

SUBSIDIARY LEGISLATION 350.23

**REQUIREMENTS AS TO ADVERTISEMENTS,
METHODS OF ADVERTISING AND DIRECTIONS
APPLICABLE TO TATTOO ADVERTISING**

22nd March, 2007

GOVERNMENT NOTICE 266 of 2007.

The title of these requirements is the Requirements as to Advertisements, Methods of Advertising and Directions applicable to Tattoo Advertising. Citation.

1. Introduction

1.1 These Requirements as to Advertisements, Methods of Advertising and Directions have been made by the Broadcasting Authority in virtue of article 19(3) and (5) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

2. Requirements

2.1 The Authority refers stations to the provisions of the Control of Tattooing Act, Chapter 270 of the Laws of Malta. In terms of article 5(1) of this Act, it is a criminal offence for any person to request, allow, suffer or permit the tattooing of any part of his/her body except when the tattoo is performed by a person who is in possession of a valid licence from the Minister responsible for public health or any person authorised in his/her behalf.

2.2 Broadcasters shall air any such advertisements or other form of programming including information slots concerning tattoos after 9.00p.m. and not later than 6.00a.m. in view of the fact that in terms of law tattoos are permitted only on adults. In fact, the provisions of article 3 of the Control of Tattooing Act are quite clear in prohibiting the tattooing of a minor, so much so that it is a criminal offence to tattoo any person who is under eighteen years of age.

2.3 If an advert for a tattooist or a programme referring to tattoo performance is made between 9.00p.m. and 6.00a.m., the station should ensure that the tattooist is licensed to practise as a tattooist. Broadcasters should furthermore inform viewers and listeners of the danger to health if a tattoo is carried out by an unlicensed tattooist and that a tattoo is of a permanent nature and can only be removed through surgical intervention. This is due to the fact that a tattoo requires the insertion into the skin of colouring material designed to leave a permanent mark.

2.4 If such advertisements or programming material are broadcast, stations should ensure that these are not in conflict with the bad taste and decency requirements of the Broadcasting Act.

2.5 In order to know whether a person is in possession of a

*REQUIREMENTS AS TO ADVERTISEMENTS, METHODS
OF ADVERTISING AND DIRECTIONS APPLICABLE
TO TATTOO ADVERTISING*

2

[S.L.350.23

valid licence to act as a tattooist, broadcasters should get in touch with the Director of Public Health, 37/39 Rue D'Argens, Msida.

2.6 Broadcasters shall ensure that the Department of Public Health is provided with a copy of the advertisement or other programming for legal vetting purposes prior to being aired.
