[MT] Consultation Document on the Broadcasting Code for the Protection of Minors

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The Broadcasting Authority has published a Consultation Document to amend the Broadcasting Code for the Protection of Minors. The Code, in its current format, has the defect of concentrating mainly on the protection of minors from the viewpoint of advertising, while barely dealing with other aspects of protection of minors in the broadcasting sector (see IRIS 2010-7/29). The current Code also doesn't address the participation of minors in various programmes. As the remit of the Code is being extended, the Broadcasting Authority in its Consultation Document is proposing to alter the title of the Code to read "Code for the Protection, Welfare and Development of Minors on the Broadcasting Media".

The new provisions proposed for inclusion in the new Code include those relating to social development by means of building a healthy society through positive values, addressing violence and fostering diversity and eliminating stereotypes. The new Code will require broadcasting stations to have officers in charge of programme rating. Programme promotions should not include gratuitous violence and any other material suitable only for a mature audience. Programme promotions may be broadcast during the day, so long as each specific episode is rated. Minors continue to be defined as persons who are under sixteen years of age.

Where minors feature in any programme, the broadcasting station has to obtain permission from the parents or guardians in the event of shooting any footage for news, vox pops and interviews. Minors who are not eligible to make use of social media, owing to any criteria, including their age, cannot be shown doing so or be encouraged to do so. Presenters are bound to inform listeners or tele-viewers about any conditions to use social media.

No material which primarily exists for sexual arousal or stimulation may be broadcast in programmes aimed at minors or before nine p.m. When legal restrictions apply to prevent the identification of any person, broadcasters must pay particular attention to withholding any information which could identify minors who are or may be victims, witnesses, defendants or authors in cases of a sexual offence in the civil or criminal courts. This may be achieved by avoiding reporting limited information which can be linked to other pieces of information from elsewhere or inadvertently or in any other indirect manner describing the

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offence as being incest.

In so far as participation of minors in political programmes is concerned, minors cannot be featured in close-ups or be interviewed so as to be recognised whenever a film is being shot for an activity involving party politics. Nor should minors appear or participate in programmes involving party politics. Finally, minors cannot appear in advertisements involving party politics.

Broadcasts related to the paranormal are not allowed between six a.m. and nine p.m. These include exorcism and occult practices, but do not include programmes involving drama, films or comedies. On the other hand, minors cannot participate, both directly and indirectly, in programmes based on luck and gambling or other programmes linking winnings with luck. Anti-social behaviour, apart from drama programmes, should not be broadcast. Violence should not be portrayed in children's programmes, whilst criminal behaviour should be depicted as unacceptable. Scenes showing cruelty to animals or animals which are treated badly should not be displayed unless such scenes form an essential part of the story or are intended to create greater awareness among the audience about caring more for animals.

Finally, presenters cannot use stereotyped language and material. They may also not speak in such manner or show their prejudice. Guests should be corrected if they are prejudiced in their views. Producers should invite a varied audience and guests from both sexes, both Maltese and foreign and from different ethnic groups.

Malta Broadcasting Authority, Consultation Document on the Code for the Protection of Minors in Broadcasting, 2014

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