



Inspiring Innovation and Leadership

KARATINA UNIVERSITY
UNIVERSITY EXAMINATIONS
THIRD YEAR, FIRST SEMESTER EXAMINATION
2023/2024 ACADEMIC YEAR

FOR THE DEGREE OF:
BACHELOR OF SCIENCE IN COMMUNICATION AND PUBLIC
RELATIONS

COURSE CODE: CCM 301

COURSE TITLE: MEDIA LAW

DATE: 15TH DECEMBER, 2023

TIME: 2.00-4.00PM

INSTRUCTION TO CANDIDATES

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CCM 301: MEDIA LAW

Answer Four Questions. Question One is Compulsory.

1. Read the Case Study below and answer the questions that follow.

Duncan is a blogger and also an influencer in the social media platform. He writes mainly about politics. In one article, he wrote negative things about Mr Kimani who was vying for a Member of Parliamentary seat in Huruma constituency, in Tazama County. As a result, he lost the election. In another article he posted a picture he had taken secretly of Mr Kimani in his private residence and also wrote about his children. Mr Kimani took Duncan to court and accused him of defamation and intruding into his privacy.

- a) Explain why Kenya and other democratic nations have laws. (5 marks)
 - b) Basing your argument on the above case, distinguish between law and ethics. (5 marks)
 - c) Describe five elements of defamation that Mr Kimani must prove when accusing the defendant of defamation. (5 marks)
 - d) Explain how Duncan can avoid lawsuits on privacy laws. (5 marks)
 - e) Analyse five sources of laws that can be used to address the above case. (5 marks)
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2. a) Describe three characteristics of law. (3 marks)
 - b) Explain how media law is inherently inter-disciplinary. (2 marks)
 - c) With relevant examples, discuss procedural law in Kenya. (10 marks)
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3. a) With relevant examples, discuss five civil cases relevant to communication. (10 marks)
 - b) Discuss five forms of censorship. (5 marks)
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4. Titus was taken to court for photocopying some works by Amani publishing house without their permission. Titus argued that he photocopied the works for fair use.
- a) Explain three factors the courts should consider in declaring whether the use of the particular work is fair use or not. (3 marks)

b) Describe four remedies for infringement of the above copyright. (8 marks)

c) Explain four exemptions and limitations of Copyrights Law. (4 marks)

5. a) With relevant examples, discuss five formal regulatory mechanisms of the broadcast media. (10 marks)

b) Explain five reasons why access to government records and information is an essential requirement for modern government. (5 marks)

6. a) Traditionally, government censors examine newspapers, magazines, books, news broadcasts, and movies – usually before release. Analyse five reasons for media censorship. (10 marks)

b) It is generally accepted that the content of advertising should be regulated since advertising influence consumers' buying behavior. Examine five factors in advertising which contribute in changing the consumers' buying behavior. (5 marks).