

**FACULTY OF EDUCATION & ARTS
BACHELOR OF COMMUNICATION (HONS)**

FINAL EXAMINATION

Student ID (in Figures) :

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Student ID (in Words) : _____

Subject Code & Name : **COM2304 COMMUNICATION LAW**
Semester & Year : May – Aug 2023
Lecturer/Examiner : Dr. Wong Kok Keong
Duration : 3 Hours

INSTRUCTIONS TO CANDIDATES

1. This question paper consists of only one part with a total of SIX (6) questions, each question usually has two to four parts. Answer all the questions.
2. Candidates are not allowed to bring any unauthorized materials except writing equipment into the Examination Hall. Electronic dictionaries are strictly prohibited.
3. This question paper must be submitted along with all used and/or unused rough papers and/or graph paper (if any). Candidates are NOT allowed to take any examination materials out of the examination hall.
4. Only ballpoint pens are allowed to be used in answering the questions, with the exception of multiple choice questions, where 2B pencils are to be used.

WARNING: The University Examination Board (UEB) of BERJAYA University College regards cheating as a most serious offence and will not hesitate to mete out the appropriate punitive actions according to the severity of the offence committed, and in accordance with the clauses stipulated in the Student Handbook, up to and including expulsion from BERJAYA University College.

Total Number of pages = 3 (Including this cover page)

INSTRUCTION: Answer all **SIX (6)** questions.

QUESTION 1:

(Total marks: 14)

Provide a diagram or chart for identifying the various components of the structure of the Malaysian government.

QUESTION 2:

(Total marks: 16)

- a) Explain Article 10 of the Malaysian Constitution, making sure the details of the specific clauses are provided. (10 marks)
- b) Explain the **TWO (2)** key aspects of the Printing Presses and Publications Act of 2012. Also, explain **ONE (1)** reason why many Malaysians criticize it. (6 marks)

QUESTION 3:

(Total marks: 15)

- a) Explain adequately the Freedom of Information Act. (6 marks)
- b) Explain **TWO (2)** reasons given by the Malaysian government for not adopting the Freedom of Information Act. (6 marks)
- c) Do you think the Malaysian government should adopt the Freedom of Information Act? Explain **ONE (1)** reason for your position. If you agree with the government's position, your reason must be different from the one given earlier by the Malaysian government). (3 marks)

QUESTION 4:

(Total marks: 12)

- a) According to U.S. law, pornography is illegal only when the material is considered obscene. Who determines obscenity and how? (8 marks)
- b) How is the U.S. law different from the Malaysian law on pornography. (4 marks)

QUESTION 5:

(Total marks: 23)

Read the hypothetical situation below and answer questions (a), (b) and (c) that follow.

Hypothetical Situation:

X is the owner-manager of a popular Internet café in Kuala Lumpur. One morning, as he settles down to drink his coffee and reads his favourite newspaper, *The Star*, he comes across an article on page 2 about him. He knows the person mentioned is him because his name is given correctly. He is also correctly mentioned as the owner of the café, and the address of the café given is also the same as the one for his café.

X is very upset, however, because the article states that he is a member of Ah Long, a notorious, violent Chinese money-lending group. *The Star* reporter says he got the information from

Y, an ex-member of Ah Long. Y also tells the reporter that X would occasionally allow Ah Long members to meet in his café late at night after the café is closed to the public.

A day after the news report, the police interrogates X for about three hours. At the end of the interrogation, the police does not arrest X but tells him to be available for future questioning if needed.

Although the police does not charge X for violating any law, X soon notices that some of his faithful customers no longer come to his internet café. As a result, his café loses money after two weeks. In addition, owners of shops nearby his café have become unfriendly towards X after the newspaper story. X is unhappy and worries about the future of his business. He decides to sue *The Star*.

Questions:

- a) What is the best law for X to use to sue *The Star*? (Be specific with the name of the law.) Explain **TWO (2)** reasons why that particular law is the most applicable. (10 marks)
- b) Assuming *The Star* decides to fight X's lawsuit. Name and describe the **THREE (3)** ways available to anyone or any media to defend against defamation lawsuit? Which of the three ways would be the most appropriate for the newspaper to use? Why? (9 marks)
- c) Based on the description of the hypothetical situation given, X is likely to lose the case. Explain **ONE (1)** reason why. (4 marks)

QUESTION 6:

(Total marks: 20)

Answer questions (a), (b), (c) and (d) below on Amendment 114A to the Evidence Act of 1950:

- a) Use made-up examples to show how **TWO (2)** of the three components of Amendment 114A to the Evidence Act of 1950 may come about. (8 marks)
- b) Offer **ONE (1)** reason why the Federal Government supports the Amendment. (4 marks)
- c) Explain **ONE (1)** reason why critics oppose the Amendment. (4 marks)
- d) Where do you stand on Amendment 114A? Support your position with **ONE (1)** reason not given earlier by the Federal government or the critics. (4 marks)