[MT] Broadcasting Authority Directive for March 2013 Elections

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On 20 December 2012, the Broadcasting Authority issued to all broadcasting stations its directive on programmes and advertisements to be broadcast during the period 7 January to 9 March 2013. This is because Parliament was dissolved on 7 January 2013 and general elections were held on 9 March 2013. In fact, on that date even local council elections were held.

The directive has been tightened up from past directives. For instance, now it included reference not only to news bulletins but even to updates and special editions which were broadcast during the elections campaign period.

Not later than 3 January 2013 all broadcasting stations had to submit their programme schedules for approval by the Broadcasting Authority. Such requirement is compulsory during an election campaign period. On the other hand, during other periods of the year, the Authority only approves the programme schedule of the public broadcasting service's Television Malta. For the election campaign period stations had to provide also details of programme presenters, participants and producers in the case of current affairs programmes, discussion programmes, investigative journalism programmes and other programmes which include guests who air opinions on current affairs and programmes of a similar nature. Where election candidates participate in programmes the Authority had to be informed accordingly. This measure is intended to ensure that so far as possible balance is maintained with regard to airtime allotted to different political parties. Once the Authority approved the programme schedule no changes could be made by broadcasters unless they sought and obtained the prior approval of the Authority. Nor could promotional material concerning the news programmes be aired once such programmes were still in the process of approval.

The directive also stated that programmes and advertisements could not encourage people to vote in a particular way. Moreover, care had to be taken to ensure that all programmes and all advertisements were free of material which could be interpreted as favouring or giving undue exposure to any political party or candidate, or which could be reasonably considered as being directed towards a political end. In addition, the directive stated that it was not permissible:

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(i) in the case of advertisements commissioned by public entities or other entities, to allow persons who had submitted or intended to submit their candidature for these elections to appear in such advertisements, even when the said advertisement could not be considered to be a political advertisement for the purposes of the Broadcasting Act.

(ii) that a programme was presented by a person who had submitted or who intended to submit his or her candidature for these elections when such person was not a regular employee of the station broadcasting such programmes. In such instances, the Authority reserved the right to ask for proof of the employee's fulltime employment status.

(iii) that a person who had submitted or intended to submit his or her candidature for these elections participated in a regular manner in the same programme during the said period. A candidate was considered to have had participated regularly when s/he participated in more than two editions of the same programme during the period between 7 January and 9 March 2013 even if s/he featured in his or her professional or personal capacity. This however did not include coverage in news bulletins but included interviews with candidates on matters that had no bearing on the news items being covered and participation in the party productions/debate in the scheme of political broadcasts organised by the Broadcasting Authority during the election campaign. The Authority reserved the right not to approve proposed programmes where it appeared that these were primarily intended to provide exposure to candidates who already featured 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 had no bearing on an event, statement or a news item, could not be broadcast.

(iv) that a person who has submitted or intended to submit his or her candidature for these elections featured in the opening or closing of a programme.

The aim behind this directive is to ensure that no political party or a candidate of such party gets an undue advantage over another political party/candidate. This directive was first issued ten years ago in connection with the 2003 referendum on the accession of Malta to the European Union. Since then it has become standard practice in the field of broadcast regulation.

Direttiva Ta' L-Awtoritá tax-Xandir Dwar Programmi U Reklami Mxandra Matul Il- Perijodu 7 Ta' Jannar Sad-9 Ta' Marzu 2013

http://www.ba-malta.org/prdetails?id=239

Broadcasting Authority Directive on Programmes and Advertisments Broadcast during the Period 7th January to 9 March 2013

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