

Nru. 729**ATT DWAR IX-XANDIR
(KAP. 350)****Htiġiet dwar Standards u Prattika li japplikaw
għal Bulettini ta' l-Aħbarijiet u l-Programmi
ta' Ġrajjet Kurrenti****Titolu**

It-titolu ta' dawn l-htiġiet huwa Htiġiet dwar Standards u Prattika li japplikaw għal Bulettini ta' l-Aħbarijiet u l-Programmi ta' Ġrajjet Kurrenti.

**TAQSIMA 1
Introduzzjoni****1. Dahla**

1.1. L-artikolu 119 tal-Kostituzzjoni ta' Malta kif ukoll l-Att ta' l-1991 dwar ix-Xandir, kif emendat, illum Kapitolu 350 tal-Liġijiet ta' Malta, jagħmel l-Awtorità tax-Xandir l-ghassies legali ta' l-imparzjalità u r-reqqa fl-aħbarijiet u fi programmi ta' ġrajjet kurrenti.

1.2. Ix-xandara tar-radju u tat-televizjoni jridu jhejju u johorġu bir-reqqa kollha meħtieġa, rapporti ta' aħbarijiet u programmi ta' ġrajjet kurrenti.

1.3. L-Awtorità trid tara wkoll li xandar jibqa' jżomm imparzjalità sħiħa fejn jidhlu hwejjeġ ta' kontroversja politika jew industrijali jew tax-xejra pubblika magħrufa taz-żmien.

1.4. Għandu jithares u jkun stmat il-jedd tal-hajja privata u familjari kif ukoll id-dritt tal-kelma u tat-tagħrif hielsa.

1.5. L-Awtorità tax-Xandir għandha tiżgura li kulma hu maħsub f'dan id-dokument jkun jaqbel mal-prinċipji mnizzla fil-Kostituzzjoni u ma' l-istrumenti legali li jwettquhom.

1.6. Dawn il-Htiġiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitolu 350 tal-Liġijiet ta' Malta.

**TAQSIMA 2
Tifsir u Tfehim****2. Tifsir u Tfehim****2.1. L-Aħbar**

2.1.1. L-uniku kriterju biex tiddaħhal xi haġa

No. 729**BROADCASTING ACT
(CAP. 350)****Requirements as to Standards and Practice
applicable to News Bulletins
and Current Affairs Programmes****Citation**

The title of these requirements is the Requirements as to Standards and Practice applicable to News Bulletins and Current Affairs Programmes.

**SECTION 1
Introduction****1. Preamble**

1.1. The Broadcasting Authority is the legal guardian over the impartiality and accuracy of news and current affairs programmes in terms of article 119 of the Constitution of Malta as well as the Broadcasting Act of 1991, as amended, now Chapter 350 of the Laws of Malta.

1.2. Radio and television broadcasters are required to provide news and current affairs programmes that should be presented with due accuracy.

1.3. The Authority has to ensure that a broadcaster preserves due impartiality in respect of matters of political or industrial controversy or current public policy.

1.4. The right for private and family life and the right of freedom of expression and information should be preserved and respected.

1.5. The Broadcasting Authority must seek to ensure that the provisions of this document are consistent with the principles of the Constitution and applicable legal instruments.

1.6. These Requirements as to Standards and Practice have been made by the Broadcasting Authority in virtue of article 20(3) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

**SECTION 2
Definitions and Interpretations****2. Definitions and Interpretations****2.1. News**

2.1.1 The sole criterion for the inclusion of any item

f'rapport ta' l-aħbarijiet irid ikun is-siwi tagħha bħala aħbar. L-aħbar nistgħu nfiissruha bħala notizzja, tagħrif ta' ġrajja ġdida jew li għadha kif sehhet. Il-valuri li l-aktar jissemmew ta' l-aħbar huma dawk ta': kemm tkun f'waqtha jew fil-qrib, kemm tispikka jew hi kbira, l-impatt li jkollha, it-taħwid li taqla' u wkoll l-istramberija tagħha.

2.1.2 Xandar jista' jressaq siltiet għall-aħbarijiet dwar kull xorta ta' sugġett li jagħzel. Din l-għazla hielsa marbuta mal-qadi tad-dmir li jiżgura s-sens tal-haq u l-harsien tas-sewwa.

2.1.3 Minkejja dan, jistgħu biss isiru kummenti sakemm:

- i. ikollhom x'jaqsmu direttament ma' l-iżvilupp ta' l-istorja;
- ii. ikunu preċizi, fattwali u etikament korretti;
- iii. ikunu bilanċjati; u
- iv. jinstemgħu l-ideat ta' min jifhem skond xi jkun is-sugġett ta' l-aħbar.

2.1.4 Il-Kap ta' l-Aħbarijiet fid-dmir jiddeċiedi dwar dak li għandu siwi ta' aħbar.

2.2 *L-Interess Pubbliku*

2.2.1 L-interess pubbliku ma għandux jingħalaq f'tifsir limitat u ristrett. Meta xi haġa, tant tolqot il-biċċa l-kbira tan-nies li tqajmilhom tabilhaqq interess jew thassib dwar dak li jkun qed jiġri, jew x'jista' jsehh lilhom jew lill-oħrajn, hemm imbagħad tkun iva xi haġa ta' interess pubbliku li kulhadd ikollu l-jedd jgħaddi kumment għaqli dwarha.

2.2.2 Kull għemil li jitlob harsien ta' l-interess pubbliku jrid jintqies ma' kemm jaqdi l-interess għal dak il-waqt. Xi eżempji dwar kif il-medja tista' taqdi l-interess pubbliku huma:

- i. l-istharrig u l-kxif ta' xi delitt jew reat ieħor serju;
- ii. il-harsien tas-saħħa pubblika u tas-sigurtà tal-hajja;
- iii. ma thallix il-pubbliku jitgħallat b'xi dikjarazzjoni jew għemil minn xi hadd jew xi għaqda;
- iv. il-kxif ta' nuqqasijiet kbar ta' hila f'karigi pubbliċi.

2.2.3 Tinhtieg tingħata attenzjoni speċjali fejn jidhlu t-tfal, u nies oħra aktarx dgħajfa (bħalma huma l-anzjani, nies b'diżabilità eċċ.) biex ikollhom protezzjoni

in a news bulletin is its news value. News can be defined as tidings, new information or fresh information. News values usually cited include: timeliness, proximity, prominence, magnitude, impact, conflict and oddity.

2.1.2 A broadcaster may produce news items about any subject or issue he/she chooses. This freedom of choice is subject to the fulfilment of the obligations to ensure fairness and respect for truth.

2.1.3 This notwithstanding, comments are considered to be admissible as long as:

- i. they are directly connected with the unfolding story;
- ii. they are accurate, factual and ethical;
- iii. they are balanced; and
- iv. depending on the nature of the news item, informed opinions are sought.

2.1.4 It is the responsibility of the Head of News to decide what constitutes news value.

2.2 *Public Interest*

2.2.1 Public interest is not to be confined within narrow limits. Whenever a matter is such as to affect people at large, so that they may be legitimately interested in, or concerned at, what is going on; or what may happen to them or others; then it is a matter of public interest on which everyone is entitled to make fair comment.

2.2.2 Any act that relies upon a defence of public interest must be proportional to the actual interest served. Examples of how the public interest may be served by the media include:

- i. detecting or exposing crime or a serious misdemeanour;
- ii. protecting public health and safety;
- iii. preventing the public from being misled by some statement or action of an individual or organisation;
- iv. exposing significant incompetence in public office.

2.2.3 The involvement of minors and other vulnerable persons (such as the elderly, disabled persons, etc.) requires special attention so as to provide for their

xierqa u harsien minn kull hsara. Meta jkun hemm imdeffsin iż-żgħar, ix-xandara jridu jqisu l-ewwel u fuq kolloxx is-saħħa fiżika, mentali u emozzjonali tagħhom. L-edituri ta' l-aħbarijiet iridu juru interess pubbliku eċċezzjonali li jisboq l-interess ewlieni li dawn in-nies normalment jisthoqqlhom.

2.2.4 Ir-responsabbiltà li tiġġustifika kull tbeġħid mill-ħtiġiet imsemmija f'dan id-dokument għal raġunijiet ta' interess pubbliku għandha taqa' kollha fuq il-ġurnalista u x-xandar.

2.3 *Ġrajjet Kurrenti*

2.3.1 Għall-iskopijiet ta' dan id-dokument "Ġajjet Kurrenti" (Current Affairs) tfisser programm li jkun fiħ spjega u/jew analiżi ta' ġrajjet u argumnti ta' llum, kif ukoll materjal li jkollu x'jaqsam ma' kontroversji politiċi u/jew industrijali jew mat-tifsil tax-xejra pubblika. Il-programmi jridu jipprezentaw lis-semmiegħa u lit-tele spettaturi argumnti intelliġenti u informattivi dwar x'inhu għaddej b'mod li jgħinuhom jaslu għall-konkluzjonijiet personali tagħhom. Dan jista' jinkiseb bit-tiejji ta' programmi ta' ġrajjet kurrenti li jaħsbu biex jeżaminaw fil-fond dak li jkun hemm wara l-ġrajjet, jagħtu tagħrif, analiżi esperta, kumment infurmat u lok għal diskussjoni miftuħa.

2.4 *Ix-Xandar*

2.4.1 Kull individwu jew kumpanija li għandu/ha l-liċenza skond il-kondizzjonijiet ta' l-Att dwar ix-Xandar tat-televiżjoni jew tar-radjo jissejjaħ xandar. Ix-xandar għandu r-responsabbiltà jiżgura li l-impjegati ta' l-istazzjon, bil-ġurnalisti, bl-edituri, bil-produtturi u bil-prezentaturi kollha jimxu skond dan id-dokument.

2.5 *Il-Kap ta' l-Aħbarijiet*

2.5.1 Kull referenza f'dan id-dokument għall-Kap ta' l-Aħbarijiet tfisser, bla ebda preġudizzju għar-responsabbiltà ta' l-editur skond l-Att dwar l-Istampa, dak l-individwu fdat bir responsabbiltà legali għall-kamra ta' l-aħbarijiet ta' l-istazzjon tax-xandar konċernat. Dan irid iwieġeb għal kull deċiżjoni li tittiehed dwar il-kontenut tar-rapporti ta' l-aħbarijiet u/jew programmi ta' ġrajjet kurrenti imxandra mill-istazzjon tiegħu.

2.6 *Minorenni*

2.6.1 Għall-għanijiet tad-disposizzjonijiet ta' dan id-dokument "minorenni" tfisser xi hadd li għadu ma għalaqx it-tmintax-il sena.

2.7 *Kariga Pubblika*

2.7.1 Jintqies li għandu kariga pubblika kull min għandu impjeg pubbliku, kull min hu f'kariga pubblika magħrufa kif ukoll dawk kollha li għalkemm mhux uffiċjali pubbliċi jafhom kulhadd bħalma huma presidenti jew membri ta' xi korporazzjonijiet pubbliċi jew kumpaniji tal-gvern, uffiċjali ta' trade unions, ta' għaqdiet ta' min ihaddem jew ta' xi organizzazzjoni ohra bħal dawn, kif ukoll l-awtoritajiet tal-Knsija.

protection and safety. When minors are involved broadcasters should treat their physical, mental and emotional health as being of paramount importance. News editors should demonstrate an exceptional public interest to override the normally paramount interest of these persons.

2.2.4 The onus shall be upon the journalist and broadcaster concerned to justify any departure from the requirements indicated in this document on the grounds of public interest.

2.3. *Current Affairs*

2.3.1 For the purposes of this document, "Current Affairs" means a programme which contains explanation and/or analysis of current events and issues, including material dealing with political or industrial controversy or with public policy. Programmes should offer viewers and listeners an intelligent and informed account of issues that enables them to form their own views. This is achieved by current affairs programming which examines in depth the background of events, providing information, expert analysis, informed comment and open discussion.

2.4. *Broadcaster*

2.4.1 A broadcaster is any person or company licensed in terms of the Broadcasting Act to broadcast by radio or television. The broadcaster shall be responsible for ensuring compliance with the provisions of this document by the station's staff, including journalists, editors, producers and presenters.

2.5 . *Head of News*

2.5.1 Without prejudice to the editor's responsibility under the Press Act, any reference in this document to the Head of News means the person entrusted with the legal responsibility for the newsroom of the broadcasting station concerned. Such person shall be answerable for any decisions taken concerning the content of news bulletins and /or current affairs programmes transmitted by the said station.

2.6. *Minor*

2.6.1 For the purposes of the provisions of this document, a "minor" is a person who has not yet reached the age of 18.

2.7 . *Public Capacity*

2.7.1 Public capacity includes persons holding public offices, public figures and other persons who although not public officers are in the public limelight such as chairpersons and members of public corporations and government owned companies, officials of trade unions, employers associations and other similar organisations, and Church authorities.

TAQSIMA 3**L-Integrità u r-Responsabbiltà tax-Xandar****3. L-Integrità u r-Responsabbiltà tax-Xandar**

3.1 Il-ġurnalisti u x-xandara jridu jharsu l-integrità u l-kredibbiltà tagħhom biex ghemilhom ikun hieles u maqtuġh minn kull setgħa li tista' tinfluwenzahom iżżejjed u ttellfilhom għazla hielsa u xierqa.

3.2 Uffiċjali ta' partit politiku, organizzazzjonijiet li jhabirku jew gruppi li jistinkaw biex jipperswadu lil haddiehor ma għandhomx ikunu involuti fil-ġbir ta' aħbarijiet, fil-produzzjoni u l-preżentazzjoni ta' aħbarijiet jew programmi ta' grajjiet kurrenti.

3.3 Għajjnuna finanzjarja qatt ma għandha tinflwenza l-hidma editorjali, il-kontenut u l-preżentazzjoni. Ġurnalista ma għandux jaċċetta kummissjonijiet jew iċedi għal min qed ifittex biex jirreklama għal skopijiet kummerċjali. Ma għandhomx jitwiegħdu favuri editorjali għal xi reklami mogħtija.

3.4 Kull żball irid jiġi rikonoxxut u korrett, malajr u pubblikament.

TAQSIMA 4**Rapporti ta' Aħbarijiet**

Il-htigiet imsemmija fit-taqsimiet 6, 8, 9, 10 u 11 hawn taht huma esegwibbli skond l-artikolu 20(3) ta' l-Att dwar ix-Xandir. Id disposizzjonijiet tal-liġi dwar l-akkuratezza u l-imparzjalità huma fis-seħh skond l-artikolu 119 tal-Kostituzzjoni ta' Malta u l-artikolu 13 ta' l-Att dwar ix-Xandir.

4. Akkuratezza u Imparzialità

4.1 Il-hsieb individwali għandu jintgħaraf sewwa mill-grajja.

4.2 L-Att tax-Xandir jitlob li l-Awtorità tax-Xandir tiżgura l-imparzjalità tax-xandar meta jirrapporta l-aħbarijiet l-aktar fejn jidhol dak li għandu x'jaqsam ma' kontroversja politika jew industrijali jew policy pubblika kurrenti.

4.3 Xandar irid jiżgura li l-elementi ewlenin ta' ideat opposti jridu jidhru f'rapport wiehed ta' aħbarijiet meta din tkun kontroversja haġja mill-grajjiet kurrenti. Meta f'rapport wiehed ta' aħbarijiet ma jkunx possibbli li jidhru l-fehmiet kollha ta' kull naħa, l-EDITOR IKOLLU JIDDEĊIEDI HU, b'għaqal, x'għandu jsir.

4.4 Xandar ma għandu ebda jedd jippilla li r-rapporti ta' l-aħbarijiet minn stazzjonijiet oħra jistgħu

SECTION 3**Integrity and Responsibility of the Broadcaster****3. Integrity and Responsibility of the Broadcaster**

3.1 Journalists and broadcasters must guard their own integrity and credibility in order to be able to act freely and independently of forces which may exert undue influence and impair free and balanced judgement.

3.2 Officials in a political party, campaigning organisation or lobby group, should not be involved in newsgathering, production and presentation of news and current affairs programmes.

3.3 Sponsorship should never influence editorial activity, contents and presentation. Journalists must not accept commissions or give in to those seeking publicity for commercial purposes. Editorial favours must not be promised in return for advertisements.

3.4 Errors must be quickly acknowledged and publicity corrected.

SECTION 4**News Bulletins**

The Requirements listed in sections 6, 8, 9, 10 and 11 below are enforceable in terms of article 20(3) of the Broadcasting Act. Legal provisions on due accuracy and impartiality are in force in terms of article 119 of the Constitution of Malta and article 13 of the Broadcasting Act.

4. Accuracy and Impartiality

4.1 Opinion should be clearly distinguished from fact.

4.2 The Broadcasting Act demands that the Broadcasting Authority secures due impartiality on the part of a broadcaster in its news bulletins so far as matters of political or industrial controversy or current public policy are concerned.

4.3 A broadcaster should ensure that principal divergent points are reflected in a single news bulletin when the issue involved is of a current and active controversy. Editorial judgement can be used when it is not possible to include all views in a single news bulletin.

4.4 It shall not be permissible for the broadcaster to claim that news bulletins on other channels will ensure

jiżguraw li fihom jinstemgħu fehmiet opposti. Rapport ta' l-aħbarijiet għandu jkollu tiżwiq ta' rapporti attivi u passivi. Ma għandux jidher qisu xi bord ta' l-avviżi u, forsi l-aktar importanti, parti minn magna tal-propaganda ta' xi organizzazzjoni.

4.5 Xandar irid ikun żgur li meta jittratta affarijiet ta' kontroversja kbira irid jagħmel haqq lill-medda shiha ta' fehmiet u perspettivi li ma jkunx hemm qbil dwarhom waqt li l-istess kontroversja tkun għaddejja.

4.6 Fejn tidhol kontroversja politika jew industrijali jew policy pubblika kurrenti, l-Att tax-Xandir jitlob li l-aħbarijiet, jingħataw kif jingħataw, iridu jkunu preżentati bir-reqqa u bl-imparzjalità xierqa kollha.

4.7 Kull rapport ta' l-aħbarijiet irid jilhaq dawn l-għanijiet:

- i. l-aħbarijiet iridu jingħadu b'reqqa u bla preferenzi;
- ii. l-aħbarijiet ma għandhomx ikunu editorjali;
- iii. l-aħbarijiet ma għandhomx jintgħazlu biex jintlaħaq xi skop għal, jew ifixkel lil, ebda naħa f'kontroversja pubblika; u
- iv. l-aħbarijiet ma għandhomx jifasslu fuq it-tweġmin, l-ideat jew ix-xewqat ta' min imexxi l-istazzjon jew ta' xi oħrajn li jkunu mqabbda bit-thejja jew ix-xandir tagħhom.

4.8 Aħbar trid tkun grajja li seħhet jew mibnija fuq fatti li graw. Sthajil, tagħwiġ, tiżwiq, hsibijiet, fehmiet jew tweġmin personali ma għandhomx jithallew jingħadu, kemm jekk meqjusa bhala kummenti kif ukoll bhala opinjonijiet kif ukoll jekk għandhom jew ma għandhomx x'jaqsmu ma' dak li jkun għaddej jew ukoll għaliex biss jistgħu - u kultant ikunu - qed jidhku bis semmiegħ u jwasslu għat-taħwid jekk l-hekk imsejjah kumment/opinjoni hux dak li l-istazzjon/xandar haseb jew hareg mill-fatt li jkun qed jiġi rappurtat.

4.9 Opinjonijiet editorjali għandhom jintwerew ċar x'inhuma u jinżammu maqtuġhin mix-xandir regolari ta' rapporti ta' l-aħbarijiet.

4.10 Ma jistax jittalla' taħlit ta' aħbarijiet nofsu mibni, nieqes mill-precizjoni u kultant marbut jew imżewwaq b'kummenti partigani.

that opposing views will be heard. A news bulletin should consist of a mix of active and passive reports. It should avoid looking like a notice board and, more importantly, as if it forms part of an organization's propaganda machine.

4.5 In dealing with major matters of controversy, a broadcaster must ensure that justice is done to a full range of divergent views and perspectives during the period in which the controversy is active.

4.6 Regarding matters of political or industrial controversy or current public policy, the Broadcasting Act requires that any news, given in whatever form, must be presented with due accuracy and impartiality.

4.7 A news bulletin should comply with the following standards:

- i. news should be presented with accuracy and without bias;
- ii. news should not be editorial;
- iii. news should not be selected for the purpose of furthering or hindering either side of a controversial public issue; and
- iv. news should not be designed by the beliefs, opinions or desires of the broadcaster or others engaged in its preparation or delivery.

4.8 A news item has to be factual or at the very least based on fact. Conjectures, distortions, remarks, opinions, judgements or convictions should not be allowed whether they are termed as comments or opinions and whether they are related to the item in question or not simply because they can - and usually do - mislead the audience and lead to confusion as to whether the so-called comment/opinion is what the station/newscaster thinks or whether it resulted from the fact being reported.

4.9 Editorial opinion shall be clearly labelled as such and kept entirely distinct from regular broadcasts of news bulletins.

4.10 Combinations of semi-fabricated news items, without care for accuracy solely aimed for partisan propaganda shall be prohibited.

TAQSIMA 5 Rapporti minn fuq il-Post

5. Rapporti minn fuq il-Post

5.1 Meta jsiru rapporti minn fuq il-post il-gurnalist jithalla jgħaddi kumment hieles, jagħti deskrizzjoni jew opinjoni professjonali bla preġudizzju dwar xi haġa li tkun grat, jew ukoll interpretazzjoni qasira biex tintwera aħjar jew tiftaħ aktar il-prezentazzjoni ta' storja tal-bidu, sakemm ma jkunx hemm ksur ta' standards jew ta' htigiet ta' Prattika msemija f'dan id-dokument jew linji gwida oħra intenzjonati għall-gurnalisti, kemm jekk huma ta' l-Awtorità jew mod ieħor.

5.2 Waqt rapporti minn fuq il-post trid tingħata attenzjoni speċjali għall-korrettezza, nuqqas ta' preġudizzju, ebda taħlit bejn l-aħbar u l-kumment editorjali, tbeġhid minn kull tagħwiġ, tidwir jew sensazzjonalizmu, rispett għall-privatezza u twarrib ta' kull konflitt ta' interessi.

5.3 Jekk reporter jgħaddi għudizzju gurnalistiku professjonali dan għandu jidher li jkun għust u jiftiehem sewwa iżda mhux bħala opinjoni personali. L-udjenza ma għandhiex tkun tista' tqis l-opinjoni personali tal-prezentaturi u tar-reporters dwar suġġetti kontroversjali tat-tifsil tax-xejra pubblika.

TAQSIMA 6 Materjal Rikostitwit

6. Materjal Rikostitwit

6.1 Kull tixbiha ta' xi grajja fl-aħbarijiet televiżivi jew f'xi aħbar għalgharrieda għandu jkollha miktub ċar taħtha li dak li qed jidher mhux dak li gara u ma għandux ikun hemm l-icken dubju li jista' jinhaseb li hu filmat originali tal-grajja. Meta jintuza filmat ix-xandar għandu jgħid ċar jekk hux għdid jew meħud mill-arkivji. Ċerta teknika ta' filmati mdawra bilmod jew jirrepetu l-istess xbihat għandha tintuza mill-inqas u dan biss meta tabilhaqq ikun meħtieġ isir xi enfasi dwar xi haġa jew xi għemil partikolari. Wiehed irid iqis ukoll ir-rispett li għandu jingħata lil dak li jidher fil-film; ċerti għemejjel/drawwiet li jdardru lanqas biss għandhom jintwerew, aħseb u ara kemm jiddawru bilmod u/jew għal aktar minn darba.

TAQSIMA 7 Stqarrijiet għall-Medja

7. Stqarrijiet għall-Medja

7.1 L-importanza ta' stqarrijiet għall-medja trid tintqies mis-siwi tagħhom bħala aħbar. Mhux hekk biss iżda aktar milli jikkwota kelma b'kelma mill-isqarrijiet tal-medja, ix-xandar għandu jara li l-persuna/organizzazzjoni li qed toħroġ dawn l-isqarrijiet tidher jew tinstama' fihom.

SECTION 5 Location Reporting

5. Location Reporting

5.1 When making on location reports journalists shall be allowed the facility and freedom to make a remark, a description or a professional unbiased judgement of a happening, or a note of interpretation to further illustrate/enhance the presentation of a breaking story provided that the reporting does not breach the standards and practice requirements set out in this document or in other codes, whether of the Authority or otherwise, aimed at journalists.

5.2 Location reporting calls for due regard for accuracy, absence of bias, non-intermingling of news and editorial comment, avoidance of distortion and sensationalism, respect for privacy and avoidance of conflict of interest.

5.3 If a reporter expresses a professional, journalistic judgement, such judgement must be recognized as perceptive and fair and not as a personal opinion. The audience should not be able to gauge the personal views of the presenters and reporters on controversial issues of public policy.

SECTION 6 Reconstruction Material

6. Reconstruction Material

6.1 Any simulation of an event in a television news bulletin or news flash should either be subtitled, indicating clearly that the pictures are not actual and there can be no reasonable possibility that it could be taken to be original footage. When using footage, the broadcaster should clearly indicate whether it is fresh or archive material. Certain techniques, such as running footage in slow motion or repeating the images, must be used sparingly and only when required to stress a point or highlight a given action. Also, respect must be shown to the subject in such footage; unsavoury human practices/habits should not be screened at all, let alone in slow motion and/or repeatedly.

SECTION 7 Media Releases

7. Media Releases

7.1 Media releases should be evaluated on the merits of their news value. Moreover, rather than just quoting verbatim from media releases, the broadcaster should seek that the person/organisation issuing such release appears on camera or on sound.

7.2 Fejn stqarrija għall-medja maħruġa bħala tweġiba għal x'għara jew x' intqal qabel li ma tkunx diġà giet rappurtata mill-istazzjon konċernat minhabba li ma jkollhix valur ta' aħbar, dak li stazzjon għandu jipprovdi rezokont ta' l-istqarrija oriġinali flimkien mar-reazzjoni għaliha.

TAQSIMA 8

Jeddijiet għall-Ġieh u l-Privatezza u Drittijiet ta' Risposta

8. Jeddijiet għall-Ġieh u l-Privatezza

8.1 Kulhadd għandu l-jedd jara li l-hajja privata tiegħu u tal-familja tibqa' rispettata. Kull min ikun fl-aħbarijiet jew jaħdem fil-hajja pubblika għandu l-jedd għall-harsien tal-privatezza hliet meta l-hajja privata ta' dak li jkun tista' tasal biex teftejta l-hajja pubblika.

8.2 Jista' jkun hemm każi fejn irid jintqies sewwa l-interess pubbliku mal-jedd li l-individwu jkollu rispettata, il-hajja privata tiegħu u tal-familja tiegħu.

8.3 Meta l-ġurnalisti, l-edituri u l-produtturi jirrapportaw attivitajiet li jsiru f'postijiet pubbliċi, iridu jagħzlu b'għaqaq xieraq dak li jisimgħu dikjarat, jaraw jiġri jew jintebħu bih billi jibqgħu ji żguraw il-jedd għall-privatezza individwali.

8.4 Meta jkun ser jintwera materjal meħud minn kameras televiżivi b'ċirkuwitu ristrett, jinhtieg jinkiseb il-permess minn qabel mingħand l-individwu li jidher fihom u li aktarx ma kienx jaf bihom. Izda meta jkun fl-interess pubbliku li jintuza filmat bħal fil-każ biex jixxandar l-għemil ta' reat jew negliġenza grassa fl-immaniġjar ta' l-affarijiet pubbliċi, il-permess ta' l-individwu li jidher fih ma jkunx meħtieġ.

8.5 Min jipprovdi l-materjal għall-aħbarijiet irid iqis sewwa jekk kienx hemm min intlaqat hażin minhabba li l-materjal għall-aħbarijiet reġa' wara ntuża fi programmi oħra u b'kuntest/i differenti.

8.6 Il-jedd għall-privatezza għandu jkun rispettata fi zminijiet ta' luttu jew tbatija kbira. Wieħed irid bis-serjetà jqis sewwa l qagħda ta' dak li jkun f'xi traġedja personali.

8.7 Jekk ma jkunx meħtieġ, bħal meta forsi biex tgħin lill-pulizija tagħraf lil dak li jkun, ma hemmx għalfajn jingiebu jidhru mill-qrib xbihat ta' vittmi f'diżgrazzji. Bħala regola, ma għandhomx jithabbru l-ismijiet tal-vittmi qabel ma jkunu jafu qrabathom.

8.8 Xeni ta' tbatija u ta' nies fil-hemm sikwit jagħmlu sehem shiħ minn rapport ta' aħbarijiet fejn ikun hemm diżastri naturali, diżgrazzji jew vjolenza. Qabel ma jithallew johorġu xeni bħal dawn il-produttur irid iwiezen bir-reqqa l-herqa li jaqdi l-htieġa tas-sewwa, mas-sogru li

7.2 Where a media release is issued in reaction to an earlier event or statement which had not been previously reported by the station concerned due to its lack of news value, it shall be the duty of the said station to provide an account of the original release together with the reaction thereto.

SECTION 8

Rights of Respect and Privacy and Rights of Reply

8. Rights of Respect and Privacy

8.1 Everyone is entitled to respect for his or her private and family life. People in the news and persons holding office in public life are entitled to protection of their privacy except in those cases where their private life may have an effect on their public life.

8.2 There are occasions when the individual's right to respect for private and family life must be balanced against the public interest.

8.3 When covering events in public places, journalists, editors and producers must exercise due diligence when reporting on statements or action heard or noticed while ensuring the individual's right of privacy is respected.

8.4 The subject's permission must be obtained when using material from closed-circuit television cameras of which the individual is unlikely to have been aware. However, when it is in the public interest to use footage such as in the case of the exposure of crime or gross negligence in the management of public affairs, then the subject's permission is not required.

8.5 The news service provider should consider carefully whether unfairness to the person/persons portrayed results from re-use of news material in later and different programme contexts.

8.6 The individual's right to privacy at times of bereavement and extreme distress must be respected. Particular care should also be taken where personal tragedy is involved.

8.7 Generally, close-up of victims should be avoided, if necessity does not demand otherwise, such as to help police identification. The names of the victims, before next-of-kin are informed, should not as a rule be broadcast.

8.8 Scenes of human suffering and people in distress are often an integral part of news reportage of natural disasters, accidents or human violence. Before presenting such scenes a producer needs to balance the wish to serve the needs of truth against the risk of

joħloq sensazzjonalizmu. Għandu jsir avviz minn qabel, iwissi li xi xeni li se jidhru, jistgħu ma jkunux addattati għat-tfal jew għal dawk li jimpresjonaw ruhhom.

8.9 Nies mixlija b'atti kriminali ma għandhomx jintwerew daqslikieku ġa nstabu haġta. Qatt ma għandu jsir ġuri bil-medja qabel ma toħroġ sentenza mill-qorti. Wiehed għandu jqis sewwa li ma jixxandarx ripetutament filmat li jista' jippreġudika l-jedd għal haqq ħieles tal-mixli. Meta jsir rapport li xi hadd tressaq il -qorti, dejjem għandu jibqa' rispettat il-prinċipju li wiehed għadu innocenti. L-istil u l-importanza li bihom isir ir-rapport ta' nies li tressqu l-qorti għandu jkun jaqbel ma' dak ta' meta fl-aħħar tinqata' s-sentenza.

8.10 Ma għandux jingħata l-post fejn wiehed jgħix jew fejn toqgħod il-familja tiegħu sakemm dan ma jkunx meħtieġ minhabba l-istħarriġ.

8.11 *Filmjar u Rekordjar f' Istituzzjonijiet*

8.11.1 Meta jingħata permess biex jittiehed film jew isir recording f'xi istituzzjoni fejn in-nies diehla u hierġa l-hin kollu iżda fejn normalment ma jithallewx jiddaħhlu kameras mingħajr dan il-permess, aktarx li l-filmata ikun fih biċċiet ta' xi wħud li jkunu hemm dak il-hin u ma jkollhom x'jaqsmu xejn mal-hsieb ewlieni tal-programm.

8.11.2 Wiehed isaqsi kemm jistgħu nies bħal dawn jirrifjutaw u xi drittijiet għandhom, biex materjal bħal dan fejn jidhru huma ma jixxandarx. Is-soltu ma jkun hemm l-ebda obbligu li jintalab permess meta d-dehra ta' nies hekk, hija incidental u jkun jidher ċar li dawn huma hemm b'kumbinazzjoni u bħala membri li jagħmlu sehem mill-pubbliku in generali.

8.11.3 Fejn id-dehra tagħhom ma tkunx incidental, meta ma jidhru b'kumbinazzjoni avolja bla isem, jew ma jissemmewx, u jidhru f'xi qagħdijiet partikolarment sensitivi (bħal ngħidu aħna pazjenti psikjatriċi, habsin, jew nies b'dizabilità) irid l-ewwel jinkiseb il-permess ta' kull wiehed u waħda minnhom biex il materjal ikun jista' jintwera.

8.11.4 Meta minhabba xi dizabilità jew mard dak li jkun la jista' jagħti permess u lanqas jirrifjutah, għandu jintalab il-permess biex jintuza l-materjal mingħand il-qraba l-aktar viċin tiegħu jew minn min ikun qed jiehu hsiebu/ha.

8.11.5 Kull eċċezzjoni tista' tiġi ġġustifikata meta jkun jidher ċar li dan qed isir fl-interess pubbliku.

8.12 *Tehid ta' Films fuq Xogħol ta' Pulizija*

8.12.1 Meta jingħata permess biex jittiehdu filmat tal-pulizija jew xi hidmijiet uffiċjali oħra, fejn ikun hemm ukoll membri tal-pubbliku fi nħawi jew f'postijiet oħra li m'humiex publiċi (eż.: żjarat fi djar b'digriet, sħarriġ

sensationalism. A prior announcement should be made to warn that the subsequent scenes might not be suitable for viewing by children or impressionable persons.

8.9 Persons accused of criminal matters should not be projected as if they are already found guilty. Trial by the media before any court judgement is delivered should be avoided at all times. Care should be taken to avoid broadcasting repetitive footage that might prejudice the accused's right to a fair trial. When reporting on arraignment, the principle of presumption of innocence must be fully respected. The same treatment meted out to persons on arraignment shall likewise be meted out when judgement is pronounced.

8.10 The location of a person's home or family should not normally be revealed unless strictly relevant to the behaviour under investigation.

8.11 *Filming and recording in institutions*

8.11.1 When permission is received to film or record material in an institution, which has regular dealings with the public, but which would not normally be accessible to cameras without such permission, it is very likely that the material will include shots of individuals who are themselves incidental, rather than central, figures in the programme.

8.11.2 The question arises as to how far and in what conditions such people retain a right to refuse to allow material in which they appear to be broadcast. As a general rule, no obligation to seek agreement arises as to when the appearance of the persons shown is incidental and they are clearly random and anonymous members of the general public.

8.11.3 When their appearance is not incidental, where they are not random and anonymous or where, though unnamed, they are shown in particularly sensitive situations (for example as psychiatric patients, prison inmates or disabled persons), individual consents to use this material should be sought.

8.11.4 When by reason of disability or infirmity a person is not in a position either to give or to withhold agreement, permission to use the material should be sought from the next of kin or from the person responsible for his/her care.

8.11.5 Any exception is justifiable when this is manifestly in the public interest.

8.12 *Filming on police operations*

8.12.1 When permission is given to film police or similar official operations of any kind, involving members of the public in other than public places (e.g. visits to homes under warrant, raids on licensed premises,

ghal għarrieda f'postijiet liċenzjati u oħrajn), għandha tkun ir-responsabbiltà tal-produttur jew tal-membri anzjan tal-kru, li jwaqqaf l-iffilmjar jew jitlaq minn fuq il-post jekk jintalab jagħmel hekk minn min ikollu s-setgħa.

8.13 *Haqq ma' min ma għandux htija*

8.13.1 Meta jkun hemm nies bla htija li jidhru f'qofol ta' xi rapport ta' l-aħbarijiet trid tittiehed aktar attenzjoni biex ma jidhru fih u jinftehm u ħazin, xi biċċiet dwar xi delitti serji, xi diżgrazzja kbira jew diżastru. Suġġetti ta' interess pubbliku bħal deċiżjonijiet li jmorru kontra l-haqq jew diskussjonijiet li jqumu dwar prinċipji legali, soċjali jew morali, għandhom jintqiesu importanti.

8.14 *Kameras u Mikrofoni Moħbija*

8.14.1 Mikrofoni u kameras moħbija jistgħu jintużaw biss fejn ikun meħtieġ li titwemmen u tidher tabilhaqq il-verità ta' storja. Meta tirrekordja bil-moħbi tista' tqarraq b'dak li jkun jew tisraqlu l-jedd li għandu tal-ħajja privata tiegħu. Meta jiġri hekk il-ġurnalista irid jikseb il-kunsens shih tal-Kap ta' l-Aħbarijiet.

8.14.2 Meta jsir xi recording bil-moħbi, il-kliem u x-bihat rekordjati jridu jaqdu, l-ewwel u qabel kolloxx, l-interess pubbliku li jiġġustifika:

- i. id-deċiżjoni biex jingabar dak il-materjal;
- ii. ir-recording innifsu;
- iii. ix -xandira.

8.14.3 Aġġegġ elettroniku li jirrekordja ma għandux jithalla xi mkien f'tal-privat mingħajr ma dawk li joqogħdu fil-post jagħtu l-kunsens shih bl-għarfien kollu ta' dak li ser/qed jiġri, sakemm talba għall-permess bħal dan ma tisfrattax l-istħarriġ li jkun qed isir fl-interess ewlieni tal-pubbliku, minn dawk li qed itellgħu l-programm.

8.14.4 L-użu fid-dieher u bil-miftuħ ta' kameras u apparat li jirrekordja mqiegħed f'post pubbliku jew fi proprjetà privata, irid jintqies ma' l-importanza u n-natura ta' l-istorja. Ix-xandar ma għandux għalfejn jirfies aktar milli meħtieġ fl-imġiba privata.

8.14.5 Meta l-materjal għax-xandir jinkiseb bil-moħbi, kemm jekk minn post pubbliku kif ukoll jekk minn post privat, ix-xandar irid joqgħod attent li ma jirfies il-privatezza ta' min ikun hemm għaddej u li jista' jidher bla ma jaf fir-recording. L-identità ta' nies innoċenti għandha tinsatar. Materjal meħud minn xi haddiehor li jiġi f'idejn ix-xandar irid jintqies bl-istess mod.

etc) it is the responsibility of the producer or senior crew-member to stop filming or to leave premises if they are asked to do so by persons in authority.

8.13 *Fairness to innocent parties*

8.13.1 Where innocent parties are central figures in any news bulletin, special care should be taken not to present items concerning serious crimes, a tragic event or disaster in an unfair light. Arguments of public interest would be relevant, for example, where questions of a possible miscarriage of justice arise or where major legal, social or moral principles are at issue.

8.14 *Hidden microphones and cameras*

8.14.1 The use of hidden microphones and cameras should only be considered where it is necessary to the credibility and authenticity of the story. The use of hidden recording techniques can be unfair to those recorded as well as an infringement of their privacy. In such a case, the journalist must always seek the explicit consent of the Head of News.

8.14.2 When recording does take place secretly, the words or images recorded should serve an overriding public interest that justify:

- i. the decision to gather the material
- ii. the actual recording
- iii. the broadcast

8.14.3 An unattended recording device should not be left on private property without the full and informed consent of the occupiers, unless seeking such permission might frustrate the investigation by the programme-producers of matters of overriding public interest.

8.14.4 The open and apparent use of cameras or recording devices on both public and private property, must be appropriate to the importance or nature of the story. The broadcaster should not intrude unnecessarily on private behaviour.

8.14.5 When broadcasting material is obtained secretly, whether in public or private property, the broadcaster should take care not to infringe the privacy of bystanders who may be caught inadvertently in the recording. The identity of innocent parties should be obscured. Material shot or recorded secretly by third parties, which becomes available to the broadcaster, should be treated in the same way.

8.14.6 Ix-xandar għandu jzomm registru bid-dettalji kollha, inklużi l-verżjoni shiħa u editjata tar-recordings meħuda bil-moħbi sa disghin ġurnata wara li jixxandar il-programm.

8.15 *Drittijiet ta' Risposta li Jigu Mxandra*

8.15.1 Meta xandar ikun se jxandar dritt ta' risposta huwa għandu jimxi ma' dawn il-Ħtigiet:

- i. ir-risposta m'għandhix tkun normalment itwal minn mija u tmenin sekonda;
- ii. ir-risposta għandha tinqara kif tkun ġiet sottomessa u m'għandu jsir l-ebda kumment fit-test attwali tar-risposta mill-istazzjon;
- iii. f'każ illi stazzjon ikun irid jikkummenta, l-istazzjon għandu jagħmel dan wara li jkun inqara t-test shiħ tar-risposta;
- iv. l-istazzjon dejjem għandu l-fakoltà li jeditja r-risposta biex jiżgura li din ma tkunx inġurjuża;
- vi. ir-risposta għandha tixxandar fi żmien jumejn wara li tiġi riċevuta t-talba u l-istess prominenza għandha tingħata li dik ir-risposta bħalma tkun inġhatat lix-xandira oriġinali li dwarha qed tintalab ir-risposta;
- vi. id-dritt ta' risposta jintilef wara li jiskadi xahar mid-data tax-xandira oriġinali.

8.15.2 Dawn il-Ħtigijiet huma mingħajr preġudizzju għall-artikolu 21 ta' l-Att dwar l-Istampa.

TAQSIMA 9 Il-Vjolenza fl-Ahbarijiet

9. Il-Vjolenza fl-Ahbarijiet

9.1 Bħall-programmi l-oħra, ir-Rapporti ta' l-Ahbarijiet jaqgħu taħt dak li hemm meħtieġ bħala wiri għall-familja u hekk għandu jintqies. Madankollu dan il-prinċipju ma għandux inaqqas l-għażla tad-diversi xorta ta' stejjer li jkun fih rapport ta' l ahbarijiet kif lanqas ma jinftem li xi ġrajjet godda fl-ahbarijiet ma jingħatawx kif ikun jixirqilhom.

9.2 Kull sugġett ġdid fl-ahbarijiet għandu jixxandar b'mod li jqis sewwa lill -udjenza li jkollu. Meta jkun hemm xi biċċa filmat vjolenti għandhom jingħataw twissijiet xierqa minn hafna qabel.

9.3 Wiehed irid joqgħod attent meta f'ċerti hinijiet li t-fal ikunu qed iħarsu jerġgħu jintwerew, fl-ahbarijiet ta' wara, l-istess xeni ta' vjolenza.

8.14.6 The Broadcaster must keep full records, including the edited and unedited versions of secret recordings for the duration of ninety days after broadcasting date.

8.15 *Broadcasting Rights of Reply*

8.15.1 When broadcasting a right of reply stations shall comply with the following mandatory requirements:

- i. a reply shall not normally exceed 180 seconds;
- ii. the reply shall be read as submitted without any station comments made within the actual text of the reply;
- iii. should the station wish to comment, it should do so after the entire right of reply is read out;
- iv. the station remains at liberty to edit the reply to ensure that it is not defamatory;
- v. the reply shall be broadcast within two days from its receipt and the same prominence should be given to it as that given to the original broadcast about which the reply has been requested;
- vi. the right of reply shall lapse after one month from the date of the original transmission.

8.15.2 Such requirements are without prejudice to article 21 of the Press Act.

SECTION 9 Violence in the News

9. Violence in the News

9.1. News Bulletins, like any other programming, fall under the requirements of family viewing and should be treated as such. However this should not restrict the range of different stories covered in any news bulletin or imply that some news events may not be properly and appropriately covered.

9.2. It is required that all news subjects are presented in a manner that takes account of the audience. In case of violent footage, the appropriate warnings are to be given well in advance.

9.3. Care should be taken when scenes of violence are repeated in succeeding news bulletins, at times when children would be watching.

TAQSIMA 10
Jeddijiet it-Tfal

10. Jeddijiet it-Tfal

10.1 Ghandu jittiehed hsieb u ghaqal partikolari kulfejn jidhlu z-zghar, kemm jekk ikun hemm interess privat kif ukoll jekk fi hwejjeg pubblici.

10.2 Meta f 'xi stharrig tal-pulizija jew proceduri tal-qorti jkun hemm imdahhla z-zghar, l-aktar f'reati sesswali izda wkoll f'kazi oħrajn, iridu jittiehdu passi speċjali biex bl-ebda mod dak li jkun ma jista' jigi indikat jew jintgħaraf.

10.3 Wiehed irid joqgħod attent sewwa meta jkun qed jirrapporta reati sesswali f'familja. Jekk jissemma l-mixli jew jiftiehem ir-reat jista' jkun li tintgħaraf il-vittma. L-ghoti ta' l indirizz tal-mixli jkompli jgħin biex jgħaqqad l-informazzjoni dwar min tkun il-vittma.

TAQSIMA 11
Materjal Promozzjonali fl-Ahbarijiet

11. Materjal Promozzjonali fl-Ahbarijiet

11.1 Kull xogħol li jintbagħat minn jew jitwassal għal xi organizzazzjonijiet ufficjali, kumpanniji kummerċjali jew għaqdiet li jħabirku u jstinkaw għal haddiehor, għandu jkun immarkat ċar b'dak li hu meta jingħad jew jidher imxandar għal mhux aktar minn hames sekondi.

11.2 Jistgħu jsiru eċċezzjonijiet meta l-materjal ikun fih innifsu qasir u bl-ebda mod ma jirreklama l-interessi ta' min qed jibagħtu. Madankollu, materjal li jkun jidher ċar li qed jirreklama għandu jitwarrab, sakemm il-hidma ta' dik l-organizzazzjoni nfisha ma jkollhiex x'jaqsam ma' l-istorja fl-ahbar.

11.3 Affarijiet kummerċjali għandhom jidhlu biss jekk minnhom infushom ikollhom importanza bhala ahbar u mhux minhabba s-siwi tal-kont li għandu ma' l-istazzjon min qed jirreklama.

TAQSIMA 12
Programmar dwar Ġrajjet Kurrenti

Il-htigiet imsemmija fit-taqsimiet 13 u 14 ta' hawn taht huma esegwibbli skond l-artikolu 20(3) ta' l-Att dwar ix-Xandir.

12. Ġrajjet Kurrenti

12.1 L-ghan tax-xandara għandu jkun li jipprezentaw programmi dwar ġrajjet kurrenti:

- i. b'mod li tithalla tinholoq diskussjoni pubblika ta' għarfien dwar suġġetti siewja li jolqtu l-komunita`;

SECTION 10
Children's Rights

10. Children's Rights

10.1 Particular consideration and prudence should be exercised in all cases concerning minors, whether interest therein is derived from private or public matters.

10.2 Where minors are or have been involved in police enquiries or court proceedings, particularly but not limited to sexual offences, special care needs to be taken to avoid any indication of the identity of the person.

10.3 Particular care needs to be taken when reporting sexual crimes within a family. Naming the accused and describing the crime can have the effect of identifying the victim. Giving information about an accused person's address may contribute to the jigsaw, which identifies the victim.

SECTION 11
Promotional material in the News

11. Promotional material in the News

11.1 The source of promotional material supplied by or on behalf of official bodies, commercial companies or campaigning organisations should be briefly but clearly labelled on-air for a maximum duration of five seconds either in sound or vision.

11.2 Exceptions to this rule may be made where the material itself is very brief and in no sense promotes the supplier's interests. Material whose effect is clearly promotional should, however, be avoided, unless the organisation's activity is itself a subject of the news story.

11.3 In the case of items of a commercial nature, their inclusion shall be dependent on the items' intrinsic news value and not on the value of the advertiser's account with the station.

SECTION 12
Current Affairs Programming

The Requirements listed in sections 13 and 14 below are enforceable in terms of article 20(3) of the Broadcasting Act.

12. Current Affairs

12.1 Broadcasters should aim to present current affairs programmes:

- i. in a way which allows informed public debate on substantial issues affecting the community;

- ii. biex jinholqu biżżejjed opportunitajiet sabiex johorġu opinjonijiet meqjusa meta jissemmew suġġetti kontroversjali ta' importanza pubblika;
- iii. ta' rilevanza immedjata għall-komunità, b'intervisti u kummentarji li jidhlu fil-qalba ta' dak li jinġhad fl-aħbarijiet.

12.2 Dak li jitlob l-Att dwar ix-Xandir li għandu x'jaqsam ma' l-imparzjalità jhalli serje ta' programmi jintqiesu bhala haġa waħda sakemm programm wiehed ta' grajjiet kurrenti ma jkunx bilanċjat fih innifsu; il-htieġa legali ta' l-imparzjalità tista' tkun: (i) fuq żewġ programmi, jew aktar, li għandhom x'jaqsmu fl-istess serje; (ii) meta x-xandiriet isiru tista' tgħid fl-istess żmien; (iii) meta matul l-ewwel programm ix-xandar javża lit-tele spettaturi jew lis-semmiegħa bid-data ta' meta jkun se jsir il-programm l-iehor, kif ukoll b'tagħrif biżżejjed ta' x'ser ikun is-suġġett, ta' min huma dawk li hemm hsieb jieħdu sehem fih u li għalhekk mahsub jinżamm bilanċ fil-programm. Għal dan il-għan "serje" tfisser numru ta' programmi ta' grajjiet kurrenti, imxandra mill-istess stazzjon, kull wiehed minnhom marbut ċar ma' l-oħrajn u li jittrattaw l-istess argument jew affarijiet oħra li għandhom x'jaqsmu miegħu.

12.3 Dak li hemm f'dawn il-ftigiet li jirregola r-Rapporti ta' l-Aħbarijiet jghodd ukoll għall-programmi ta' grajjiet kurrenti, hlief għal dak li hemm fit-taqsim 7.

12.4 Minbarra dak li hemm imsemmi fuq fil-paragrafu 4.3, tat-Taqsima 4, imparzjalità ma tfissirx li għandu jkun hemm bilanċ sempliċement b'mod matematiku jew li jingħata l-istess hin lil kull idea opposta li tingħad. Il-ġurnalisti u l-produtturi ma għandhomx għalfejn ikunu għal kollox newtrali dwar kull suġġett kontroversjali. Madankollu għandhom jaraw kif iwieżnu sewwa ż-żewġ xejriet opposti u jsibu mod kif ipattu jew joholqu diskussjoni demokratika bejn ideat li ma jaqblux.

12.5 L-għażla ta' min għandu jieħu sehem fi sħarriġ investigattiv ġurnalistiku jew f'xi diskussjoni mill-istudjo trid tqis il-htieġa li dak li jkun, jagħraf jagħmel haqq, ikun jaf sewwa s-suġġett mistharreġ, kif ukoll jagħraf iżomm bilanċ xieraq dwar dak li jinġhad. Madankollu dawk li jieħdu sehem f'diskussjoni mill-istudjo aktarx jintgħazlu biex johorġu opinjonijiet opposti.

TAQSIMA 13 Intervisti

13. Intervisti

13.1 *L-Intervisti*

13.1.1 Min ser ikun intervistat dwar kontroversja politika jew industrijali jew dwar ix-xejra pubblika magħrufa taż-żmien, għandu jkun jaf sewwa it-tiswira tal-programm li fih ser jieħu sehem, xi jkun tabilhaqq is-

- ii. to provide reasonable opportunities to present significant viewpoints when dealing with controversial issues of public importance;
- iii. of immediate relevance to the community, including interviews and commentary dealing in depth with news items.

12.2 The Broadcasting Act requirements about impartiality allow a series of programmes to be considered as a whole provided that when a single current affairs programme is not per se balanced, the legal requirement of impartiality may be discharged: (i) over two or more related programmes within the same series; (ii) where the broadcasts are transmitted within a reasonable period from each other; and (iii) when the broadcaster informs the viewers or listeners during the first programme of the date of the subsequent programme wherein he/she intends to balance the first programme giving sufficient information as to date of programme, subject of the programme and proposed participants. For this purpose, a "series" means a number of current affairs programmes, broadcast in the same service, each one of which is clearly linked to the others, and which deals with the same or related issues.

12.3 The provisions of these Requirements which regulate News Bulletins shall apply also to current affairs programmes apart from section 7.

12.4 Apart from the matters specified in section 4.3 above, impartiality does not mean that balance is required in any simple mathematical sense or that equal time must be given to each divergent point of view. Journalists and producers do not have to be absolutely neutral on every controversial issue. They should nevertheless tackle evenhandedly with divergent points of view to supplement or create a democratic debate amongst contrasting ideas.

12.5 The choice of participants in research-led investigative journalism or a studio discussion will be determined by the need to be fair, balanced and knowledgeable on the subject matter. However, in a studio discussion participants are normally chosen with a view to reflect divergent viewpoints.

SECTION 13 Interviews

13. Interviews

13.1 *Interviews*

13.1.1 Interviewees dealing with political or industrial controversy or current public policy should be made adequately aware of the format, subject matter and purpose of the programme to which they have been

suġġett u l-għan tal-programm kif ukoll x'aktarx jintuża dak li ser jintqal jew jinghad. Ix-xandar għandu jxandar dik il-parti ta' l-intervista fejn ikun talab il-kunsens ta' min se jkun intervistat biex jirrekordja l-intervista.

13.1.2 Hekk kif isiru magħrufa dawk li ser jieħdu sehem, dak li se jkun intervistat għandu d-dritt ikun jaf min huma u x'ser ikun sehemhom fil-programm.

13.1.3 Kultant min ikun intalab jiġi intervistat fi programm ma jkunx jista' jew ma jkunx irid jilqa' l-istedina biex jieħu sehem. Dan ma jfissirx li l-programm għandu jithassar. Il-prezentatur, bl-aktar mod normali u kemm jista' jkun distakkat, għandu jagħmel referenza sempliċi għal dak li naqas jidher fil-programm u l-prezentatur għandu safejn ikun prattikabbli jgħid x'inhuma l-opinjoni ta' l-intervistat jew ta' l-organizzazzjoni tiegħu jew tagħha dwar is-suġġett li jkun qed jiġi diskuss dment li dik l-opinjoni tkun magħrufa.

13.1.4 Meta wieħed jaċċetta li jkun intervistat dwar xi haġa oħra barra minn dik maħsuba mill-produtturi għal programm ta' aħbarijiet, din tista' biss tintuża bla permess ta' min għamilha sakemm dan il-materjal jinhass importanti li jinghad fl-interess pubbliku.

13.1.5 Hija haġa normali li bhala parti mill-gabra ta' l-aħbarijiet isiru intervisti għal għarrieda ma' nies importanti fil-ħajja soċjali jew magħrufa fl-aħbarijiet bla ma jinjalghu problemi partikolari. Madankollu kultant jiġri li reporter, bla miftiehem, jaf jiltaqa' ma' u jintervista lil xi hadd fi proprjetà privata jew f'postijiet bħal ristoranti, knejjes u nħawi oħra fejn min ikun qed jiġi intervistat jistenna, u bir-raġun, li tibqa' rispettata l-privatezza personali tiegħu. Intervisti bħal dawn għandhom biss jintużaw meta ma jkunx hemm aktar x'wieħed jagħmel u jridu jitqiesu b'zewġ aspetti ewlenin:

- i. l-investigazzjoni tkun dwar delitt jew imġiba anti-soċjali gravi u/jew
- ii. l-individwu hekk intervistat ma jkunx wieġeb għal diversi talbiet biex ikun intervistat, irrifjuta li jkun intervistat bla ma ta raġuni serja, jew magħruf, meta mitlub, li jirrifjuta jew ma jmurx.

13.1.6 Wieħed irid joqgħod attent ħafna meta lil min ikellem ma jkollux x'jaqsam direttament ma' l-allegazzjonijiet, bħal ngħidu ahna xi hadd jiġi minnu, xi ħabib jew sieħeb fix-xogħol, biex ma jkunx hemm riskju li tintmess bla mitlub il-ħajja privata ta' dak li jkun.

13.2 *Editjar ta' Intervisti*

13.2.1 Fl-editjar ta' intervisti għandha tirbaħ l-imparzjalità u l-ħaq. Intervisti rekordjati ma għandhomx jitgħawġu bl-editjar b'tali mod li tinhareġ minnhom

invited to contribute and the way in which their contribution is likely to be used. The broadcaster shall air that part of the interview where s/he has sought the consent of the interviewee to record the interview.

13.1.2 Interviewees should also be informed of the identity and intended role of other proposed participants in the programme, as soon as the persons are known.

13.1.3 On occasion, proposed interviewees will be unable or unwilling to accept an invitation to participate in a programme. This need not cancel the programme. Reference to the absence of such a spokesperson should be referred in as detached and factual a manner as possible and the presenter should as far as practicable make known the absent interviewee's or his or her organisation's views on the subject under discussion, where known.

13.1.4 Where the subject consents to being interviewed for a different purpose from that covertly intended by the producers of a news programme, the use of such material without the subject's permission can only be justified if it is necessary in order to make an important point of public interest.

13.1.5 Impromptu interviews with public figures and people in the news are a normal and usually unproblematic part of news gathering. There are, however, occasions when a reporter confronts and records a potential interviewee without prior arrangement on private property or locations such as restaurants, churches and other places where the subject would reasonably expect personal privacy. The use of such interviews should however be generally a last resort and should be guided by two main aspects:

- i. the investigation involves crime or serious anti-social behaviour, and/or
- ii. the subject so being interviewed has failed to respond to a repeated request to be interviewed, refused an interview on unreasonable grounds or has a history of such failure or refusal.

13.1.6 Particular care needs to be taken where the person approached is not the subject of the allegations, for example a relative, friend or associate, to avoid the risk of unwarranted invasion of their privacy.

13.2 *Editing of Interviews*

13.2.1 Impartiality and fairness also apply to the editing of interviews. Editing of recorded interviews must not be distorted or to create misrepresentation of the

tifsira hażina ta' dak li jkun qal l-intervistat.

13.2.2 Meta jkunu ser jintużaw intervisti meħuda mill-arkivji wiehed irid jara jekk dak li fihom għadux jiswa u fejn meħtieġ titniżżel ukoll id-data ta' meta kienu saru.

13.3 *Intervisti Rekordjati bit-Telefon*

13.3.1 Normalment taħditiet jew intervisti li jsiru bit-telefon ma għandhomx ikunu rekordjati biex jiddaħhlu f'xi programm, sakemm l-intervistatur ma jkunx qal min hu u li qed jirrappreżenta lil xi hadd li għandu l-liċenza jew lil xandar, kif ukoll jinforma lill-intervistat li qed jirrekordjalu dik it-taħdita u li l-intervistat ta l-permess biex dik it-taħdita tkun tista' tixxandar fir-rapporti ta' l-ahbarijiet jew fil-programmi tal-ġrajjet kurrenti.

Ix-xandar għandu jxandar dik il-parti ta' l-intervista fejn ikun intalab minnu/minnha l-kunsens ta' min se jkun intervistat biex jirrekordja l-intervista.

13.3.2 Fil-ġurnalizmu investigattiv jistgħu jinjalghu okkazjonijiet meta proċeduri bħal dawn ma tkunx tista' tosservahom, bħal f'dawk il-kazi li jinvolvu sħarriġ dwar allegazzjonijiet kriminali jew xi mġiba mhux xierqa.

13.3.3 Meta l-ġurnalista/produttur iqis li jkollu każ hekk, għandu, qabel ma jxandar dan il-materjal fi programm, l-ewwel jikseb il-permess ta' l-uffiċjal esekuttiv tal-programmi l-aktar anzjan li jkun hemm fil-kamra ta' l-ahbarijiet.

TAQSIMA 14

Programmi ta' Diskussjoni

14. Programmi ta' Diskussjoni

14.1 Meta l-programm jiehu xejra ta' diskussjoni l-prezentatur għandu d-dmir ifakkar li xi hadd importanti kien mistieden biex jiehu sehem u li dan ma laqax l-istedina. Filwaqt li l-prezentatur obligat jinforma l-udjenza għaliex dan irrifjuta, jekk ir-raġuni tkun magħrufa, il-prezentatur ma għandux jinforma l-udjenza jekk dak li ma laqax it-talba biex jiehu sehem ma jkunx mistieden fil-kariga pubblika uffiċjali tiegħu u f'dan il-każ il-prezentatur għandu jimxi mad-disposizzjonijiet ta' l-aħħar sentenza tal-paragrafu 13.1.3 ta' hawn fuq.

14.2 Kull organizzazzjoni u kull persuna għandha d-dritt li tirrifjuta invit biex tipparteċipa f'programm iżda r-rifjut li tipparteċipa f'programm m'għandux awtomatikament ifisser li dak il-programm ma jkunx jista' jsir. Ir-raġuni għal dan hu li l-kancellazzjoni titqis li tkun l-istess daqs li kieku nġhata dritt ta' veto dwar dak is-suġġett partikolari. Dan ikun inkonsistenti mad-dover tas-servizz tax-xandir li jittratta hwejjeġ importanti.

Nota:

known view of the interviewee.

13.2.2 Interviews held on library tapes should be checked before use to see whether the views expressed are still valid, and where necessary captioned to show the date when the original interview was recorded.

13.3 *Recorded Telephone Interviews*

13.3.1 Interviews or conversations conducted by telephone should not normally be recorded for inclusion in a programme unless the interviewer has identified himself or herself as speaking on behalf of a licensee or a broadcaster, and has informed the interviewee that the conversation is being recorded, and the interviewee has given consent to the use of the conversation in news bulletins or current affairs programmes.

The broadcaster shall air that part of the interview where s/he has sought the consent of the interviewee to record the interview.

13.3.2 In investigative journalism, there may be occasions, such as those involving investigation of allegedly criminal or otherwise disreputable behaviour, when these normal requirements cannot be observed.

13.3.3 When, in the considered judgement of the journalist/producer, such a case arises, he or she must obtain the explicit consent of a broadcaster's most senior programme executive in the newsroom, before such material is broadcast in a programme.

SECTION 14

Discussion Programmes

14. Discussion Programmes

14.1. When the programme takes the form of a discussion, it is the presenter's duty to note that a public figure has been invited to participate and such person has declined the invitation. Whilst the presenter is obliged to inform his /her audience of the reason for such refusal, if known, the presenter shall not inform the audience that a person has declined an invitation as aforesaid if such person is not invited in a public capacity and in such case the presenter shall comply with the provisions of the last sentence of paragraph 13.1.3 above.

14.2. Any organisation or any person has the right to decline an invitation to participate in a programme but refusal to take part in a programme shall not automatically imply the cancellation of that programme. The reason is that cancellation would be equivalent to granting a right of veto over the particular subject. This would be inconsistent with the broadcasting services' duty to deal with important issues.

Note:

Id-disposizzjonijiet ta' dan id-dokument dwar il-bullettini ta' l-ahbarijiet li ser jitwettqu, japplikaw ukoll għal programmi ta' grajjiet kurrenti. Bl-istess mod, id-disposizzjonijiet tat-taqsimiet 13.2 u 13.3 ta' dan id-dokument għandhom japplikaw għall produzzjoni tal-bullettini ta' l-ahbarijiet.

TAQSIMA 15 Produzzjonijiet Indipendenti

Il-htigiet imsemmija fit-taqsimiet 15 u 16 ta' hawn taht huma esegwibbli skond l-artikolu 20(3) ta' l-Att dwar ix-Xandir.

15. Dmirijiet Ġenerali ta' Produtturi Indipendenti

15.1 Produzzjonijiet indipendenti magħmula għax-xandara jridu jimxu fuq l-istess standards u htigiet ta' prattika kif imniżzla fil-partijiet ta' qabel ta' dan id-dokument daqslikieku kienu produzzjonijiet interni u jinhtieg jikkonformaw ukoll ma' dak li hemm f'dawn il-Linji Gwida. Ix-xandar li jikkummissjona dan ix-xogħol jibqa' responsabbli għall-metodu użat kif ukoll għall-kontenut.

TAQSIMA 16 Obbligazzjonijiet Kontrattwali ta' Produtturi Indipendenti

16. Obbligazzjonijiet Kontrattwali ta' Produtturi Indipendenti

16.1 Kull kuntratt li xandar jagħmel ma' produttur indipendenti jrid idahhal l-obbligazzjoni li josserva dak kollu li hemm f'dan id-dokument, fil-Kostituzzjoni, fl-Att tax-Xandir u f'kull liġi oħra li għandha x'taqsam.

TAQSIMA 17 Ix-Xandar tas-Servizz Pubbliku

17. Regolamenti għax-Xandar fis-Servizz Pubbliku

17.1 Minbarra r-regolamenti msemmija hawn fuq, ix-xandar tas-servizz pubbliku jrid ukoll jimxi fuq ir-regolamenti li ġejjin.

TAQSIMA 18 L-Imparzjalità tax-Xandar tas-Servizz Pubbliku

18. L-Imparzjalità tax-Xandar tas-Servizz Pubbliku

18.1 Min italla' l-ahbarijiet u l-programmi ta' grajjiet kurrenti ma jistax ikollu rabtiet jew interessi oħra barranin li jistgħu jgħarrqu l-fama għall-imparzjalità, il-gustizzja u l-integrità tax-xandar tas-servizz pubbliku.

The enforceable provisions of this document regulating news bulletins, also apply to current affairs programmes. Likewise, the provisions of sections 13.2 and 13.3 of this document also apply to the production of news bulletins.

SECTION 15 Independent Productions

The requirements listed in sections 15 and 16 below are enforceable in terms of article 20(3) of the Broadcasting Act.

15. General Obligations of Independent Producers

15.1. Independent productions made for broadcasters must observe the same standards and practice requirements set out in the preceding parts of this document for in-house productions. Ultimate responsibility for the method and content of any material commissioned by a broadcaster rests with the said broadcaster.

SECTION 16 Contractual Obligation of Independent Producers

16. Contractual Obligation of Independent Producers

16.1. All contracts made by a broadcaster with an independent producer should include their obligation to observe the previous provisions of this document, of the Constitution, of the Broadcasting Act and of any other relevant law.

SECTION 17 The Public Service Broadcaster

17. Rules applicable to the Public Service Broadcaster

17.1. In addition to the above, the following rules shall apply to the public service broadcaster.

SECTION 18 Impartiality of the Public Service Broadcaster

18.1. Producers of news and current affairs programmes should have no outside interests or commitments which could damage the public service broadcaster's reputation for impartiality, fairness and integrity.

TAQSIMA 19**Prezentaturi u Reporters Assoċjali primarjament max-Xandar tas-Servizz Pubbliku****19. Prezentaturi u Reporters Assoċjali primarjament max-Xandar tas-Servizz Pubbliku**

19.1 Dawk li l-pubbliku primarjament jagħraf bhala prezentaturi jew reporters ta' l-ahbarijiet jew programmi dwar grajjiet kurrenti fl-istazzjon tas-servizz pubbliku, iridu jidhru li jkunu imparzjali. Importanti li kull hidma oħra barra mix-xandir, kemm ta' kitba kif ukoll l-ghoti ta' intervisti jew diskorsi ma thalli ebda dubju dwar l-oġġettività tagħhom fix-xandir. Jekk dawn il prezentaturi jew reporters jesprimu ruhhom pubblikament barra mix-xandir f'xi argument ta' kontroversja, jistgħu jikkompromettu serjament il-qagħda tagħhom fix-xandir. Kemm f'xogħolhom fix-xandir tas-servizz pubbliku kif ukoll f'xi attività ta' xandir iehor mhux tas-servizz pubbliku bhal ngħidu ahna bil-kitba, bil-kliem jew ukoll bl-ghoti ta' intervisti, ma għandhomx:

- i. jgħidu kif jivvutaw jew juru ma' liema partit politiku jzommu;
- ii. jgħidu kif jahsbuha, favur jew kontra xi xejra tattika li tkun argument ta' diskussjoni tax-xejra pubblika magħrufa taż-żmien tal-partiti;
- iii. jiddefendu xi qagħda partikolari dwar xi argument ta' diskussjoni jew kontroversja tax-xejra pubblika magħrufa taż-żmien;
- iv. jinkoraġġixxu bidla fl-imgħiba tax-xejra pubblika magħrufa taż-żmien billi jgħbdu l-attenzjoni fuqha.

TAQSIMA 20**It-Tqeghid fis-sehh ta' dawn il-Htiġiet****20. L-Applikabbiltà ta' dawn il-Htiġiet**

20.1 Id-disposizzjonijiet ta' dan id-dokument jgħoddu għax-xandara kollha tat-televiżjoni u tar-radjo, kif ukoll għar-rapporti ta' l-ahbarijiet u programmi ta' grajjiet kurrenti kemm jekk johorġu minn xandar kif ukoll jekk jintgħamlu minn dar tal-produzzjoni indipendenti għall-imsemmi xandar, sakemm fihom ma hemmx mod iehor.

20.2 Kull stazzjon irid ikollu editur li jagħmilha ta' ufficjal ta' l-osservanza biex jiżgura li ma jinkiser xejn minn kulma jingħad f'dawn il-Htiġiet.

SECTION 19**Presenters and Reporters primarily associated with the Public Service Broadcaster****19. Presenters and Reporters primarily associated with the Public Service Broadcaster**

19.1 Those known to the public primarily as presenters of, or reporters on, news programmes or programmes about current affairs broadcast on the public service broadcaster must be seen to be impartial. It is important that no off-air activity, including writing, the giving of interviews or the making of speeches, leads to any doubt about their objectivity on-air. If such presenters or reporters publicly express personal views off-air on controversial issues, then their on-air role may be severely compromised. It is crucial that in both their work with the public service broadcaster and in other non-public service broadcasting activities such as writing, speaking or giving interviews, they do not:

- i. state how they vote or express support for any political party;
- ii. express views for or against any policy which is a matter of current party political debate;
- iii. advocate any particular position on an issue of current public controversy or debate;
- iv. exhort a change in high profile public policy.

SECTION 20**Application of these Standards and Practice Requirements****20. Applicability of these Requirements**

20.1 Unless otherwise provided in this document, these provisions apply to all broadcasters, whether they are television or radio, and to all news bulletins and current affairs programmes whether made by a broadcaster or by an independent production house for the said broadcaster.

20.2 Each station should have an editor who shall act as a compliance officer to ensure the due observance of this provision of these Requirements. The station shall notify the details of the said officer.

TAQSIMA 21
Editur ghal dawn il-Htiġiet

21. Editur ghal dawn il-Htiġiet

21.1 Kull stazzjon tax-xandir irid jahtar editur ghal dawn il-Htiġiet.

21.2 L-editur irid jagħmilha ta' ufficjal ta' l-osservanza biex ji żgura li qed jiħarsu bir-reqqa l-istandards u l-htiġiet ta' prattika.

21.3 Kull stazzjon tax-xandir irid jgħaddi lill-Awtorità l-isem u l-kunjom ta' dan l-editur kif ukoll fejn u kif jista' jkun ikkontattjat kif ukoll kull tibdil li jkun hemm fil-hatra f'dik il-kariga.

Is-7 ta' Awissu, 2007

SECTION 21
Editor for the purposes of these Requirements

21. Editor for the purposes of these Requirements

21.1 Each broadcasting station shall appoint an editor for the purposes of these Requirements.

21.2 The editor shall act as a compliance officer to ensure the due observation of the provisions of these standards and practice requirements.

21.3 Each broadcasting station shall notify the Authority of the name, surname and contact details of the said editor as well as of any changes in appointment to this position.

7th August, 2007