



TECHNICAL UNIVERSITY OF MOMBASA

Faculty of Business & Social Studies

DEPARTMENT OF MEDIA & GRAPHIC DESIGN

DIPLOMA IN MASS COMMUNICATION

(DMP/R 2)

BMC 2110: MEDIA LAW AND ETHICS

END OF SEMESTER EXAMINATIONS

SERIES: APRIL 2013

TIME: 2 HOURS

INSTRUCTIONS:

- This paper consists of **TWO** Sections **A & B**.
- Section **A** is **Compulsory**.
- Answer any other **Two** questions in Section **B**.

This paper consists of Three printed pages.

SECTION A (Compulsory)

QUESTION 1

- a) Define:
- i) Defamation (2 marks)
 - ii) Actus reus (2 marks)
 - iii) Mens rea (2 marks)
 - iv) Strict liability (2 marks)
- b) Explain **THREE** differences between criminal law and civil law. (6 marks)
- c) Outline the main aspects and function of the Court of Appeal. (5 marks)
- d) State any **FIVE** types of the civil laws. (5 marks)
- e) i) Explain circumstances in which a journalist can be accused of scandalizing the court. (3 marks)
ii) Outline the precautions you will need to take to avoid that kind of contempt. (3 marks)

SECTION B (Attempt any TWO questions)

QUESTION 2

A government audit of a poverty reduction project in a local county found that millions of shillings meant for the project had been misappropriated. Some government officers had been colluding with some local hotels to inflate figures of the seminar expenses and sometimes charging the government money for seminars that never took place. A copy of the audit report was leaked to a reporter, who immediately ran the story in a local daily. A local hotel that was mentioned sued the reporter and the newspaper for libel.

In regard to these facts:

- a) Explain clearly **FOUR** things the hotel will prove to succeed in their libel suit. (8 marks)
- b) Discuss **FOUR** most relevant defences in the case demonstrating clearly how they will apply. (12 marks)

QUESTION 3

- a) Discuss any **SEVEN** guidelines that a journalist can use to avoid the breach of privacy. (14 marks)
- b) You are on your usual errands in town as a reporter when you come across a dramatic scene in a restaurant where a cabinet minister who has been partying the whole day passes out after taking too much alcohol. Explain how you will make a decision on whether to publish the story, or not. (6 marks)

QUESTION 4

- a) Outline the criteria used to determine copyright eligibility of any particular work. **(4 marks)**
- b) State any **FOUR** kinds of activities that infringes copyright. **(4 marks)**
- c) State the owner(s) and durations of the copyright of the following works:
- i) Kenya National Flag. **(2 marks)**
 - ii) *The Holy Bible* **(3 marks)**
 - iii) *Man of Kafira* play authored by Prof. Francis Imbuga, who passed away around August, last year. **(2 marks)**
 - iv) *The Wizard of the Crow* novel by Prof. Ngugi wa Thiong'o. **(2 marks)**
 - v) A video documentary that you have made at your cost and you intend to run it on the KBC TV. **(3 marks)**

QUESTION 5

- a) Explain the main provisions of the Article 34 of the Kenyan Constitution. **(10 marks)**
- b) Discuss the benefits of the Article to the society as a whole. **(10 marks)**