[MT] Policy Document on General Interest Objectives

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Kevin Aguilina
Faculty of Laws, University of Malta

The Malta Communications Authority (MCA), the Broadcasting Authority (BA) and the Ministry for Education, Culture, Youth and Sports and the Ministry for the Infrastructure, Transport and Communications have been discussing a policy document entitled “Making Digital Broadcasting Accessible to All: A Policy and Strategy for Digital Broadcasting Meeting General Interest Objectives”. The MCA led the discussions on the drafting of the document, with input from the BA and both ministries. Eventually the document was referred to the Cabinet for approval and, on 6 February 2009, released to the public.

On 15 September 2007, the MCA and the BA jointly published a consultation document on how broadcasting may best meet General Interest Objectives (GIOs). The consultation period was spread over a period of five months (see IRIS 2008-1: 17). The consultation document was built around a number of fundamental principles that are seen as forming the conceptual framework within which a GIO set-up should be modelled, namely:

- The public’s right to free-to-air viewing of GIO channels via unencrypted transmission;

- An adequate number of GIO broadcasters, balanced against minimal distortion of market mechanisms;

- Efficient use of spectrum;

- Sufficient frequency spectrum for GIO broadcasting, such as to cater for future needs, on the basis of known (existing and foreseen) technology capabilities;

- The concept of GIO broadcasting embracing both the public service broadcaster and a number of private broadcasters;

- The application for GIO status, by privately owned stations, on a voluntary basis;

- The award of GIO status only on the basis of stringent qualifying criteria;

- PBS Ltd. as the “de facto” public service broadcaster;

- The need for transition costs to be kept at manageable levels;

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- Broadcasting to go beyond GIOs via the award of commercial licences.

In determining the nature and ownership of the network, the Government has opted for the setting up of a distinct GIO network. The Government has taken note of the fact that PBS Ltd. is the only broadcasting company with an obligatory requirement to operate under a GIO remit. This makes it the ideal company to organise and run the GIO multiplex. The public service broadcaster will therefore be appointed as the network operator for broadcasting that meets GIOs. As a result of this arrangement, there will be no need to enforce must-carry obligations on terrestrial commercial networks. Such a course of action would result in an unnecessary duplication of transmission capacity.

The following are the other key features of the policy direction that the Government has adopted with respect to broadcasting that meets GIOs:

- The GIO network will be required to carry up to six GIO TV stations;

- All transmissions on the GIO networks will be unencrypted and therefore viewable without the need for any subscription to a network operator and free of charge;

- The second frequency reserved for GIO use will be kept in reserve for the eventual transition of GIO stations to HDTV;

- The BA, with the technical assistance of the MCA, will provide the necessary monitoring of the operation of the GIO network;

- On the drawing up of detailed criteria by the BA, an eligibility test for broadcasters will be carried out, with right of first choice for existing analogue terrestrial;

- Vacant slot(s) on the GIO network will subsequently be filled via a call for expressions of interest.

The publication of this policy document marks the start of a series of initiatives that will lead to analogue switch-off, set for the end of December 2010. Such initiatives will include updating of the Broadcasting Act, the refinement of the high level GIO eligibility criteria, the setting-up of the GIO network infrastructure, the selection of GIO stations and public information initiatives. The implementation of these steps will pose quite a challenge to all concerned.

"A Policy and Strategy for Digital Broadcasting that meets General Interest Objectives", Malta Communications Authority (MCA), the Broadcasting Authority (BA) and the Ministry for Infrastructure, Transport and Communication (February 2009)

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