



**Estratt tad-Direttiva tal-Awtorità tax-Xandir dwar Programmi u Reklami mxandra matul il-Perjodu 7 ta' Jannar sad-9 ta' Marzu 2013**

**Extract of the Broadcasting Authority Directive on Programmes and Advertisements Broadcast during the period 7<sup>th</sup> January to 9<sup>th</sup> March 2013**

**Regolamenti li l-istazzjonijiet tax-xandir iridu jobdu matul il-gurnata qabel l-elezzjonijiet u dakinhar tal-votazzjoni.**

**Regulations to be observed by broadcasting stations during the day preceding the elections and on the actual day of polling.**

5. (1) Matul il-jum qabel l-elezzjonijiet u dakinhar tal-votazzjoni (minn issa 'l quddiem magħruf bħala "il-kampanja ta' żmien is-skiet"), ma jista' jsir ebda xorta ta' xandir li b'xi mod jista' jinfluwenza l-votanti.

5. (1) During the day preceding the elections and on the actual day of polling during the elections (hereinafter referred to as "the campaign silence period"), all forms of broadcasting which might influence voters shall be prohibited.

(2) Bla ebda preġudizzju għas-sub-artiklu (1) ta' dan l-artiklu, matul il-kampanja ta' żmien is-skiet ser jidhlu fis-seħħ dawn ir-regolamenti:

(2) Without prejudice to sub-article (1) of this article, during the campaign silence period the following rules shall apply:

(i) għandhom jiġu evitati sitwazzjonijiet minn stazzjonijiet tax-xandir li matul il-perjodu ta' żmien is-skiet ikunu trasmessi programmi li jistgħu raġonevolment jiġu interpretati li qed jixxandru bil-ħsieb li jinfluwenzaw il-votanti;

(i) broadcasting stations shall avoid a situation where during the silence period they broadcast programmes which could be reasonably interpreted that they are broadcasting with a view to influence voters;

(ii) trid tiegħ qaf kull xorta ta' preżentazzjoni mix-xandir tal-partiti politiċi, kandidati, kunsilli lokali u ta' movimenti u organizzazzjonijiet oħra li għandhom x'jaqsmu ma' l-elezzjonijiet;

(ii) all forms of presentation on the broadcasting media of political parties, candidates, local councils and other movements and organizations involved in the elections shall cease;

(iii) l-istazzjonijiet tax-xandir ma jxandru tagħrif, dikjarazzjonijiet, stqarrijiet tal-gvern lill-istampa u lix-xandir, kif ukoll dawk ta' l-oppożizzjoni, tal-kandidati, tal-politiċi, tal-partiti politiċi, ta' kunsilli lokali u ta' organizzazzjonijiet u movimenti li għandhom x'jaqsmu ma' l-elezzjonijiet, u kull xorta ta' xandir ieħor li bil-miftuħ jew bil-moħbi għandu natura politika, għandu kontenut politiku jew li tista' b'xi mod tinfluwenza d-deċiżjoni tal-votanti. Lanqas ma jistgħu jixxandru reklami informattivi mtella' minn entitajiet pubbliċi, inkluż *Public Service Announcements*, sakemm dawn ma jkunux ta' interess generali u ta' natura urġenti;

(iii) broadcasting stations shall not broadcast information, statements, press and media releases issued by the government, the opposition, candidates, politicians, political parties, local councils and other movements and organisations involved in the elections, and other forms of broadcasting which are, openly or in a covert manner, of a political nature, have political content or which may influence the decisions of the voters. Nor may informative advertisements commissioned by public entities, including public service announcements be broadcast unless these are of public interest and of an urgent nature;

(iv) dan li ġej ma jistax isir:

(iv) the following shall be prohibited:

- propaganda,
- tagħrif li għandu x'jaqsam mal-kampanja elettorali, u

- agitation,
- information related to an electoral campaign, and



- avvizi maħsuba għall-preżentazzjoni ta' programmi, *logos*, *mottos* u simboli ta' partit politiku u ta' kandidat/a;
  - avvizi dwar kif persuna tista' tivvota
- (v) ma tistax issir kull xorta ta' preżentazzjoni fix-xandir li b'xi mod hi dwar il-kampanja elettorali (bħalma huma preżentazzjonijiet, propaganda politika, programmi ta' diskussjoni, intervisti, eċċ);
- (vi) fir-rapporti dwar il-votazzjoni u attivitajiet oħra dwar l-elezzjonijiet, l-istazzjonijiet jithallew ixandru bil-prudenza kollha tagħrif dwar fatti li jkollhom valur ta' aħbar evidenti bħal ksur li seta' sar fil-proċeduri tal-votazzjoni kif ukoll dwar xi incidenti li jinqalgħu fil-post tal-votazzjoni jew barra u wkoll dikjarazzjonijiet uffiċjali dwar kif inhi sejra l-votazzjoni hekk kif dawn joħorġu minn ħin għall-ieħor mill-Kummissjoni Elettorali basta li ma tkunx aħbar maħruġa mill-partiti politiċi jew mill-kandidati nfushom jew aħbar ipprovokata jew ġenerata mill-partiti politiċi jew mill-kandidati jew għall-gwadann politiku.
- (3) Jistgħu jixxandru, dikjarazzjonijiet u stqarrijiet dwar xi incidenti msemmija f'paragrafu (vi) ta' sub-artiklu (2) ta' dan l-artiklu li joħorġu matul il-kampanja ta' żmien is-skiet, meta jkunu għalqu l-postijiet kollha tal-votazzjoni.
- (4) Għall-għan ta' dan l-artiklu:-
- "propaganda" favur jew kontra, tfisser kull xorta ta' preżentazzjoni ta' xandir li għandha x'taqsam b'xi mod mal-kampanja elettorali. Propaganda tinkludi wkoll kull preżentazzjoni fuq il-mezzi kollha tax-xandir ta' kandidati, simboli, sinjali jew għeljem oħra u materjal propagandistiku ta' partiti politiċi u movimenti u organizzazzjonijiet li għandhom x'jaqsmu ma' l-elezzjonijiet.
- "tagħrif li għandu x'jaqsam ma' kampanja elettorali" tfisser ġabriet ta' aħbarijiet u programmi oħra li jagħtu:
- tagħrif dwar kull xorta ta' ħidma ta' propaganda li saret qabel ma waslet biex tibda l-kampanja ta' żmien is-skiet;
- (v) all forms of media presentations concerning the electoral campaign (such as free presentations, political propaganda, discussion programmes, interviews, etc.) shall be prohibited;
- (vi) it shall be allowed in the reporting on the voting and the other electoral activities for broadcasting stations to prudently report on facts of news value the possible violations of the voting procedures and on eventual incidents inside or out of the polling booths, and official statements on the voting process issued from time to time by the Electoral Commission provided that it shall not consist of a news item released by the political parties or by candidates or a news item provoked or brought about by political parties or candidates for political mileage.
- (3) Statements and releases on the eventual incidents mentioned in paragraph (vi) of sub-article (2) of this article which are issued during the campaign silence period may only be broadcast after all the polling booths are closed.
- (4) For the purposes of this article:-
- "agitation", for and against, means all forms of media presentation related in any way to the electoral campaign. Agitation also includes all other on-air presentations of candidates, symbols, signs and other propaganda material of political parties and other organisations involved in the elections;
- "information related to an electoral campaign" means news reports and other programmes which present:
- information on any form of campaign activities that took place before the deadline for the start of the campaign



silence period;

- dikjarazzjonijiet u stqarrijiet tal-partiti politiċi, kandidati, kunsilli lokali u organizzazzjonijiet u movimenti li għandhom x'jaqsmu ma' l-elezzjonijiet;
- tagħrif dwar x'jagħmlu dawk li għandhom funzjoni fl-uffiċċji tal-Gvern u l-uffiċċjali li għandhom x'jaqsmu mal-kampanja ta' l-elezzjonijiet (ftuħ ta' bini ġdid u affarijiet ta' l-infrastruttura, varar ta' proġetti, riżultati u kisbiet, jew bħala rapporti f'xandiriet regolari jew speċjali, eċċ.);
- statements and releases of political parties, candidates, local councils and other organisations and movements involved in the elections;
- information on the activities of the holders of Government offices and officials related to the electoral campaign (opening of new buildings and infrastructure objects, promotion of projects, results and achievements, either in the form of reports in regular or special broadcasts, etc.);

"avviżi maħsuba biex jidhru fi programmi, logos, mottos u simboli/għeliehem ta' partit politiku, kandidat, moviment u organizzazzjoni oħra li għandhom x'jaqsmu ma' l-elezzjonijiet" tfisser kull xorta ta' propaganda politika (avviżi, stqarrijiet, reklamar politiku, rekordings jew siltiet minn xi rekordings ta' ġemgħat ta' nies u dehriet oħra fil-pubbliku ta' dawk li qed jieħdu sehem fil-kampanja ta' l-elezzjonijiet).

"announcements designed for presentation of programmes, logos, mottos and symbols of a political party, candidate and other movements or organisations involved in the elections" means all forms of political propaganda (announcements, releases, political advertisements, recordings or segments of recordings of rallies and other public appearances of the participants in the electoral campaign).

- (5) Mingħajr preġudizzju għal dak li jingħad fis-subartikoli preċedenti ta' dan l-artikolu, l-ebda stazzjon m'għandu jxandar materjal dwar l-elezzjonijiet matul il-perijodu ta' żmien is-skiet. Dan japplika għal kull programm tat-televiżjoni u radju, inkluż l-aħbarijiet u japplika kemm għall-kontenut lokali u għall-kontenut barrani.
- (5) Without prejudice to the foregoing provisions of this article, no station may broadcast any material concerning the elections during the silent period. This applies to all television and radio programmes, including news bulletins and applies both to local and foreign content.
- (6) F'jum il-votazzjoni hu permess li jixxandar dan li ġej:
- (6) On polling day it is permissible to broadcast only the following:
- i) l-andament tal-votazzjoni, jiġifieri informazzjoni dwar kemm ivvutaw nies u informazzjoni dwar x'ikun qed jiġri fil-postijiet tal-votazzjoni;
  - ii) kull meta jissemew il-kandidati ta' l-elezzjonijiet, l-istazzjonijiet tal-partiti politiċi (NET TV, Radio 101, ONE Radio, u ONE) għandhom isemmu l-ewwel il-kandidati tal-partit rispettiv tagħhom, imbagħad jissemew il-kumplement tal-kandidati skond il-polza tal-vot; u l-istazzjonijiet l-oħra kollha li jagħżlu li jsemmu l-kandidati ta' l-
  - i) the process of voting, that is, information about the number of persons who have cast their vote and information as to what is happening in the polling booths;
  - ii) whenever election candidates are mentioned, stations owned by the political parties (NET TV, Radio 101, ONE Radio and ONE) shall first mention the candidates of their respective party and then they shall mention the rest of the candidates as they feature on the ballot paper; and all the other stations which opt to refer to election candidates shall



- elezzjonijiet għandhom isemmuhom fl-ordni li jidhru fih fil-polza tal-vot;
- iii) jistgħu jidhru biss fuq l-istazzjonijiet ir-rappreżentanti tal-partiti segwenti: PL - Mexxej u żewġ Deputati Mexxejja; PN - Kap, Viċi Kap u Segretarju Ġenerali; AD – Chairperson u Deputat Chairperson;. Dawn iridu jidhru biss diegħlin jivvutaw u jixhtu l-vot. Bl-ebda mod m'għandhom jixxandru kummenti tagħhom fuq il-mezzi tax-xandir sa l-egħluq tal-votazzjoni. Lanqas ma jista' jixxandar rappurtaġġ b'mod indirett ta' x'qalu l-mexxejja, kandidati jew uffiċjali oħra tal-partiti.
- iv) L-istazzjonijiet ma jistgħux ixandru jew jirreplikaw aħbarijiet/stqarrijiet li jkunu qed jidhru fuq siti elettronici li fin-natura tagħhom jitqiesu li jiksru l-provedimenti marbuta mal-granet tas-silenzju.
- v) L-istazzjonijiet ma jistgħu jwasslu l-ebda messaġġ li jista' jwassal biex jinfluwenzaw il-votant. Barra minn hekk m'għandhomx l-anqas iheggu lin-nies biex imorru jivvutaw jew biex ma jmorrox jivvutaw.
- mention them in the order as they appear on the ballot paper;
- iii) only the following party representatives may appear on broadcasting stations: PL – Leader and both Deputy Leaders; PN – Leader, Deputy Leader and Secretary General; Alternattiva Demokratika – Chairperson and Deputy Chairperson; They should only be shown entering the polling booths and casting their vote. No comments of such persons may be broadcast on the broadcasting media up till the closure of the polling stations. Neither can stations broadcast in an indirect manner the statements made by party leaders, candidates and other party officials.
- iv) Stations cannot broadcast or replicate news items/statements featured on electronic sites which by their very nature would be considered to be in breach of the provisions relating to the campaign silence period.
- v) stations cannot air any message intended to influence voters. Moreover, they shall not encourage people to vote or not to vote.

20<sup>th</sup> December 2012