

FINAL
Examination Paper

(COVER PAGE)

Session : April 2019

Programme : Diploma In Mass Communication (DMCN)

Course : **COM1104: Media Law And Ethics**

Date of Examination : 29 July, 2019 (Monday)

Time : 11.00am – 1.00pm Reading Time : Nil

Duration : 2 Hours

Special Instructions :

SECTION A: Answer any **FIFTEEN (15)** terms

SECTION B: Answer any **THREE (3)** short answer questions

SECTION C: Answer any **TWO (2)** essay questions

Materials permitted : Nil

Materials provided : Nil

Examiner(s) : **Siti Baqiratul Zahraa Binti Mohd Rahim and**
Zakiah Abul Khassim

Moderator : Dr Tan Seng Teck

This paper consists of 4 printed pages, including the cover page

DIPLOMA IN MASS COMMUNICATION PROGRAMME (DMCN)
COM1104: MEDIA LAW AND ETHICS
FINAL EXAMINATION: APRIL 2019 SESSION

Instruction: This paper consists of **THREE (3) SECTIONS**. Answer any **FIFTEEN (15)** questions in **SECTION A**, any **THREE (3)** questions in **SECTION B** and any **TWO (2)** questions in **SECTION C**.

SECTION A: (30 marks)

Instruction: Defining Terms. This section contains **TWENTY (20) TERMS**. Define **FIFTEEN (15)** terms out of the **TWENTY (20)**. All questions carry equal marks of 2 marks each.

1. Ultra Vires
2. Public Law
3. Plaintiff
4. Altschull's Second Law of Journalism
5. Communications and Multimedia Content Forum of Malaysia
6. Beyond Reasonable Doubt
7. Social Responsibility Theory
8. Alibi
9. Hearsay evidence
10. Peaceful Assembly Act 2010
11. Concurrent sentence
12. Assault
13. Mareva Injunction
14. Indecency
15. Mediation
16. Computer Crimes Act 1997
17. Contempt of Court
18. Malice
19. Democracy
20. Fair Comment

SECTION B: (30 marks)

Instruction: Answer any **THREE (3)** out of **FIVE (5)** short answer questions. All questions carry equal marks.

Question 1

Identify **TWO (2)** differences between Old Media and New Media (10 marks)

Question 2

Explain the concept of constitutional supremacy with reference to **ONE (1)** case law (10 marks)

Question 3

Discuss Section 233 (1) and (3) of the Communication and Multimedia Act 1988 with reference to **ONE (1)** case law (10 marks)

Question 4

Explain Section 292 of the Penal Code with reference to **ONE (1)** case law (10 marks)

Question 5

Discuss the position of law pertaining to comparative advertising pursuant to the provision under the Trademark Act 1976 and the MCMC Content Code (10 marks)

SECTION C: (40 marks)

Instruction: Answers any **TWO (2)** questions out of **THREE (3)** essay question. All questions carry equal marks.

Question 1

“The Learned Judge had failed to appreciate that there were glaring similarities between the novel and the Defendant’s movie in respect of the theme, character plot and underlying messages” (para 24)- *Elias Idris v Mohd Syamsul Md Yusof (2018) 1 LNS 1029*

Discuss the relevant statutory provision pertaining to copyright infringement under the Copyright Act 1987 and **TWO (2)** other judicial decision and list 2 ways to avoid plagiarism.

(20 marks)

Question 2

Annie uploaded on her social media website a video clip, titled "Obscene Sports Games 2018". The video showed participants strolling about and dancing with each other in an obscene way on a secluded public beach in Penang. They also sat around a fire and camped for the night, taking pictures of one another

Discuss whether Invasion of Privacy is an actionable cause of action in Malaysia with relevant to case laws and advise Annie on the potential legal action

(20 marks)

Question 3

TV3, Mazlan Ismail agree to apologise to Anwar in defamation suit

In the lawsuit, Anwar said Dr Mazlan had falsely and maliciously caused the defamatory statements to be published in the Buletin Utama broadcast at 8pm on Aug 2, 2013.

He said the defamatory statements were published and distributed by Utusan Melayu in its daily Utusan Malaysia on Aug 3, 2013.

Read more at <https://www.thestar.com.my/news/nation/2018/08/24/tv3-mazlan-ismail-agree-to-apologise-to-anwar-in-defamation-suit/#6FheHFQs6vUFQICK.99>

Explain with relevant case laws the three elements to initiate a defamation civil proceedings with **ONE (1)** cases for each elements and based on the abovementioned news excerpt, discuss the impact to media practitioners

(20 marks)

- The End -

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