



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF HUMANITIES AND SOCIAL SCIENCES

DEPARTMENT OF COMMUNICATION STUDIES

UNIVERSITY EXAMINATION FOR:

CERTIFICATE IN MASS COMMUNICATION

HMC 1104: INTRODUCTION TO MEDIA LAW

END OF SEMESTER EXAMINATION

SERIES: AUGUST 2024

TIME: 2 HOURS

DATE: Pick Date August 2024

Instruction to Candidates

You should have the following for this examination

- *Answer Booklet, examination pass and student ID*

This paper consists of FIVE questions. Attempt question ONE (Compulsory) and any other TWO questions.

Do not write on the question paper

Question ONE - (Compulsory)

(a) Define

- | | |
|------------------|-----------|
| (i) Constitution | (2 marks) |
| (ii) Civil wrong | (2 marks) |
| (iii) Defamation | (2 marks) |
| (iv) Sharia law | (2 marks) |
| (v) Case law | (2 marks) |

- (b) Outline SIX characteristics of law. (6 marks)
- (c) Explain THREE functions of the supreme court. (6 marks)
- (d) Explain the reason why the High Court is referred as the court of unlimited powers. (4 marks)
- (e) Explain TWO key differences between criminal law and civil law. (4 marks)

Question TWO

- a) Outline FIVE types of rights that authors or creative works are entitled to. (5 marks)
- b) Discuss FOUR legal remedies you can take when another person infringes on your copyright. (8 marks)
- c) Suppose a group of youth who have formed a creative group in your home town have approached you to give them some advice on copyright. They want to understand situations where one can use another author's work without facing a legal action. Giving examples explain to them THREE such situations. (7 marks)

Question THREE

A newspaper journalist met a few former members of the NG-CDF committee and alleged that their local MP has been conspiring with the current committee to award tenders to a company associated with the MP.

After the journalist published the story that trended widely online, the MP decided to sue the Journalist. He demanded the journalist should publish an apology or else the MP would commence a case in court.

Advise the journalist on the following:

- a. FOUR elements that the legislator would need to submit in court to succeed in suing the journalist. (8 marks)
- b. Explain FOUR possible defenses that the journalist can in the case. (12 marks)

Question FOUR

Write a short essay on one page explaining why it is important to protect freedom of the media in the constitution, as is the case in Kenya. (20 marks)

Question FIVE

- a. Draw a diagram showing the hierarchy of the Kenyan courts. (12 marks)
- b. Explain the functions of the high court. (8 marks)