



Commissioner for Standards in Public Life

CASE REPORT

Case no: K/008

Complaint: Misuse of public resources through the use of public funds for a minister's personal Facebook page.
(<https://www.facebook.com/konradmizzi/>)

Complainant: Hon. Dr Karol Aquilina

Complaint Date: 8 May 2019

Report date: 2 December 2019

The Complaint

1. By email of the 8 May 2019 (attached and marked Document A), the Hon Dr Karol Aquilina complained that:

- i.* On Sunday 5 May 2019 and the days thereafter, various advertisements originating from the official page of the Minister for Tourism Konrad Mizzi, showing the slogan and the logo of the Labour Party for the then upcoming European parliamentary elections and local council elections appeared on the Facebook social media site.
- ii.* As from the 8 May 2019 various paid advertisements started to appear showing Minister Mizzi's speech during the Labour Party General Conference.¹
- iii.* On the 18 February 2019 Minister Mizzi had replied to Parliamentary Question (PQ) no: 8796 during Parliamentary Sitting No: 198 and *inter alia* indicated that his official page as Minister for Tourism on the Facebook social media site accessible through the link

¹ The video recording could be accessed through the following link:
<https://facebook.com/konradmizzi/videos/815284708857299>



<https://www.facebook.com/konradmizzi/> is one of the pages administered by the Ministry for Tourism.

- iv. Consequently, it would appear that Minister Mizzi's official Facebook page that was administered by the Ministry for Tourism, and therefore by the public administration, was being used for partisan political purposes.
- v. In the opinion of the Complainant this conduct by Minister Mizzi amounted to:
 - a. a breach of a statutory obligation in that public funds and resources were being used for party political purposes in a manner that constituted a breach of the obligation of the state to treat political parties in the same manner. Reference was made to art 5 of the Financing of Political Parties Act (chapter 544 of the Laws of Malta) that stated that:

5. Political parties shall receive equal treatment by the State without prejudice to any law or regulation based on objective differences particularly those based on the size of the parties or which regulate the workings of the electoral process

- b. a breach of ethical duty as set out in the Code of Ethics for Ministers and Parliamentary Secretaries that was attached as the Second Schedule of the Standards in Public Life Act (chapter 570 of the Laws of Malta). In particular, by his conduct Minister Mizzi was breaching the following clauses of the Code:

4.9 Ministers shall keep their roles as Ministers and as Representatives separate, as well as their role as a member of a political party.

4.10 Ministers shall respect the principle of political impartiality of the public service.

2. The Complainant provided me with a copy of a video recording of a speech given by Minister Mizzi at the Labour Party General Conference (together with the relative transcript), that was uploaded on to Minister Mizzi's Facebook page (vide link in footnote 1 above).



Decision to Investigate

3. I decided that the Complaint warranted further investigation under the Act.

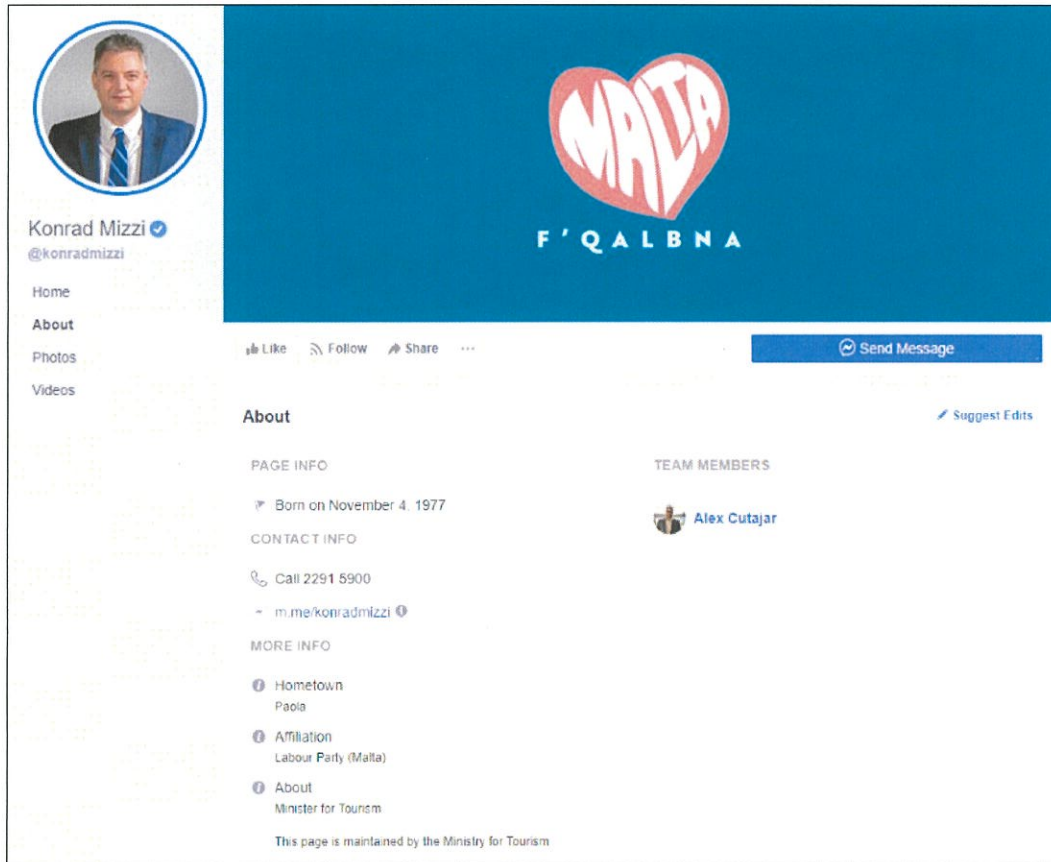
The Facts

4. In February 2019 Parliamentary Question no. 8796 requested Minister Mizzi to list “the Facebook pages, profiles and groups administered by the Ministry for Tourism and all the entities falling under it or by other persons or companies on behalf of the Ministry for Tourism and on behalf of all the entities that fall under it”. Minister Mizzi’s reply to this PQ, as given on 18 February 2019, included his Facebook page under the heading “Minister for Tourism Official Page”.

5. A sponsored post originating from Minister Mizzi’s Facebook page (that is to say an advertisement funded through and in connection with Minister Mizzi’s Facebook page, but appearing in the Facebook pages of other people who do not follow Minister Mizzi on Facebook) bore the statement “This page is maintained by the Ministry for Tourism”, as shown below. This screenshot was provided by the Complainant.



6. Inquiries by my office in May 2019 revealed that the statement “This page is maintained by the Ministry for Tourism” also appeared in the “About” section of Minister Mizzi’s Facebook page, as shown at the bottom of the screenshot below.



7. The same section listed Alex Cutajar as a “team member”, that is to say a person who maintained Minister Mizzi’s Facebook page.

8. Mr Cutajar’s own Facebook page gave his occupation as Head of Marketing and Communications at the Ministry for Tourism. Mr Cutajar’s official email account details indicated that this was a position in Minister Mizzi’s secretariat.

9. Early in the course of this investigation the statement “This page is maintained by the Ministry for Tourism” was removed from the “About” section in Minister Mizzi’s Facebook page, as was the listing of Mr Cutajar as team member.

10. Minister Mizzi’s Facebook page included posts of a political nature, such as his address to the Labour Party’s annual general conference in April 2019, and posts relating to his official duties as minister. An example of the latter is given below.



11. This post is noteworthy in that the image features the official logo of the Ministry for Tourism together with Dr Konrad Mizzi's own personal logo. Various other posts featured images using both logos. In addition, the image in this particular post is a computer-generated image of the kind commonly used for architectural design purposes.

12. The use of social media in the Public Service is regulated by means of a policy issued as OPM Circular no. 21/2015 on 14 December 2015. This policy addresses the use of personal social media by public servants and the use of official social media platforms on behalf of ministries or departments. However, it does not specifically address the use of social media by or on behalf of ministers.

13. Dr Konrad Mizzi resigned as Minister for Tourism on 26 November 2019 for reasons unconnected with this case.

Investigation Procedure

14. I wrote to Minister Mizzi on the 13 May 2019 (copy of letter attached and marked Document B) and referred him to the provisions that appeared relevant to the Complaint, namely art 5 of the Financing of Political Parties Act (chapter 544 of



the Laws of Malta) and art 4.9 and 4.10 of the Code of Ethics for Ministers and Parliamentary Secretaries that is attached as the Second Schedule of the Standards in Public Life Act (chapter 570 of the Laws of Malta).

15. On the 14 May 2019 I met the Hon Karol Aquilina and asked him to clarify some aspects of his complaint.

16. Minister Mizzi, through his lawyer Aron Mifsud Bonnici, replied by letter dated 23 May 2019 (copy attached and marked Document C) wherein he rebutted the allegations and made the submissions reproduced under the heading Written Submissions, below.

17. I wrote to Minister Mizzi again on the 3 June 2019 (Document D) requesting him to explain why:

- On the 18 February 2019 he had replied to a parliamentary question regarding the Facebook pages that are administered by the Ministry for Tourism and the entities that fall under its responsibility and the reply included the page entitled “Minister for Tourism Official Page”.
- The page in question at the time of writing still bore the text “This page is maintained by the Ministry for Tourism” (see paragraph 6 above).

18. In light of these two observations and the Minister’s claim that the sponsored posts were paid through private funds, I requested evidence that the sponsored posts that were not related to his ministerial work were paid through private funds.

19. Minister Mizzi replied by letter of the 28 June 2019 (Document E), contents of which are reproduced below. The letter included as attachments an invoice for the services described therein together with the relative receipt of payment.

20. On the 30 July 2019 I met with Minister Mizzi who was accompanied by his lawyer Dr Aron Mifsud Bonnici and invited him to explain his position further. I was accompanied by the Director General in my office, Charles Polidano.

21. On the 10 October 2019 I wrote to the Principal Permanent Secretary to enquire whether there existed a policy on the use of social media other than that issued by circular on the 14 December 2015. The Principal Permanent Secretary replied that the only guidelines in the public service were those referred to in my said email (exchange of correspondence attached as Document F).



Written Submissions

22. In reply to the Complaint, the Minister's lawyer formally submitted (on the 23 May 2019) that:

"The page in question belongs to Dr Konrad Mizzi. Since Dr Mizzi currently occupies the post of Minister for Tourism the page essentially reflects his activity as a Minister for Tourism and whenever there is an activity related to his ministerial work or his public life, as Minister for Tourism, the page would be administered by the public relations team in the ministry.

However, the page has continued to be owned by Dr Mizzi, so much so that if one were to search on Facebook the page would come up following a search for Dr Mizzi and not for Minister for Tourism. The page could therefore include a number of posts that would not be related to government work but to the political life of Minister Mizzi himself. Some posts could also be sponsored posts in which case however they would not be administered or paid for by the Ministry for Tourism or from public funds but would have been paid from private funds.

The posts mentioned in the complaint are precisely posts that relate to such type of cases where they would have been put up privately and also paid for privately because they are related to the electoral campaign of the Labour Party and not with the ministry's work.

As regards the screen shot in question, this seems to be entirely due to the pagination system of Facebook in case of the cover image. It seems that the electoral logo of the Labour Party 'Malta f'qalbna' was placed instead of another cover image relating to the ministerial work and the Facebook system left the caption of the previous photograph. This caption was removed manually once this fact was brought to the attention of the public relations team of my client.

Dr Mizzi therefore submits that there was no breach of the provisions of the financing of the Political Parties Act in that there was no financing of the Labour Party from public funds.

Furthermore, the complaint is not justified in alleging a breach of articles 4.9 and 4.10 of Chapter 570. Dr Mizzi keeps his functions as a minister separate from that of a member of Parliament and member of a political party. The rules of the code of Ethics do not mean that a politician is precluded from showing his government work on the Facebook page that bears his name. The practice that politicians



occupying a public role show their ministerial work on their own social media pages exists worldwide”.

Considerations

23. The principle that is at issue here relates to the crossing of the fine line dividing the role of minister and that of a politician through the use of public funds and resources in the management of a minister’s personal Facebook page and the addition of content to that page. The role of minister is a public role and that of politician is a private role. The principle that needs to be reinforced is that irrespective of the public role one occupies, public funds should not finance the private role and that the two roles are to be kept separate and distinct, difficult as this may appear to some.

24. The Complaint is based on the premise that the Facebook page in question is administered by the Ministry and that this page includes party political posts. However Minister Mizzi claims the page as his own. In either case the use of public resources to manage the page or create content for it gives rise to concerns from an ethical point of view.

25. If the page belonged to the Ministry rather than to the Minister then one could argue that the page is being financed/administered by public funds in order to promote Minister Mizzi and his political party, whereas if the page belongs to Minister Mizzi then one can argue that the support consisting in “administration” by the Ministry as well as any other support given is equally wrong in that public resources are being utilised for the benefit of a politician and his partisan interests.

26. This issue becomes particularly important in connection with the funding of sponsored posts (a form of advertisement) to promote the page, and the use of official resources to develop content for dissemination through the page. Even if the sponsored posts and the content so developed relate to a minister’s official duties, publicising those posts and disseminating that content through the minister’s personal Facebook page represent the use of public resources for his or her personal advantage. Official content should be disseminated first and foremost through official channels, even if links to the same content are subsequently included in the minister’s own Facebook page.

27. Therefore, the first issue to consider is whether the Facebook page in question “belongs” to Minister Mizzi as is alleged by the Minister concerned, or to the



Ministry for Tourism as alleged by the Complainant on the basis of the Minister's reply to the PQ referred to above and the statement appearing in the page itself.

28. On the basis of the evidence available, I am willing to accept Minister Mizzi's version that the Facebook page in question is the Minister's own private page and that the inclusion of the text "administered by the Ministry for Tourism", as well as his reply to the PQ listing that the Facebook page is administered by the Ministry for Tourism, were the result of mistakes. **However, such mistakes are evidence of an unduly casual attitude towards the distinction between the public role and the private role of politicians.**

29. I am not stating that this is what has resulted in the case under investigation, rather I am stating that **this case is evidence of the blurring of the line between private campaign and public role and the failure to avoid crossing it.** This Complaint has shown that the individuals responsible for the Minister's social media account assumed that the page was administered by the ministry and the ministry officials thought it was acceptable for government sponsored posts to be supporting their minister's private Facebook page. Moreover, they went as far as to include that page under the ministry's list of administered pages in reply to a PQ.

30. The PQ in question is not the only instance in which Minister Mizzi's Facebook page was described as being administered by the ministry. On 19 July 2018 the website Lovin Malta reproduced a statement from ministry saying "*Kindly be informed that a public page for the initiatives of Minister Konrad Mizzi is administered by the Ministry for Tourism*" ... "*The Facebook page is a legitimate and cost-effective channel for dissemination of information of public interest. Only posts related to public activities may be promoted through public funds*".²

31. A minister's "official page", as it was described in the reply to the PQ, is a misnomer and only adds to the muddle. The use of the word "official" gives the perhaps unintended impression that the page includes only information related to the minister's official duties, when it also typically includes information on his political activities as well as that of the political party that he belongs to. A minister's personal Facebook page ought to be kept distinct from that of the ministry and ideally officers of the ministry should not contribute in any way to the administration of the page in question.

² <https://lovinmalta.com/news/its-official-your-taxes-are-paying-for-konrad-mizzi-to-boost-posts-on-his-facebook-page/>



32. I have no doubt that this is the result of too much familiarity verging on the incestuous.

Conclusions

33. As regards the allegation that the Ministry may have sponsored the posts relating to Minister Mizzi's speech at the Labour Party General Conference, as well as posts relating to the Labour Party's electoral campaign, the invoices that were presented to me show that the said posts were paid for by Minister Mizzi's campaign team (Team Konrad). Once the adverts were paid by Team Konrad one cannot conclude that there was a breach of the provisions of the Financing of the Political Parties Act, as one cannot conclude there was financing of the Labour Party from public funds.

34. In any event this is a matter that could be looked into by the Auditor General in the course of the audit exercise of the Ministry's financial statements.

35. It is stressed that ministers should avoid using ministry resources to produce material for their own social media accounts, even if such material is directly related to their ministerial work. It is one thing adding a link to, say, an activity that was filmed using publicly funded resources and disseminated through other channels, and quite another to use public funds to produce a feed for an activity exclusively for the purpose of including it in the minister's personal Facebook page.

36. For instance, I do not share the position taken by the Minister as expressed in the first paragraph of his submissions that "*whenever there is an activity related to his ministerial work or his public life, as Minister for Tourism, the page would be administered by the public relations team in the ministry*". This view was also expressed by Minister Mizzi to Lovin Malta by means of the statement quoted above. This statement appears to confirm that public funds were being used to generate content for a personal Facebook page. This issue will be considered specifically in another report.

37. Minister Mizzi argues that "*the rules of the code of Ethics do not mean that a politician is precluded from showing his government work on the Facebook page that bears his name. The practice that politicians occupying a public role show their ministerial work on their own social media pages exists worldwide*". This of course is correct. However, to this one must add that a minister should not use ministerial resources to do so.



38. In the spirit of improving standards in public life and the avoidance of the perception that non-government professional work is being cross-financed by funds used for official promotional services of a ministry I recommend that one should avoid a situation in which service providers for the ministry are the same service providers supplying services to a minister in his/her personal capacity.

39. To a large extent the uncertainty is caused by the lack of a policy on the use of social media. A circular issued on the 14th December 2015 refers to use of social media but fails to provide any guidance on this matter, where great care is to be exercised not to confuse the public and the private activities of public functionaries.

40. Incidentally, this is not the only complaint relating to alleged improper use of social media by Ministers that has been reported to me. As mentioned above, I shall be concluding another report wherein, in the absence of a specific policy, I shall enunciate the principles on the use of social media that should guide me, as well as ministers and parliamentary secretaries, on the interpretation of articles 4.9 and 4.10 of the code of ethics in so far as use of social media is concerned.

41. My intention was to conclude this case under article 22(5) of the Standards in Public Life Act, whereby I can propose a remedy to the person investigated and I can close the case if that person accepts the remedy and implements it. The remedy would have involved the Minister formally acknowledging that the use of ministerial resources for his Facebook page constituted a *prima facie* breach of the relevant provisions of the code of ethics and instructing his personnel to be more aware of the distinction between his role as Minister for Tourism and his role as a politician. This has now been superseded by the Minister's resignation on 26 November 2019.

42. While the Minister's resignation is unrelated to this case, it does resolve the case in that the subject of the Complaint is no longer in a position to engage in the conduct that gave rise to it. In this sense a remedy of the breach of ethics which this case represents has been effected, and on this basis I am considering the case closed in terms of article 22(5) of the Act.

43. The complaint under consideration here specifically concerns Minister Konrad Mizzi and wider issues will be addressed in a subsequent report.



44. A copy of this report is being given to the Complainant, to former minister Konrad Mizzi, and to the Auditor General. It is also being submitted for information purposes to the Standing Committee for Standards in Public Life.



Dr George-Marius Hyzler

Commissioner for Standards in Public Life



Documents Attached:

- Document A Complaint by email from Dr Karol Aquilina dated 8th May 2019
- Document B Commissioner's letter to Minister Mizzi of the 13th May 2019
- Document C Reply from Dr Aron Mifsud Bonnici dated 23rd May 2019
- Document D Commissioner's letter to Minister Mizzi of the 3rd June 2019
- Document E Reply from Dr Aron Mifsud Bonnici dated 28th June 2019
- Document F Exchange of email correspondence with Principal Permanent Secretary

8 ta' Meju 2019

Dott. George Hyzler
Kummissarju għall-iStandards fil-Ħajja Pubblika
11, Triq San Pawl,
Il-Belt Valletta VLT 1210

Għażiż Dott. Hyzler,

Qiegħed niktiblek bħala Membru Parlamentari sabiex inressaq ilment dwar il-Ministru Konrad Mizzi u l-użu tal-paġna uffiċjali tiegħu bħala Ministru għat-Turiżmu fuq is-sit soċjali Facebook li tinsab fl-indirizz <https://www.facebook.com/konradmizzi>.

Matul il-jiem li għaddew u b'mod partikolari minn nhar il-Ħadd 5 ta' Meju 2019 u fil-jiem ta' wara, fuq is-sit soċjali Facebook dehru diversi reklami bi hlas (*ads*) li originaw mill-paġna uffiċjali tal-Ministru għat-Turiżmu Konrad Mizzi u li kienu juru l-islogan u l-logo tal-Partit Laburista għall-elezzjonijiet tal-Parlament Ewropew u dawk tal-Kunsilli Lokali li ser isiru nhar is-Sibt 25 ta' Meju 2019, kif jidher mill-*screenshot* t'hawn taħt:



Mil-lum l-Erbgħa 8 ta' Meju 2019 bdew jidhru wkoll reklami bi hlas (*ads*) li jinkludu filmat ta' diskors li l-Ministru Konrad Mizzi għamel waqt il-Konferenza Generali Annwali tal-Partit Laburista li saret nhar il-Ġimgħa 26 ta' April 2019 fiċ-Ċentru Nazzjonali Laburista fil-Ħamrun kif jidher mill-*screenshot* t'hawn taħt:

KAROL AQUILINA



Dan il-filmat huwa aċċessibbli permezz ta' din il-link:
<https://www.facebook.com/konradmizzi/videos/815284708857299/>

Nhar it-8 ta' Frar 2019 jiena pprezentajt mistoqsija parlamentari (numru 8796) li kienet taqra hekk:

"Jista' l-Ministru jwieġeb il-mistoqsija parlamentari 8271 u jgħid liema huma l-paġni, profili u gruppi fuq Facebook li huma amministrati mill-Ministeru għat-Turiżmu u mill-entitajiet kollha li jaqgħu tahtu jew minn persuni oħra jew kumpaniji f'isem il-Ministeru għat-Turiżmu u f'isem l-entitajiet kollha li jaqgħu tahtu? Jista' l-Ministru jagħti l-isem tal-imsemmija paġni, profili u gruppi u jindika għal kull wiehied minnhom il-Uniform Resource Locator (URL) tagħhom?"

Il-Ministru Konrad Mizzi wieġeb din il-mistoqsija parlamentari waqt is-seduta numru 198 ta' nhar it-18 ta' Frar 2019 u fost oħrajn indika li l-paġna uffiċjali tiegħu bħala Ministru għat-Turiżmu fuq is-sit soċjali Facebook u li tinsab fl-indirizz <https://www.facebook.com/konradmizzi/> hija waħda mill-paġni amministrati mill-Ministeru għat-Turiżmu.

Kopja tal-mistoqsija parlamentari u tat-twegiba mogħtija mill-Ministru Konrad Mizzi tinsab meħmuża ma' din l-ittra. *Red 1A*

Għalhekk jirriżulta li l-paġna uffiċjali tal-Ministru Konrad Mizzi fuq is-sit soċjali Facebook u li hija amministrata mill-Ministeru għat-Turiżmu u għalhekk mis-servizz pubbliku, intużat u qiegħda tintuża għal skopijiet politiċi partiġġjani.

Fil-fehma tiegħi dan l-aġir tal-Ministru Konrad Mizzi jammonta għal ksur tad-dmirijiet statutorji in kwantu qed isir użu minn fondi u riżorsi pubbliċi għal skopijiet politiċi b'mod li jikser l-obbligu pożittiv tal-Istat li jitratta l-partiti politiċi b'mod ugwali. F'dan ir-rigward nagħmel referenza għal dik li jipprovdi l-artikolu 5 tal-Att dwar il-Finanzjament tal-Partiti Politiċi (Kap. 544 tal-Liġijiet ta' Malta) u ċjoè:

KAROL AQUILINA

5. Il-partiti politiċi għandhom jirċievu trattament ugwali mill-Istat mingħajr preġudizzju għal kwalunkwe liġi jew regolament ibbażat fuq differenzi oġġettivi partikolarment rigward id-daqs tal-partiti jew li jirregolaw it-thaddim tal-proċess elettorali.

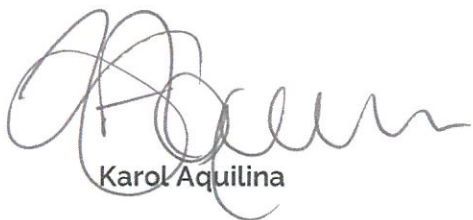
L-aġir tal-Ministru Konrad Mizzi jammonta wkoll għal ksur tad-dmirijiet etiċi kif imnizzla fil-Kodiċi għall-Ministri u s-Segretarji Parlamentari li kif żgur taf jinsab fit-Tieni Skeda tal-Att dwar Standards fil-Hajja Pubblika (Kap. 570 tal-Liġijiet ta' Malta). B'mod partikolari bl-aġir tiegħu l-Ministru Konrad Mizzi kiser u qed jikser dawn l-artikoli tal-Kodiċi:

4.9 Il-Ministri għandhom iżommu separati r-rwoli tagħhom bħala Ministri u bħala Deputati, kif ukoll ir-rwol tagħhom bħala membru ta' partit politiku.

4.10 Il-Ministri għandhom jirrispettaw il-prinċipju tal-imparzjalità politika tas-servizz pubbliku.

Għaldaqstant filwaqt li qiegħed inressaq dan l-ilment għall-konsiderazzjoni tiegħek, ġentilment nitolbok twettaq investigazzjoni u tasal għal dawk il-konklużjonijiet u tagħmel dawk ir-rakkomandazzjonijiet li jidhirlek li jkunu xierqa f'dan il-każ. Jiena nibqa' fi kwalunkwe hin u ċirkostanzi dispost li nipprovdik bl-informazzjoni u bl-ispjegazzjonijiet li tista' tkun meħtieġ.

Inselli għalik,



Karol Aquilina

Legiżlatura

XIII

Kategorija

ORAL

Mistoqsija Numru:

8796

Data:

08/02/2019

Seduta:

198 - 18/02/2019 04:00 PM

Seduta *Interim*:

-

Titlu:

Ministeru għat-Turiżmu - paġni, profili u gruppi fuq Facebook

L-Onorevoli KAROL AQUILINA staqsa lill-Onorevoli **KONRAD MIZZI** (Ministru għat-Turiżmu):

Jista' l-Ministru jwieġeb il-mistoqsija parlamentari **8271**

(<http://pq.gov.mt/PQWeb.nsf/7561f7daddf0609ac1257d1800311f18/c1257d2e0046dfa1c125839300398bf3!OpenDocument>)

u jgħid liema huma l-paġni, profili u gruppi fuq *Facebook* li huma amministrati mill-Ministeru għat-Turiżmu u mill-entitajiet kollha li jaqgħu taħtu jew minn persuni oħra jew kumpaniji f'isem il-Ministeru għat-Turiżmu u f'isem l-entitajiet kollha li jaqgħu taħtu? Jista' l-Ministru jagħti l-isem tal-imsemmija paġni, profili u gruppi u jindika għal kull wieħed minnhom il-*Uniform Resource Locator* (URL) tagħhom?

Tweġiba:

Dawn huma il-*Uniform Resource Locator* (URL) mitluba:

Grand Harbour Regeneration Corporation:

<https://www.facebook.com/Grand-Harbour-Regeneration-Corporation/>

(<https://www.facebook.com/Grand-Harbour-Regeneration-Corporation/>)

Institute of Tourism Studies:

<https://www.facebook.com/ITSMalta/> (<https://www.facebook.com/ITSMalta/>)

<https://www.facebook.com/ITSAumni/> (<https://www.facebook.com/ITSAumni/>)

<https://www.facebook.com/thevoyagerrestaurant/> (<https://www.facebook.com/thevoyagerrestaurant/>)

<https://www.facebook.com/Runwayaculinaryjourney/>

(<https://www.facebook.com/Runwayaculinaryjourney/>)

<https://www.facebook.com/The-Apron-Grab-Go/> (https://www.facebook.com/The-Apron-Grab-Go/)

Malta Air Traffic Services:

<https://www.facebook.com/MaltaAirTraffic/> (https://www.facebook.com/MaltaAirTraffic/)

Mediterranean Conference Centre:

<https://www.facebook.com/MaltaMCC/> (https://www.facebook.com/MaltaMCC/)

Malta Film Commission:

<https://www.facebook.com/MaltaFilmCommission/>
(https://www.facebook.com/MaltaFilmCommission/)

Malta Film Fund:

<https://www.facebook.com/MaltaFilmFund/> (https://www.facebook.com/MaltaFilmFund/)

Malta Film Studios:

<https://www.facebook.com/MaltaFilmStudios/> (https://www.facebook.com/MaltaFilmStudios/)

Malta Tourism Authority:

<https://www.facebook.com/visitmalta> (https://www.facebook.com/visitmalta)

<https://www.facebook.com/visitmaltauk> (https://www.facebook.com/visitmaltauk)

<https://www.facebook.com/visitmaltait> (https://www.facebook.com/visitmaltait)

<https://www.facebook.com/visitmaltafr> (https://www.facebook.com/visitmaltafr)

<https://www.facebook.com/visitmaltade> (https://www.facebook.com/visitmaltade)

<https://www.facebook.com/MooiMalta> (https://www.facebook.com/MooiMalta)

<https://www.facebook.com/visitmaltaes> (https://www.facebook.com/visitmaltaes)

<https://www.facebook.com/visitmaltarus> (https://www.facebook.com/visitmaltarus)

<https://www.facebook.com/visitmaltaus> (https://www.facebook.com/visitmaltaus)

<https://www.facebook.com/VisitMaltaNordic> (https://www.facebook.com/VisitMaltaNordic)

<https://www.facebook.com/VisitMaltaCZ> (https://www.facebook.com/VisitMaltaCZ)

<https://www.facebook.com/VisitMaltaPL> (https://www.facebook.com/VisitMaltaPL)

<https://www.facebook.com/MTAMalta> (https://www.facebook.com/MTAMalta)

<https://www.facebook.com/maltafireworks> (https://www.facebook.com/maltafireworks)

<https://www.facebook.com/maltachoirfest> (https://www.facebook.com/maltachoirfest)

<https://www.facebook.com/InGuardiaParade> (https://www.facebook.com/InGuardiaParade)

<https://www.facebook.com/maltagoesruralapp> (https://www.facebook.com/maltagoesruralapp)

Minister for Tourism Official Page:

<https://www.facebook.com/konradmizzi/> (https://www.facebook.com/konradmizzi/)

Projects Malta Limited:

<https://www.facebook.com/Projects-Malta> (https://www.facebook.com/Projects-Malta)

Dokumenti annessi mal-mistoqsija:

Dokumenti mqiegħda fuq il-Mejda tal-Kamra:

Dokumenti annessi mar-risposta:

L-añhar bidla: 18/2/2019 05:20:10 PM - PQ ID 12DE3A2B273E89B5C125839B00443361



Kummissarju għall-Istandards fil-Ħajja Pubblika

13 ta' Mejju 2019

L-Onor. Dott. Konrad Mizzi
Ministru għat-Turiżmu
233 Triq ir-Repubblika
Il-Belt Valletta VLT 1116

Bil-posta u bl-email fl-indirizz: konrad.mizzi@gov.mt

Ministru,

Ilment K/008

Irċevejt ilment dwar is-sit uffiċjali tiegħek fuq Facebook li hija amministrata mill-Ministeru għat-Turiżmu.

L-awtur tal-ilment qed jallega li f'dan is-sit qed jittella' kontenut ta' natura politika partigġjana, u li dan jirrappreżenta ksur tal-artikolu 5 tal-Att dwar il-Finanzjament tal-Partiti Poliċi (kap. 544 tal-ligijiet ta' Malta) kif ukoll il-paragrafi 4.9 u 4.10 tal-Kodiċi ta' Etika għall-Ministri li jinsab fit-tieni skeda tal-Att dwar Standards fil-Ħajja Pubblika (kap. 570).

Kopja tal-ilment hija mehmuża ma' din l-ittra.

Inti ġentilment mitlub tissottometti l-veduti tiegħek dwar l-ilment sa mhux aktar tard mill-Ġimgħa, 24 ta' Mejju 2019.

Inselli għalik,

George Marius Hyzler
Kummissarju għall-Istandards fil-Ħajja Pubblika



23 ta' Mejju 2019

Dr George Hyzler
Commissioner for Standards in Public Life
11 St Paul Street
Valletta VLT1211

Għażiż Dr Hyzler,

Qiegħed nikteb għan-nom ta' Dr Konrad Mizzi.

Nirreferi għall-ittra tiegħek tat-13 ta' Mejju 2019 indirizzata lill-klijent tiegħi, fejn infurmajtu li kien hemm ilment mill-Onor. Karol Aquilina dwar il-paġna tiegħu fuq Facebook.

Il-klijent tiegħi ma jaqbilx mal-kontenut tal-ilment u jinformat bis-segwenti:

Il-paġna in kwistjoni hija ta' Dr Konrad Mizzi. Peress li preżentement Dr Mizzi jokkupa kariga ministerjali, il-paġna essenzjalment tirrifletti l-attività tiegħu bħala Ministru għat-Turiżmu, u meta jkun hemm attività relatata max-xogħol ministerjali u mal-ħajja pubblika tal-Ministru Konrad Mizzi bħala Ministru responsabbli mill-Ministeru għat-Turiżmu, din tkun amministrata mit-team tal-public relations fil-Ministeru.

Din il-paġna baqgħet però ta' Dr Konrad Mizzi, tant li titla' fis-search ta' Facebook meta wieħed ifittex għal Konrad Mizzi, mhux meta wieħed ifittex għall-Ministeru għat-Turiżmu. Jista' jkollha għalhekk numru ta' *posts* li mhumiex relatati ma' xogħol tal-Gvern iżda mal-ħajja politika ta' Dr Mizzi innifsu. Xi *posts* bħal dawn jistgħu ukoll ikunu rriklamati (sponsored posts), iżda f'dan il-każ ma jkunux amministrati jew imħallsin mill-Ministeru għat-Turiżmu jew minn fondi pubbliċi iżda minn fondi privati.

Il-*posts* imsemmija fl-ilment huma propju *posts* li jirrelataw għal dawn it-tip ta' każijiet, fejn ġew imtelligħin b'mod privat u mħallsin ukoll b'mod privat għaliex għandhom x'jaqsmu mal-kampanja tal-Partit Laburista u mhux max-xogħol tal-Ministeru.

Għar-rigward tal-iscreen shot in kwistjoni, dan jidher li hu għal kollox dovut għas-sistema tal-impaginar ta' Facebook fil-każ tar-ritratt prinċipali ta' paġna (cover image). Jidher li l-logo elettorali tal-Partit Laburista "Malta f'Qalbna" tpoġġa minflok *cover image* oħra dwar ix-xogħol ministerjali, u s-sistema tal-Facebook ħalliet il-caption tar-ritratt preċedenti. Din il-caption tneħħiet manwalment wara li dan il-fatt ġie għall-attenzjoni tat-team tal-public relations tal-klijent tiegħi.

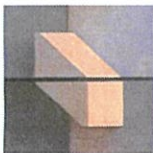
Dr Mizzi għalhekk jissottometti li ma hemm ebda ksur tal-Att dwar il-Finanzjament tal-Partiti in kwantu ma kien hemm ebda finanzjament tal-Partit Laburista minn fondi pubbliċi.



Barra minn hekk, l-ilment mhux ġustifikat fejn jallega ksur tal-artikoli 4.9 u 4.10 tal-Kap. 570. Dr Mizzi jzomm separat il-funzjoni tiegħu ta' Ministru minn dik ta' Deputat Parlamentari u membru ta' partit politiku. Ir-regoli tal-Kodiċi tal-Etika ma jfissrux li xi politiku huwa prekluz mill-iżjoni x-xogħol governattiv tiegħu fuq il-paġna ta' Facebook li ġġib ismu. Din hija prassi li teżisti fid-dinja kollha, fejn politiċi f'karigi pubbliċi jesponu x-xogħol Ministerjali tagħhom fuq paġni ta' *social media* tagħhom.

Dejjem tiegħek,

Aron Mifsud Bonnici
Mifsud Bonnici Advocates



Kummissarju għall-Istandards fil-Ħajja Pubblika

3 ta' Ġunju 2019

L-Onor. Dott. Konrad Mizzi
Ministru għat-Turiżmu
233 Triq ir-Repubblika
Il-Belt Valletta VLT 1116

Bl-email fl-indirizz: konrad.mizzi@gov.mt
B'kopja lil Dott. A Mifsud Bonnici fl-indirizz: info@mb.com.mt

Ministru,

Ilment K/008

Nirreferi għall-ittra tiegħi tat-13 ta' Mejju 2019 u r-risposta tat-23 ta' Mejju 2019 tal-Avukat Aron Mifsud Bonnici f'ismek.

Ħadt nota tad-dikjarazzjoni fl-ittra tal-Avukat Mifsud Bonnici li l-paġna in kwistjoni fuq Facebook hija tiegħek personali. Għaldaqstant inti mitlub tikkjarifika kif:

- Fit-18 ta' Frar 2019 inti wegibt mistoqsija parlamentari dwar il-paġni fuq Facebook li huma amministrati mill-Ministeru għat-Turiżmu u l-entitajiet li jaqgħu tahtu. It-twegiba tiegħek inkludiet il-paġna in kwistjoni taht it-titolu "Minister for Tourism Official Page". Ara l-ilment tat-8 ta' Mejju 2019.
- Il-paġna in kwistjoni għadha ġgib il-kliem "This page is maintained by the Ministry for Tourism".

Fid-dawl ta' dawn iż-żewġ osservazzjonijiet, inti mitlub ukoll tagħtini provi li sponsored posts li ma kenux relatati ma' xogħol tal-Gvern tħallsu minn fondi privati.

Inselli għalik,



George Marius.Hyzler
Kummissarju għall-Istandards fil-Ħajja Pubblika



28 ta' Ġunju 2019

Dr George Hyzler
Commissioner for Standards in Public Life
11 St Paul Street
Valletta VLT1211

Għażiż Dr Hyzler,

Re: Ilment K/008

Qiegħed nikteb għan-nom ta' Dr Konrad Mizzi b'referenza għall-ittra tiegħek tat-3 ta' Ġunju 2019.

B'referenza għall-mistoqsija tiegħek, huwa korrett li l-paġna www.facebook.com/konradmizzi hija nkluża fost il-lista ta' paġni amministrati mill-Ministeru tat-Turiżmu peress li Dr Mizzi preżentement jokkupa l-kariga ta' Ministru għat-Turiżmu u l-attivitajiet prinċipali tiegħu huma marbuta max-xogħol tiegħu f'dik il-mansjoni, li għalhekk jeħtieġu koordinazzjoni mal-messaġġ ta' komunikazzjoni tal-Ministeru. Peress li din il-paġna ġġib ismu personali bħala politiku, l-attivitajiet personali tiegħu huma dejjem rapportati f'posts separati minn dawk amministrati mill-Ministeru, u huma għalhekk amministrati separatament. Peress li facebook jaħdem fuq bażi ta' posts individwali li jidhru fuq il-"wall" tal-utenti tal-platform, huwa possibbli li l-posts ikunu amministrati separatament, u, fejn dawn ikunu bi ħlas, jithallsu separatament.

B'referenza għat-tieni mistoqsija tiegħek, nirreferik għall-ittra tiegħi tat-23 ta' Mejju 2019 dwar is-sistema tal-impaginar ta' Facebook, u l-kwistjoni tal-*cover image*. Il-kliem "This page is maintained by the Ministry for Tourism" kien marbut ma' *cover image* dwar it-turiżmu li, meta ġiet sostitwita permezz tal-għażla "replace cover page", baqa' hemm. Din tneħħiet mal-ewwel opportunità wara li t-team tal-public relations tal-klijent tiegħi induna.

Kif mitlub minnek, qiegħed nannetti kopja tal-fattura u riċevuta relattiva għar-reklamar.

F'każ li teħtieġ kjarifiċi ulterjuri, ġentilment nitolbok li tkun skedata laqgħa għal dan il-għan biex ikun magħluq dan l-ilment.

Dejjem tiegħek,

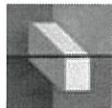
Aron Mifsud Bonnici
Mifsud Bonnici Advocates

Charles Polidano - Office of the Commissioner for Standards in Public Life

From: George Hyzler - Office of the Commissioner for Standards in Public Life
Sent: Monday, 14 October 2019 17:19
To: Charles Polidano - Office of the Commissioner for Standards in Public Life
Subject: FW: [EXTERNAL] - K008

From: George Hyzler - Office of the Commissioner for Standards in Public Life
Sent: Monday, October 14, 2019 5:19 PM
To: Office of the Principal Permanent Secretary at OPM <pps@gov.mt>
Subject: RE: [EXTERNAL] - K008

Principal Permanent Secretary.
Thank you for your email below.
Contents are duly noted.
Regards,



Dr George Marius Hyzler
Commissioner for Standards in Public Life

11 St Paul Street, Valletta VLT 1210, Malta
+356 27 269 593 www.standardscommissioner.com

From: Office of the Principal Permanent Secretary at OPM <pps@gov.mt>
Sent: Monday, October 14, 2019 5:18 PM
To: George Hyzler - Office of the Commissioner for Standards in Public Life
<commissioner@standardscommissioner.com>
Subject: RE: [EXTERNAL] - K008

Commissioner,

Thank you for your email.

I can confirm that the only guidelines on social media in the public service are given through the circular referred to in your email.

Thanks and regards

Mario Cutajar
Principal Permanent Secretary and Cabinet Secretary

t +356 22001489 e mario.cutajar@gov.mt | www.opm.gov.mt
Kindly consider your environmental responsibility before printing this e-mail

OFFICE OF THE PRIME MINISTER
AUBERGE DE CASTILLE, VALLETTA, MALTA

From: George Hyzler - Office of the Commissioner for Standards in Public Life
<commissioner@standardscommissioner.com>
Sent: 10 October 2019 16:28
To: Office of the Principal Permanent Secretary at OPM <pps@gov.mt>
Subject: [EXTERNAL] - K008

Principal Permanent Secretary

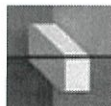
At a meeting held at my office a few months ago we had touched upon and discussed the issue of use of social media by Ministers and Parliamentary Secretaries.

I am aware that a policy on the use of social media was issued on 14 December 2015 by means of OPM Circular 21/2015, although this does not specifically address the issue mentioned above.

Could you kindly confirm whether this circular and the documents annexed to it are the only guidelines on use of social media issued by the government?

Please ignore previous (identical) email sent from my private email address.

Regards,



Dr George Marius Hyzler
Commissioner for Standards in Public Life

11 St Paul Street, Valletta VLT 1210, Malta
+356 27 269 593 www.standardscommissioner.com