



Consultation Document: Family Viewing

Family viewing is regulated by Subsidiary Legislation 350.18 – *Requirements as to Standards and Practice applicable to Family Viewing and Listening*. This Government Notice under the Broadcasting Act was enacted in March 2007 with the aim of ensuring that broadcasting stations do not broadcast material which is unsuitable for children at times when a large number of minors are following programmes. This legislation primarily seeks to protect minors from harmful content and also serves to inform viewers whether a programme is suitable for minors.

Recently, the Malta Arts Council introduced a new classification system for cinematographic works. Due to this change, the current subsidiary legislation needs to be amended accordingly. Rather than simply replacing the existing classification with the new categorization, the Broadcasting Authority is contemplating a holistic overview of the present legislation and is calling on all broadcasting stations, other stakeholders and interested parties to submit their feedback.

The Present Classification System

The present requirements stipulate the following classification and signage:

- (a) U for universal programmes which should be encircled in green
- (b) PG for programmes which require parental guidance. Symbol to be encircled in yellow
- (c) 12 for programmes suitable only for persons aged 12 years and older. Symbol to be encircled in orange
- (d) 16 for programmes suitable only for persons aged 16 and older. Sign to be encircled in brown
- (e) AO for adults only programmes. Symbol to be encircled in red.



The new requirements are the following:

- (a) U for universal programmes which should be encircled in green
- (b) PG – for programmes which require parental guidance. PG to be encircled in yellow
- (c) 12A – for programmes suitable for persons aged 12 years and over provided that persons younger than 12 may view the programme when accompanied by an adult. 12A to be encircled in blue
- (d) 12 for programmes suitable only for persons aged 12 years and over. Symbol to be encircled in orange
- (e) 15 for programmes suitable only for persons aged 15 years and over. Symbol to be encircled in brown
- (f) 18 for programmes suitable only for adults. Symbol should be encircled in red.

Under the existing regulations, a station is obliged to display the appropriate classification for the first 30 seconds of the programme and again for 30 seconds following the continuation of the programme after each advert break.

The Authority strongly believes that viewers should be informed of the classification of the programme throughout the broadcast as, in most cases, viewers may start following a programme at any point in time during the transmission. To this effect, the appropriate classification should be visible throughout the entire broadcast. In addition, given that consumers are making use of EPG listings, such classification should also be available on the EPG.

The Watershed

There has been a consensus amongst local broadcasters that the watershed should be 9pm. In reality, most television stations tend to start broadcasting programmes which may include adult oriented material anytime after 8.30pm. The Authority needs to strike a balance between the exigencies of the industry and viewers' needs and concerns.



The 9pm watershed has long been accepted as an adequate filter for adult-oriented programming and should remain as an obligation in the amended subsidiary legislation.

Trailers

Broadcasting stations tend to air trailers of their prime time programmes during different time windows of the day. Although legislation stipulates that no trailers should be broadcast which include adult-oriented material, the Authority is aware that stations may wish to promote a programme which targets an adult audience before the watershed. Provided that the content of the trailer itself does not include any gratuitous violence or other adult-oriented material, a station should be able to broadcast any programme promotion provided that this includes the classification. Viewers watching such a trailer/programme promotion will therefore be in a position to make an informed choice on the suitability of the programme. This is particularly relevant for local drama programmes.

Magazine Programmes

Magazine programmes are very popular on broadcasting stations. By their very nature, such programmes deal with a variety of issues, some of which may not necessarily be suitable for minors. However in the case of slots which are deemed to be educational in nature, stations should advise that parental guidance is recommended. Such a symbol should remain in vision for the whole duration of the slot or feature.

Miscellaneous Provisions

All broadcasting stations shall ensure that they have a person or persons who will be responsible for the issue of classifications of programmes. The stations have to submit such information to the Authority.

In addition, certain stations produce programmes with the presence of an audience in the studio and which target topics or discussions that by their very nature target adults. Yet, minors are sometimes present in the studio. The Authority believes that every



station should adopt a policy whereby no minors, particularly very young children, should be allowed in the studio despite being accompanied by their parents when the nature of the programme is such that the proceedings can be disturbing to children. The amended legal notice will include such a provision.

Feedback

Feedback to this Consultation Document should be addressed as follows:

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Deadline for submissions is Friday 29th November 2013.

8th November 2013

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