

MEMORANDUM FOR THE CABINET BY THE
HON. THE PRIME MINISTER

Facilities for Ministerial Broadcasts

... The Malta Broadcasting Authority has for some time been anxious to regularise the procedure for Ministerial Broadcasts. Before the General Election, the Authority had submitted proposals (Appendix I) to the Leaders of all political parties setting out the conditions and procedures to be followed for Ministerial Broadcasts as distinct from Party political broadcasts. It was hoped that a general pattern could be established which would act as a precedent for succeeding Governments so that, in the final analysis, the agreement of all parties be obtained to the system which is eventually arrived at. The Authority felt, however, that, in the first instance, discussions on this matter should take place between this Government and the Authority only. If a satisfactory agreement was reached then the Authority would submit it to the Opposition Parties.

2. Accordingly discussions have been held between representatives of the Government and of the Authority but an impasse has been reached about the question of who should be allowed to exercise the right of reply to a Ministerial broadcast when this is thought to be controversial (para. 3 of Appendix I). The view held by the Government has been all along that only the official Opposition in the Legislative Assembly should have such a right, and if this is not exercised other parties represented in the Assembly wishing to reply could be allowed to do so in agreement among themselves.

3. The Authority hold, on the other hand, that its obligations and rights emanating from the Broadcasting Ordinance as respects the observance of due impartiality in its broadcasts preclude it from denying to organizations or individuals, other than political parties, the right of reply to a Ministerial Broadcast if they could establish such a right under the said Broadcasting Ordinance.

4. In discussion it was pointed out by the Government representatives that in its draft of para. 3 of Appendix I the Authority had itself limited the right of reply to the Opposition only and no mention had been made of either constituted bodies or individuals. In any event the draft policy on Ministerial Broadcasts was conceived by the Authority in the context of the Government of the day as against the other political parties represented in the Assembly and was intended to be acceptable to the Government and the political parties only. The Authority's insistence to bring in constituted bodies or individuals was therefore the result of second thoughts and implied that the Authority was going back on its own proposals.

... 5. Following this impasse a revised version (Appendix II) of the original policy on Ministerial Broadcasts was submitted, in which the right of reply has been omitted altogether and the Authority's position in this respect incorporated in a letter dated 6th December, 1962, in which the Government is asked to note certain observations as follows:-

1. Nothing in the attached paper can, or is intended to prejudice, the obligations and rights of the Authority as respects the observance of due impartiality in its broadcasts.
2. These obligations and rights ensure that in certain circumstances, political parties, organisations or individuals could establish under the Broadcasting Ordinance, a right of reply.
3. Under such circumstances, the Authority would not make available for the purpose of reply, broadcasting time in excess of the duration of the original Ministerial broadcast.
4. Whenever such a right of reply is established, the Authority will normally set a time limit of forty eight hours between the time of the broadcast and the receipt of a request for facilities for a reply.
5. If the Government wish to avail themselves of broadcasting facilities for Ministerial broadcasts, this will be on the understanding that it does so in terms of the definition of Ministerial broadcasts in Clause 1, and that the procedures laid down for these broadcasts will be adhered to.

6. It is considered that were the Government to agree to the broadcasts on the terms imposed by the Authority it would be tacitly admitting that constituted bodies or individuals could be allowed to reply to a Ministerial broadcast and this is entirely unacceptable to the Government. In the circumstances there seems to be no alternative but to inform the Authority that the conditions and procedures under which it will afford the Government broadcasting facilities on Sound and Television are not acceptable and that the Authority should find ways and means of affording such facilities under the basic condition mentioned in paragraph 2 above. Only if the Authority is prepared to do so could further discussion on the other conditions and procedures be possible.

7. Hon. Ministers are requested to say whether they agree that the Authority be informed as at paragraph 6 above.

21st December, 1962.

Draft Policy on Ministerial Broadcasts

1. In view of their responsibilities for the care of the nation the Government should be able to broadcast from time to time Ministerial Broadcasts which are purely factual or explanatory of legislation or administrative policies approved by the Legislative Assembly, or in the nature of appeals to the nation to co-operate in non-controversial national policies which require the active participation of the public. Broadcasts on state occasions will also come into this category.
2. Such broadcasts must comply with the provisions of the Broadcasting Ordinance, 1961, in particular the provisions of Clause 7 (2) (a) thereof.
3. It will be incumbent on Ministers making such broadcasts to be as impartial as possible and in the ordinary way there will be no question of a reply by the Opposition. Where however the Opposition thinks that a Government broadcast is controversial it will be open to it to take the matter up with the Broadcasting Authority with a view to a reply. The decision of the Authority will be final.
4. As a reply, if one is to be made, should normally be within a very short period, any application for a reply must be made to the Authority within 24 hours of the broadcast.
5. Replies by the Opposition will not be counted against the Opposition's "Party Political Broadcast" time, nor will Ministerial Statements be counted against the Government's allocation for "Party Political Broadcasts".
6. Copies of the scripts of Ministerial Broadcasts shall be supplied by the Authority to the leaders of all parties represented in the Legislative Assembly.
7. Ministerial Broadcasts shall not exceed 15 minutes in length and the frequency of such broadcasts will not exceed 5 in any one year save in exceptional circumstances.
8. All requests for Ministerial Broadcasts shall be made direct to the Authority through the Minister responsible for Information, and adequate notice (normally not less than three days) of such broadcasts shall be given to the Authority.
9. The script of a Ministerial broadcast shall be submitted to the Authority at least 24 hours before the broadcast and all such broadcasts shall be recorded beforehand.
10. Where any dispute arises over Ministerial Broadcasts, the final responsibility remains with the Authority (subject to the provisions of Clause 11 of the Broadcasting Ordinance).

MALTA BROADCASTING AUTHORITY

Policy on Ministerial Broadcasts

1. In view of their responsibilities for the care of the nation the Government should be able to broadcast from time to time Ministerial Broadcasts which are purely factual, or explanatory of legislative or administrative policies approved by the Legislative Assembly, or in the nature of appeals to the nation to co-operate in non-controversial national policies which require the active participation of the public.
2. Such broadcasts must comply with the provisions of the Broadcasting Ordinance 1961, and in particular with the provisions of Clause 7 (2) (a) thereof.
3. It will be incumbent on Ministers making such broadcasts to be as impartial as possible, and in the ordinary way there will be no question of a reply.
4. Ministerial Broadcasts will not (with the exception of the Annual Budget Broadcast) exceed 15 minutes in length. The total number of broadcasts in any one year will be as follows:
 - a) On Sound only: 4 of 15 minutes each
 - b) On both T.V. and Sound: 3 of 15 minutes each
 - c) Budget broadcast on T.V. and Sound: 1 of 30 minutes
5. All requests for Ministerial Broadcasts shall be made direct to the Authority, and adequate notice (not less than three days except in exceptional circumstances) shall be given to the Authority.
6. The Script of a Ministerial broadcast shall be submitted by the Government to the Authority at least twenty four hours before the broadcast. All sound only broadcasts shall be recorded beforehand, and all T.V. broadcasts shall be rehearsed before the broadcast.
7. Where any dispute arises over Ministerial broadcasts the final responsibility remains with the Authority (subject to the provisions of Clause 11 of the Broadcasting Ordinance).