



**NAMIBIA UNIVERSITY
OF SCIENCE AND TECHNOLOGY**

FACULTY OF COMPUTING AND INFORMATICS

DEPARTMENT OF JOURNALISM AND MEDIA TECHNOLOGY

QUALIFICATION : BACHELOR OF JOURNALISM AND MEDIA TECHNOLOGY	
QUALIFICATION CODE: 07BJOU	COURSE LEVEL: NQF LEVEL 6
COURSE: MEDIA LAW	COURSE CODE: MDL611S
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DURATION: 3HRS	MARKS: 100

FIRST OPPORTUNITY EXAMINATION QUESTION PAPER	
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**THIS EXAMINATION PAPER CONSISTS OF 4 PAGES
(INCLUDING THIS FRONT PAGE)**

Instructions for the students

- 1. Answer all questions in Section A. In Section B answer all questions 4, 5 and 6. However for questions 4 and 6, choose only one question, either 4a or 4b; 6a or 6b**
- 2. Read all the questions carefully before answering.**
- 3. Number the answers clearly**

SECTION A

Answer all questions

QUESTION 1

[15 Marks]

Briefly answer the following questions:

- 1.1 Name the most important legislation in force in Namibia. (1)
- 1.2 What is a subpoena? (2)
- 1.3 Distinguish between Criminal Law and Civil Law. (8)
- 1.4 List the elements of Contempt of Court. (4)

QUESTION 2

[15 Marks]

In each of the following situations can it be said that the publication of defamatory words has taken place? Answer with a Yes or No and substantiate your answer.

- 2.1 Two Japanese tourists in Namibia (who do not speak English) start arguing and in front of a group of Namibians, the one calls the other one a thief and a liar in Japanese. [4]
- 2.2. Mr. X tells his fiancé, Ms Y, that she is a gold-digger and will not be marrying her anymore. [3]
- 2.3. Mr. X tells Mr. Y, that Mr S stole some money at the office. [2]
- 2.4. Mr X a cleaner who is illiterate finds a letter in a dustbin, in which S wrote that Y is a witch. After glancing at the letter, Mr X shreds it in a machine. [3]
- 2.5. Mr X sends a voice note on a public WhatsApp Group saying that Ms Y is only successful in business because she pays bribes to those in power to give her business opportunities. [3]

QUESTION 3**[20 Marks]**

A local newspaper publishes a story in which it is alleged that a prominent politician is impregnated his mistress. The article went on further to call for the politician's resignation citing that "his behaviour is inappropriate for a leader".

The politician is furious as these are private facts pertaining to his personal life and immediately instructs his lawyers to issue summons for invasion of privacy against the editor of the newspaper and the journalist who wrote the story.

In the subsequent trial the journalist who wrote the story claims that she chose to publish the article for the public's interest as the public deserves to know what kind of political leaders they have voted into power.

Answer the following questions:

- 3.1 Which Article of the Namibian Constitution offers protection against any form of invasion of privacy? (1)
- 3.2 As the plaintiff, what requirements must the politician prove in order to succeed with his claim? (4)
- 3.3 As a fellow media practitioner, do you agree with the journalist that the article was published in the public's interest? What are some of the factors you will consider when determining whether the publication was indeed in the public interest? (15)

SECTION B

Answer all questions 4, 5 and 6. However for questions 4 and 6, choose only one question, either 4a or 4b; 6a or 6b

QUESTION 4a**[15 Marks]**

The Windhoek Declaration can be considered as a catalyst for media freedom and independence in Africa. To what extent do you agree with this assertion? Provide justification for your position.

OR

QUESTION 4b

[15 Marks]

Provide an analysis of the state of media freedom in Namibia. Support your analysis with the use of relevant examples.

QUESTION 5

[20 Marks]

- I. Your editor assigns you to cover a court case. What ethical processes will you consider when reporting and generating content about this court case.

- II. Correct or complete the following sentences:
 - a) There is no charge of drunken driving but the offense is.....
 - b) When a criminal trial is postponed, the presiding officer will
 - c) Only a person can be remanded, cases
 - d) A suspect held by the police is called
 - e) A person who has been charged in court is called

QUESTION 6a

[15 Marks]

Prior restraint can be seen as one form of media freedom restriction. With the use of relevant examples:

- a) Illustrate your understanding of the concept of 'prior restraint' (10)
- b) Explain how prior restraint can limit the work of journalists. (5)

OR

QUESTION 6b

[15 Marks]

Consumers have to be protected from the likelihood of misleading advertising or standards that suggest that the Code of Advertising Practice is not being upheld. Illustrate, through discussion, how the Code is enforced, and make reference to relevant examples to support your answer.

THE END OF EXAM