



**FINAL
ALTERNATIVE ASSESSMENT**

(COVER PAGE)

Session : April 2020

Programme : Diploma in Mass Communication (DMCN)

Course : COM1104: Media Law and Ethics

Date of Examination : August 03, 2020 (Monday)

Time : 12:00noon – 2:30pm Reading Time : Nil

Duration : 2 Hours 30 Minutes

Special Instructions :

1. Students are required **to answer ALL questions below. These rules are to be read together with the Alternate Assessment Guidelines**
2. **You have exactly 2 HOURS AND 30 MINUTES TO COMPLETE, SCAN AND SUBMIT VIA BB**

Material permitted : NIL

Materials provided : NIL

Examiner(s) : Siti Baqiuratul Zahraa' Mohd Rahim and Zakiah Abul Khassim

Moderator : Mr Christopher Alex Johnson

This paper consists of 3 printed pages, including the cover page

DIPLOMA IN MASS COMMUNICATION PROGRAMME (DMCN)
COM1104: MEDIA LAW AND ETHICS
FINAL ALTERNATIVE ASSESSMENT: APRIL 2020 SESSION

ALTERNATE ASSESMENTS (40%) (TIME BASED)

DIRECTION/ INSTRUCTIONS/RULES AND REGULATIONS OF ALTERNATE ASSESSMENT:
TIME BASED

1. Students are required **to answer ALL questions below. These rules are to be read together with the Alternate Assessment Guidelines**
2. **You have exactly 2 HOURS AND 30 MINUTES TO COMPLETE, SCAN AND SUBMIT VIA BB**
3. THE ASSESSMENT must be taken completely alone. Showing it or discussing it with anybody via any mode of communication is totally prohibited and forbidden, including (but not limited to) the other students in the course in current or previous, surrounding people, and any other people that may collude in committing academic dishonesty/ cheating in any way, consequences of which it will be regard as an academic dishonesty
4. YOU are prohibited to consult any external resources. This includes but not limited to internet searches, etc., nor can you share any documents with others. You are not allowed to video stream, google search and etc.
5. YOU are not allowed to submit the questions to internet discussion groups and if you are caught, serious academic dishonesty will be taken against you. Please bear in mind that these questions are copyrighted questions and hence if its publicly stated in online forum and etc, it is a violation of the copyright laws and other applicable laws.
6. Any non-compliance of any of the above stated rules will result in Zero marks and student may be liable for disciplinary actions.

Questions

1. Miruli a prominent social and human rights activist, disagrees on a recent law that prescribes an offence for any person who does not wear face mask in public and there can be no gathering for the next 2 years to combat the spread of COVID-19. Miruli submitted an article and was published by Moon Newspaper Publishing. The gist of the article was that the Government does not provide a logical explanation on the implementation of the law and that the Ministers are enforcing draconian laws that limits freedom of speech and expression to the citizens. There was also double standard as alleged by Miruli that one of the Minister's wife was caught having a dinner party with 100 guests, all of them were not wearing face masks and were mingling around, and not charged for the offence. Miruli then proceeded to organise a rally against the implementation of the law and the government. The rally was attended by 500 people, where chaos and riot erupted which caused damages to public property and many people who turn up were injured due to the riot. Miruli was charged under the Peaceful Assembly Act. It was also found that the facts given by Miruli are incorrect and was malicious towards the Minister which the Publishing company are aware about it.
Advice Miruli and Moon Publishing Company on the potential legal issues with relevant provisions of law with minimum TWO (2) cases (if any).

(Total: 25 Marks)

2. Mr Lim was unhappy that his son was expelled from his training center. He posted some comments on a Facebook posting by Mr John. Mr Lim in his comments implied that the center was guilty of fraud and corrupt practices after his son failed an examination for a diploma in electrical engineering. He instigated other parents to boycott the center claiming the center to be practicing discrimination and racism. The Centre seeks a retraction and a public apology from Mr Lim over his baseless allegations, which was refused by Mr Lim. Mr Lim defended himself saying that the statement was his personal opinion and he is entitled to say and expressed his dissatisfaction in accordance with fundamental liberties accorded to him as a citizen.

- (a) Advise the Centre whether they have any cause of action against Mr Lim. (10 marks)
 - (b) Can Mr Lim be penalized under any other law for his comments. (10 marks)
 - (c) Advise whether the center can sue Facebook for allowing such defamatory remarks to be published. (5 marks)
- (Total: 25 marks)**

3. Ahmad who is a film maker has been obsessed with Lulu, a celebrity who is notorious for uploading obscene videos on her social media account. Ahmad went over to Lulu's house one day and recorded her daily activities for 2 months and from those recordings produced a documentary about the life of a celebrity, titled "My Life". The documentary contains explicit language as well as obscene activities. Lulu is enraged and would like to take action against Ahmad for invasion of privacy. Advise Ahmad on the potential action by Lulu and other potential charges pursuant to the relevant legal provisions and minimum **2 (TWO)** cases for each of the area of law discussed.

(Total: 25 Marks)

4. Discuss and/or Advise the following legal issues:

- a) Suzy, a singer and songwriter, composed a song titled 'My Destiny' and once it was aired in the public, the song become an instant hit. Mina who is a popular Youtuber uses Suzy song as her background for her makeup tutorial without crediting Suzy. Suzy intends to sue Mina but Mina defended that the song is not original as it has similar sound /melody with Mina's song which is called 'My Life'. Advise Suzy with reference to the relevant statutory provision and **TWO (2)** case laws. (15 marks)
- (b) Explain the regulations pertaining to broadcast advertising under the MCMC Content Code pertaining to Child Actors and Violence. (10 marks)

(Total: 25 Marks)