

**FINAL
ALTERNATIVE ASSESSMENT**

(COVER PAGE)

Session : August 2020

Programme : Diploma in Mass Communication (DMCN)

Course : COM1104: Media Law and Ethics

Date of Examination : December 12, 2020 (Saturday)

Time : 4:00pm – 6:30pm 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 :

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 Baqiyatul Zahraa' Mohd Rahim and Chelvavinoothiiny

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: AUGUST 2020 SESSION (FINAL)

ALTERNATE ASSESMENTS (40%) (TIME BASED)

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

3. Students are required to answer ALL questions below. These rules are to be read together with the Alternate Assessment Guidelines
4. You have exactly 2 HOURS AND 30 MINUTES TO COMPLETE, SCAN AND SUBMIT VIA BB
5. 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
6. 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.
7. 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.
8. 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) Edi, a prominent social and human rights activist, disagrees with the decision of the Government to not impose the Movement Control Order (MCO) and stricter punishment to persons who violates the rules on controlling COVID-19. Edi tweeted his dissatisfaction online and encouraged citizens to rise and object to the Government's ruling. He proceeded to hold a rally at Dataran Setia where 500 persons attended without masks and started disrupting public order and caused havoc. The participants became aggressive, hit a bystander, and caused property damage to the surrounding places. Edi is now being charged under the Peaceful Assembly Act 2010. Advise Edi what are his potential legal charges supported with TWO (2) cases.
(15 marks)
- (b) Explain Section 5(1) and (2) of the Film Censorship Act 2002 with TWO (2) case laws.
(10 marks)
(Total : 25 Marks)

Question 2

Felix is a well-known screenwriter and a film producer. In 2019, he produced and wrote a film entitled “The Notorious Judge”. It centred around the life and accomplishment of Justice Celine who was fervently admired by the public as she was a women’s rights advocate and fights for equality for all. It was a critically-acclaimed film which he won numerous accolades and awards. Adam, who is a novelist, found out that the plot, character, and theme of Felix’s film is similar to his 2017 novel “The Famous Lawyer” wherein the lead protagonist is a well-known lawyer who fights for gender equality and against anti-discriminatory laws. Adam felt that the film “The Notorious Judge” was a ripped-off version of his book as 80% of the content are similar, and he took to all his social media accounts by posting statements and remarks, such as “Felix the Copy Cat” and discredited Felix as a screenwriter and a film producer.

- (a) Discuss on the potential legal issue faced by Felix and what are the defences available to him under Copyright Act 1987. (15 marks)
- (b) Explain whether Adam can be sued by Felix for discrediting him as a film producer. (10 marks)
- (Total: 25 Marks)

Question 3

Ali, who is an editor and journalist in Malaysia, intends to do a write-up about Ms. Bety, who is a well-known celebrity in Malaysia due to her lavish lifestyle and her marriage with another celebrity. Ali has been following Ms. Bety for the past 12 months to obtain inside information about Ms. Bety, as Ali was informed that Ms. Bety is involved with an affair with Mr. Alex, who is another celebrity. Recently, Ms. Bety lodged a police report against Ali as she found him hiding behind a bush near her house taking pictures of her and was shocked to see Ali. Ali proceeded to upload an article with photographs of Ms. Bety and Mr. Alex having affair in their residence, which caused an uproar among netizens, and labelled Ms. Bety as a homewrecker and an unfaithful woman. It was also discovered that Ali had been circulating obscene pictures via communication channels such as Facebook, Twitter and Instagram. Advice the following with a minimum of TWO (2) cases each:

- (a) Whether Ms. Bety can sue for invasion of privacy and other potential legal action against Ali under Malaysian law. (10 marks)
- (b) Whether any action can be taken against Ali for circulating the obscene photographs online under the respective provisions of Malaysian Law. (10 marks)
- (c) Whether the Online Provider or Social Media Platform has any liability (5 marks)
- (Total: 25 Marks)

Question 4

- (a) Hotel ABC is an ASEAN luxury hotel, and a leading company in tourism and hospitality industry. Due to the recent pandemic, many people have opted not to travel and this has affected the companies' profit tremendously. Hotel ABC opted for the service of DEF Advertising Company to create an advertising campaign to boost the companies' sales. DEF Advertising came-up with an advertising campaign comparing the prices between Hotel ABC and Hotel Sangree La which was circulated via broadcast and social media. At the same time, the logo of Hotel Sangree La was also used and the message conveyed is that in terms of pricing and customer satisfaction, Hotel ABC is better than Hotel Sangree La. Hotel Sangree La's management is enraged over this matter and seeks your legal advice. Advise Hotel Sangree La.
(15 marks)
- (b) Explain the regulations pertaining to broadcast advertising under the MCMC Content Code on Child Actors and Violence.
(10 marks)
(Total: 25 Marks)

~ The End ~

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