

**DIRETTIVA TA' L-AWTORITÀ TAX-XANDIR
DWAR PROGRAMMI U REKLAMI MXANDRA
MATUL IL-PERIJODU
7 TA' JANNAR SAD-9 TA' MARZU 2013**

BIS-saħħa tas-setgħat mogħtija lilha bl-artikli 15 u 23 ta' l-Att dwar ix-Xandir, l-Awtorità tax-Xandir qed toħroġ din id-direttiva għall-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013.

Isem u dħul fis-seħħ.

1. (1) Din id-Direttiva tissejjaħ id-Direttiva ta' l-Awtorità tax-Xandir dwar Programmi u Reklami mxandra matul il-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013.

(2) Din id-Direttiva tibda sseħħ minn nhar it-Tnejn, 7 ta' Jannar 2013

Tifsir.

2. (1) Għall-għanijiet ta' din id-Direttiva:

“l-Att” ifisser l-Att dwar ix-Xandir;

“l-Awtorità” tfisser l-Awtorità tax-Xandir imwaqqfa bl-artiklu 118 tal-Kostituzzjoni;

“Direttiva” tfisser id-Direttiva ta' l-Awtorità tax-Xandir dwar Programmi u Reklami mxandra matul il-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013;

“elezzjonijiet” tfisser l-elezzjoni Generali 2013 u l-elezzjonijiet għall-kunsilli lokali li se jinżammu nhar is-Sibt, 9 ta' Marzu 2013;

“kandidat” tfisser kandidat għall-elezzjoni Generali 2013 u tal-Kunsilli Lokali ta' l-istess data;

“programm” jinkludi *spots* sew jekk ikunu informativi sew jekk ikunu xort'oħra;

“reklam” tfisser reklam informativ jew reklam li jkollu kontenut ta' natura politika.

“Bulletin tal-aħbarijiet” jinkludi wkoll updates u edizzjonijiet speċjali.

Kull referenza għall-maskil tinkludi l-femminil.

(2) Il-kliem u l-frażijiet użati f'din id-Direttiva jfissru l-istess bħal dak li ngħatalhom fl-Att.

**BROADCASTING AUTHORITY DIRECTIVE
ON PROGRAMMES AND ADVERTISEMENTS BROADCAST
DURING THE PERIOD
7TH JANUARY TO 9TH MARCH 2013**

IN exercise of the powers conferred by articles 15 and 23 of the Broadcasting Act, the Broadcasting Authority is issuing the following directive for the period 6th January to 9th March 2013.

Citation and entry into force.

1. (1) The title of this Directive is the Broadcasting Authority Directive on Programmes and Advertisements broadcast during the period 7th January to 9th March 2013.

(2) This Directive shall come into force on Monday 7th January 2013

Interpretation.

2. (1) For the purposes of this Directive:

“the Act” means the Broadcasting Act;

“Authority” means the Broadcasting Authority established by article 118 of the Constitution;

“Directive” means the Broadcasting Authority Directive on Programmes and Advertisements broadcast during the period 7th January to 9th March 2013.

“elections” means the General Elections 2013 and the Local Council elections to be held on Saturday, 9th March 2013;

“candidate” means a candidate for the General Elections 2013 and for the Local Council elections of the same date;

“programme” includes spots whether informative or otherwise;

“advertisement” means an advertisement of an informative nature or an advertisement which contains political content.

“News bulletins” include updates and special editions.

Reference to masculine should also be taken to apply to the feminine.

(2) Words and phrases used in this Directive shall have the same meaning as is assigned to them in



Ghoti ta' Skedi ta' Programmi lill-Awtorità.

3. (1) Mhux aktar tard minn nofsinhar ta' nhar il-Ħamis, 3 ta' Jannar 2013, kull stazzjon tax-xandir irid jagħti lill-Awtorità skeda dettaljata tal-programmi u reklami biex tiġi approvata mill-Awtorità. Din l-iskeda trid tkopri l-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013. Fejn l-istazzjon ikun bi ħsiebu li jxandar programmi ta' ġrajjet kurrenti, programmi ta' diskussjoni, programmi ta' ġurnaliżmu investigattiv, programmi oħra li jinkludu mistiedna sabiex jagħtu opinjonijiet dwar ġrajjet kurrenti u programmi ta' natura simili għal dawn waqt il-perijodu hawn fuq imsemmi, irid jibgħat lill-Awtorità s-suġġett ta' dak il-programm u dettalji dwar min ser jieħu sehem fih bid-dettalji kollha tal-preżentatur, parteċipanti u l-produttur biex l-Awtorità tkun tista' tagħti l-approvazzjoni tagħha. L-istess informazzjoni trid tintbagħat għall-programmi ta' generi oħra li fihom jipparteċipaw kandidati.

(2) Wara li l-Awtorità tapprova din l-iskeda ta' programmi, l-istazzjon tax-xandir ma jkunx jista' jagħmel bidliet fl-iskeda msemmija ħlief eċċezzjonalment, wara li jitlob għal dan bil-kitba u jagħti d-dettalji kollha meħtieġa u bl-approvazzjoni ta' l-Awtorità. Din it-talba għal tibdil fl-iskeda ta' programmi trid tasal għand l-Awtorità mhux anqas minn sebat ijiem utli qabel id-data tal-bidla proposta u trid issir skont il-formola annessa. L-Awtorità mhux fi ħsiebha tapprova tibdil għall-perijodu 4 sas-7 ta' Marzu 2013.

(3) L-ebda produzzjoni jew programm jew reklam b'xejra politika ma jista' jixxandar minn stazzjon tax-xandir qabel ma tingħata l-approvazzjoni msemmija fil-paragrafi (1) u (2) ta' dan l-artiklu sakemm dan ma jkunx parti fi skema approvata mill-Awtorità. Sakemm tiġi approvata l-bidla mitluba fl-iskeda ta' programmi mill-Awtorità, l-istazzjon tax-xandir m'għandux ixandar materjal promozzjonali dwar il-programmi li jkunu qed jiġu proposti li jixxandru mill-istazzjon in kwistjoni. L-ebda programm jew reklam ma jista' jinkoraġixxi lill-poplu li jivvota b'mod partikolari. Għandha tingħata attenzjoni biex jiġi żgurat illi l-programmi kollha u r-reklamar kollu ma jkunx fih materjal li jista' jiġi interpretat li qed jiffavorixxi jew li qed jagħti *exposure* mhux f'waqtu lil xi partit politiku jew kandidat jew li jista' raġonevolment jitqies li huwa mmirat lejn għan politiku. Għalhekk, b'mod partikolari, ma jkunx aċċettabbli:

(i) li fil-każ ta' reklami mtella' minn entitajiet pubbliċi jew entitajiet oħra, jidhru persuni li

Provision of Programme Schedules to the Authority.

3.(1) Not later than noon of Thursday 3rd January 2013, each broadcasting station shall provide the Authority with a detailed schedule of programmes and advertisements for the Authority's approval. This schedule shall cover the period 7th January to 9th March 2013. Where the broadcasting station intends to produce current affairs programmes, discussion programmes, investigative journalism programmes, other programmes which include guests who air opinions on current affairs and programmes of a similar nature during the aforesaid period, it shall forward the subject of that programme and details of the participants in that programme containing details of the presenter, participants and producer to the Authority for its approval. The said information shall be submitted for other programme genres in which candidates participate.

(2) Following the Authority's approval of this programme schedule, no changes may be made by a broadcasting station to the said schedule. Exceptionally, with the prior approval of the Authority and following a written detailed request by a broadcasting station to that effect, a broadcasting station may request the Authority's approval to change its programme schedule. Such request must reach the Authority by not later than seven working days prior to the date of the proposed change and shall be drawn up in terms of the attached form. The Authority will not approve changes for the period 4th to the 7th March 2013.

(3) Until such approval as mentioned in paragraphs (1) and (2) of this article is obtained, no programme or advertisement with a political content may be broadcast by a broadcasting station unless it is within a scheme approved by the Authority. A broadcasting station shall not air any promotional material concerning programmes which the broadcasting station in question intends to air unless the Authority approves the requested change in the programme schedule. Nor may any such programme or advertisement encourage people to vote in a particular way. Care should be taken to ensure that all programmes and all advertisements are free of material, which could be interpreted as favouring or giving undue exposure to any political party or candidate, or which might be reasonably considered as being directed towards a political end. In particular, therefore, it shall not be permissible:

i) in the case of advertisements commissioned by public entities or other entities, to allow



jkunu ressqw jew ikunu bi h̄siebhom iressqu l-kandidatura tagħhom għal dawn l-elezzjonijiet, anki meta l-istess reklam ma jkunx jitqis bħala reklam politiku għall-fini ta' l-Att dwar ix-Xandir;

(ii) li programm imsemmi fis-subartikolu (1) ta' dan l-artikolu jiġi pprezentat minn persuna li tkun ressqet jew bi h̄siebha tressaq il-kandidatura tagħha għal dawn l-elezzjonijiet sakemm din il-persuna ma tkunx impjegata regolari ma' l-istazzjon li jkun qed ixandar il-programm. F'kazijiet bħal dawn l-Awtorità izzomm id-dritt li titlob prova li dik il-persuna hija impjegata b'mod full-time mal-istazzjon

(iii) li persuna li tkun ressqet jew bi h̄siebha tressaq il-kandidatura tagħha għal dawn l-elezzjonijiet tipparteċipa b'mod regolari fl-istess programm matul dan il-perijodu. Għall-fini ta' dan il-paragrafu, kandidat/a j/tiqis li huwa/hija pparteċipa/t b'mod regolari meta j/tipparteċipa f'aktar minn żewġ edizzjonijiet tal-istess programm matul il-perijodu ta' bejn is-7 ta' Jannar u d-9 ta' Marzu 2013 anka jekk jagħmel hekk fil-vesti professjonali jew personali tiegħu. Dan ma jinkludix coverage fil-bullettini tal-aħbarijiet u parteċipazzjoni fil-produzzjonijiet tal-partiti/fid-dibattiti fl-iskema ta' xandiriet politiċi li għandha tiġi mtellgħa mill-Awtorità tax-Xandir. Għandu jiġi cċarat, għall-iskop ta' dan is-sub-artiklu, li l-Awtorità qed tiriserva d-dritt li ma tapprovax programmi li jkunu ġew proposti meta jkun jidher li l-iskop prinċipali ta' dawn il-programmi jkun li jippromovi kandidati li diġà jkunu se jidhru fi programmi oħra fl-iskeda proposta mill-istess stazzjon.

Għal finijiet ta' dan l-artiklu, intervista/feature/kummentarju minn jew ma' kandidat prospettiv li tittella' biss sabiex tingħata prominenza lil tali kandidat u li ma jkollhiex rabta ma' attività/stqarrija/aħbar ma tistax tixxandar

(iv) li persuna li tkun ressqet jew bi h̄siebha tressaq il-kandidatura tagħha għal dawn l-elezzjonijiet tidher f'sigla tal-ftuh jew eghluq ta' programm

(4) Kull programm li jkollu x'jaqsam ma' xi materja ta' kontroversja politika jew industrijali jew li jirreferi għall-*policy* pubblika kurrenti li jixxandar matul il-perijodu 7 ta' Jannar u d-9 ta' Marzu 2013 jrid ikun bilancjat. Fi programmi hekk jeħtieġ li jiddaħħlu l-opinjoni kollha differenti dwar is-suġġett li jkun qed jiġi diskuss.

persons who have submitted or intend to submit their candidature for these elections to appear in such advertisements, even when the said advertisement cannot be considered to be a political advertisement for the purposes of the Broadcasting Act;

ii) that a programme mentioned in subarticle (1) of this article is presented by a person who has submitted or who intends to submit his or her candidature for these elections when such person is not a regular employee of the station broadcasting such programme; In such instances, the Authority reserves the right to ask for proof of the employee's full-time employment status.

iii) that a person who has submitted or intends to submit his or her candidature for these elections participates in a regular manner in the same programme during the said period. For the purposes of this paragraph, a candidate shall be considered to have participated regularly when s/he participates in more than two editions of the same programme during the period between 7th January and 9th March 2013 even if he features in his professional or personal capacity. This does not include coverage in news bulletins but includes interviews with candidates on matters that have no bearing on the news items being covered and participation in the party productions/debate in the scheme of political broadcasts to be organised by the Broadcasting Authority. It should also be made clear, for the purpose of this sub-article, that the Authority reserves the right not to approve proposed programmes where it appears that these are primarily intended to provide exposure to candidates who already feature 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 has no bearing on an event/statement/news item, cannot be broadcast.

iv) that a person who has submitted or intends to submit his or her candidature for these elections features in the opening or closing of a programme

(4) All programmes which concern any aspect of a political or an industrial controversy or which refer to current public policy which are broadcast with effect from 7th January to 9th March 2013 have to be balanced. This requires that in such programmes all diverse opinions on the subject under consideration have to be included.



(5) Fil-każ tas-subartikolu (4) t'hawn fuq, l-Awtorità tista' tapprova skedi ta' programmi proposti minn stazzjonijiet tax-xandir wara li tkun sodisfatta li dan jaqbel ma' dak li hemm provdut f'artiklu 119 tal-Kostituzzjoni. L-Awtorità għandha tara, b'mod partikolari li, fejn għandu x'jaqsam ma' l-għażla tas-sugġetti u ta' dawk li jkunu ser jiehdu sehem, l-istazzjonijiet jimxu ma' dak li hemm maħsub fis-sub-artiklu msemmi.

(6) Għall-fini ta' din id-direttiva "natura politika" jew "xejra politika" jfissru opinjoni kontroversjali marbuta fil-qofol tagħha mas-soċjetà moderna li tkun fil-qalba ta' dibattitu politiku u jinkludi wkoll il-kampanja għall-Elezzjoni Ġenerali u l-Elezzjonijiet Għall-Kunsilli Lokali.

(7) Waqt li l-Awtorità, b'konformità mal-liġi, tinsisti fuq iż-żamma ta' bilanċ u l-imparzjalità, l-Awtorità tifhem ukoll li jkun prattiku u fl-istess ħin konformi mal-liġi li l-kontenut tal-programmi skont l-iskedi sottomessi lilha fuq l-istazzjonijiet politiċi jitqies fid-dawl tad-disposizzjoni fakoltattiva mogħtija lill-Awtorità skond l-artikolu 13 (2) ta' l-Att dwar ix-Xandir. Dan t'hawn fuq m'għandux jiġi interpretat bħala li l-istazzjonijiet tal-partiti politiċi mhumieq marbuta li josservaw il-liġi. Għall-fini ta' dan is-sub-artikolu, l-istazzjonijiet tal-partiti politiċi huma: *ONE Radio, Radio 101, ONE u NET TV.*

Applikazzjoni tal-Kodiċi għall-Investigazzjoni u d-Determinazzjoni ta' l-Ilmenti.

4. Dawn it-tibdiliet għandhom japplikaw matul il-perijodu 7 ta' Jannar sad-9 ta' Marzu 2013 għall-Kodiċi għall-Investigazzjoni u d-Determinazzjoni ta' l-Ilmenti:

- (i) l-ilmenti jkunu indirizzati lill-Awtorità u mhux lill-istazzjonijiet tax-xandir;
- (ii) l-Awtorità tista' titlob spjega mill-istazzjon tax-xandir dwar l-ilment imsemmi skont kemm tħoss hi li din tkun meħtieġa għall-każ;
- (iii) kull spjega jew tagħrif bħal dan irid jingħata lill-Awtorità mill-istazzjon tax-xandir mhux aktar tard minn nofsinhar ta' l-għada jew qabel, skont kif tordna l-Awtorità.

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

5. (1) Matul il-ġum qabel l-elezzjonijiet u dakinhar tal-votazzjoni (minn issa 'l quddiem magħruf bħala

(5) In the case of sub-article (4) above, the Authority may approve programme schedules proposed by broadcasting stations after it is satisfied that the provisions of article 119 of the Constitution will be complied with. The Authority shall, in particular, ensure compliance with the said provision in so far as choice of subjects and participants are concerned.

(6) For the purposes of this directive "political nature" or "political content" mean a controversial opinion pertaining to modern society in general which lies at the heart of a political debate and includes campaigning for the General Elections and Local Councils Elections.

(7) Whilst the Authority, in accordance with the law, insists on safeguarding balance and impartiality, it also recognises that it would be practical and at the same time in conformity with the law that the programme content in terms of the schedules submitted to it by the political stations is considered in the light of the optional provision which may be exercised by the Authority in terms of article 13(2) of the Broadcasting Act. The above shall not be interpreted that political stations are not bound to observe the provisions of the law. For the purposes of this sub-article, the political stations are ONE Radio, Radio 101, ONE and NET TV.

Application of the Code for the Investigation and Determination of Complaints.

4. The following modifications shall apply with effect from 7th January to 9th March 2013 to the Code for the Investigation and Determination of Complaints:

- (i) complaints shall be addressed directly to the Authority and not to broadcasting stations;
- (ii) in so far as the Authority may deem necessary, the Authority may require an explanation from the broadcasting station mentioned in the said complaint;
- (iii) any information or explanation required by the Authority as aforesaid shall be provided to the Authority by the broadcasting station not later than noon of the following day or earlier as the Authority may direct.

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

5. (1) During the day preceding the elections and on the actual day of polling during the elections



“il-kampanja ta’ żmien is-skiet”), ma jista’ jsir ebda xorta ta’ xandir li b’xi mod jista’ jinfluwenza l-votanti.

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

(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;

(ii) trid tiegħi 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;

(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-deċizzjoni tal-votanti. Lanqas ma jistgħu jixxandru reklami informativi mtella’ minn entitajiet pubbliċi, inkluż *Public Service Announcements*, sakemm dawn ma jkunux ta’ interess ġenerali u ta’ natura urġenti;

(iv) dan li ġej ma jistax isir:

- propaganda,
- tagħrif li għandu x’jaqsam mal-kampanja elettoral, u
- 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 elettoral (bħalma huma preżentazzjonijiet, propaganda politika, programmi ta’ diskussjoni, intervisti, eċċ);

(vi) fir-rapporti dwar il-votazzjoni u attivitajiet oħra dwar l-elezzjonijiet, l-istazzjonijiet jithallaw 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

(hereinafter referred to as “the campaign silence period”), all forms of broadcasting which might influence voters shall be prohibited.

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

(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) 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) 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) the following shall be prohibited:

- agitation,
- information related to an electoral campaign, and
- announcements designed for presentation of programmes, logos, mottos and symbols of a political party and a candidate;
- announcements on how a person can vote

(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,



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 jkun 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 għeliem oħra u materjal propagandistiku ta' partiti politiċi u movimenti u organizzazzjonijiet li għandhom x'jaqsmu ma' l-elezzjonijiet.

"tagħrif li għandu x'jaqsmu ma' kampanja elettorali" tfisser għabriet 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;
- 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-uffiċji tal-Gvern u l-uffiċjali li għandhom x'jaqsmu mal-kampanja ta' l-elezzjonijiet (ftuħ ta' bini ġdida u affarijiet ta' l-infrastruttura, varar ta' proġetti, riżultati u kisbiet, jew bħala rapporti f'xandiriet regolari jew speċjali, eċċ.);

"avviżi maħsuba biex jidhru fi programmi, logos, mottos u simboli/għeliem 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).

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;
- 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.);

"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.

(6) F'jum il-votazzjoni hu permess li jixxandar dan li ġej:

- 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-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 jixftu 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.
- iv) 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.

Stharriġ ta' l-Opinjoni Pubblika.

6. L-Awtorità tirreferi wkoll għal Htigijiet dwar Standards u Prattika ta' l-2007 dwar id-Diversi Tipi ta' Stharriġ ta' l-Opinjoni Pubblika Mxandra fuq is-Servizzi ta' Radju u Televiżjoni li għandhom

(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) On polling day it is permissible to broadcast only the following:

- 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 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.
- iv) stations cannot air any message intended to influence voters. Moreover, they shall not encourage people to vote or not to vote.

Public Opinion Polls.

6. The Authority refers to the Requirements as to Standards and Practice Applicable to Various Types of Polls Broadcast on Radio and Television Services which contain provisions relating to



disposizzjonijiet relatati mal-elezzjonijiet. Kopja ta' dawn il-~~H~~tiġijiet hija mehmūza ma' din id-Direttiva.

elections. A copy of these Requirements is attached to this Directive.

Għoti ta' skeda għall-perijodu ta' żmien is-skiet.

7. (1) Mhux aktar tard minn nofsinhar ta' nhar it-Tnejn, 25 ta' Frar 2013, kull stazzjon tax-xandir irid jagħti lill-Awtorità skeda dettaljata tal-programmi u reklami għal matul il-perijodu ta' żmien is-skiet biex tiġi approvata mill-Awtorità. Suġġett għal dak li jingħad fis-subartikolu (6) ta' l-artikolu 5 ta' din id-Direttiva, f'dan il-perijodu m'għandhomx jixxandru programmi ta' ġrajjet kurrenti, programmi ta' diskussjoni, programmi ta' ġurnalizmu investigattiv, u programmi ta' natura simili għal dawn hlied dawk li jiġu approvati mill-Awtorità għal xandir f'dawn il-jumejn.

(2) Wara li l-Awtorità tirċievi dawn l-iskedi hija tista', jekk tħoss il-ħtieġa, iżżomm laqgħa mal-partiti politiċi biex tiżgura li l-iskedi ta' l-istazzjonijiet politiċi li jkunu ġew approvati mill-Awtorità jiġu rigorożament osservati mill-istazzjonijiet politiċi.

Provision of Programme Schedule during the Silence Period.

7. (1) Not later than noon of Monday, 25th February 2013, all broadcasting stations shall forward to the Authority a detailed schedule of programmes and advertisements to be broadcast during the silence period so that it may be approved by the Authority. Subject to the provisions of subarticle (6) of article 5 of this Directive, no current affairs programmes, discussion programmes, investigative journalism programmes or programmes of a similar nature may be broadcast except for those programmes which may be approved by the Authority to be aired during these two days.

(2) After the Authority receives these schedules, the Authority may, should it so require, hold a meeting with political parties in order to ensure that the programme schedules of political stations which had been approved by the Authority are rigorously observed by political stations.

20 ta' Diċembru 2012

20th December 2012



[Artikolu 3(2)]

FORMOLA TA' APPLIKAZZJONI MINN STAZZJON TAX-XANDIR GHALL-APPROVAZZJONI TA' L-AWTORITÀ TAX-XANDIR GHAL TIBDIL FL-ISKEDA TA' PROGRAMMI GHALL-PERJODU 4 TA' JANNAR SAD-9 TA' MARZU 2013

BROADCASTING STATION'S APPLICATION FORM FOR THE BROADCASTING AUTHORITY'S APPROVAL FOR A CHANGE TO A PROGRAMME SCHEDULE DURING THE PERIOD 4TH JANUARY TO 9TH MARCH 2013

Isem ta' l-istazzjon tax-xandir <i>Name of Broadcasting Station</i>
Isem tal-programm li se jsir tiddil dwaru <i>Name of Programme which is proposed to be changed</i>
Data u ħin tat-trasmissjoni tal-programm oriġinali <i>Date and Time of Original Programme which is proposed to be changed</i>
Data u ħin tat-trasmissjoni tal-programm propost <i>Date and Time of Proposed Programme</i>
Raġuni dettaljata għat-tiddil <i>Detailed reason for change</i>
Isem tal-preżentatur tal-programm propost <i>Name of Presenter of Proposed Programme</i>
Isem tal-parteciċipanti tal-programm propost <i>Name of Participants of Proposed Programme</i>
Suġġett tal-programm propost <i>Subject of Proposed Programme</i>
Format tal-programm propost <i>Format of Proposed Programme</i>



Tqassim fi slots tal-programm propost
Breakdown of Proposed Programme by Slots

Jien hawn taft niddikjara li l-Istazzjon tax-xandir hawn fuq imsemmi qed jitlob tibdil fl-iskeda tal-programmi tiegħu skond id-dettalji t'hawn fuq.

I hereunder declare that the above mentioned broadcasting station is requesting a change in its programme schedule in terms of the above details.

B'dan qed ngħarraf lill-Awtorità bit-talba tiegħi għal tali tibdil fis-sugġett ta' programm sebat ijiem utli qabel id-data li fiha huwa propost li jsir it-tibdil. B'sebat ijiem utli qed nifhem li s-Sibtijiet, Fdud, festi pubbliċi u festi nazzjonali mhumiex inklużi.

By this application I am informing the Authority of my request for programme subject change seven working days before the date of intended change. By seven working days I understand that Saturdays, Sundays and public and national holidays are not included.

Firma tač-Chairman ta' l-Istazzjon tax-Xandir

Signature of Broadcasting Station's Chairman

Data/Date

