[MT] New Rules for Programmes on Motor Vehicles

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Following a consultation process earlier this year (see IRIS 2007-5: 15), the Broadcasting Authority has discussed the feedback it has received to its consultation document on programmes dealing with motor vehicles (hereinafter referred to as “vehicles”). The Authority has emphasised that this type of programme should not be of an advertising nature but of an informative and educational nature. Naturally, the current laws will still apply to such programmes but these programmes should in particular conform, with effect from 1October 2007, to the following:

a) Programmes dealing with vehicles will not be considered in breach of the advertising regulations if several types or brands of vehicles produced, imported, retailed or hired by different vehicle manufacturers, importers, sellers or hirers are presented during the same series of the same programme;

b) It is permitted to mention the brand name of the vehicle and to sum up the positive as well as negative aspects of the vehicle in question. However, it shall not be acceptable to mention only the positive aspects of the said vehicle or to have repeated close-ups of the vehicle’s brand name or any close-ups of the showroom from where the vehicle is exhibited, sold or hired. The producer shall ensure that the programme is balanced when dealing with such positive and negative vehicle features;

c) It shall not be permissible to invite viewers or listeners to buy such vehicles during these programmes;

d) Whilst subject to the overriding provision of paragraph (a) above, sponsorship of a programme on vehicles by an importer, seller, agent, hirer etc… is allowed, it shall not be permissible for a sponsor to advertise in that programme/s which s/he is sponsoring;

e) When the price of a vehicle is given, this shall not be used for marketing / sale purposes but only for analytical or comparative purposes in relation to other vehicles even if such other vehicles have not been tested during the same programme;

f) The review of a vehicle’s features should be conducted by a competent person such as a mechanic or vehicle enthusiast with the provision that if the competent

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person is an employee or a representative of the firm importing, retailing or hiring such vehicles s/he is not introduced accordingly during the said programme;

g) Promotional material should be avoided. Promotional material includes foreign promotional material supplied by the vehicle's manufacturer or producer and which contains details of an advertising nature; or when the vehicle is given undue prominence beyond the aim of providing information. Undue prominence is given when the address, telephone number or other contact details of the importer or agent are supplied, any website of the importer or agent are displayed or when the vehicle is filmed in the showroom and the name of the importer or agent or other details of the showroom are given so as to identify from which importer or agent that vehicle can be purchased;

h) "Vehicle" includes cars, buses, trucks, motorcycles and other means of transport of any class or description intended for the conveyance of persons or goods.

Broadcasting Authority Interpretation concerning Programmes on Motor Vehicles

http://www.ba-malta.org/CIRCULARS/2007/8.7.25_Motor%20Vehicles.pdf

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