



FINAL
Examination Paper

(COVER PAGE)

Session : August 2017

Programme : Diploma In Mass Communication (DMCN)

Course : COM1104: Media Law And Ethics

Date of Examination : December 14, 2017 (Thursday)

Time : 11.00am – 1.00pm Reading Time : Nil

Duration : 2 Hours

Special Instructions :

SECTION A: Answer any FIFTEEN (15) terms. (30 marks)

SECTION B: Answer any THREE (3) short answer questions. (30 marks)

SECTION C: Answer any TWO (2) essay questions. (40 marks)

Materials permitted : Nil

Materials provided : Nil

Examiner(s) : Ms. Zakiah Abdul Khassim and Ms. Siti Baquiratul Zahraa

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 EXAMINATIONS PAPER: AUGUST 2017 SESSION

SECTION A: (30 marks)

Instructions: 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. Private Law
2. Equity
3. Constitutional Supremacy
4. Freedom of Speech and Expression
5. Ratio Decidendi
6. Subsidiary Legislation
7. Stare Decisis
8. Hearsay evidence
9. Libel
10. Volenti Non Fit Injuria
11. Privacy of Communication
12. Territorial Privacy
13. Artistic Works
14. Innocent dissemination
15. Interlocutory Injunction
16. Absolute Privilege
17. Actionable Per Se'
18. Plagiarism
19. Act
20. Beyond Reasonable Doubt

SECTION B: (30 marks)

Instructions: Answer any **THREE (3) out of FIVE (5)** short answer questions. All questions carry equal 10 marks each.

Question 1

Discuss to what is Freedom of Information and to what extent it is provided to the citizens of Malaysia

(10 marks)

Question 2

Discuss the application of Section 8 of the Official Secrets Act 1972 with reference to **ONE (1)** case law.

(10 marks)

Question 3

With reference to **ONE (1)** case law, analyses the defense of Fair Comment under Section 9 of the Defamation Act 1957.

(10 marks)

Question 4

Explain Section 5(1) and (2) of the Film Censorship Act 2001 with reference to **ONE (1)** case law.

(10 marks)

Question 5

Explain the doctrine of “stare decisis” and the exceptions in the application of the said doctrine. Your answer should include an explanation on its vertical and horizontal operations.

(10 marks)

SECTION C: (40 marks)

Instructions: Answer any **TWO (2)** out of **THREE (3)** essay questions. All questions carry equal marks of 20 marks each

Question 1

The Court of Appeal judgement of *Maslinda Ishak v. Mohd Tahir Osman & Ors* [2009] 6 CLJ 653 gave light to the tort of invasion of privacy. Discuss the development of the law in tort of invasion of privacy and discuss the test to be fulfilled to determine the existence of cause of action in such case.

Question 2

“Freedom of Speech on the Net – An Illusion or Reality?– In an unprecedented development which occurred on 13 March 2009, six persons were charged under Section 233(1) of the Communications and Multimedia Act 1998 (“CMA”) and Section 34 of the Penal Code for posting various comments relating to the Sultan of Perak on various websites on the Internet”– Joanna Loy, Skrine & Co

(retrieved at <http://www.skrine.com/freedom-of-speech-on-the-net--an-illusion-or-reality>)

With reference to Section 233 (1) and (3) of the Communications and Multimedia Act 1998 and TWO (2) case laws, discuss the impact of Freedom of Speech and Expression on the Internet in this cyber age society.

Question 3

“The purpose of advertisement is to inform and at the same time allure consumers to the products as advertised by the sellers...the role of the law here is to protect the consumers from misleading or false advertisement”– Professor Dr Kamal Halili, E-commerce and Consumer Protection in Malaysia: Advertisement and False Description (2012)

Discuss and analyse the relevant laws on false and misleading advertisement and its impact to Media Practitioners who are in the advertising industry.

~ The End ~

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