

**FINAL
ALTERNATIVE ASSESSMENT**

(COVER PAGE)

Session : APRIL 2022

Programme : Diploma In Mass Communication (DMCN/DMC)

Course : COM1104: Media Law and Ethics

Date of Examination : August 6, 2022 (Saturday)

Time : 8.00am – 10.30am Reading Time : Nil

Duration : 2 Hours 30 Minutes

Note: 30 minutes is added into the duration of the examination to factor in any connectivity matters and for you to scan and upload your scripts.

Special Instructions :

Answer ALL questions.

Materials permitted : Nil

Materials provided : Nil

Examiner(s) : Ms Siti Baquratul and Sharvina Binti Shajahan

Chief Moderator : Mr Christopher Alex Johnson

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

DIPLOMA IN MASS COMMUNICATION PROGRAMME (DMCN)
COM1104: MEDIA LAW AND ETHICS
FINAL ALTERNATIVE ASSESSMENT: APRIL 2022 SESSION

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 (ALL MUST BE SUBMITTED IN ONE PDF FILE) (FAILURE OF WHICH MARKS WILL BE DEDUCTED)**
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.

Question 1

- (a) Kamal a prominent social and human rights activist, and disagrees with the decision of the Government on the loosening of SOP in regards to the COVID19 pandemic. He is of the view that the nation is still struggling since there are still cases and there many patients being hospitalized. Kamal tweeted his dissatisfaction online and encourages citizen to rise and object to the Government's decision. He proceeded to hold a rally at Dataran Setia where 500 people attended with no mask, disrupting public order and caused havoc. The participants became aggressive and hit a bystander and caused property damage to the surrounding places. Kamal is now being charged under the Peaceful Assembly Act 2010. Advise Kamal what are his potential legal charges with ONE (1) case each for the respective offences.

(15 marks)

- (b) Muthu, a Manager of the Public Relation and Communication Department of an MNC international company, released a statement containing details of their customers such as the names, bank details and Identification Card numbers. Muthu is currently in hot water for divulging such information to the public. Explain to Muthu 2 (TWO) provisions of the Personal Data Protection Act 2010 which relates to the disclosure principle.

(10 marks)

(Total: 25 marks)**Question 2**

Edi is a film producer with Best Pictures Sdn. Bhd. Edi is inspired to produce and direct a film which is based on the life and death of a serial murderer. Edi wrote the screenplay containing various scenes which are sexual in nature and involved sexual violence. The film was then directed by Edi's best friend, Moorali, which has been released and is now showing in theatres. However, the film was not approved by the Film Censorship Board and this has been brought to the attention of the police since it became the No.1 film in Malaysia for 6 consecutive weeks and most downloaded film of the year. To promote his film, Edi posted a preview of the movie via his personal social media accounts such as Instagram, Twitter and Facebook. It was also posted at Best Pictures Sdn. Bhd.'s official Facebook page. The preview shows a 15 second clip with sexually inappropriate scenes such as rape and nudity.

- (a) Advise Edi and Best Picture Sdn. Bhd. on the potential legal charges under the Film Censorship Act 2002 with reference to ONE (1) case law.

(10 marks)

- (b) Advise Edi and Best Picture Sdn. Bhd. on the potential legal charges for airing the preview on various social media platforms with relevant provisions of laws and TWO (2) case laws as well as the possibility of legal action against the network provider.

(15 marks)

(Total: 25 marks)

Question 3

Kamala, 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 used Kamala song as her background for her makeup tutorial without crediting Kamala. Kamala 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'. Mina then posted and upload a video on YouTube alleging that Kamala is a copycat and a vicious women who wants to take action for popularity and glamour.

Based on the above scenario, advise all parties on the relevant legal action and / or proceedings.

(Total: 25 marks)

Question 4

- a) Explain the relevant provisions under the Trademark Act 2019 with **TWO (2)** supporting cases on trademark infringement. (15 marks)

- b) Best Picture Sdn. Bhd. is hiring child and women actors for their upcoming advertisement shoot. Explain what are the guidelines set under the MCMC content Code pertaining to Child and Women in Advertisement. (10 marks)

(Total: 25 marks)

~ The End ~

COM1104 (Final)/April2022