

**FINAL**

**ALTERNATIVE ASSESSMENT**

Examination Paper

(COVER PAGE)

Session : April 2021

Programme : Diploma In Mass Communication (DMCN/DMC)

Course : COM1104 : Media Law and Ethics

Date of Examination : July 28, 2021 (Wednesday)

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 :**

Answer ALL questions.

Materials permitted : Nil

Materials provided : Nil

Examiner(s) : Siti Baquratul Zahraa' Mohd Rahim and Sharvina 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 2021 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 (WRITE, SCAN IN PDF , SUBMIT IN ONE PDF FOLEDR)
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**

*Aaron, a prominent social and human rights activist, believes that the Government had not carried out the necessary protocols to ensure that the spread of COVID-19 is being curbed. As a result of which, he believes that the citizens have suffered and there was double standard in terms of enforcement of the law. He posted on his Twitter, Facebook and Instagram account a caricature and images of patients dying COVID-19 with the caption “Bad Government”, urged his followers to march and express their disappointment against the mismanagement of the Government, and stated the date and time for the assembly without notifying the police or authorities. His ardent followers, Sarah, Felix and Simon ‘liked’ the post, retweeted and shared on their social media accounts. It was retweeted and shared almost 5,000 times daily and around 15,000 people arrived at Putrajaya, without face masks, shouting and damaging public property, chanting slogans urging people to destroy the Parliament building. Several police officers were attacked and as a result, over 500 people were injured during the event. Several parts of the Putrajaya Mosque was damaged due to the assembly.*

- (a) Advise Aaron on the potential legal charges under the Peaceful Assembly Act 2010 and other related offences with 2 (TWO) case laws for each issue. (20 marks)
- (b) Advice whether is the Social Network Provider accountable under the law. (5 marks)

(Total : 25 marks)

**Question 2**

*Jessica is a well-known actress and lifestyle influencer in Malaysia. She has starred in various sexually-explicit movies and is very well-known in the industry as a scandalous artist in Malaysia. Jacob who is an entertainment journalist followed Jessica for 3 months to capture her daily life activities which includes various scandalous incidents in clubs, massage parlours and etc. All of the recordings were given to Michael, who is a film producer from Best Pictures Sdn Bhd. Michael then edited and compiled a short documentary of Jessica's life. The short documentary includes the footages that Jacob have collected and include various scenes which are inappropriate such as sexual violence. Jessica was shocked to discover that her daily life has been caught on camera and documented without her consent. She approached Jacob and in the heat of argument raised a glass bottle and hit Jacob on the head which caused him to suffer a minor concussion. On the other hand, the documentary is now being distributed without screening by the Film Censorship Board and has been distributed and sold by Spidy Entertainment Sdn Bhd.*

- (a) With reference to **TWO (2)** case laws, advise Jessica on the potential legal action against Jacob and whether Jacob can commence any civil action against Jessica. (15 marks)
- (b) Advise Michael and Spidy Entertainment on the potential legal charges under the Film Censorship Act 2002 with relevance to **ONE (1)** case law.

(10 marks)

(Total: 25 marks)

**Question 3**

Discuss and/or Advise the following legal issues:-

- (a) *May, a singer and songwriter, composed a song titled 'Evergreen' and once it was Aired in the public, the song become an instant hit. June who is a popular Youtuber used the song as her background music for her makeup tutorial without crediting May. May intends to sue June.*

Advise May with reference to the relevant statutory provisions under the Copyright Act 1987 on getting copyright protection in Malaysia with **TWO (2)** case laws

(15 marks)

- (b) Explain the defence of Justification under the Defamation Act 1957 supported with **TWO (2)** case laws

(10 marks)

(Total: 25 marks)

**Question 4**

- (a) *Best Resort and Homestay Co Ltd is an Airbnb company that operates in Malaysia. Due to the pandemic, Best Resort and Homestay Co Ltd is suffering losses and engaged the services of Ali Advertising Company to come up with a promotional advertisement and advertising campaign to boost their sales. For the Advertising Campaign, Ali Advertising Company utilised various social media platforms to compare the prices of Best Resort and Homestay Co Ltd's Airbnb accommodation with its direct competitor, ABC Co Ltd's Airbnb accommodation. It also provides the logo of the company and the slogans of ABC Co Ltd.*

Advice the potential legal liabilities that may arise from this situation with related statutory provisions and **TWO (2)** case laws (if any).

(15 marks)

- (b) Explain the relevant provision under the Trade Description Act 1972 and the MCMC Content Code guidelines pertaining to False and Misleading Advertisements.

(10 marks)

(Total: 25 marks)

**-THE END-**

*COM1104(F)/Apr2021/formatted*