



BA MEDIA LAW

COURSE UNIT CODE: COM 403

COURSE TITLE: MEDIA LAW & ETHICS

DAY CLASS, THIKA ROAD CAMPUS

END OF SEMESTER EXAMINATION JAN – APRIL 2021

COURSE LECTURER – Ms. ELIZABETH THIGA

Section A – Compulsory Question

Question 1

- a) What is the difference between a **Bill** and an **Act**? Based on the Kenyan Media laws, Give an **example of each (4 marks)**
- b) Define the term Media ethics **(2 marks)**
- c) List four **key** media regulators in Kenya **(4marks)**

Section B - Answer any three questions

Question 2

- a) List the **three** sources of press law in Kenya **(3 marks)**
- b) A number of institutions that are relevant to the media have been established under the Kenyan Constitution. State any three of these institutions and explain any one function that they carry out. **(6 marks)**
- c) Define the term defamation **(1 mark)**

Question 3

- a) List any five types of prohibited publications in Kenya **(5 marks)**
- b) Mutua intends to set up a publishing business at the Nairobi Central Business District. As a media law expert, and with reference to the Books and Newspapers Act, what two key pieces of advice would you offer? **(5 marks)**

Question 4

Discuss five functions of the Kenya Copyright Board as outlined in the Copyright Act **(10 marks)**

Question 5

- a) According to the Kenya Information Act which categories of people are ineligible for a broadcasting license? **(3 marks)**
- b) PAC University intends to establish a radio station to serve the student community. There will be no external hiring of managers since the students will run the day-to-day operations of the station. With reference to the law, discuss any two conditions that must be met in establishing this station? **(4 marks)**
- c) The term watershed period is key in broadcasting.
 - i. Explain the meaning of Watershed Period **(2 marks)**
 - ii. Which document provides information relating to this term? **(1 marks)**

Examination paper coverage Check list (Attach the filled checklist to the draft examination paper)

Examination Coverage Checklist

Course Unit code: COM 403

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Number of Students: four

Day/Evening/Weekend (tick appropriately)

Question	Marks	Topic	Subtopic
Q 1.	10	a. Introduction to the Course; b. Understanding Ethics c. Introduction to the Course	a. Definition of terms b. Ethics c. Media Regulators in Kenya
Q .2.	10	a. Introduction to Media Law b. Constitution c. Defamation	a. Sources of Law b. Constitutional agencies relevant to the media c. Definitions
Q.3.	10	a. Regulation of Publishing in Kenya	a. Prohibited Publications in Kenya b. The Books and Newspapers Act
Q.4	10	Copyright, Intellectual property	Copyright Act
Q.5	10	a. Regulation of Broadcasting b. Licensing and	a. Kenya Information Communication Act b. Community Broadcastin

		Governance of the Media c. Regulation of Broadcasting	g c. Programming Code
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COURSE SCHEDULE

Date	Topic (Module/Unit)	Learning Outcome	Assigned Readings	Student Activity (DQS/ Compe ndiums / Assign ments)
20/01/2021 LIVE COLLABOR ATE	Introduction to the Course; Sources of Law, Constitution, Freedom of Expression Common Law and the Media in Kenya	#1	Lecture notes Major Principles of Media Law by Genelle I. Belmas, Jason M. Shepard, Wayne E. Overbeck – 2017 Mass Media Law, 20th Edition by Clay Calvert Dan V. Kozlowski Derigan Silver (z- lib.org) (1) Media Law Handbook for Eastern Africa. Pages 433-442	(Collab orate session to start off the class)
27/01/2021 LIVE COLLABOR ATE	Understandin g Ethics SELF REGULATIO N OF MEDIA, ETHICS, POTTERS BOX, INTERNET	#2, #3	Lecture Notes MediaAct_No.3of2 007 Media Ethics Issues and Cases by Philip Patterson, Lee Wilkins, Chad Painter - 2019 (z- lib.org) (1)	
3/02/2021 LIVE COLLABOR	Provisions that protect the media in	#1, #4	Media Law Handbook for Eastern Africa.	W C

ATE	Kenya • Right to freedom of the media • Freedom of expression • Right of access to information • Right to fair administrative action • Right to privacy • Right to freedom of thought and opinion • Right to freedom of association • Right to freedom of movement • Right to open justice • Provisions regarding the functioning of Parliament • Provisions regarding the functioning of county assemblies • Provisions regarding 'culture'		Pages 303-313	1
10/02/2021 LIVE COLLABORATE	DEFAMATION, LIBEL, CONTEMPT OF COURT	#4	Contempt of Court Act_46 of 2016 Mass Media Law, 20th Edition by Clay Calvert Dan V. Kozlowski Derigan Silver (z-lib.org) (1)	D Q 1

			Defamation Act Cap 36	
17/02/2021 LIVE COLLABORATE	Key institutions relevant to the media established under the Kenyan Constitution • The media standards body: The Media Council of Kenya • The Kenya National Human Rights and Equality Commission • The Commission on Administrative Justice • The National Gender and Equality Commission • The Ethics and Anti-Corruption Commission • The judiciary • The Judicial Service Commission	#4	Media Law Handbook for Eastern Africa. Pages 316-324	(D Q 2)
24/02/2021 LIVE COLLABORATE	Regulation of Electronic and Digital Media	#4	Kenya Information and Communications Act (No2of1998) Major Principles	D Q 3

			of Media Law by Genelle I. Belmas, Jason M. Shepard, Wayne E. Overbeck – 2017 The Journalist's Guide to Media Law A handbook for communicators in a digital world by Mark Pearson, Mark Polden (z-lib.org)	
03/03/2021 LIVE COLLABORATE	Copyrights, Intellectual Property	#2, #4	Copyright-Act Major Principles of Media Law by Genelle I. Belmas, Jason M. Shepard, Wayne E. Overbeck - 2017	D Q 4
10/03/2021	Laws on Publishing Prohibited Information Laws Governing Books and All Print Materials Regulation	#4	 2016 - Media Law Handbook for Easterr  BooksandNewspapers_Act__Cap_111.pdf	
17/03/2021	CAT			
24/03/2021 LIVE COLLABORATE	Laws Governing Films and Plays In Kenya	#4	 FilmsandStagePlaysAct_Cap222.pdf	D Q 5
31/03/2021	Capital Markets	#4	Media Law Handbook for	W C

	Authority on Advertising		Eastern Africa. Pages 316-324	2
07/04/2021	Licensing and Governance of The Media	#4	 KenyaBroadcastingCorporationAct_Cap22'  2016 - Media Law Handbook for Eastern	D i s c u s s i o n Q u e s t i o n s
14/04/2021 LIVE COLLABORATE	Reviewing the Class	#1 - 4	Lecture Notes	R e v i e w o f t h e s e m e s t e r v i

				a a c o l l a b o r a t e s e s s i o n
21/04/2021			EXAM WEEK	