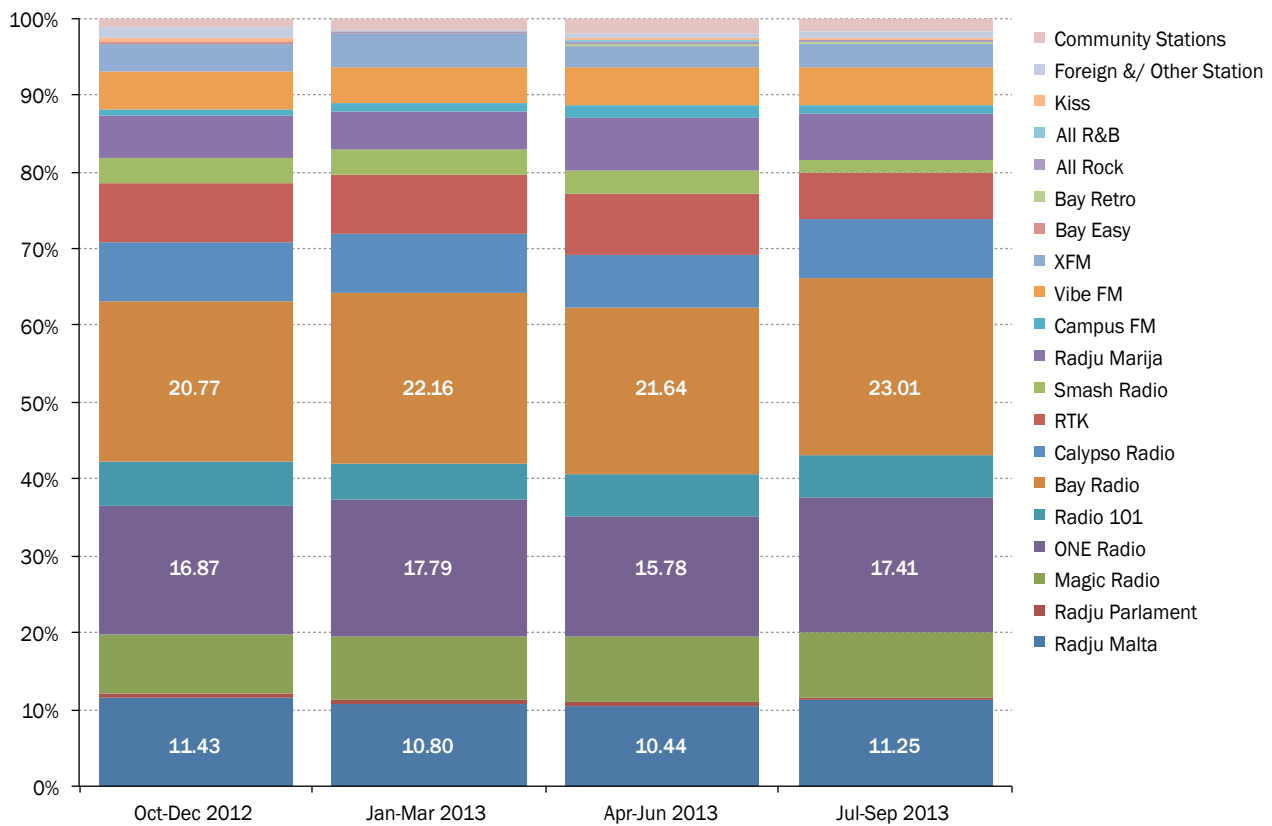
number of listeners of each station - the average number of hours spent by consumers for each particular broadcasting station. While leading stations have maintained the average hours spent by their listeners, some of the stations varied greatly by quarter. The results of this part of the analysis have to be very carefully analysed as through sampling the small number of listeners registered to one particular station can greatly increase the average for that station. On the other hand, those stations which attracted a large portion of radio listeners would have their results averaged-down between those listeners who would log on to that particular station for the whole day and those who would have listened to only a small portion of that particular station's broadcasts.

Taking both the number of radio listeners as well as the time spent by each respondent, the audience share of each broadcasting station is calculated with respect to all available time slots. The composition of each station's audience differs depending on the type of broadcast content being provided and the section of the population being targeted by each respective station at each particular broadcasting slot.

RADIO AUDIENCE REACH - BY STATION AND BY QUARTER [OCT/DEC 2012 - JUL/SEP 2013]

	Radju Malta	Radju Parliament	Magic Radio	ONE Radio	Radio 101	Bay Radio	Calypso Radio	RTK	Smash Radio	Radju Marija	Campus FM	Vibe FM	XFM	Bay Easy	Bay Retro	All Rock	All R&B	Kiss	Foreign &/ Other Station	Community Stations
Oct-Dec 2012	11.43	0.60	7.64	16.87	5.87	20.77	7.72	7.62	3.23	5.47	0.90	4.86	3.74	0.15		0.13		0.37	1.49	1.14
Jan-Mar 2013	10.80	0.57	8.10	17.79	4.83	22.16	7.72	7.74	3.24	4.81	1.07	4.73	4.33	0.11		0.15		0.08	0.44	1.33
Apr-Jun 2013	10.44	0.43	8.54	15.78	5.47	21.64	7.00	7.81	3.17	6.72	1.62	4.98	2.68	0.19	0.20	0.17	0.24	0.25	0.55	2.12
Jul-Sep 2013	11.25	0.30	8.51	17.41	5.71	23.01	7.50	6.18	1.65	6.07	1.08	4.92	2.90		0.37	0.25		0.28	0.99	1.59

RADIO AUDIENCE REACH - BY STATION AND BY QUARTER [OCT/DEC 2012 - JUL/SEP 2013]



AVERAGE HOURS CONSUMED BY QUARTER AND BY BROADCASTING STATION

	Radju Malta	Radju Parlament 106.6	Magic Radio	One Radio	Radio 101	Bay Radio	Calypso Radio	RTK	Smash Radio	Radju Marija	Campus FM	Capital Radio/Vibe FM	XFM	Bay Easy	Bay Retro	All Rock	All R&B	Kiss	Foreign &/ Other Radio Station	Community Stations	Total Listeners	National Avg.
Oct-Dec 2012	3.15	1.21	2.27	3.05	3.46	2.15	3.86	2.14	4.52	2.59	1.43	2.76	3.84	2.00	0.50	0.83	2.18	4.25	2.83	1.27		
Jan-Mar 2013	2.24	0.71	2.39	3.05	2.13	2.15	4.26	2.50	2.80	2.47	2.14	1.63	1.71	2.00	3.00	2.00	3.86	2.80	2.84	1.15		
Apr-Jun 2013	2.62	1.19	2.46	3.38	1.96	2.12	3.65	2.36	2.20	1.98	1.38	2.24	2.27	4.76	0.50	6.00	1.08	2.44	2.07	2.85	2.53	1.11
Jul-Sep 2013	3.05	0.65	1.79	3.12	2.91	2.14	3.12	2.71	3.52	2.99	1.95	2.08	2.93	0.65	4.33	0.50	2.06	3.84	2.64	1.10		

The amount of time spent by listeners of Bay Radio is much less than the amount of time spent by ONE Radio listeners. And although Bay Radio has attracted the largest number of listeners, its share of audiences ranked second throughout this broadcasting season.

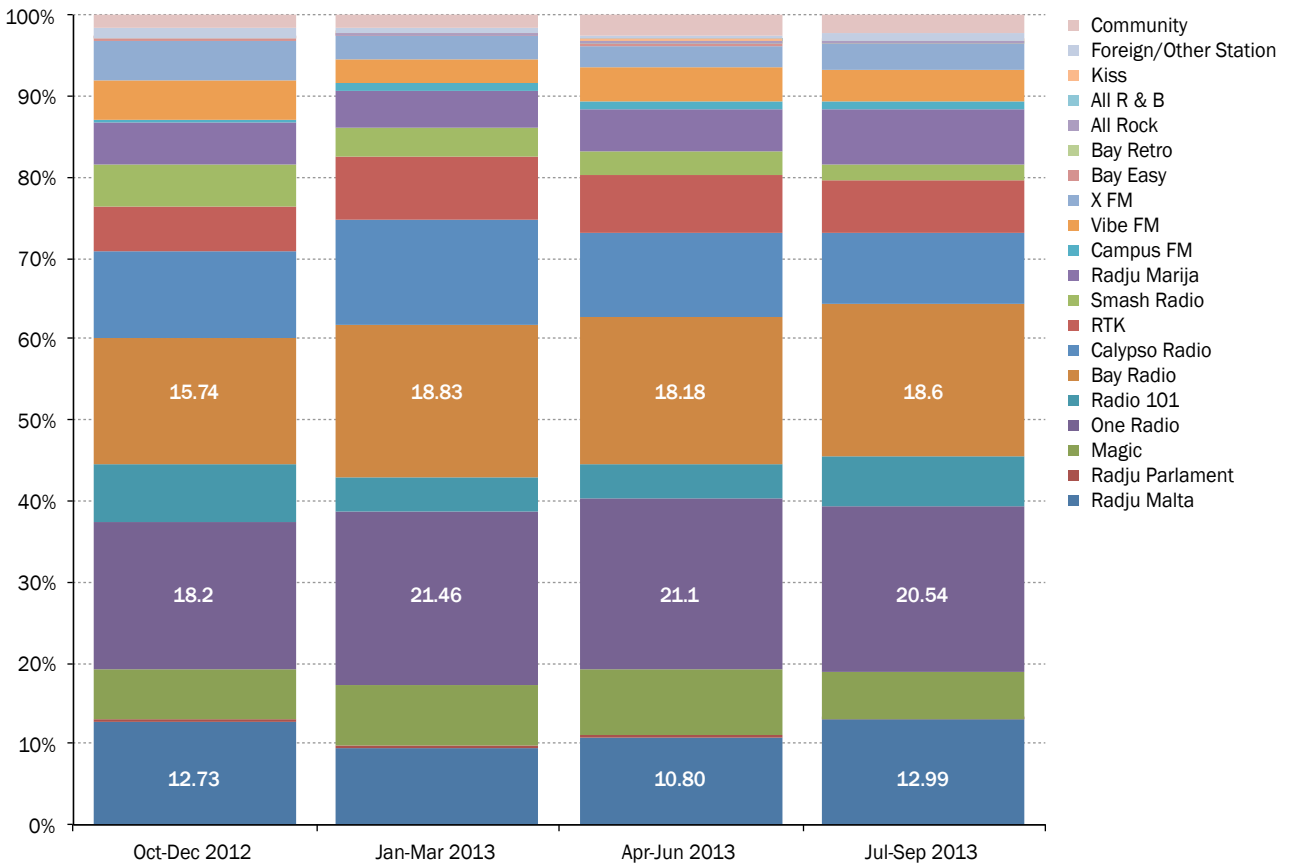
Throughout the whole broadcasting season, ONE Radio attained the highest share of radio

audiences with an overall average of 20.33%. This station was followed by Bay Radio with an average audience share for the whole year of 17.84% while Radju Malta followed this station with its average audience of 11.52% even though the third most followed station during January-March 2013 was Calypso Radio [13.01%] which overall ranked fourth with an average audience share of 10.62%

RADIO AUDIENCE SHARE - BY STATION AND BY QUARTER [OCT/DEC 2012 - JUL/SEP 2013]

Average [%]	Radju Malta	Radju Parliament	Magic	One Radio	Radio 101	Bay Radio	Calypso Radio	RTK	Smash Radio	Radju Marija	Campus FM	Vibe FM	X FM	Bay Easy	Bay Retro	All Rock	All R & B	Kiss	Foreign/Other Station	Community
Oct-Dec 2012	12.73	0.25	6.12	18.20	7.17	15.74	10.53	5.76	5.15	4.99	0.46	4.74	5.07	0.10	0.02			0.11	1.15	1.71
Jan-Mar 2013	9.56	0.16	7.64	21.46	4.07	18.83	13.01	7.65	3.58	4.69	0.90	3.05	2.93	0.09		0.17		0.07	0.67	1.48
Apr-Jun 2013	10.80	0.20	8.33	21.10	4.23	18.18	10.11	7.30	2.77	5.27	0.88	4.42	2.41	0.36	0.04	0.40	0.10	0.24	0.45	2.39
Jul-Sep 2013	12.99	0.07	5.77	20.54	6.28	18.60	8.84	6.35	2.20	6.86	0.79	3.88	3.21		0.09	0.41		0.05	0.77	2.30
Average.	11.52	0.17	6.97	20.33	5.44	17.84	10.62	6.77	3.43	5.45	0.76	4.02	3.41	0.14	0.03	0.25	0.03	0.12	0.76	1.97
	[3]	[14]	[5]	[1]	[8]	[2]	[4]	[6]	[9]	[7]	[12]	[8]	[10]	[14]	[15]	[13]	[15]	[16]	[12]	[11]

RADIO TOTAL DAILY AVERAGE AUDIENCE SHARE - BY STATION AND BY QUARTER [OCT/DEC 2012 - JUL/SEP 2013]



TV REACH BY QUARTERS

	TV Viewers ¹	Do not watch TV	No Response
Oct-Dec 2006	76.477%	23.523%	
Jan-Mar 2007	75.474%	24.526%	
Apr-Jun 2007	70.243%	29.535%	0.221%
Jul-Sep 2007	66.111%	33.889%	
Oct-Dec 2007	74.600%	25.400%	
Jan-Mar 2008	75.486%	24.514%	
Apr-Jun 2008	78.324%	21.564%	0.112%
Jul-Sep 2008	69.170%	30.717%	0.113%
Oct-Dec 2008	75.204%	24.741%	0.054%
Jan-Mar 2009	78.008%	21.992%	
Apr-Jun 2009	74.628%	25.372%	
Jul-Sep 2009	69.143%	30.748%	0.109%
Oct-Dec 2009	77.192%	22.808%	
Jan-Mar 2010	76.111%	23.778%	0.111%
Apr-Jun 2010	75.151%	24.849%	
Jul-Sep 2010	72.970%	26.975%	0.054%
Oct-Dec 2010	78.116%	21.720%	0.163%
Jan-Mar 2011	82.278%	17.722%	
Apr-Jun 2011	78.681%	20.769%	0.549%
Jul-Sep 2011	69.781%	29.617%	0.601%
Oct-Dec 2011	74.864%	23.996%	1.140%
Jan-Mar 2012	73.407%	24.286%	2.308%
Apr-Jun 2012	71.978%	26.154%	1.868%
Jul-Sep 2012	61.827%	35.726%	2.447%
Oct-Dec 2012	74.368%	23.416%	2.215%
Jan-Mar 2013	74.596%	22.743%	2.661%
Apr-Jun 2013	71.934%	25.843%	2.222%
Jul-Sep 2013	65.773%	32.683%	1.544%

¹Includes "No Particular TV Station" and "Did not remember which station they had followed".

8.3 TELEVISION AUDIENCES

Similar to radio, data for TV was also monitored for the past years using the same analytical methods. For this analysis TV viewers also includes all those who stated that they did not watch any particular station [they channel-hopped] and those who stated that they did not remember which TV station they had followed most.

October of each year is the start of a new broadcasting season and again for this

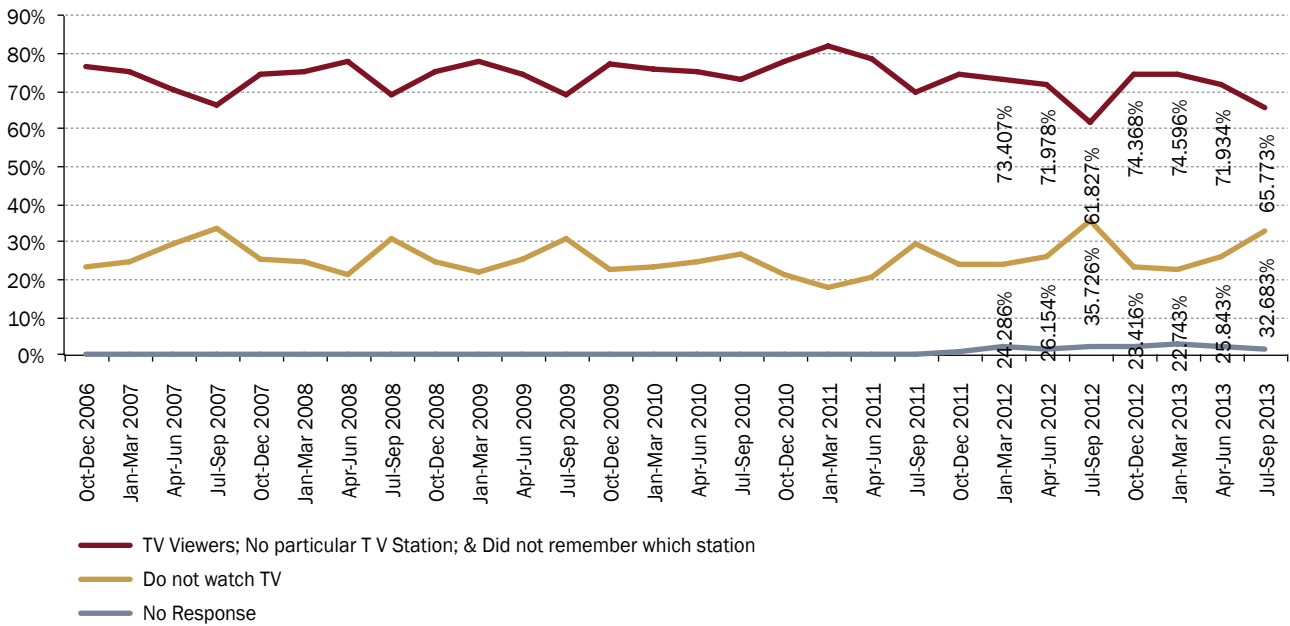
broadcasting year there was a sharp increase of TV-viewers [+12.541%] over the summer period which was maintained and increased, albeit by a small amount [0.228%], to 74.596% during January-March 2013. This was followed by a slight decrease of TV-viewers of 2.434% during April-June and a sharp decrease of 6.161% of TV viewers during July-September.

Of note are those respondents who did not give a response. This amount nearly doubled from 1.14% in 2011 to 2.215% at the start of the broadcasting season, registering the highest percentage ever recorded for such respondents during January-March 2013, decreasing slightly by 0.439% during April-June, and continuing to slightly decrease by 0.678% during July-September.

Another indicator is for how long consumers watched their TV-sets. There is a clear seasonal trend where following the summer months there is a sharp rise at the start of the broadcasting season. This rise continues during January-March of each year, after which the amount of time spent by consumers starts to decrease.

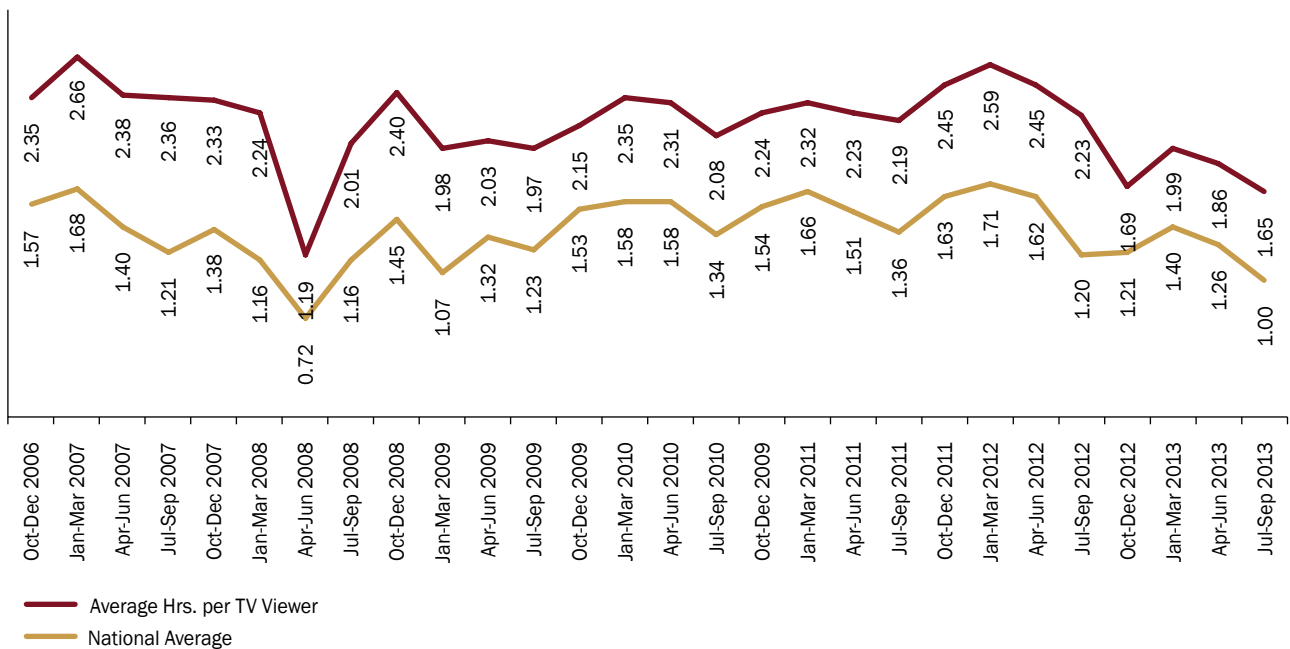
For this broadcasting season, although on a national average the number of hours spent increased slightly from the summer months, the average hours per television viewer actually dropped from 2.23hrs during July-September 2012 to 1.69hrs at the start of the broadcasting season during October-December 2012. This means that more consumers were watching their TV-sets but were spending much less time. This was followed by a sharp increase of 0.30hrs/0.19hrs during January-March for both consumer average [1.99hrs] as well as on a national average [1.40hrs]. And the latter means that during the election period although there was only a slight increase of consumers [from 74.368% to 74.596%] they were watching their TV-sets for a much longer period of time [0.3hrs].

TV REACH BY QUARTERS [OCT/DEC 2006 - JUL/SEP 2013]



Television viewing during the last two quarters of the broadcasting year levelled off reaching the lowest levels ever registered since April-June 2008 for both averages; i.e. for both the average hours per TV viewer as well as on a national level amongst all possible consumers.

AVERAGE DAILY HOURS OF TV CONSUMPTION BY QUARTER



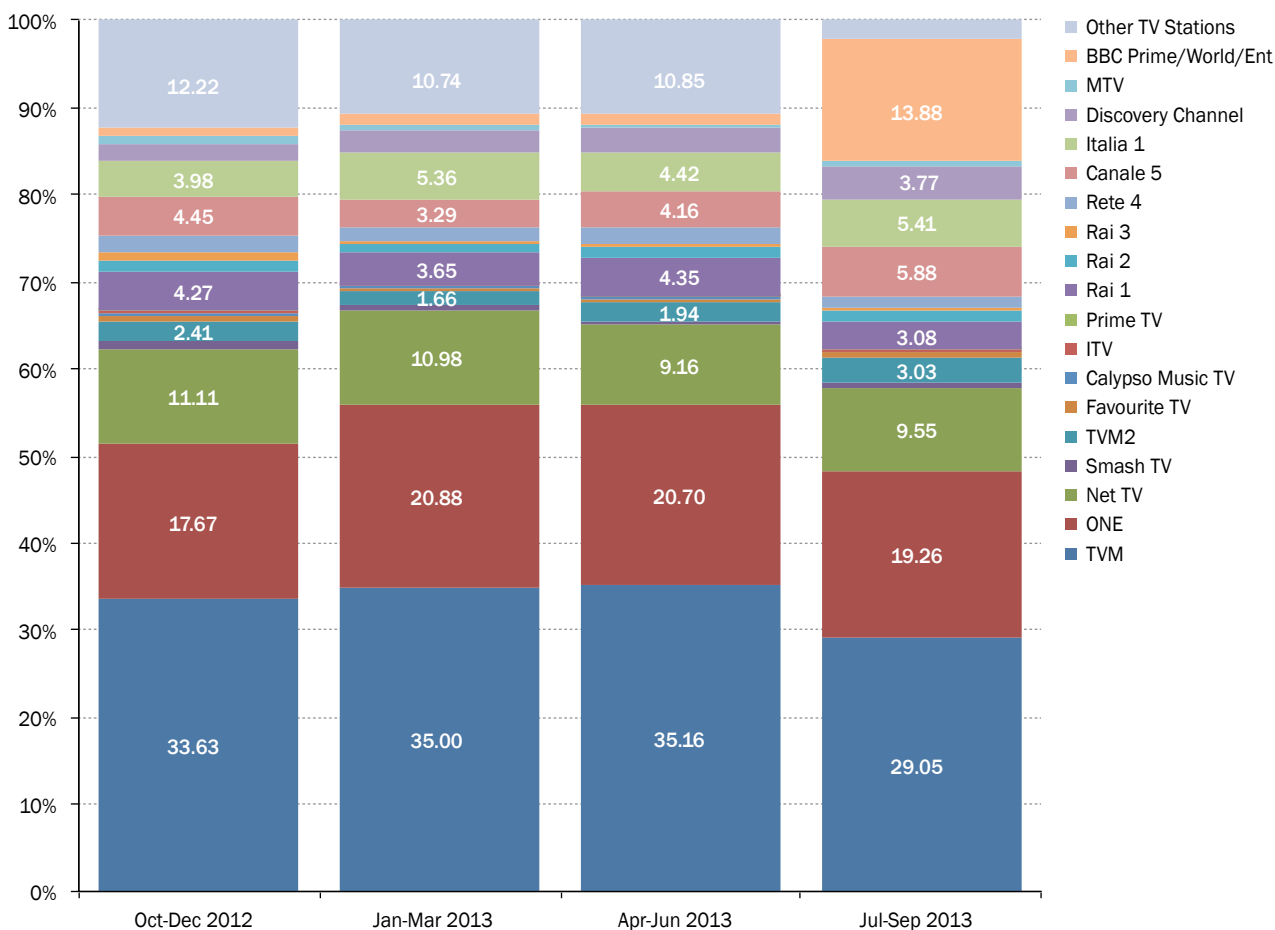
For each broadcasting quarter the total number of hours spent by consumers watching television was analysed by broadcasting station. And although seasonal trends are reflected amongst all stations, audiences favoured one station more than others during the various quarters, a case in point being the sharp rise in average consumer viewing for BBC in the last quarter. When analysed, a significant number of viewers reported that they had only watched this station for very short periods of time.

TVM has always attracted the largest proportion of television viewers with more than a third during January to June. This station was followed by ONE and Net TV in that ranking order. Of significance is the viewing of stations during the summer months where audiences for particular foreign stations increased - Canale 5; Italia 1; Discovery Channels; and BBC stations. This led to a shift of audiences of 6.2% from local stations to foreign stations over the previous quarter - from 31.54 foreign stations in April-June to 37.74% for the same stations during July-September.

TV AUDIENCE REACH: BY STATION AND BY QUARTER
[OCT/DEC 2012 - JUL/SEP 2013]

	Oct-Dec 2012	Jan-Mar 2013	Apr-Jun 2013	Jul-Sep 2013
TVM	33.63	35.00	35.16	29.05
ONE	17.67	20.88	20.70	19.26
Net TV	11.11	10.98	9.16	9.55
Smash TV	0.77	0.53	0.57	0.52
TVM2	2.41	1.66	1.94	3.03
Favourite TV	0.57	0.21	0.51	0.48
Calypso Music TV	0.25	0.28	0.16	
ITV	0.30	0.05	0.14	0.21
Prime TV	0.05		0.13	0.15
Rai 1	4.27	3.65	4.35	3.08
Rai 2	1.52	1.12	1.06	1.33
Rai 3	0.83	0.32	0.39	0.22
Rete 4	2.03	1.54	2.01	1.42
Canale 5	4.45	3.29	4.16	5.88
Italia 1	3.98	5.36	4.42	5.41
Discovery Channel	1.92	2.57	2.85	3.77
MTV	0.91	0.60	0.43	0.60
BBC Prime/World/Ent	1.11	1.22	1.02	13.88
Other TV Stations	12.22	10.74	10.85	2.16
	100%	100%	100%	100%

TV AUDIENCE REACH - BY STATION AND BY QUARTER [OCT/DEC 2012 - JUL/SEP 2013]



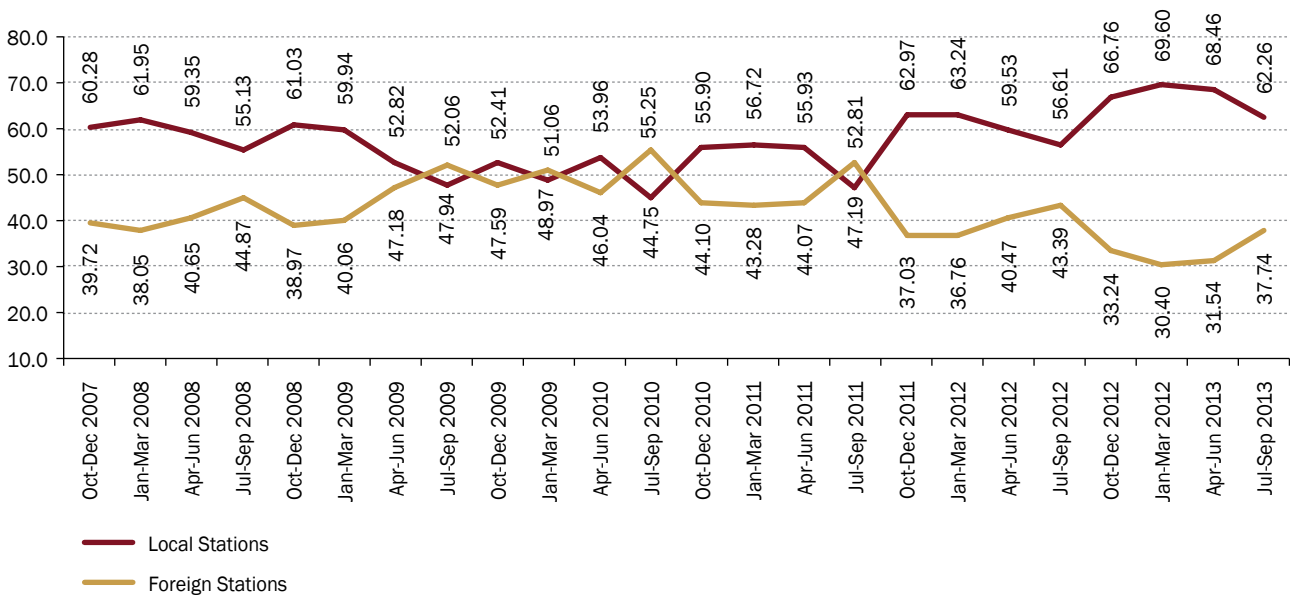
When computing the total number of hours that viewers spent against the total number of viewers and analysed by broadcasting stations again certain indicators emerge. During and post general elections held in March not only did the number of viewers increase but they have also spent more time in front of their TV-sets. TVM viewers increased their viewing time by 0.3hrs during January-March over October-December 2013. Those viewers following ONE increased viewing time by 0.66hrs

during January-March 2013 while those viewers watching Net TV only marginally increased their viewing time by 0.07hrs. During April-June these three stations maintained/lost the viewing time spent by their viewers, the largest loss being registered by Net TV [0.53hrs] from an average of 1.48hrs to 0.95hrs which it raised again by 0,62hrs to an average of 1.57hrs during the summer months as against the other two stations which continued to lose audience time during this last quarter.

LOCAL/FOREIGN AUDIENCE REACH - BY QUARTER [OCT/DEC 2007 - JULY/SEP 2013]

Stations	Oct-Dec 2007	Jan-Mar 2008	Apr-Jun 2008	Jul-Sep 2008	Oct-Dec 2008	Jan-Mar 2009	Apr-Jun 2009	Jul-Sep 2009	Oct-Dec 2009	Jan-Mar 2009	Apr-Jun 2010	Jul-Sep 2010	Oct-Dec 2010	Jan-Mar 2011	Apr-Jun 2011	Jul-Sep 2011	Oct-Dec 2011	Jan-Mar 2012	Apr-Jun 2012	Jul-Sep 2012	Oct-Dec 2012	Jan-Mar 2012	Apr-Jun 2013	Jul-Sep 2013
Local	60.28	61.95	59.35	55.13	61.03	59.94	52.82	47.94	52.41	48.97	53.96	44.75	55.90	56.72	55.93	47.19	62.97	63.24	59.53	56.61	66.76	69.60	68.46	62.26
Foreign	39.72	38.05	40.65	44.87	38.97	40.06	47.18	52.06	47.59	51.06	46.04	55.25	44.10	43.28	44.07	52.81	37.03	36.76	40.47	43.39	33.24	30.40	31.54	37.74

LOCAL/FOREIGN AUDIENCE REACH - BY QUARTER [OCT/DEC 2007 - JULY/SEP 2013]



AVERAGE HOURS CONSUMED BY QUARTER AND BY BROADCASTING STATION

	TVM	One TV	Net TV	Smash TV	TVM2	ITV	Favourite TV	Calyпсо Music TV	Prime TV	Rai 1	Rai 2	Rai 3	Rete 4	Canale 5	Italia 1	Discovery Channel	MTV	BBC Prime/ World/Ent	Other TV station	TV Viewers	Population
Oct-Dec 2012	1.59	1.80	1.41	1.36	1.51	1.92	1.65	1.19	1.00	1.75	1.63	1.59	1.57	1.93	1.82	1.74	1.54	1.77	2.02	1.69	1.21
Jan-Mar 2013	1.89	2.46	1.48	1.29	1.50	0.5	2.00	1.64		1.80	1.81	1.66	1.85	1.82	2.05	1.95	1.42	3.04	2.10	1.99	1.40
Apr-Jun 2013	1.87	1.97	0.95	1.50	1.67	1.22	1.53	2.14	0.70	2.01	1.80	0.77	1.75	1.89	1.85	1.82	1.94	2.23	2.06	1.86	1.26
Jul-Sep 2013	1.22	1.67	1.57	1.14	1.58	1.79	1.14		1.61	1.66	1.64	2.58	1.67	1.89	1.90	2.14	1.59	2.03	2.25	1.65	1.00

Local television consumption has always been competed for not only by local broadcasting stations but also from overspill of broadcasts from neighbouring countries, much more so with the introduction of cable services, the digital aerial and satellite installations on rooftops. Although local stations have been preferred by local audiences over foreign stations in the ratio of 6:4, this was not always the case. For three consecutive summers of 2009, 2010 and 2011, local consumers tuned in to foreign stations more than local stations.

However, the introduction of a summer schedule for 2012 by local stations which included both repeat programmes as well as short summer series and a change in government in 2013 local television consumers were induced to follow more local programmes during the summer months.

Taking both the number of viewers as well as the time-spent by each respondent, the audience share of each broadcasting station was calculated with respect to all available time slots.

Although on average 72% of the local population watch their TV-set, audiences noticeably shifted during this broadcasting season especially during the summer months. The high increase in the volume of audiences for BBC only results in a 1.41% increase in audience share during the summer months. On the other hand, the loss in volume of viewers of TVM of 6.11% from 35.15% in April-June to 29.05% in July-September meant a loss of audience share of 13.69% from 33.89% to 20.4% for the same quarters. This indicates that during the summer months TVM's audiences were spending less time viewing this station compared to audiences of ONE and Net TV where in/decrease in numbers were comparatively equally represented in their increase/decrease of audience shares.

8.4 FAVOURITE PROGRAMMES

Respondents were asked to list their three favourite programmes. This is not a 'beauty contest' between programmes or producers, but rather a means for the Authority to research what type of programmes local consumers prefer. The results do not represent the actual audience share of particular programmes attained by the respective broadcasting stations. The programmes named in no way reflect the quality of the programmes broadcast as theoretical quality in media would also consider other areas as broadcasting compliance by broadcasters, resources deployment, and staff professionalism. However, they do indicate consumers' perception of media with regard to their perceived three major areas: entertainment, information and education.

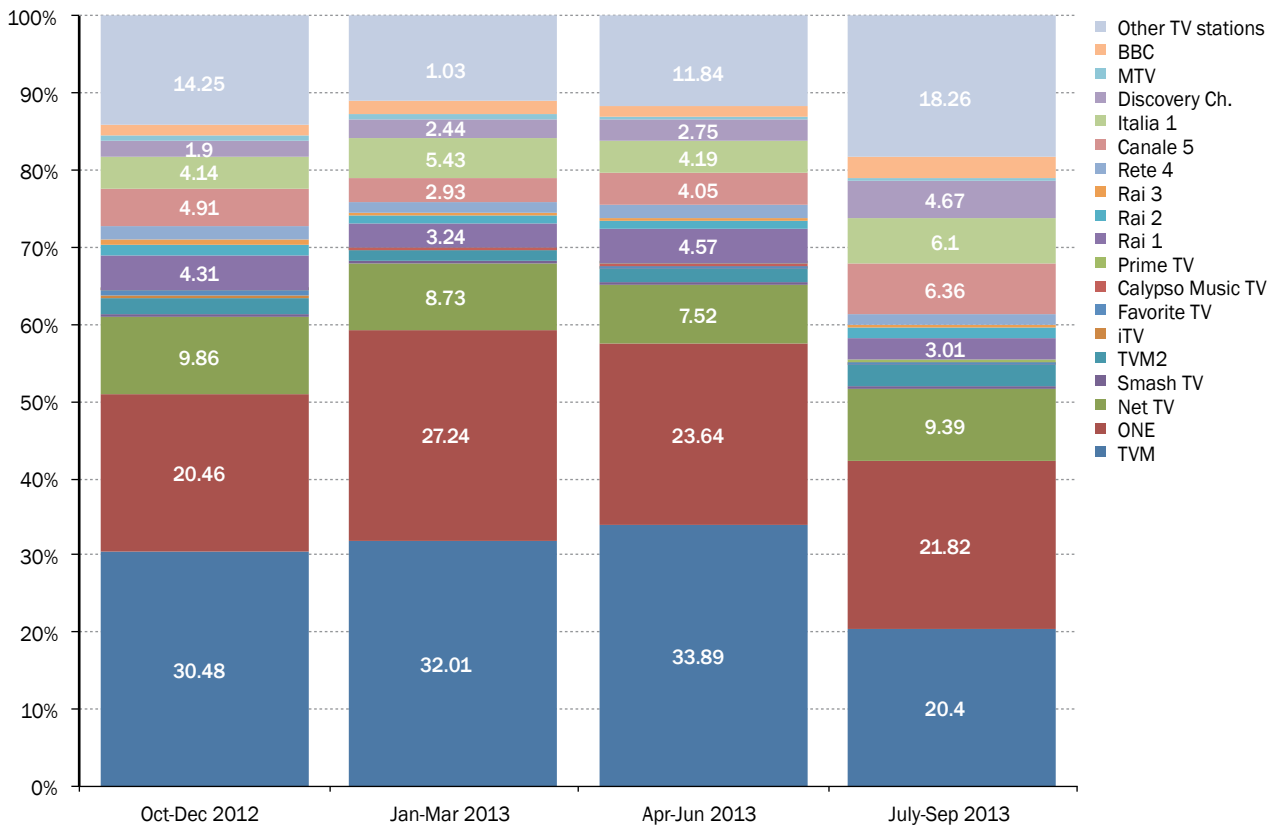
The programmes named were classified according to their declared order by each respondent [i.e. the first, second and third named programme]; by their generic time-brackets; and by the broadcasting station on which it was broadcast. The programmes named were also compared to the broadcasting schedules as provided by each broadcasting station for this assessment period. Naturally, some of the programmes named were broadcast during previous broadcasting schedules; these were checked for repeated series on the same or other broadcasting station. Some of the programmes named either were of a generic nature, broadcast on radio or on the digital/cable network; or could not be properly identified as the programme named was a combination of programmes. Named programmes that were re-runs were classified separately and not according to the time that they were re-broadcast. All the responses were analysed by broadcasting quarter.

The total preferences for local programmes during this broadcasting year were much lower than the previous two years, and this was

TV AUDIENCE SHARE BY STATION [OCT/DEC 2012 - JUL-SEP 2013]

	TVM	ONE	Net TV	Smash TV	TVM2	iTV	Favorite TV	Calypto Music TV	Prime TV	Rai 1	Rai 2	Rai 3	Rete 4	Canale 5	Italia 1	Discovery Ch.	MTV	BBC	Other TV stations
Oct-Dec 2012	30.48	20.46	9.86	0.60	2.01	0.35	0.53	0.19	0.03	4.31	1.42	0.73	1.84	4.91	4.14	1.9	0.81	1.17	14.25
Jan-Mar 2013	32.01	27.24	8.73	0.32	1.21	0.01	0.20	0.24		3.24	1.02	0.26	1.44	2.93	5.43	2.44	0.40	1.84	11.03
Apr-Jun 2013	33.89	23.64	7.52	0.42	1.73	0.09	0.39	0.19	0.06	4.57	0.97	0.15	1.91	4.05	4.19	2.75	0.42	1.22	11.84
July-Sep 2013	20.40	21.82	9.39	0.33	2.71	0.21	0.32	-	0.14	3.01	1.26	0.33	1.44	6.36	6.10	4.67	0.60	2.63	18.26

TV AUDIENCE SHARE BY STATION [OCT/DEC 2012 – JUL-SEP 2013]



noticed throughout the whole broadcasting season. Although programme preferences in the summer months are lower than at the start of the broadcasting season, for the summer months of July-September 2013 less than half of respondents [49.7%] stated that they have at least one favourite programme as compared to 56.7% for July-September 2012 and 60% for the same months in 2011.

It can be clearly seen that during the summer months overall preferences for local programmes dropped sharply during the summer months of July-September 2013 – a drop of 37.2% from 134.6% at the previous quarter of April-June 2013 to 97.4%; and a drop of 20.4% over the same quarter of the previous year of July-September 2012 [117.8%].

Preference for programmes broadcast on TVM constantly attained the highest preferences ranging from 52.97% [60.89%; Oct/Dec 2011] at the start of the broadcasting season and decreasing to 32.26% [40.718%; Jul/Sep 2012] of all preferences for the summer months of July-September 2013. The situation was similar for ONE, which overall ranked second, followed by programmes broadcast on Net TV and TVM2.

Of note, however, are the preferences for programmes broadcast on Net TV where the preference for its programmes increased during the summer months and registered its highest percentage of total preference 18.02% [21.09%; Jul/Sep 2012]. Also of note are the programme preferences for TVM2 which overall ranked fourth and where nearly half of the preferences received for that station [47.58%; Jul/Sep 2013] were made during the summer months.

Overall during this broadcasting season preferences for local programmes were 80.41% lower than the total preferences by quarter over the previous year. TVM obtained the highest percentage of total preferences with 48.95%, followed by ONE with 24.73%, Net TV with 14.21%, and TVM with 9.6%.

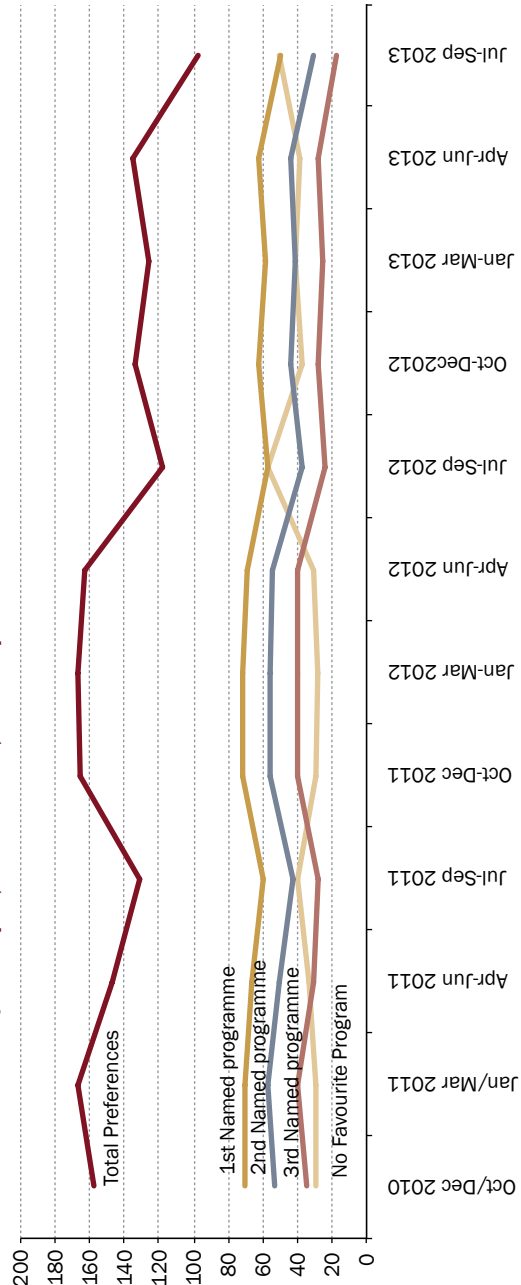
These programme preferences were also analysed by station and by general time-brackets. Those programmes with more than 2% of all the preferences were also analysed by programme genre. And these, on average earned 70.6% of all the preferences received over the whole year. Drama programmes were the most favoured throughout the whole year, followed by the main

FAVOURITE PROGRAMMES BY QUARTER [OCT/DEC 2010 – JUL/SEP 2013]

	Oct-Dec 2010		Jan-Mar 2011		Apr-Jun 2011		Jul-Sep 2011		Oct-Dec 2011		Jan-Mar 2012		Apr-Jun 2012		Jul-Sep 2012		Oct-Dec 2012		Jan-Mar 2013		Apr-Jun 2013		Jul-Sep 2013	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
All Respondents	358,997	100	366,503	100	369,716	100	370,215	100	370,812	100	371,359	100	372,447	100	372,447	100	372,993	100	373,273	100	373,852	100	374,200	100
Do not watch TV	9,691	2.7	8,930	2.4	24,106	6.5	21,195	5.7	25,638	6.9	14,404	3.9	72,993	6.1	72,993	19.6	23,007	6.2	23,100	6.2	21,147	5.7	29,232	7.8
Do not watch Local Prog.	58,816	16.4	56,391	15.4	88,167	23.8	98,848	26.7	80,746	21.8	73,195	19.7	89,724	20.0	89,724	24.1	61,100	16.4	66,815	17.9	64,522	17.3	80,017	21.4
No Favourite Programme	36,840	10.3	43,392	11.8	12,339	3.3	27,917	7.5	553	0.1	17,049	4.6	48,517	5.0	48,517	13.0	50,210	13.5	59,326	15.9	53,656	14.4	75,140	20.1
No Reply																	6,480	1.7	5,337	1.4	3,000	0.8	3,894	1.0
Total No Favourite Prog.	105,347	29.3	108,713	29.7	124,612	33.7	147,960	40.0	106,937	28.8	104,649	28.2	211,234	31.1	211,234	56.7	140,797	37.7	154,578	41.4	142,325	38.1	188,283	50.3
1st Named programme	253,650	70.7	257,790	70.3	245,104	66.3	222,255	60.0	263,875	71.2	266,710	71.8	211,234	68.9	211,234	56.7	232,196	62.3	218,695	58.6	231,527	61.9	185,917	49.7
2nd Named programme	188,984	52.6	207,407	56.6	185,023	50.0	159,694	43.1	206,073	55.6	206,861	55.7	137,749	54.3	137,749	37.0	161,056	43.2	155,549	41.7	165,603	44.3	114,700	30.7
3rd Named programme	125,101	34.8	144,901	39.5	114,697	31.0	102,369	27.7	146,304	39.5	146,567	39.5	89,575	40.1	89,575	24.1	104,234	27.9	95,716	25.6	106,141	28.4	63,761	17.0
Total	567,735	158.1	610,098	166.5	544,824	147.4	484,318	130.8	616,252	166.2	620,138	167	438,557	163.3	438,557	117.8	497,486	133.4	469,960	125.9	503,271	134.6	364,378	97.4

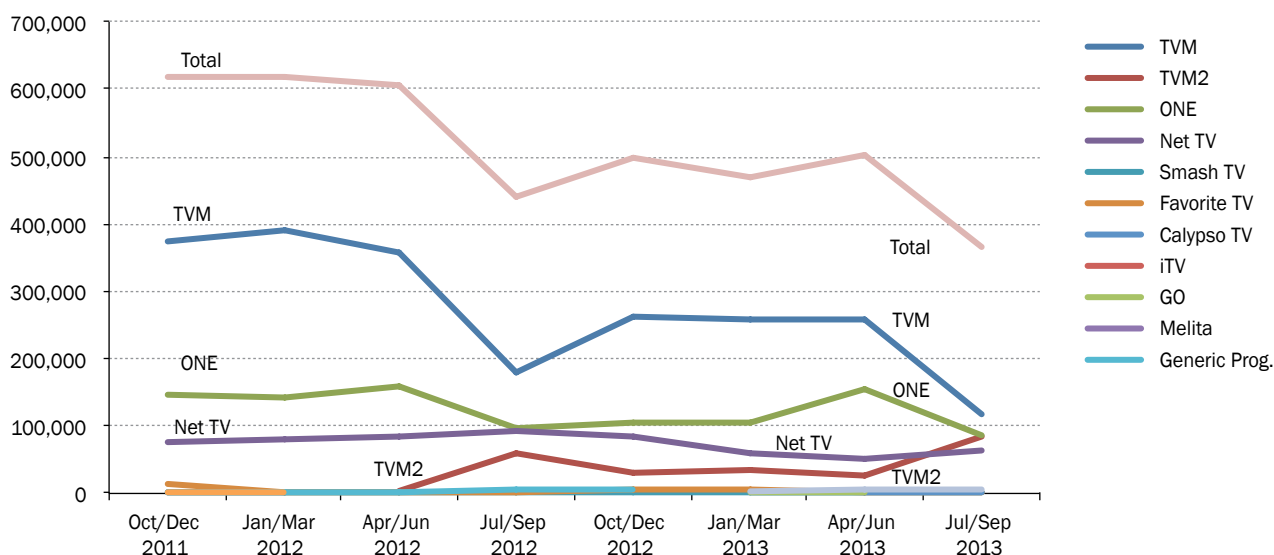
Totals may not tally due to weighting and rounding off

FAVOURITE PROGRAMMES BY QUARTER [OCT/DEC 2010 – JUL/SEP 2013]



TOTAL PREFERENCES BY STATION [N]

	Oct/Dec 2011	Jan/Mar 2012	Apr/Jun 2012	Jul/Sep 2012	Oct/Dec 2012	Jan/Mar 2013	Apr/Jun 2013	Jul/Sep 2013
TVM	375,213	390,432	357,101	178,571	263,522	257,530	259,720	117,542
TVM2	1924		3,724	60,061	29,924	35,357	27,059	83,817
ONE	146,408	143,271	157,461	97,365	104,535	106,926	156,129	86,309
Net TV	76,059	79,171	82,596	92,493	85,115	60,589	49,455	65,659
Smash TV	1,858	1,391	1,035	1,960	3,318	2,162	3,173	1,696
Favorite TV	12,196	3,208	2,556	3,347	3,788	3,926	2,324	1,177
Calypso TV	413	218				175	347	504
iTV							179	
GO		148				173	547	
Melita		154						305
Generic Prog.	1,029	1,518	2,665	4,760	6,691			
Unclassified	1,153	628			593			
Other						3,122	4,338	7,369
	616,253	620,139	607,138	438,557	497,486	469,960	503,271	364,378
[±% over similar quarter]					80.73	75.78	82.89	83.09
[±% over total yearly preferences]								80.41



News Bulletin. Of note are the increase in news preferences during July-September 2013 which exceeded that of drama, and the decrease in current affair programme preferences during the summer months.

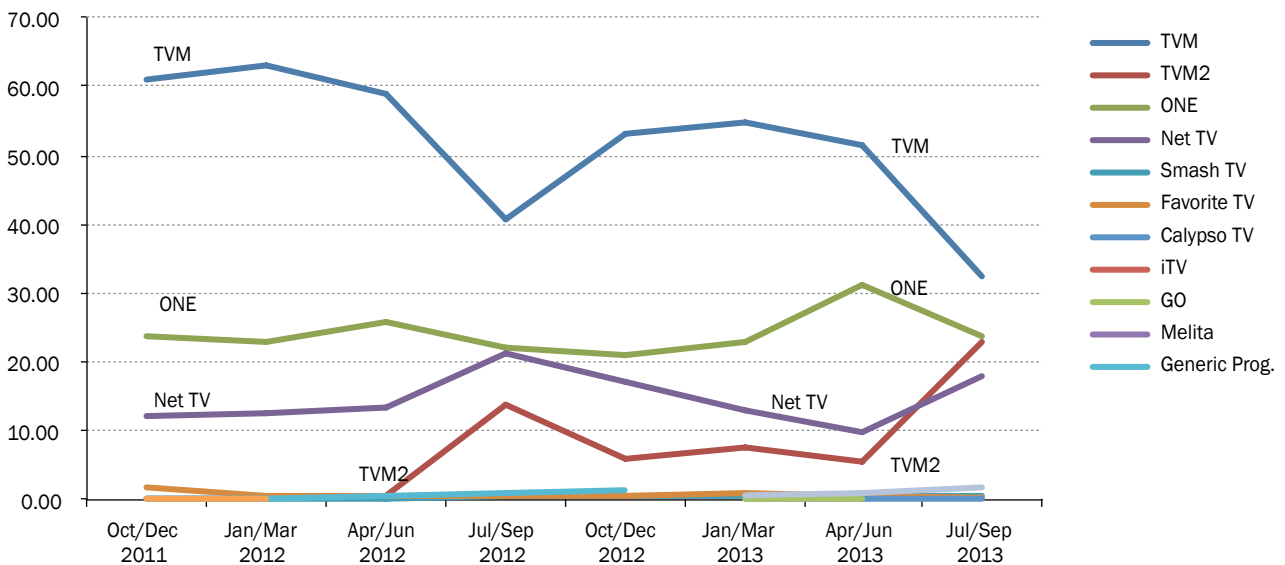
In fact, although drama programmes were preferred by 27.13% of all viewers, the programmes broadcast during the summer months were re-runs of programmes that were broadcast during the previous nine months. Similarly discussion programmes broadcast during these months were also re-runs of *Xarabank* [3.83%].

F'Salib it-Toroq, Dreams, Zafira, of TVM/TVM2 and *Il-Klikka* on ONE were always named as a most preferred drama programme throughout the whole year. Similarly, *Xarabank* was named as a discussion programme.

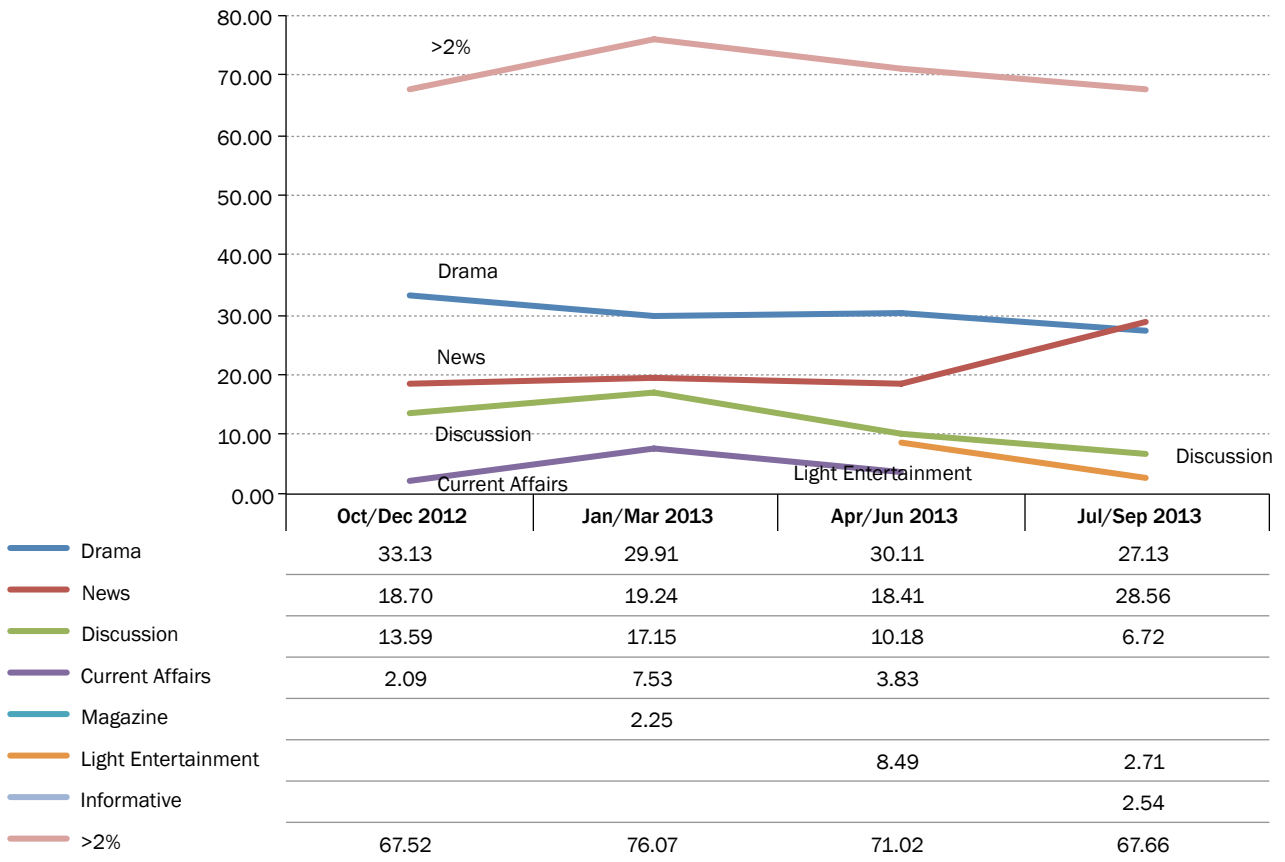
More details, especially with regard to audience composition by gender, by age group and by district can be found in the audience assessments done every quarter and made available on the Authority's website.

TOTAL PREFERENCES BY STATION [%]

	Oct/Dec 2011	Jan/Mar 2012	Apr/Jun 2012	Jul/Sep 2012	Oct/Dec 2012	Jan/Mar 2013	Apr/Jun 2013	Jul/Sep 2013
TVM	60.89	62.96	58.82	40.72	52.97	54.80	51.61	32.26
TVM2	0.31		0.61	13.70	6.02	7.52	5.38	23.00
ONE	23.76	23.10	25.94	22.20	21.01	22.75	31.02	23.69
Net TV	12.34	12.77	13.60	21.09	17.11	12.89	9.83	18.02
Smash TV	0.30	0.22	0.17	0.45	0.67	0.46	0.63	0.47
Favorite TV	1.98	0.52	0.42	0.76	0.76	0.84	0.46	0.32
Calypso TV	0.07	0.04				0.04	0.07	0.14
iTV							0.04	
GO		0.02				0.04	0.11	
Melita		0.03						0.08
Generic Prog.	0.19	0.25	0.44	1.09	1.35			
Unclassified	0.17	0.10			0.12			
Other						0.66	0.86	2.02
	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00



TOP 10 PROGRAMME PREFERENCES BY GENRE



PREFERENCES >2% BY QUARTER: BY GENRE, BY TIME BRACKET, BY PROGRAM, AND BY STATION

Oct/Dec 2012		Jan/Mar 2013		Apr/Jun 2013		Jul/Sep 2013	
	Total %		Total %		Total %		Total %
Drama		Drama		Drama		Drama	
19:00-20:30 F'Salib it-Toroq	TVM 12.207	20:30-22:00 F'Salib it-Toroq	TVM 13.432	20:30-22:00 F'Salib it-Toroq	TVM 13.113	F'Salib it-Toroq	TVM 2 11.892
19:00-20:30 Simpatiči	Net TV 5.240	20:30-22:00 Simpatiči	Net TV 4.032	20:30-22:00 Il-Klikka	ONE 5.321	Prog. Re-Run Simpatiči	Net TV 6.324
19:00-20:30 Déjà Vu	Net TV 4.751	Prev. Sch. Dreams	TVM 3.338	20:30-22:00 Dreams	TVM 4.394	Prog. Re-Run Dreams	TVM 2 3.736
19:00-20:30 Dreams	TVM 4.720	20:30-22:00 Zafira	TVM 3.308	20:30-22:00 Prima Facie	ONE 3.746	Prog. Re-Run Zafira	TVM 2 2.667
19:00-20:30 Zafira	TVM 3.656	20:30-22:00 Déjà vu	Net TV 3.045	20:30-22:00 Zafira	TVM 3.538	12:00-19:00 Il-Klikka	ONE 2.511
19:00-20:30 Il-Klikka	ONE 2.556	Prev. Sche. Il-Klikka	ONE 2.754		30.112		27.131
	33.129		29.908				
News		News		News		News	
19:00-20:30 News - TVM	TVM 10.274	19:00-20:30 News - TVM	TVM 10.315	19:00-20:30 News - TVM	TVM 9.726	19:00-20:30 News - TVM	TVM 15.910
19:00-20:30 News - ONE	ONE 5.108	19:00-20:30 News - ONE	ONE 5.445	19:00-20:30 News - ONE	ONE 6.288	19:00-20:30 News - ONE	ONE 8.109
19:00-20:30 News - Net TV	Net TV 3.321	19:00-20:30 News - Net TV	Net TV 3.476	19:00-20:30 News - Net TV	Net TV 2.394	19:00-20:30 News - Net TV	Net TV 4.544
	18.703		19.235		18.409		28.563
Discussion		Discussion		Discussion		Discussion	
20:30-22:00 Xarabank	TVM 11.243	20:30-22:00 Xarabank	TVM 11.848	20:30-22:00 Xarabank	TVM 10.177	Prev. Sch. Xarabank	TVM 6.719
20:30-22:00 Bondi +	TVM2 2.349	20:30-22:00 Bondi Plus	TVM2 3.069		10.177		6.719
	13.593	20:30-22:00 Affari Taghna	ONE 2.228				
			17.145				
Current Affairs		Current Affairs		Current Affairs		Current Affairs	
19:00-20:30 TVHemm	TVM 2.092	19:00-20:30 TVHemm	TVM 5.125	19:00-20:30 TVHemm	TVM2 3.828		
	2.092	Prev. Sch. Prima Facie	ONE 2.406		3.828		
			7.531				
		Magazine		Light Entertainment		Light Entertainment	
		12:00-19:00 Kalamita	ONE 2.254	20:30-22:00 Liqourish	ONE 4.595	20:30-22:00 Liqourish	ONE 2.711
			2.254	20:30-22:00 Klassi Ghalina	ONE 3.894		2.711
					8.489		
						Informative	
						20:30-22:00 Is-Sajf Mas-Salv	TVM 2.536
							2.536



APPENDICES

APPENDIX I

CONSULTATION DOCUMENT: FAMILY VIEWING

Family viewing is regulated by Subsidiary Legislation 350.18 – *Requirements as to Standards and Practice applicable to Family Viewing and Listening*. This Government Notice under the Broadcasting Act was enacted in March 2007 with the aim of ensuring that broadcasting stations do not broadcast material which is unsuitable for children at times when a large number of minors are following programmes. This legislation primarily seeks to protect minors from harmful content and also serves to inform viewers whether a programme is suitable for minors.

Recently, the Malta Arts Council introduced a new classification system for the new categorization, the Broadcasting Authority is contemplating a holistic overview of the present legislation and is calling on all broadcasting stations, other stakeholders and interested parties to submit their feedback.

THE PRESENT CLASSIFICATION SYSTEM

The present requirements stipulate the following classification and signage:

- a. U for universal programmes which should be encircled in green
- b. PG for programmes which require parental guidance. Symbol to be encircled in yellow
- c. 12 for programmes suitable only for persons aged 12 years and older. Symbol to be encircled in orange
- d. 16 for programmes suitable only for persons aged 16 and older. Sign to be encircled in brown
- e. AO for adults only programmes. Symbol to be encircled in red.

The new requirements are the following:

- a. U for universal programmes which should be encircled in green
- b. PG – for programmes which require parental guidance. PG to be encircled in yellow
- c. 12A – for programmes suitable for persons aged 12 years and over provided that persons younger than 12 may view the programme when accompanied by an adult. 12A to be encircled in blue
- d. 12 for programmes suitable only for persons aged 12 years and over. Symbol to be encircled in orange
- e. 15 for programmes suitable only for persons aged 15 years and over. Symbol to be encircled in brown
- f. 18 for programmes suitable only for adults. Symbol should be encircled in red.

Under the existing regulations, a station is obliged to display the appropriate classification for the first 30 seconds of the programme and again for 30 seconds following the continuation of the programme after each advert break.

The Authority strongly believes that viewers should be informed of the classification of the programme throughout the broadcast as, in most cases, viewers may start following a programme at any point in time during the transmission. To this effect, the appropriate classification should be visible throughout the entire broadcast. In addition, given that consumers are making use of EPG listings, such classification should also be available on the EPG.

THE WATERSHED

There has been a consensus amongst local broadcasters that the watershed should be 9pm. In reality, most television stations tend to start broadcasting programmes which may include adult oriented material anytime after 8.30pm. The Authority needs to strike a balance between the exigencies of the industry and viewers' needs and concerns. The 9pm watershed has long been accepted as an adequate filter for adult-oriented programming and should remain as an obligation in the amended subsidiary legislation.

TRAILERS

Broadcasting stations tend to air trailers of their prime time programmes during different time windows of the day. Although legislation stipulates that no trailers should be broadcast which include adult-oriented material, the Authority is aware that stations may wish to promote a programme which targets an adult audience before the watershed. Provided that the content of the trailer itself does not include any gratuitous violence or other adult-oriented material, a station should be able to broadcast any programme promotion provided that this includes the classification. Viewers watching such a trailer/programme promotion will therefore be in a position to make an informed choice on the suitability of the programme. This is particularly relevant for local drama programmes.

MAGAZINE PROGRAMMES

Magazine programmes are very popular on broadcasting stations. By their very nature, such programmes deal with a variety of issues, some of which may not necessarily be suitable for minors. However in the case of slots which are deemed to be educational in nature, stations should advise that parental guidance is recommended. Such a symbol should remain in vision for the whole duration of the slot or feature.

MISCELLANEOUS PROVISIONS

All broadcasting stations shall ensure that they have a person or persons who will be responsible for the issue of classifications of programmes. The stations have to submit such information to the Authority.

In addition, certain stations produce programmes with the presence of an audience in the studio and which target topics or discussions that by their very nature target adults. Yet, minors are sometimes present in the studio. The Authority believes that every station should adopt a policy whereby no minors, particularly very young children, should be allowed in the studio despite being accompanied by their parents when the nature of the programme is such that the proceedings can be disturbing to children. The amended legal notice will include such a provision.

FEEDBACK

Feedback to this Consultation Document should be addressed as follows:

The Chief Executive
Broadcasting Authority
7, Mile End Road
Hamrun HMR 1719
info.ba@ba.org.mt

Deadline for submissions is Friday 29th November 2013.

8th November 2013

APPENDIX II

BROADCASTING AUTHORITY DIRECTIVE ON PROGRAMMES AND ADVERTISEMENTS BROADCAST DURING THE PERIOD 7TH JANUARY TO 9TH MARCH 2013

In exercise of the powers conferred by articles 15 and 23 of the Broadcasting Act, the Broadcasting Authority is issuing the following directive for the period 6th January to 9th March 2013.

Citation and entry into force.

1. (1) The title of this Directive is the Broadcasting Authority Directive on Programmes and Advertisements broadcast during the period 7th January to 9th March 2013.

(2) This Directive shall come into force on Monday 7th January 2013.

Interpretation.

2. (1) For the purposes of this Directive:

- “the Act” means the Broadcasting Act;
- “Authority” means the Broadcasting Authority established by article 118 of the Constitution;
- “Directive” means the Broadcasting Authority Directive on Programmes and Advertisements broadcast during the period 7th January to 9th March 2013.
- “elections” means the General Elections 2013 and the Local Council elections to be held on Saturday, 9th March 2013;
- “candidate” means a candidate for the General Elections 2013 and for the Local Council elections of the same date;
- “programme” includes spots whether informative or otherwise;
- “advertisement” means an advertisement of an informative nature or an advertisement which contains political content.
- “News bulletins” include updates and special editions.
- Reference to masculine should also be taken to apply to the feminine.

DIRETTIVA TA' L-AWTORITÀ TAX-XANDIR DWAR PROGRAMMI U REKLAMI MXANDRA MATUL IL-PERIJODU 7 TA' JANNAR SAD-9 TA' MARZU 2013

Bis-saħħa tas-setgħat mogħtija lilha bl-artikli 15 u 23 ta' l-Att dwar ix-Xandir, l-Awtorità tax-Xandir qed toħroġ din id-direttiva għall-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013.

Isem u dħul fis-seħħ.

1. (1) Din id-Direttiva tissejjaħ id-Direttiva ta' l-Awtorità tax-Xandir dwar Programmi u Reklami mxandra matul il-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013.

(2) Din id-Direttiva tibda sseħħ minn nhar it-Tnejn, 7 ta' Jannar 2013.

Tifsir.

2. (1) Għall-għanijiet ta' din id-Direttiva:

- “l-Att” ifisser l-Att dwar ix-Xandir;
- “l-Awtorità” tfisser l-Awtorità tax-Xandir imwaqqfa bl-artiklu 118 tal-Kostituzzjoni;
- “Direttiva” tfisser id-Direttiva ta' l-Awtorità tax-Xandir dwar Programmi u Reklami mxandra matul il-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013;
- “elezzjonijiet” tfisser l-elezzjoni Generali 2013 u l-elezzjonijiet għall-kunsilli lokali li se jinżammu nhar is-Sibt, 9 ta' Marzu 2013;
- “kandidat” tfisser kandidat għall-elezzjoni Generali 2013 u tal-Kunsilli Lokali ta' l-istess data;
- “programm” jinkludi spots sew jekk ikunu informattivi sew jekk ikunu xort'oħra;
- “reklam” tfisser reklam informattiv jew reklam li jkollu kontenut ta' natura politika.
- “Bulletin tal-aħbarijiet” jinkludi wkoll updates u edizzjonijiet speċjali.
- Kull referenza għall-maskil tinkludi l-femminil.

- (2) Words and phrases used in this Directive shall have the same meaning as is assigned to them in the Act.

Provision of Programme Schedules to the Authority.

3. (1) Not later than noon of Thursday 3rd January 2013, each broadcasting station shall provide the Authority with a detailed schedule of programmes and advertisements for the Authority's approval. This schedule shall cover the period 7th January to 9th March 2013. Where the broadcasting station intends to produce current affairs programmes, discussion programmes, investigative journalism programmes, other programmes which include guests who air opinions on current affairs and programmes of a similar nature during the aforesaid period, it shall forward the subject of that programme and details of the participants in that programme containing details of the presenter, participants and producer to the Authority for its approval. The said information shall be submitted for other programme genres in which candidates participate.
- (2) Following the Authority's approval of this programme schedule, no changes may be made by a broadcasting station to the said schedule. Exceptionally, with the prior approval of the Authority and following a written detailed request by a broadcasting station to that effect, a broadcasting station may request the Authority's approval to change its programme schedule. Such request must reach the Authority by not later than seven working days prior to the date of the proposed change and shall be drawn up in terms of the attached form. The Authority will not approve changes for the period 4th to the 7th March 2013.
- (3) Until such approval as mentioned in paragraphs (1) and (2) of this article is obtained, no programme or advertisement with a political content may be broadcast by a broadcasting station unless it is within a scheme approved by the Authority. A broadcasting station shall not

- (2) Il-kliem u l-frazzjiet użati f'din id-Direttiva jfissru l-istess b'hal dak li ngħatalhom fl-Att.

Għoti ta' Skedi ta' Programmi lill-Awtorità.

3. (1) Mhux aktar tard minn nofsinhar ta' nhar il-Ħamis, 3 ta' Jannar 2013, kull stazzjon tax-xandir irid jagħti lill-Awtorità skeda dettaljata tal-programmi u reklami biex tiġi approvata mill-Awtorità. Din l-iskeda trid tkopri l-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013. Fejn l-istazzjon ikun bi ħsiebu li jxandar programmi ta' ġrajjet kurrenti, programmi ta' diskussjoni, programmi ta' ġurnalizmu investigattiv, programmi oħra li jinkludu mistiedna sabiex jagħtu opinjonijiet dwar ġrajjet kurrenti u programmi ta' natura simili għal dawn waqt il-perijodu hawn fuq imsemmi, irid jibgħat lill-Awtorità s-sugġett ta' dak il-programm u dettalji dwar min ser jieħu sehem fih bid-dettalji kollha tal-preżentatur, parteċipanti u l-produttur biex l-Awtorità tkun tista' tagħti l-approvazzjoni tagħha. L-istess informazzjoni trid tintbagħat għall-programmi ta' ġeneri oħra li fihom jipparteċipaw kandidati.
- (2) Wara li l-Awtorità tapprova din l-iskeda ta' programmi, l-istazzjon tax-xandir ma jkunx jista' jagħmel bidliet fl-iskeda msemmija ħlief eċċezzjonalment, wara li jitlob għal dan bil-kitba u jagħti d-dettalji kollha meħtieġa u bl-approvazzjoni ta' l-Awtorità. Din it-talba għal tibdil fl-iskeda ta' programmi trid tasal għand l-Awtorità mhux anqas minn sebat ijiem utli qabel id-data tal-bidla proposta u trid issir skont il-formola annessa. L-Awtorità mhux fi ħsiebha tapprova tibdil għall-perijodu 4 sas-7 ta' Marzu 2013.
- (3) Lebda produzzjoni jew programm jew reklam b'xejra politika ma jista' jixxandar minn stazzjon tax-xandir qabel ma tingħata l-approvazzjoni msemmija fil-paragrafi (1) u (2) ta' dan l-artiklu sakemm dan ma jkunx parti fi skema approvata mill-Awtorità. Sakemm tiġi approvata l-bidla mitluba fl-iskeda ta' programmi mill-Awtorità, l-istazzjon tax-xandir m'għandux ixandar materjal promozzjonali dwar il-programmi li jkunu qed jiġu proposti li jixxandru mill-

air any promotional material concerning programmes which the broadcasting station in question intends to air unless the Authority approves the requested change in the programme schedule. Nor may any such programme or advertisement encourage people to vote in a particular way. Care should be taken to ensure that all programmes and all advertisements are free of material, which could be interpreted as favouring or giving undue exposure to any political party or candidate, or which might be reasonably considered as being directed towards a political end. In particular, therefore, it shall not be permissible:

- i. in the case of advertisements commissioned by public entities or other entities, to allow persons who have submitted or intend to submit their candidature for these elections to appear in such advertisements, even when the said advertisement cannot be considered to be a political advertisement for the purposes of the Broadcasting Act;
- ii. that a programme mentioned in subarticle (1) of this article is presented by a person who has submitted or who intends to submit his or her candidature for these elections when such person is not a regular employee of the station broadcasting such programme; In such instances, the Authority reserves the right to ask for proof of the employee's full-time employment status.
- iii. that a person who has submitted or intends to submit his or her candidature for these elections participates in a regular manner in the same programme during the said period. For the purposes of this paragraph, a candidate shall be considered to have participated regularly when s/he participates in more than two editions of the same programme during the period between 7th January and 9th March 2013 even if he features in his professional or personal capacity. This does not

istazzjon in kwistjoni. Lebdha programm jew reklam ma jista' jinkoraġixxi lill-poplu li jivvota b'mod partikolari. Għandha tingħata attenzjoni biex jiġi żgurat illi l-programmi kollha u r-reklamar kollu ma jkunx fih materjal li jista' jiġi nterpretat li qed jiffavorixxi jew li qed jagħti *exposure* mhux f'waqtu lil xi partit politiku jew kandidat jew li jista' raġonevolment jitqies li huwa mmirat lejn għan politiku. Għalhekk, b'mod partikolari, ma jkunx aċċettabbli:

- i. li fil-każ ta' reklami mtella' minn entitajiet pubbliċi jew entitajiet oħra, jidhru persuni li jkunu ressqi jew ikunu bi ħsiebhom iressqi l-kandidatura tagħhom għal dawn l-elezzjonijiet, anki meta l-istess reklam ma jkunx jitqis bħala reklam politiku għall-fini ta' l-Att dwar ix-Xandir;
- ii. li programm imsemmi fis-subartikolu (1) ta' dan l-artikolu jiġi pprezentat minn persuna li tkun ressqet jew bi ħsiebha tressaq il-kandidatura tagħha għal dawn l-elezzjonijiet sakemm din il-persuna ma tkunx impjegata regolari ma' l-istazzjon li jkun qed ixandar il-programm. F'kazijiet bhal dawn l-Awtorità izzomm id-dritt li titlob prova li dik il-persuna hija impjegata b'mod full-time mal-istazzjon;
- iii. li persuna li tkun ressqet jew bi ħsiebha tressaq il-kandidatura tagħha għal dawn l-elezzjonijiet tipparteċipa b'mod regolari fl-istess programm matul dan il-perijodu. Għall-fini ta' dan il-paragrafu, kandidat/a j/tiqis li huwa/hija pparteċipa/t b'mod regolari meta j/tipparteċipa f'aktar minn żewġ edizzjonijiet tal-istess programm matul il-perijodu ta' bejn is-7 ta' Jannar u d-9 ta' Marzu 2013 anka jekk jagħmel hekk fil-vesti professjonali jew personali tiegħu. Dan ma jinkludix coverage fil-bullettini tal-añbarijiet u parteċipazzjoni fil-produzzjonijiet tal-partiti/fid-dibattiti fl-iskema ta' xandiriet politiċi li għandha tiġi mtellgħa mill-Awtorità tax-Xandir. Għandu jiġi ċċarat, għall-iskop ta' dan is-sub-artiklu, li l-Awtorità qed tiriserva d-dritt li ma tapprovax programmi li jkunu ġew proposti meta jkun jidher li

include coverage in news bulletins but includes interviews with candidates on matters that have no bearing on the news items being covered and participation in the party productions/ debate in the scheme of political broadcasts to be organised by the Broadcasting Authority. It should also be made clear, for the purpose of this sub-article, that the Authority reserves the right not to approve proposed programmes where it appears that these are primarily intended to provide exposure to candidates who already feature in other programmes in the schedule proposed by the same station.

An interview/feature or commentary with or by a prospective candidate broadcast solely to give prominence to the candidate and which has no bearing on an event/statement/news item, cannot be broadcast.

- iv. that a person who has submitted or intends to submit his or her candidature for these elections features in the opening or closing of a programme
- (4) All programmes which concern any aspect of a political or an industrial controversy or which refer to current public policy which are broadcast with effect from 7th January to 9th March 2013 have to be balanced. This requires that in such programmes all diverse opinions on the subject under consideration have to be included.
- (5) In the case of sub-article (4) above, the Authority may approve programme schedules proposed by broadcasting stations after it is satisfied that the provisions of article 119 of the Constitution will be complied with. The Authority shall, in particular, ensure compliance with the said provision in so far as choice of subjects and participants are concerned.
- (6) For the purposes of this directive “political nature” or “political content” mean a

l-iskop prinċipali ta’ dawn il-programmi jkun li jippromovi kandidati li diġà jkunu se jidhru fi programmi oħra fl-iskeda proposta mill-istess stazzjon.

Għal finijiet ta’ dan l-artiklu, intervista/ feature/ kummentarju minn jew ma’ kandidat prospettiv li tittella’ biss sabiex tingħata prominenza lil tali kandidat u li ma jkollhiex rabta ma’ attivita/stqarrija/aħbar ma tistax tixxandar

- iv. li persuna li tkun ressqet jew bi ħsiebha tressaq il-kandidatura tagħha għal dawn l-elezzjonijiet tidher f’ sigla tal-ftuh jew egħluq ta’ programm
- (4) Kull programm li jkollu x’jaqsam ma’ xi materja ta’ kontroversja politika jew industrijali jew li jirreferi għall-*policy* pubblika kurrenti li jixxandar matul il-perijodu 7 ta’ Jannar u d-9 ta’ Marzu 2013 jrid ikun bilanċjat. Fi programmi hekk jeħtieġ li jiddaħħlu l-opinjonijiet kollha differenti dwar is-sugġett li jkun qed jiġi diskuss.
- (5) Fil-każ tas-subartikolu (4) t’hawn fuq, l-Awtorità tista’ tapprova skedi ta’ programmi proposti minn stazzjonijiet tax-xandir wara li tkun sodisfatta li dan jaqbel ma’ dak li hemm provdut f’ artiklu 119 tal-Kostituzzjoni. L-Awtorità għandha tara, b’mod partikolari li, fejn għandu x’jaqsam ma’ l-għażla tas-sugġetti u ta’ dawk li jkunu ser jieħdu sehem, l-istazzjonijiet jimxu ma’ dak li hemm maħsub fis-sub-artiklu msemmi.
- (6) Għall-fini ta’ din id-direttiva “natura politika” jew “xejra politika” jfissru opinjoni kontroversjali marbuta fil-qofol tagħha mas-soċjetà moderna li tkun fil-qalba ta’ dibattitu politiku u jinkludi wkoll il-kampanja għall- Elezzjoni Ġenerali u l-Elezzjonijiet Għall-Kunsilli Lokali.
- (7) Waqt li l-Awtorità, b’konformità mal-liġi, tinsisti fuq iż-żamma ta’ bilanċ u l-imparzjalità, l-Awtorità tifhem ukoll li jkun prattiku u fl-istess ħin konformi mal-liġi

controversial opinion pertaining to modern society in general which lies at the heart of a political debate and includes campaigning for the General Elections and Local Councils Elections.

- (7) Whilst the Authority, in accordance with the law, insists on safeguarding balance and impartiality, it also recognises that it would be practical and at the same time in conformity with the law that the programme content in terms of the schedules submitted to it by the political stations is considered in the light of the optional provision which may be exercised by the Authority in terms of article 13(2) of the Broadcasting Act. The above shall not be interpreted that political stations are not bound to observe the provisions of the law. For the purposes of this sub-article, the political stations are ONE Radio, Radio 101, ONE and NET TV.

Application of the Code for the Investigation and Determination of Complaints.

4. The following modifications shall apply with effect from 7th January to 9th March 2013 to the Code for the Investigation and Determination of Complaints:
- i) complaints shall be addressed directly to the Authority and not to broadcasting stations;
 - ii) in so far as the Authority may deem necessary, the Authority may require an explanation from the broadcasting station mentioned in the said complaint;
 - iii) any information or explanation required by the Authority as aforesaid shall be provided to the Authority by the broadcasting station not later than noon of the following day or earlier as the Authority may direct.

Regulations to be observed by broadcasting stations during the day preceding the elections and on the actual day of polling.

5. (1) During the day preceding the elections and on the actual day of polling during the elections (hereinafter referred to as “the campaign silence period”), all forms of broadcasting which might influence voters shall be prohibited.

li l-kontenut tal-programmi skont l-iskedi sottomessi lilha fuq l-istazzjonijiet politiċi jitqies fid-dawl tad-disposizzjoni fakoltattiva mogħtija lill-Awtorità skond l-artikolu 13 (2) ta' l-Att dwar ix-Xandir. Dan t'hawn fuq m'għandux jiġi interpretat bħala li l-istazzjonijiet tal-partiti politiċi mhumiex marbuta li josservaw il-liġi. Għall-fini ta' dan is-sub-artikolu, l-istazzjonijiet tal-partiti politiċi huma: *ONE Radio, Radio 101, ONE u NET TV.*

Applikazzjoni tal-Kodiċi għall-Investigazzjoni u d-Deter-minazzjoni ta' l-Ilmenti.

4. Dawn it-tibdiliet għandhom japplikaw matul il-perjodu 7 ta' Jannar sad-9 ta' Marzu 2013 għall-Kodiċi għall-Investigazzjoni u d-Determinazzjoni ta' l-Ilmenti:
- i) l-ilmenti jkunu indirizzati lill-Awtorità u mhux lill-istazzjonijiet tax-xandir;
 - ii) l-Awtorità tista' titlob spjega mill-istazzjon tax-xandir dwar l-ilment imsemmi skont kemm thoss hi li din tkun meħtieġa għall-każ;
 - iii) kull spjega jew tagħrif bħal dan irid jingħata lill-Awtorità mill-istazzjon tax-xandir mhux aktar tard minn nofsinhar ta' l-għada jew qabel, skont kif tordna l-Awtorità.

Regolamenti li l-istazzjonijiet tax-xandir iridu jobdu matul il-ġurnata qabel l-elezzjonijiet u dakinhar tal-votazzjoni.

5. (1) Matul il-jum qabel l-elezzjonijiet u dakinhar tal-votazzjoni (minn issa 'l quddiem magħruf bħala “il-kampanja ta' żmien is-skiet”), ma jista' jsir ebda xorta ta' xandir li b'xi mod jista' jinfluwenza l-votanti.
- (2) Bla ebda preġudizzju għas-sub-artiklu (1) ta' dan l-artiklu, matul il-kampanja ta' żmien is-skiet ser jidhru fis-seħħ dawn ir-regolamenti:
- i. għandhom jiġu evitati sitwazzjonijiet minn stazzjonijiet tax-xandir li matul il-perjodu ta' żmien is-skiet ikunu trasmessi programmi li jistgħu raġonevolment jiġu interpretati li qed jixxandru bil-ħsieb li jinfluwenzaw il-votanti;
 - ii. trid tieqaf kull xorta ta' preżentazzjoni mix-xandir tal-partiti politiċi, kandidati, kunsilli lokali u ta' movimenti u

- (2) Without prejudice to sub-article (1) of this article, during the campaign silence period the following rules shall apply:
- i) broadcasting stations shall avoid a situation where during the silence period they broadcast programmes which could be reasonably interpreted that they are broadcasting with a view to influence voters;
 - ii) all forms of presentation on the broadcasting media of political parties, candidates, local councils and other movements and organizations involved in the elections shall cease;
 - iii) broadcasting stations shall not broadcast information, statements, press and media releases issued by the government, the opposition, candidates, politicians, political parties, local councils and other movements and organisations involved in the elections, and other forms of broadcasting which are, openly or in a covert manner, of a political nature, have political content or which may influence the decisions of the voters. Nor may informative advertisements commissioned by public entities, including public service announcements be broadcast unless these are of public interest and of an urgent nature;
 - iv) the following shall be prohibited:
 - agitation,
 - information related to an electoral campaign, and
 - announcements designed for presentation of programmes, logos, mottos and symbols of a political party and a candidate;
 - announcements on how a person can vote
 - v) all forms of media presentations concerning the electoral campaign (such as free presentations, political propaganda, discussion programmes, interviews, etc.) shall be prohibited;
 - vi) it shall be allowed in the reporting on the voting and the other electoral organizzazzjonijiet oħra li għandhom x'jaqsmu ma' l-elezzjonijiet;
 - iii. l-istazzjonijiet tax-xandir ma jxandru tagħrif, dikjarazzjonijiet, stqarrijiet tal-gvern lill-istampa u lix-xandir, kif ukoll dawk ta' l-oppożizzjoni, tal-kandidati, tal-politiċi, tal-partiti politiċi, ta' kunsilli lokali u ta' organizzazzjonijiet u movimenti li għandhom x'jaqsmu ma' l-elezzjonijiet, u kull xorta ta' xandir ieħor li bil-miftuħ jew bil-moħbi għandu natura politika, għandu kontenut politiku jew li tista' b'xi mod tinfluenza d-deċiżjoni tal-votanti. Lanqas ma jistgħu jixxandru reklami informattivi mtella' minn entitajiet pubbliċi, inkluż Public Service Announcements, sakemm dawn ma jkunux ta' interess ġenerali u ta' natura urġenti;
 - iv. dan li ġej ma jistax isir:
 - propaganda,
 - tagħrif li għandu x'jaqsam mal-kampanja elettorali, u
 - avvizi maħsuba għall-preżentazzjoni ta' programmi, logos, mottos u simboli ta' partit politiku u ta' kandidat/a;
 - avvizi dwar kif persuna tista' tivvota
 - v) ma tistax issir kull xorta ta' preżentazzjoni fix-xandir li b'xi mod hi dwar il-kampanja elettorali (bħalma huma preżentazzjonijiet, propaganda politika, programmi ta' diskussjoni, intervisti, eċċ);
 - vi) fir-rapporti dwar il-votazzjoni u attivitajiet oħra dwar l-elezzjonijiet, l-istazzjonijiet jithallew ixandru bil-prudenza kollha tagħrif dwar fatti li jkollhom valur ta' aħbar evidenti bħal ksur li seta' sar fil-proċeduri tal-votazzjoni kif ukoll dwar xi inċidenti li jinqalgħu fil-post tal-votazzjoni jew barra u wkoll dikjarazzjonijiet ufficijali dwar kif inhi sejra l-votazzjoni hekk kif dawn joħorġu minn ħin għall-ieħor mill-Kummissjoni Elettorali basta li ma tkunx aħbar maħruġa mill-partiti politiċi jew mill-kandidati nfushom jew aħbar ipprovokata jew ġenerata mill-partiti

activities for broadcasting stations to prudently report on facts of news value the possible violations of the voting procedures and on eventual incidents inside or out of the polling booths, and official statements on the voting process issued from time to time by the Electoral Commission provided that it shall not consist of a news item released by the political parties or by candidates or a news item provoked or brought about by political parties or candidates for political mileage.

(3) Statements and releases on the eventual incidents mentioned in paragraph (vi) of sub-article (2) of this article which are issued during the campaign silence period may only be broadcast after all the polling booths are closed.

(4) For the purposes of this article:-

- “agitation”, for and against, means all forms of media presentation related in any way to the electoral campaign. Agitation also includes all other on-air presentations of candidates, symbols, signs and other propaganda material of political parties and other organisations involved in the elections;
- “information related to an electoral campaign” means news reports and other programmes which present:
 - information on any form of campaign activities that took place before the deadline for the start of the campaign silence period;
 - statements and releases of political parties, candidates, local councils and other organisations and movements involved in the elections;
 - information on the activities of the holders of Government offices and officials related to the electoral campaign (opening of new buildings and infrastructure objects, promotion of projects, results and achievements, either in the form of reports in regular or special broadcasts, etc.);
- “announcements designed for presentation of programmes, logos, mottos and symbols of a political party, candidate and other

politiċi jew mill-kandidati jew għall-gwadann politiku.

(3) Jistgħu jixxandru, dikjarazzjonijiet u stqarrijiet dwar xi inċidenti msemmija f’paragrafu (vi) ta’ sub-artiklu (2) ta’ dan l-artiklu li joħorġu matul il-kampanja ta’ żmien is-skiet, meta jkunu għalqu l-postijiet kollha tal-votazzjoni.

(4) Għall-għan ta’ dan l-artiklu:-

- “propaganda” favur jew kontra, tfisser kull xorta ta’ preżentazzjoni ta’ xandir li għandha x’taqsam b’xi mod mal-kampanja elettorali. Propaganda tinkludi wkoll kull preżentazzjoni fuq il-mezzi kollha tax-xandir ta’ kandidati, simboli, sinjali jew għeliehem oħra u materjal propagandistiku ta’ partiti politiċi u movimenti u organizzazzjonijiet li għandhom x’jaqsmu ma’ l-elezzjonijiet.
- “tagħrif li għandu x’jaqsmu ma’ kampanja elettorali” tfisser għabriet ta’ aħbarijiet u programmi oħra li jagħtu:
 - tagħrif dwar kull xorta ta’ hidma ta’ propaganda li saret qabel ma waslet biex tibda l-kampanja ta’ żmien is-skiet;
 - dikjarazzjonijiet u stqarrijiet tal-partiti politiċi, kandidati, kunsilli lokali u organizzazzjonijiet u movimenti li għandhom x’jaqsmu ma’ l-elezzjonijiet;
 - tagħrif dwar x’jagħmlu dawk li għandhom funzjoni fl-uffiċċji tal-Gvern u l-uffiċċjali li għandhom x’jaqsmu mal-kampanja ta’ l-elezzjonijiet (ftuħ ta’ bini ġdid u affarijiet ta’ l-infrastruttura, varar ta’ proġetti, riżultati u kisbiet, jew bħala rapporti f’xandiriet regolari jew speċjali, eċċ.);
- “avviżi maħsuba biex jidhru fi programmi, logos, mottos u simboli/għeliehem ta’ partit politiku, kandidat, moviment u organizzazzjoni oħra li għandhom x’jaqsmu ma’ l-elezzjonijiet” tfisser kull xorta ta’ propaganda politika (avviżi, stqarrijiet, reklamar politiku, rekordings jew siltiet minn xi rekordings ta’ ġemgħat ta’ nies u dehriet oħra fil-pubbliku ta’ dawk li qed jieħdu sehem fil-kampanja ta’ l-elezzjonijiet).

(5) Mingħajr preġudizzju għal dak li jingħad fis-subartikoli preċedenti ta’ dan l-artikolu, l-ebda stazzjon m’għandu jxandar materjal dwar

movements or organisations involved in the elections” means all forms of political propaganda (announcements, releases, political advertisements, recordings or segments of recordings of rallies and other public appearances of the participants in the electoral campaign).

- (5) Without prejudice to the foregoing provisions of this article, no station may broadcast any material concerning the elections during the silent period. This applies to all television and radio programmes, including news bulletins and applies both to local and foreign content.
- (6) On polling day it is permissible to broadcast only the following:
- i) the process of voting, that is, information about the number of persons who have cast their vote and information as to what is happening in the polling booths;
 - ii) whenever election candidates are mentioned, stations owned by the political parties (NET TV, Radio 101, ONE Radio and ONE) shall first mention the candidates of their respective party and then they shall mention the rest of the candidates as they feature on the ballot paper; and all the other stations which opt to refer to election candidates shall mention them in the order as they appear on the ballot paper;
 - iii) only the following party representatives may appear on broadcasting stations:
 - PL – Leader and both Deputy Leaders;
 - PN – Leader, Deputy Leader and Secretary General; Alternattiva Demokratika – Chairperson and Deputy Chairperson;
 They should only be shown entering the polling booths and casting their vote. No comments of such persons may be broadcast on the broadcasting media up till the closure of the polling stations. Neither can stations broadcast in an indirect manner the statements made by party leaders, candidates and other party officials.
 - iv) Stations cannot broadcast or replicate news items/statements featured on electronic sites which by their very nature would be considered to be in breach of the provisions relating to the campaign silence period.

L-elezzjonijiet matul il-perijodu ta' żmien is-skiet. Dan japplika għal kull programm tat-televiżjoni u radju, inkluż l-aħbarijiet u japplika kemm għall-kontenut lokali u għall-kontenut barrani.

- (6) F'jum il-votazzjoni hu permess li jixxandar dan li ġej:
- i) L-andament tal-votazzjoni, jiġifieri informazzjoni dwar kemm ivvutaw nies u informazzjoni dwar x'ikun qed jiġri fil-postijiet tal-votazzjoni;
 - ii) kull meta jissemew il-kandidati ta' l-elezzjonijiet, l-istazzjonijiet tal-partiti politiċi (NET TV, Radio 101, ONE Radio, u ONE) għandhom isemmu l-ewwel il-kandidati tal-partit rispettiv tagħhom, imbagħad jissemew il-kumplement tal-kandidati skond il-polza tal-vot; u l-istazzjonijiet l-oħra kollha li jagħżlu li jsemmu l-kandidati ta' l-elezzjonijiet għandhom isemmuhom fl-ordni li jidhru fih fil-polza tal-vot;
 - iii) jistgħu jidhru biss fuq l-istazzjonijiet ir-rappreżentanti tal-partiti segwenti: PL - Mexxej u Żewġ Deputati Mexxejja; PN - Kap, Viċi Kap u Segretarju Ġenerali; AD – Chairperson u Deputat Chairperson; Dawn iridu jidhru biss diegħlin jivvutaw u jixxandu l-vot. Bl-ebda mod m'għandhom jixxandru kummenti tagħhom fuq il-mezzi tax-xandir sa l-egħluq tal-votazzjoni. Lanqas ma jista' jixxandar rappurtaġġ b'mod indirett ta' x'qalu l-mexxejja, kandidati jew uffiċjali oħra tal-partiti.
 - iv) L-istazzjonijiet ma jistgħux ixandru jew jirreplikaw aħbarijiet/stqarrijiet li jkunu qed jidhru fuq siti elettronici li fin-natura tagħhom jitqiesu li jiksru l-provedimenti marbuta mal-ġranet tas-silenzju.
 - v) L-istazzjonijiet ma jistgħu jwasslu l-ebda messaġġ li jista' jwassal biex jinfluwenzaw il-votant. Barra minn hekk m'għandhomx lanqas iħeġġu lin-nies biex imorru jivvutaw jew biex ma jmorrux jivvutaw.

Stharriġ ta' l-Opinjoni Pubblika.

6. L-Awtorità tirreferi wkoll għal Ftigijiet dwar Standards u Prattika ta' l-2007 dwar id-Diversi Tipi ta' Stharriġ ta' l-Opinjoni Pubblika Mxandra fuq is-Servizzi ta' Radju u Televiżjoni li għandhom disposizzjonijiet relatati mal-elezzjonijiet. Kopja ta' dawn il-Ftigijiet hija mehmuża ma' din id-Direttiva.

- v) stations cannot air any message intended to influence voters. Moreover, they shall not encourage people to vote or not to vote.

Public Opinion Polls.

6. The Authority refers to the Requirements as to Standards and Practice Applicable to Various Types of Polls Broadcast on Radio and Television Services which contain provisions relating to elections. A copy of these Requirements is attached to this Directive.

Provision of Programme Schedule during the Silence Period.

7. (1) Not later than noon of Monday, 25th February 2013, all broadcasting stations shall forward to the Authority a detailed schedule of programmes and advertisements to be broadcast during the silence period so that it may be approved by the Authority. Subject to the provisions of subarticle (6) of article 5 of this Directive, no current affairs programmes, discussion programmes, investigative journalism programmes or programmes of a similar nature may be broadcast except for those programmes which may be approved by the Authority to be aired during these two days.
- (2) After the Authority receives these schedules, the Authority may, should it so require, hold a meeting with political parties in order to ensure that the programme schedules of political stations which had been approved by the Authority are rigorously observed by political stations.

20th December 2012

Għoti ta' skeda għall-perijodu ta' zmien is-skiet.

7. (1) Mhux aktar tard minn nofsinhar ta' nhar it-Tnejn, 25 ta' Frar 2013, kull stazzjon tax-xandir irid jagħti lill-Awtorità skeda dettaljata tal-programmi u reklami għal matul il-perijodu ta' zmien is-skiet biex tiġi approvata mill-Awtorità. Suġġett għal dak li jingħad fis-subartikolu (6) ta' l-artikolu 5 ta' din id-Direttiva, f'dan il-perijodu m'għandhomx jixxandru programmi ta' ġrajjet kurrenti, programmi ta' diskussjoni, programmi ta' ġurnalizmu investigattiv, u programmi ta' natura simili għal dawn hliet daww li jiġu approvati mill-Awtorità għal xandir f'dawn il-jumejn.
- (2) Wara li l-Awtorità tirċievi dawn l-iskedi hija tista', jekk tħoss il-ħtieġa, iżżomm laqgħa mal-partiti politiċi biex tiżgura li l-iskedi ta' l-istazzjonijiet politiċi li jkunu ġew approvati mill-Awtorità jiġu rigorożament osservati mill-istazzjonijiet politiċi.

20 ta' Diċembru 2012

**REPORT AND
FINANCIAL STATEMENTS
FOR THE YEAR ENDED
31ST DECEMBER 2013**



Broadcasting Authority

CONTENTS

Statement of the Authority's Responsibilities	4
Auditors' Report	4
Income and Expenditure Account	6
Balance Sheet	6
Statement of Changes in Equity.....	7
Cash Flow Statement.....	7
Notes to the Financial Statements	8
 SCHEDULES	
Schedule 1: Income and Expenditure Account.....	14
Schedule 2: Administrative, Research and Communications Expenses.....	15
Schedule 3: Departmental Expenses	16

STATEMENT OF THE AUTHORITY'S RESPONSIBILITIES

The Broadcasting Act, 1991 requires the board members to prepare financial statements for each financial period which give a true and fair view of the state of affairs of the Authority at the end of the financial period and of the income and expenditure for that period.

In preparing the financial statements, the board members are required to:

- adopt the going concern basis, unless it is inappropriate to presume that the company will continue in business;
- select suitable accounting policies and apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- account for income and charges relative to the accounting period on the accruals basis;
- value separately the components of assets and liability items; and
- report comparative figures corresponding to those of the preceding accounting period.

The Authority is responsible for keeping proper accounting records which disclose with reasonable accuracy, at any time, the financial position of the Authority and to enable to ensure that the financial statements have been properly prepared in accordance with the Broadcasting Act, 1991. The Authority is also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

AUDITORS' REPORT

We have audited the accompanying financial statements of the Broadcasting Authority (the "Authority") set out on pages 4 to 11 which comprise the balance sheet as of 31 December 2013, and the income statement, statement of changes in equity and cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory notes.

Board Members' Responsibility for the Financial Statements

The Authority's Board Members are responsible for the preparation and fair presentation of these financial statements in accordance with the Accountancy Profession (General Accounting

Principles for Smaller Entities) Regulations, 2009 and the Schedule accompanying and forming an integral part of those Regulations and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those Standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

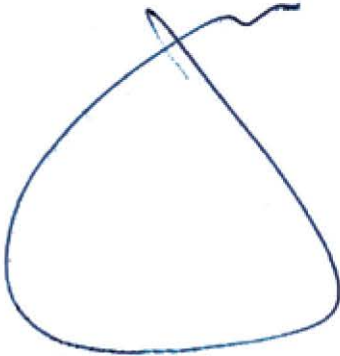
An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the board members, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements, present fairly, in all material respects the financial position of the Authority as at 31 December 2013 and its financial performance and its cash flows for the year then ended in accordance the Accountancy Profession (General Accounting Principles for Smaller Entities) Regulations, 2009 and the Schedule accompanying and forming an integral part of those Regulations for qualifying entities as

prescribed in those regulations, and comply with the requirements of the Maltese Broadcasting Act (Chap 350).

A handwritten signature in blue ink, consisting of a large, irregular loop with a smaller loop at the top, and a short horizontal line extending to the right from the top loop.

John Abela (Partner) for and on behalf of

Horwath Malta

Member Crowe Horwath International

La Provvida,
Karm Zerafa Street,
Birkirkara BKR 1713
Malta

25th February 2014

**INCOME AND EXPENDITURE ACCOUNT
YEAR ENDED 31 DECEMBER 2013**

	Note	2013 €	2012 €
Income	3	1,052,682	<u>1,031,065</u>
Expenditure		<u>(1,123,778)</u>	<u>(1,094,705)</u>
Deficit for the year	4	<u>(71,096)</u>	<u>(63,640)</u>

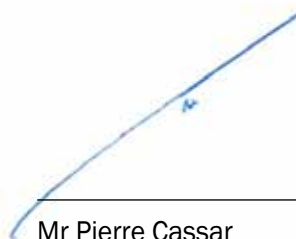
**BALANCE SHEET
31 DECEMBER 2013**

	Note	2013 €	2012 €
ASSETS			
Non-current Assets			
Property, Plant and equipment	5	<u>1,943,679</u>	<u>1,995,802</u>
Current Assets			
Trade and other receivables	6	275,492	269,613
Cash and bank balances		<u>490,177</u>	<u>517,403</u>
		765,669	787,016
Total Assets		<u>2,709,348</u>	<u>2,782,818</u>
CAPITAL AND LIABILITIES			
Capital and Reserves			
Capital fund	7	2,572,737	2,572,737
Reserve Fund	7	37,270	37,270
Revaluation reserve	8	293,699	293,699
Accumulated reserve	9	<u>(434,160)</u>	<u>(363,064)</u>
		2,469,546	2,540,642
Current Liabilities			
Trade and other payables	10	<u>239,802</u>	<u>242,176</u>
Total Capital and Liabilities		<u>2,709,348</u>	<u>2,782,818</u>

The financial statements on pages 4 to 11 were approved by the members on 25 February 2014 and were signed by:



Mr Anthony J Tabone
Chairman



Mr Pierre Cassar
Chief Executive

STATEMENT OF CHANGES IN EQUITY
YEAR ENDED 31 DECEMBER 2013

	Capital Fund €	Reserve Fund €	Revaluation Reserve €	Accumulated Reserve €	Total €
At 1 January 2012	2,572,737	37,270	293,699	(299,424)	2,604,282
Deficit for the year	-	-	-	(63,640)	(63,640)
At 31 December 2012	<u>2,572,737</u>	<u>37,270</u>	<u>293,699</u>	<u>(363,064)</u>	<u>2,540,642</u>
At 1 January 2013	2,572,737	37,270	293,699	(363,064)	2,540,642
Deficit for the year	-	-	-	(71,096)	(71,096)
At 31 December 2013	<u>2,572,737</u>	<u>37,270</u>	<u>293,699</u>	<u>(434,160)</u>	<u>2,469,546</u>

CASH FLOW STATEMENT
YEAR ENDED 31 DECEMBER 2013

	Note	2013 €	2012 €
Cash flow from Operating Activities			
Deficit for the year		(71,096)	(63,640)
<i>Adjustment for:</i>			
Depreciation charge		67,872	72,659
Bank interest receivable		<u>(7,062)</u>	<u>(10,012)</u>
		(10,286)	(993)
<i>Working capital changes:</i>			
Change in trade and other receivables		(5,879)	1,031
Change in trade and other payables		<u>(2,375)</u>	<u>(4,084)</u>
Cash (absorbed)/generated from operations		(18,540)	(4,046)
Bank interest received		<u>7,062</u>	<u>10,012</u>
Net Cash (absorbed by)/generated from Operating Activities		<u>(11,478)</u>	<u>5,966</u>
Investing Activities			
Payments to acquire property, plant and equipment		<u>(15,748)</u>	<u>(39,875)</u>
Net cash used in Investing Activities		<u>(15,748)</u>	<u>(39,875)</u>
Net movement in Cash and Cash Equivalents		(27,226)	(33,909)
Cash and cash equivalents at beginning of year		<u>517,403</u>	<u>551,312</u>
Cash and Cash Equivalents at End of Year	11	<u>490,177</u>	<u>517,403</u>

**NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED 31 DECEMBER 2013****1. Basis of Preparation****Statement of compliance**

The financial statements of Broadcasting Authority (“the Authority”) have been prepared in accordance with the Accountancy Profession (General Accounting Principles for Smaller Entities) Regulations, 2009 and the Schedule accompanying and forming an integral part of those Regulations (“GAPSE”).

Basis of measurement

The financial statements are prepared on the historical cost basis, except for freehold land and buildings which are stated at revalued amounts.

Functional and presentation currency

The financial statements are presented in euro, which is the Authority’s functional currency.

2. Significant Accounting Policies

The principal accounting policies adopted in the preparation of these financial statements are set out below. These accounting policies have been consistently applied to all the periods presented, unless otherwise stated.

Income Recognition

- a. Income from Government is recognized on an accrual basis.
- b. Income from the provision of services is recognised in proportion to the stage of completion at the balance sheet date.
- c. Interest income from investments is accrued on a time basis, by reference to the principal outstanding and at the interest rate applicable.

Property, plant and equipment**Recognition and measurement**

The cost of an item of property, plant and equipment is recognised as an asset when it is probable that the future economic benefits that are associated with the asset will flow to the entity and the cost can be measured reliably. Property, plant and equipment are initially measured at cost comprising the purchase price, any costs directly attributable to bringing the assets to a working condition for their intended use, and the costs of dismantling and removing the item and restoring the site on which it is located. Subsequent expenditure is capitalised as part of the cost of property, plant and equipment only if it enhances the economic benefits of an asset in excess of the previously assessed standard of performance, or it replaces or restores a component that has been separately depreciated over its useful life.

After initial recognition, property, plant and equipment may be carried under the cost model, that is at cost less any accumulated depreciation and any accumulated impairment losses, or under the revaluation model, that is at their fair value at the date of the revaluation less any accumulated depreciation and any accumulated impairment losses.

After initial recognition land and buildings are carried under the revaluation model. Other property, plant and equipment are carried under the cost model.

Depreciation

Depreciation is calculated to write down the carrying amount of the asset on a straight line basis over its expected useful life. Depreciation of an asset begins when it is available for use and ceases at the earlier of the date that the asset is classified as held for sale (or included in a disposal group that is classified as held for sale) in accordance with Section 24 of GAPSE or the date that the asset is derecognised. The depreciation charge for each period is recognised in profit or loss.

The depreciation rates charged are as follows:

	%
Buildings	1
Motor vehicles	20
Studio equipment	20
Fixtures, fittings and equipment	10 – 20
Technical equipment	25
Transmitting antenna	4 – 12

Land is not depreciated

Impairment

The carrying amounts of the Authority's property, plant and equipment and financial assets are reviewed at each balance sheet date to determine whether there is any indication of impairment. If any such indication exists, the asset's recoverable amount is estimated.

Whenever the carrying amount of an asset exceeds its recoverable amount, an impairment loss is recognised and the carrying amount of the asset is reduced to its recoverable amount. Impairment losses are recognised immediately in profit or loss, unless they relate to an asset which is carried at revalued amount, in which case they are treated as a revaluation decrease in accordance with the applicable Section in GAPSE.

The carrying amounts of the Authority's assets are also reviewed at each balance sheet date to determine whether there is any indication that an impairment loss recognised in prior periods may no longer exist or may have decreased. If any such indication exists, the asset's recoverable amount is estimated. An impairment loss previously recognised is reversed only if there has been a change in the estimates used to determine the asset's recoverable amount since the last impairment loss was recognised. When an impairment loss subsequently reverses, the carrying amount of the asset is increased to the revised estimate of its recoverable amount, to the extent that it does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset in prior years. Impairment reversals are recognised immediately in profit or loss, unless they relate to an asset which is carried at revalued amount, in which case they are treated as a revaluation increase in accordance with the applicable Section in GAPSE.

Financial assets and financial liabilities**Trade and other receivables**

Trade and other receivables are carried at cost less any impairment losses (refer to accounting policy on impairment)

Trade and other payables

Trade and other payables are stated at their nominal value.

Cash and Cash Equivalents

Cash comprises cash on hand and demand deposits. Cash equivalents are short-term investments that are held to meet short-term cash commitments rather than for investment or other purposes.

3. Income

Income represents amount receivable from the Government of Malta as subvention, licences from broadcasting organisations, investment and other income as follows:

	2013	2012
	€	€
Government of Malta Subvention	582,350	583,500
Licences from broadcasting organisations	446,615	404,218
Investment income	7,062	10,012
Other income	16,655	33,335
	<u>1,052,682</u>	<u>1,031,065</u>

4. Deficit for the Year

This is stated after charging the following:

	2013	2012
	€	€
Board members' and board secretary's compensation	97,526	95,447
Wages and salaries	698,780	658,124
Depreciation	67,872	72,659
Audit fees	1,600	1,600

Staff costs incurred during the year are analysed as follows:

	2013	2012
	€	€
Board members honoraria	61,759	61,757
Board secretary's salary	35,767	33,670
Wages and salaries	650,355	609,742
	747,881	705,169
Social security contributions	48,425	48,382
	<u>796,306</u>	<u>753,551</u>

The average number of persons employed during the year, including board members, was made up as follows:

	2013	2012
	No.	No.
Board members	5	5
Operations	28	30
	<u>33</u>	<u>35</u>

The decrease in the number of employees represents the termination of two staff members which were not replaced.

5. Property, Plant and Equipment

	Freehold Land	Building & Improvements	Transmitting Antenna	Fixtures & Fittings & Equipment	Technical Equipment	Studio Equipment	Motor Vehicles	Total
	€	€	€	€	€	€	€	€
At 01 January 2013								
Cost/revalued amount	160,270	1,862,680	691,654	441,045	178,464	192,128	55,250	3,581,491
Accumulated depreciation	-	(313,966)	(453,700)	(422,147)	(174,197)	(192,128)	(24,550)	(1,585,688)
Net book amount	160,270	1,543,714	237,954	18,898	4,267	-	30,700	1,995,803
Year ended 31 December 2013								
Opening net book amount	160,270	1,543,714	237,954	18,898	4,267	-	30,700	1,995,803
Additions	-	-	-	6,075	9,673	-	-	15,748
Disposals	-	-	-	(1,468)	(2,250)	-	-	(3,718)
Depreciation charge	-	(18,627)	(23,412)	(9,720)	(5,063)	-	(11,050)	(67,872)
Depreciation release on disposals	-	-	-	1,468	2,250	-	-	3,718
Closing net book amount	160,270	1,525,087	214,542	15,253	8,877	-	19,650	1,943,679
At 31 December 2013								
Cost/revalued amount	160,270	1,862,680	691,654	445,652	185,887	192,128	55,250	3,593,521
Accumulated depreciation	-	(337,593)	(477,112)	(430,399)	(177,010)	(192,128)	(35,600)	(1,649,842)
Net book amount	160,270	1,525,087	214,542	15,253	8,877	-	19,650	1,943,679

5. Property, Plant and Equipment (continued)

Land and buildings

Land and the transmitting antenna were revalued by an independent valuer on 25 March 1991 and 28 August 1991 respectively on an open market existing use basis.

The carrying amount of land and transmitting antenna that would have been included in the financial statements had these assets been carried at cost less accumulated depreciation and accumulated impairment losses is €1,525 (2012: €1,525).

Contractual commitments

In 2014, the Authority will undertake electrical installations and certification works at the Għargħur site. This will cost the Authority €11,739.

In addition, in 2014 the Authority will carry out repairs to Għargħur site buildings at a cost of €6,883 and is expecting to have the shelving for High Street, Hamrun premises delivered, which will cost the Authority €1,300.

Other commitments

The Authority is in the process of issuing a tender with respect to TV capturing and monitoring systems. The process is in an advanced stage and following final technical consultancy by MUHC Ltd. the tender should be issued in 2014. According to the specifications variant the cost of equipment is estimated to amount to €107,000.

Fully depreciated fixed assets

Fully depreciated fixed assets still in use at the balance sheet date amounted to:

	2013 €	2012 €
Motor vehicles	22,500	-
Fixtures, fittings and equipment	412,711	393,893
Studio equipment	192,129	192,128
Technical equipment	170,760	167,885
Transmitting Antenna	156,871	146,025
	<u>954,971</u>	<u>899,931</u>

6. Trade and other Receivables

	2013 €	2012 €
Licences receivable	249,931	239,120
Other debtors	15,357	21,705
Prepayments and accrued income	10,204	8,788
	<u>275,492</u>	<u>269,613</u>

Receivables are stated net of a provision for bad debts amounting to €38,164 (2012: €34,188)

7. Capital Fund and Reserve Fund

These funds have been set up in accordance with Section 26 of the Broadcasting Act, 1991.

8. Revaluation Reserve

The revaluation reserve has arisen from a valuation carried out on land and transmitting antenna in 1991.

9. Accumulated Reserve

The accumulated reserve represents net accumulated deficit

10. Trade and Other Payables

	2013 €	2012 €
Accruals and deferred income	<u>239,802</u>	<u>242,176</u>

11. Cash and Cash Equivalents

Cash and cash equivalents included in the cash flow statement comprise the following balance sheet amounts:

	2013 €	2012 €
Cash at bank and in hand	<u>490,177</u>	<u>517,403</u>

12. Commitments and Contingencies

Details of the Authority's commitments at the balance sheet date have been disclosed in note 5 to these financial statements.

**SCHEDULES TO THE INCOME AND EXPENDITURE ACCOUNT
YEAR ENDED 31 DECEMBER 2013**

SCHEDULE 1

**Income and Expenditure Account
Year ended 31 December 2013**

	2013 €	2012 €
Income		
Government contributions	582,350	583,500
Application fees	24,671	4,761
Licences	310,163	287,275
Rental fees receivable	51,227	51,628
Master Antenna facilities fees	60,554	60,554
Investment income	7,062	10,012
Other income	16,655	33,335
	<u>1,052,682</u>	<u>1,031,065</u>
Expenditure		
Administrative (schedule 2)	600,692	586,291
Research and communications (schedule 2)	85,883	91,254
Production (schedule 3)	6,046	2,491
Monitoring (schedule 3)	387,812	372,478
Technical (schedule 3)	43,345	42,191
	<u>1,123,778</u>	<u>1,094,705</u>

SCHEDULE 2**Administrative, Research and Communications Expenses**
Year ended 31 December 2013

	2013	2012
	€	€
Administrative Expenses		
Members' honoraria	61,759	61,757
Legal advisors' honoraria	5,824	5,824
Wages & Salaries	305,566	277,434
Staff training	3,786	2,132
Telecommunications	13,853	12,935
Water and electricity	39,120	26,765
Insurance	5,721	7,308
Stationery	5,387	5,641
Subscriptions and publications	2,465	2,029
International organisations membership fees	2,000	2,008
Repairs and maintenance	15,667	11,036
IT maintenance and support	7,966	6,622
Duty visits abroad	12,963	15,124
Transport	7,764	10,204
Rentals of radio & TV sets	6,254	6,747
Staff health scheme	21,801	20,581
Sundry expenses	9,561	9,140
Auditors' remuneration	1,600	1,600
Legal and professional fees	4,849	4,955
Depreciation	62,810	67,889
Increase in provision for bad debts	3,976	31,860
Gain on disposal of tangible fixed assets	-	(3,300)
	<u>600,692</u>	<u>586,291</u>
Research and Communications Expenses		
Wages and salaries	47,057	41,383
Audience and qualitative research study	31,052	40,138
Seminars and conferences	1,612	-
Public relations	3,202	3,560
Advertising	6	631
Broadcasters' training and support	1,750	250
BA reports and publications	1,204	5,292
	<u>85,883</u>	<u>91,254</u>

SCHEDULE 3**Departmental Expenses****Year ended 31 December 2013**

	2013	2012
	€	€
Production Department		
Wages and salaries	960	150
TV political broadcasts	5,086	1,232
Depreciation	-	1,109
	<u>6,046</u>	<u>2,491</u>
Monitoring Department		
Wages and salaries	375,140	367,003
Purchase of audio tapes and DVD's	4,267	1,791
Repairs and maintenance	54	25
Depreciation	5,063	3,659
Staff training	3,288	-
	<u>387,812</u>	<u>372,478</u>
Technical Department		
Għargħur site running costs	34,758	41,192
Repairs and maintenance	8,587	228
Technical assistance	-	771
	<u>43,345</u>	<u>42,191</u>