[MT] Public Consultation on Film and Stage Classification

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The Ministry for Tourism, Culture and the Environment launched on 18 January 2012 a public consultation process relating to amendments to the Stage and Film Classification framework for Malta. A draft Legal Notice setting out the proposed new law has been published for feedback purposes. The consultation process was open until 7 February 2012.

The regulations are inspired by the Television Programmes (Classification Certificates) Regulations, which apply to television broadcasts and allow broadcasters to appoint their own person who is responsible for classifying television programmes. In so far as film, stage and theatre are concerned, the current legal framework does not allow a system of self-regulation. On the contrary, a Board of Film and Stage Classification assigns the classification to a film/stage production and may also withhold classification. In the latter instance, the film/stage production will not be shown/performed.

The proposed regulations attached to the consultation document will still allow the a priori classification of films, but in so far as stage productions are concerned, self-regulation will apply where it is the producer or director of the production who will age-classify the productions. A Guidance Board composed of four members will be appointed by the Minister for Culture. Their terms of reference will include the creation of a list of guide rules to be adopted by stage producers when awarding age-classifications; the assistance of producers/directors in carrying out age-classifications of theatrical performances and the receipt of complaints from the public about the age classifications.

The regulations will thus establish a two tier form of regulation: regulation in so far as films are concerned and self-regulation in so far as stage productions are concerned. However, a Classification Appeals Board is established to review decisions of the Board of Film Age-Classification. There is a further right of appeal from the decision of the Classification Appeals Board to the Administrative Review Tribunal, the latter Tribunal being presided over by a member of the judiciary. On the other hand, in so far as theatrical productions are concerned, there is a proposal to establish a Guidance Board that will decide upon the complaints it receives from the public. Hence, the Guidance Board has both an advisory and an adjudicatory function. The regulations are nevertheless silent as to whether there

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is a further right of appeal to the Administrative Review Tribunal.

The regulation of films and stage production will no longer be considered to be a police matter as is the situation today, but these duties will now be transferred from the Code of Police Laws to the Malta Council for Culture and the Arts.

Television Programmes (Classification Certificates) Regulations

http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=10156&l=1

Public Consultation Document, "Cinema and Stage Classification", 17 January 2012

http://www.doi.gov.mt/classification.asp

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