

INDIREG

FINAL REPORT – ANNEX

Indicators for independence and efficient functioning of audiovisual media services regulatory bodies for the purpose of enforcing the rules in the AVMS Directive” (SMART 2009/0001)

Annex II – Country Tables – Malta

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I. GENERAL INFORMATION

Table 1 - Market data

This table is aimed at gathering information on the number of audiovisual media services that are supervised in the country.

Country	Number of linear commercial services	Number of non-linear commercial services	Number of public service channels (PSBs)
Malta	6	0	2 (TVM and Education 22)

Table 2 - Audiovisual laws and regulatory bodies

This table lists the regulatory bodies in charge of overseeing the areas covered by the Audiovisual Media Services (AVMS) Directive, in relation to commercial linear television, non-linear audiovisual media services and public service broadcasters (PSBs). It also lists the relevant laws.

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
Malta	Information requirements (art. 5 AVMS Directive)	Broadcasting Act, Capt. 350	Broadcasting Authority (B.A.) is responsible for all of the areas and all types of services.		
	Audiovisual commercial communication, sponsorship, product placement (Art. 9 – 11 AVMS Directive)	Broadcasting Act, Capt. 350			
	Accessibility to people with a disability (Art. 7 AVMS Directive)	Broadcasting Act, Capt. 350			
	Broadcasting of major events (Art. 14 AVMS Directive)	Broadcasting (Jurisdiction and European Co-operation) Regulations, Transmission of Major Events [G.N.951 of 2008]			
	Access to short news reports (Article 15 AVMS Directive)	Broadcasting (Short News Reporting) Regulations [350.28]			

Country	Areas	Main laws	Regulatory body in charge of commercial television	Regulatory body in charge of non-linear commercial media services	Regulatory body in charge of PSB
	Promotion of European works (Art. 13, 16, 17 AVMS Directive)	Broadcasting (Jurisdiction and European Co-operation) Regulations [350.04]			
	Hate speech (Art. 12 and 6 AVMS Directive)	Broadcasting Act, Capt. 350			
	Television advertising and teleshopping, (Art. 19 – 26 AVMS Directive)	Requirements as to Advertisements, Methods of Advertising and Directions applicable to Alcoholic Drink Advertising, Sponsorship and Teleshopping [350.24]			
	Protection of minors (Art. 27 AVMS Directive)	Broadcasting Act, Capt. 350			
	Right of reply (Art. 28 AVMS Directive)	Broadcasting Act, Capt. 350			
	Communication and cooperation with other European regulation bodies and the Commission (Art. 30b AVMS Directive)	Broadcasting Act, Capt. 350			

Table 3 - Regulatory bodies – general information

This table provides basic information on the regulatory authority (name, website address, date of establishment and location).

Country	Name of regulatory body	Link to website	Date of establishment	Location
Malta	Broadcasting Authority	www.ba-malta.org	1961	7 Mile end, Hamrun Malta

Table 4 - Sectors covered

This table provides an overview of the areas that are covered by the regulatory authority.

Country	Body	Audiovisual content (radio/TV, on demand media services)	Transmission aspects of audiovisual content (e.g. spectrum)	Distribution aspects of audiovisual content (e.g. must carry, EPG, API)	Spectrum	Electronic communications (networks and services in general)	Others (e.g. energy, post)
Malta	Broadcasting Authority	Yes	No	Yes	No	No	No

Table 5 - Staff and overall budget

This table provides an overview of the staff and overall budget of the regulatory authority. The figures are given for the areas covered by the AVMS directive (where possible) for regulators with a broader area of responsibility.

Country	Body	Total number of staff foreseen in statutes/law	Current staff count	Annual budget (€m) foreseen in statutes/law	Current annual budget	Reference year +source
Malta	Broadcasting Authority (The Broadcasting Authority is not converged)	2 C.E.O. – mandatory [Article 10 of the Broadcasting Act]; Board Secretary – mandatory [Article 10 of the Broadcasting Act]. The Broadcasting Act does not establish the number of employees in article 10.	33	€606,000	€606,000	Audited Accounts as at 31 December 2009

II. INSTITUTIONAL FRAMEWORK

Table 6 - Legislation establishing and governing the regulatory body

This table shows the legislation setting up and governing the regulatory authority.

Country	Body	Legislation setting-up the regulatory body	Governing legislation
Malta	Broadcasting Authority	Constitution (see national report)	Broadcasting Act 1991

Table 7 - Legal status

This table provides information on the legal status taken by the regulatory authority.

Country	Body	What form does it take?	It is a separate legal entity?	If it is not a separate legal entity, it is part of:	Specific organisational characteristics	Source
Malta	Broadcasting Authority	Body corporate having a distinct legal personality falling under the President of the Republic	Yes			Broadcasting Act, Article 4 Constitution, Article 118

Table 8 - Independence as a value

This table is intended to capture whether independence of the regulatory body is explicitly or implicitly recognised as a value in the legal framework.

Country	Body	Is independence implicitly or explicitly recognised as a value in the legal framework?		Source (highest formal legal level)
		No	Yes	
Malta	Broadcasting Authority		√	Constitution articles 118 and 119

III. POWERS OF THE REGULATORY BODIES

Table 9 - Regulatory powers

This table is aimed at understanding the types of decisions that can be taken by the regulatory body.

We have distinguished from a theoretical point of view, between:

- general policy setting powers, i.e. the power to decide on the general orientation of the rules to be followed (for instance the power to decide on the amount of quotas)
- general policy implementing powers, i.e. once the general policy has been adopted, to specify by means of general or abstract rules how this general policy will be implemented (for example to decide in general terms (not connected to a specific case) how the quotas should be applied and monitored)
- third party binding policy application powers, i.e. the power to take in a specific case a decision binding on specific operators

Country	Body		General policy setting	General policy implementing powers	Third party decision making powers
Malta	Broadcasting Authority	Tick boxes	No	√	√
		Areas		Regulation of content on TV and radio stations Due impartiality and fair distribution of broadcasting time between parties	Assignment of licences
		Source		Broadcasting Act, 1991 Constitution	General act Broadcasting Act, 1991

Table 10 - Supervision and monitoring power

This table is aimed at understanding the supervision/monitoring/information gathering powers of the regulatory body.

Country	Body	Areas	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring only after complaints	Others	Source (legislation, or practice)
Malta	Broadcasting Authority	Quotas	√	√	√		Quotas on <i>Broadcasting (Jurisdiction and European Co-operation) Regulations, [S.L. 350.04]</i>	
		Advertising	√	√	√			Broadcasting Act
		Protection of minors	√	√	√			Broadcasting Act

Table 11 - Powers of sanctions

This table provides an overview of the sanctions that can be adopted by the regulatory body in case of breach of the rules implementing the AVMS Directive on quotas, advertising and protection of minors.

Country	Body	Areas	Warnings/formal objections	Fine (lump sum) If so, list maximum and minimum amounts	Publication of decisions in the media	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)	Others
Malta	Broadcasting Authority	Quotas	√ all sanctions are discretionary	√ €34,940 - €23,293	√	√	√	
		Advertising	√	√ €34,940 - €1,164	√	√	√	
		Protection of minors	√	√ €2,329 - €1,747	√	√	√	

Table 12 - De facto use of formally granted competences and monitoring powers

This table shows whether the regulatory body has made use of its formally granted powers in the areas covered by the AVMS Directive within the past 5 years.

Country	Body	Policy setting	General policy implementing powers	Specific rule making	Systematic monitoring	Ad-hoc monitoring	Information collection powers	Monitoring after complaints
Malta	Broadcasting Authority	N/A	√	√	N/A	√	√	N/A

Table 13 - De facto use of formally granted sanction powers

This table shows whether the regulatory body has made use of its formally granted sanction powers within the past 5 years.

Country	Body	Warnings	Fine (lump sum)	Publication of decisions in television programmes/on demand services	Suspension/Revocation of licence	Penalty payments (in case of non compliance with decision)
Malta	Broadcasting Authority	√ On programme content	√ On programme content	√ On programme content	Revocation of Licences: UTV [December 2008] Family TV [June 2009]	No There were no cases of non-compliance

Table 14 - Complaints handling

This table shows whether there are procedures for dealing with complaints coming from viewers against conduct of audiovisual media service providers. Briefly explain them.

Country	Body	Do complaints handling procedures exist?	Link to website
Malta	Broadcasting Authority	Yes Complaints procedures are covered by Code for the Investigation and Determination of Complaints [Cap.350.06]. Written complaint to be sent to broadcasting station [copied to Authority] – station has 3 working days to reply. If reply is not satisfactory, station is charged by the CEO and brought before the Authority for evaluation and decision on complaint.	www.ba-malta.org/contact-details

IV. INTERNAL ORGANISATION AND STAFFING

Table 15 - Highest decision-making organ – composition

This table shows whether the highest decision-making organ of the regulatory body/bodies (i.e. the organ responsible for regulatory tasks, namely supervision and enforcement) is an individual or a board/commission and if it is a board/commission, who are its relevant representative components

Representation does not necessarily mean formal representation of that group. It can mean that the board member is expected to emanate from that group, but does not have to formally represent it during the mandate.

Country	Body	Individual or Board	Legal requirements regarding composition of highest decision-making organ							Implicit representation structures?	Source	
			Number of Board members	Representatives of civil society	Representatives of government	Representatives of parliament	Representatives of industry	Experts	Others (e.g. regions)			
Malta	Broadcasting Authority	Board	5 [Chairperson normally agreed to by both the Prime Minister and Leader of the Opposition]	No	Yes 2 40% (all members are obliged to act independently)	No	No	No	No	Yes 2 40%	No information available	Constitution, Article 118

Table 16 - Highest decision-making organ – competences and decision-making process and transparency

This table shows the main fields of responsibility of the highest decision-making organ of the regulatory body as well as its decision-making process (in particular its transparency and whether minutes and agendas are published).

Country	Body	Competences	Decision-making process	Is the decision making process transparent?	Minutes and agendas published?
Malta	Broadcasting Authority	The Authority may appoint a secretary and other officers and employees as it may deem necessary. [Broadcasting Act, Article 9]	By majority vote, with the Chairperson holding a casting vote in the event of an equality of votes [Art.8(4)]. The quorum of the Authority consists of half its members. [Art.8(3)].	Meetings are open to the general public on request. Decisions of the Authority are published through press releases, circulars to broadcasting channels, and put on the Authority's website.	No

Table 17 - Highest decision-making organ – appointment process

This table shows whether there are several stages in the appointment process of the chairman and members of the highest decision-making organ of the regulatory body, for the nomination and appointment phases respectively. It also shows who is involved in each of these two stages (government, minister, parliament, civil society, religious groups, political parties, board members, board chairman, others) and whether the appointer(s) can override the proposals made at the nomination stage.

Country	Body		Nomination stage Yes – No	Nomination stage Specify who is involved in that stage and who has the decisive say	Appointment stage Specify who is involved in that stage and who has the decisive say	If there are two stages, can the appointer ignore the nominations?	Source
Malta	Broadcasting Authority	Chairman	Yes	Prime Minister	President of the Republic	No	Constitution [Art.118(2)]
		Board members	Yes	2 members – Prime Minister 2 members – Leader of the opposition	President of the Republic	No	Constitution [Art.118(2)]

Table 18 - Term of office and renewal

This table shows the term of office of the chairman and members of the highest decision-making organ of the regulatory body and whether the term is staggered not to coincide with election cycles. It also indicates if appointment is renewable and for how many times.

Country	Body		Term of office	Is the term staggered not to coincide with election cycle?	Renewal possible? If so, state how many times	Source
Malta	Broadcasting Authority	Chairman of the board	3 years	Yes	Yes – twice. However, by approval of Parliament, further re-appointments were made.	
		Board members	3 years	Yes	Yes – twice. However, by approval of Parliament, further re-appointments were made.	

Table 19 - Professional expertise/qualifications

This table illustrates the qualifications and professional expertise required to become a chairman or member of the highest decision making organ of the regulatory body.

Country	Body		Qualifications	Professional expertise	Source
Malta	Broadcasting Authority	Chairman of the board	n/a	n/a	n/a
		Board members	n/a	n/a	

Table 20 - Rules to guard against conflicts of interest – Appointment process

This table shows whether there are clear rules, in the appointment process of the chairman and members of the highest decision-making organ of the regulatory body, to avoid possible conflicts of interest.

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Can other offices be held at the same time?	Others (e.g. obligation to disclose participations in companies)	Source
			Yes	No						
Malta	Broadcasting Authority	Chairman	Yes		Excluded: Members of Parliament; Parliamentary Secretaries; Election candidates; and Public Officers.	Excluded: Members of Parliament; Parliamentary Secretaries; Election candidates; and Public Officers.	Yes Broadcasting Act [Art.8(9)] “(9) No member of the Authority shall be a shareholder in any broadcasting operator, licensee or contractor, nor may he be involved in the management of any broadcasting service”	No information available	Yes Broadcasting Act [Art.8(5)] “(5) A member of the Authority who is in any way directly or indirectly interested in a contract made or proposed to the made by Authority shall, as soon as possible after the relevant circumstances have come to his knowledge, disclose the nature of his interest at the first meeting of the Authority after the relevant facts have come to his knowledge.”	Constitution [Art.118(3)] & Code of Ethics, 1994
		Board members	Yes		Excluded: Members of Parliament; Parliamentary Secretaries; Election candidates; and Public Officers.	Excluded: Members of Parliament; Parliamentary Secretaries; Election candidates; and Public Officers.	Art.8(8)] “(8) No member of the Authority shall regularly take part in broadcasting			Constitution [Art.118(3)] & Code of Ethics, 1994
		Senior staff	Yes		Excluded: Members of Parliament; Parliamentary Secretaries; Election candidates; and Public Officers.	Excluded: Members of Parliament; Parliamentary Secretaries; Election candidates; and Public Officers.				Broadcasting Act [Art. 5(2)] & Code of Ethics, 1994

Table 21 - Rules to guard against conflicts of interest – during term of office

This table shows whether there are rules to avoid conflicts of interest during the term of office.

Country	Body		Do such rules exist?		Rules to prevent conflicts of interest with government	Rules to prevent conflicts of interest with political parties	Rules to prevent conflicts of interest with industry	Source
			Yes	No				
Malta	Broadcasting Authority	Chairman	Yes		Excluded: Members of Parliament; Parliamentary Secretaries; Election candidates; and Public Officers.	Excluded: Members of Parliament; Parliamentary Secretaries; Election candidates; and Public Officers.	Yes	Constitution [Art.118(3)] Broadcasting Act [Art.8]
		Board members	Yes		Same as above	Same as above	Yes	Constitution [Art.118(3)] Broadcasting Act [Art.8]
		Senior staff	Yes		Same as above	Same as above	Yes	Broadcasting Act [Art. 5(2)] Broadcasting Act [Art.8]

Table 22 - Rules to guard against conflicts of interest – after term of office

This table shows whether there are clear rules to avoid conflicts of interest after the term of office.

Country	Body		Do such rules exist?		Is a cooling-off period foreseen?	Source
			Yes	No		
Malta	Broadcasting Authority	Chairman	Yes		Yes, for 3 years	Constitution [Art.118(4)]
		Board members	Yes		Yes, for 3 years	Constitution [Art.118(4)]
		Senior Staff	Yes		None	Constitution [Art.118(4)]

Table 23 - Rules to protect against dismissal

This table shows the rules to protect against dismissal of the whole decision making organ, the chairman and individual members of the highest decision-making organ of the regulatory body. Please add any other comments in the row below.

Country	Body		Do such rules exist?		Who can dismiss? Specify who is involved in that stage and who has the decisive say	Grounds for dismissal listed in legal instrument?	Can the whole body be dismissed or only individual members?	Source
			Yes	No				
Malta	Broadcasting Authority	Chairman	Yes		The President of the Republic acting in accordance with the advice of the Prime Minister	Inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misbehaviour	The whole Authority and individual members. Authority not constituted between Jan 1983 to June 1986	Constitution [Art.118(6)]
		Individual board members	Yes		The President of the Republic acting in accordance with the advice of the Prime Minister	Inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misbehaviour		Constitution [Art.118(6)]

Table 24 - Dismissal before term

This table shows available statistics on dismissal before term in the last 5 years as well as the reasons for this dismissal.

Country	Body	Year		Dismissal before term		Reasons	Comment
				Yes	No		
Malta	Broadcasting Authority	2005-2009	Chairman		No		
			Individual board members		No		

V. FINANCIAL RESOURCES

Table 25 - Sources of income

This table shows the sources of income of the regulatory authority.

Country	Body	End-user broadcasting licence fees (max level)	State budget	Spectrum fees	Authorisation/licence fees paid by broadcasters	Fines	Other fees, e.g., 'market surveillance fee' based on % of revenues of broadcasters (or other operators – e.g. in case of converged regulators)	Source
Malta	Broadcasting Authority	No	State funding €606,000	None	Yes 40% €244,000	Yes 4.7% €28,500	None	Audited Accounts as at December 31, 2009

Table 26 - Annual budget

This table shows who decides on the annual budget of the regulatory body and decides on adjustments to it as well as the extent to which the regulatory body is involved in these processes.

Country	Body	Who decides the annual budget?	Is the regulator involved in the process?	Rules on budget adjustment – who is involved in the process (e.g. parliament, government and/or industry) ?	De facto influence of third parties on budget amounts	Source
Malta	Broadcasting Authority	Parliament during Budget proceedings.	Yes. Budget proposals are made by the B.A.	Parliament and government	No	

Table 27 - Financial accountability – auditing

This table shows if the regulatory authority is subject to periodic financial auditing.

Country	Body	Is the regulatory body subject to periodic external auditing?					
		Yes/no	Periodicity	By national (state) audit office, etc.	Private audit firm	Other	Legal basis
Malta	Broadcasting Authority	Yes	Annual	Yes On demand by the Prime Minister	Yes Auditors appointed by B.A. have to be approved by the Prime Minister	Yes National Audit Office	Broadcasting Act, Art28(2)

VI. CHECKS AND BALANCES

Table 28 - Formal accountability

This table shows to whom the regulatory body is accountable to and through which means (e.g. reports, parliamentary questions).

Country	Body	Body accountable to		Accountability means	Legal basis
Malta	Broadcasting Authority	Parliament	Yes	Annual Report including External Audited Accounts	Broadcasting Act, Arts 28 and 30
		Government as a whole	No	N/A	N/A
		Specific ministers (e.g. Media, finance, etc.)	No	N/A	N/A
		Public at large	Yes	Full Annual Report is published on Authority's website.	Broadcasting Act, Art. 30(3)

Table 29 - Reporting obligation

This table is aimed at understanding the scope of the reporting obligation.

Country	Body	Report submitted to	Periodicity	Scope	Does statistical data need to be provided about own performance? Explain	Approval necessary?	Has a report been disapproved?	Link
Malta	Broadcasting Authority	Parliament	Annual	Operational, Financial, and Audiences	No	Yes	No	Broadcasting Act, Art. 30 www.ba-malta.org/annual_reports

Table 30 - Auditing of work undertaken

This table shows if the regulatory body is subject to periodic external auditing, either by a private or a national audit office.

Country	Body	Is body subject to periodic external auditing					
		Yes/no	Periodicity	By public authority	By private authority	Other	Legal basis
Malta	Broadcasting Authority	Yes	No fixed date	Yes	No	No	National Audit Office Act, 1997

Table 31 - Power to overturn/instruct

This table shows if (regardless of an appeal lodged against a decision) any other body can overturn the decisions of the regulator or give it instructions.

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
Malta	Broadcasting Authority	Does anybody have the power to overturn decisions of the regulator?	No	No	No	No	No	No information available

Country	Body			Ministry/Minister	Government	Parliament	Other	Source
		Does anybody have the power to give instructions to the regulatory body?	Yes	No	No	Yes	Yes The President of the Republic	Constitution of Malta, Article 118
		Are there limitations in the power to overturn (e.g. limited to legal supervision, which would exclude political supervision) ?	N/A	N/A	N/A	N/A	N/A	<i>No information available</i>
		Are there limitations in the power to give instructions (e.g. limited to legal instructions which exclude instructions on political grounds)?	Yes Limited to legal supervision only	N/A	N/A	Yes See first column	Yes See first column	<i>No information available</i>

Table 32 - Number of stages in appeal procedure

The following tables are concerned with the appeal procedure relating to decisions taken in relation to the enforcement of the rules listed in the AVMS directive (eg. non-compliance with quota requirements if binding, advertising, protection of minors, etc.). The stages include the internal stages.

Country	Body	Stage	Number of stages in appeal procedure and appeal body at each stage		Do internal procedures need to be followed before external recourse?	Who has the right to lodge an appeal?	Legal basis
Malta	Broadcasting Authority	Internal	1	<i>No information available</i>	Yes	<i>No information available</i>	<i>No information available</i>
		External	1	First Court			
			2	Appeals can be lodged even up to the Constitutional Court			

Table 33 - Does the regulator's decision stand pending appeal?

Country	Body	Does regulator decision stand pending appeal body decision?			
		Yes	No	Yes, unless appeal body suspends it	Other
Malta	Broadcasting Authority			√	N/A

Table 34 - Accepted grounds for appeal

Country	Body	Errors of fact	Errors of law (including failure to follow the due process)	Full re-examination	Other
Malta	Broadcasting Authority	√	√		N/A

Table 35 - Does the appeal body have power to replace the original decision with its own?

Country	Body	Appeal stage	Yes	No	Comments
Malta	Broadcasting Authority	1	√		<p>The Appeals Court has the power to annul/modify/confirm the decision of the First Court. If this is still not acceptable then recourse can be made to the Constitutional Court.</p> <p>The Republic of Malta has a two tier judicial system, having Superior and Inferior Courts. The Superior Courts are presided over by Judges and the Inferior Courts are presided over by Magistrates.</p> <p>Ref.: http://ec.europa.eu/civiljustice/legal_prof/legal_prof_mlt_en.htm</p> <p>The Superior Courts of Malta are:</p> <ul style="list-style-type: none"> • The Constitutional Court • The Court of Appeal • The Court of Criminal Appeal • The Civil Court • The Criminal Court <p>The only Court directly established by the Constitution is the Constitutional Court. The Courts competent to hear and decides cases dealing with civil and commercial law issues are established by the Code of Organisation and Civil Procedure (Chapter 12 of the Laws of Malta), whilst the Courts entrusted with trying of criminal law cases are set-up under the Criminal Code (Chapter 9 of the Laws of Malta).</p> <p>The Constitutional Court and the Courts of Appeal (both Criminal and Civil) in their Superior Jurisdiction are presided by the Chief Justice and two other judges, whilst all the other Superior Courts, including the Courts of Appeal (both Criminal and Civil) in their Inferior Jurisdiction are presided over by 1 judge.</p> <p>The Inferior Courts of Malta are known as the Court of Magistrates (Malta) and the Court of Magistrates (Gozo). These Courts are presided over by 1 Magistrate and an appeal from a decision given by this Court is to be lodged before the respective Court of Appeal in its inferior jurisdiction</p>

VII. PROCEDURAL LEGITIMACY

Table 36 - External advice regarding regulatory matters

This table shows if the regulatory body is able to take outside advice regarding regulatory questions.

Country	Body	Is a budget foreseen for outside advice?	If so, what is the budget/year?	Must the body respect public tender procedures?	Other requirements	Does the regulatory body de facto take external advice on a regular basis?
Malta	Broadcasting Authority	Yes	€582,356 minimum from Consolidated Fund/One year [Cap.350, Art.24] One year	Yes	Budget approved by the Prime Minister after consultation with the Minister responsible for finance.	Yes

Table 37 - Public consultations

This table shows if the regulatory authority is required to publish public consultations.

Country	Body	Which decisions require prior public consultation?	Requirements on who must be consulted? (e.g. broadcasters, consumer organisations, academics etc.)	Consultation period	Consultation responses published		Legal basis
					Full responses (if authorised by contributor)	Summaries prepared by regulator	
Malta	Broadcasting Authority	None	None	None			

Table 38 - Public consultations – figures

This table shows the number of public consultations that were organised by the regulatory body in the past five years, in the areas covered by the AVMS Directive.

Country	Body	Year	Number of public consultations
Malta	Broadcasting Authority	2009	1 - On Broadcast Distribution Services Regulation
		2008	3 On Media Concentration On Draft Broadcast Distribution Services Regulations and Cable Systems (General) (Amendment) Regulations, 2008 On General Interest Objectives
		2007	2 On list of Major Events On General Interest Objectives

Table 39 - Publication of regulator's decisions

This table shows if the regulatory authority is required to publish its decisions, if its decisions need to be motivated and if impact assessments are required.

Country	Body	Which decisions required by law to be published?	Obligation to motivate decisions? Legal basis?	Obligation to include/publish impact assessment? Legal basis?	
				Ex ante	Ex post
Malta	Broadcasting Authority	The Authority shall afford a fair and public hearing to both parties concerned. It shall give reasons for its decisions and it shall make its decisions public" [<i>Code for the Investigation and Determination of Complaints</i> ; Cap350.06, (13)]	Yes, see left column.	No	No

VIII. COOPERATION

Table 40 - Cooperation with other regulatory authorities

Country	Body	Describe the mechanism of cooperation with other bodies	Source and form of cooperation	Can body receive instructions from other bodies? If so, state which and explain	Comments
Malta	Broadcasting Authority	Broadcasting content is regulated by the Broadcasting Authority, while Broadcasting spectrum and platforms are regulated by the Malta Communications Authority			

Table 41 - International cooperation

Country	Body	Does it cooperate with other national regulatory bodies in EU and international fora?	Source and form of cooperation (legal basis)	Comments
Malta	Broadcasting Authority	Members of EPRA and the Mediterranean Network		Need never arose