

Press Law

**Elective
Past
Papers**

LL.B. I



GHAQDA STUDENTI TAL-LIĠI EXECUTIVE BOARD 2020/2021

PRESIDENT
MATTHEW CHARLES ZAMMIT

SECRETARY GENERAL
MAYA SPITERI DALLI

PUBLIC RELATIONS OFFICER
MARTINA CASSAR

ACADEMIC OFFICER
GRAZIELLA SCHEMBRI

EXTERNAL RELATIONS OFFICER
ANDREW FORMOSA

EVENTS OFFICER
KEZIA MALLIA

MARKETING OFFICER
ALEC SLADDEN

PUBLICATIONS OFFICER
DANIELLE GAUCI

VICE-PRESIDENT
VALENTINA CASSAR

FINANCIAL OFFICER
DIANE CUTAJAR

DIRECTOR OF COMMITTEES
SARAH MIFSUD

EXCHANGES OFFICER
GIULIANA MAGRO CONTI

INTERNATIONAL OFFICER
KARL MICALLEF

LEISURE OFFICER
MATTHEW MAMO

POLICY OFFICER
ANDREW SCIBERRAS

RESOURCES OFFICER
KATRINA BORG FERRANDO

ABOUT GhSL

Għaqda Studenti Tal-Ligi (The Malta Law Students' Society) is a faculty-based, non-profit organisation at the University of Malta that represents all law students within the Faculty of Laws.

The organisation plays a pivotal role in law students' academic and social life at the University of Malta. The organisation has also been responsible for publishing the prestigious *Id-Dritt*, and the *GhSL Online Law Journal*.

Moreover, GhSL boasts its own Thesis Library, located at the GhSL office in the Faculty of Laws. Additionally, GhSL is the only law organisation responsible for the distribution of authoritative law notes and past papers.

For further queries on this set of notes, as well as any other, please feel free to contact our **Resources Officer** at resources@ghsl.org.



Advice from an Alumna

By Dr Priscilla Mifsud Parker

The law course is a long journey, but one that, if well-travelled, will lead to beautiful destinations. In an industry which is today attracting many young individuals looking to develop their career in law, it is important to stay ON the beaten track and remain focused. It may go without saying that it is of great importance for all students to attain good academic grades, to be dedicated to their work, as well as to be determined in this highly-competitive industry in order to fulfil their dream of becoming lawyers one day. However what is crucial is that as students and later on as professionals we are innovative by being sensitive to the changes around us. These changes might be political, economic, environmental, socio-cultural or others; what is for sure is that they all have an impact on the profession of a lawyer. We are members of a dynamic profession which is very sensitive to its surroundings. The type and 'genre' of advice which is required from us is all affected by what is being experienced by the receivers of this advice.

Work experience is considered as a vital part of the staple diet of any prospective lawyer in order to put into practice and refine the knowledge gained from the theoretical reality of the lecture halls and lawbooks into the skills required for a successful career in law. An internship will not only show future recruiters that you have a genuine interest in pursuing a career in this sector, but that you have the practical knowledge and skills to succeed in your role.

Here are some personal suggestions that I feel helped me during my journey:

1. *Being Ambitious*

A powerful trait in any competitive industry, ambition will help you in your law course, in your career as a lawyer, as well as in your life. Whilst the law course can be quite intimidating and challenging, an ambitious individual who is dedicated to learning new things has the potential to understand and realize long-term goals. Do not view the journey as one whole insurmountable mountain but focus on the next small goal and once achieved move on to the next and goal by goal you will reach your final target point.

In this respect, gaining valuable work experience through an internship is an important step taken by an ambitious young lawyer who wants to attain certain skillsets, and remain a step ahead of his/her peers. By being inquisitive, analytical and humble enough to accept guidance and mentoring one is guaranteed a fruitful experience in a law firm. It is also not only a means to start focusing on the direction of your career and to build upon your chosen path, but will undoubtedly expose you to the international world. This is crucial, as most of the traditional legal sectors have been intertwined with new areas of legislation and all these together now present much more opportunity for intra-jurisdictional work.

2. *Networking*

By engaging with counterparty students abroad and in international fora one gains an insight into another reality and is exposed to different cultures, ways of communicating and is able to bridge



the differences between parties to a mundane discussion which will eventually become a transaction or a major project in professional life.

3. Organisational Skills

Organisation is key in any industry. Good organisation skills always stand out to a recruiter when considering potential applicants. Such skills can be obtained by gaining experience either through organising one's own work, study plan, student events or cultural/philanthropic events.

Going hand-in-hand with this, is having a study plan. By planning your studies ahead, one will have a sufficient amount of time to meet all the demands, while also being able to participate in productive outside activities. Reviewing notes or case briefs before class can also help you follow and participate in class discussions better, whilst following case-law allows you to apply them for specific situations. In view of the amount of material involved summarising and carving out the most crucial points is essential to then build your argument in papers.

4. Taking your own class notes

It is always important to take down your own notes as laws are always evolving and passed-down notes would provide the context but are not ideally used for the detail. Researching the particular topic and comparing Malta's law with that of other jurisdiction gives one a completely different outlook and commenting on these variances in an exam paper, dissertation or assignment would distinguish one student from another. Not to be overlooked are also the consultation papers, commentaries and other official public documents that are issued by local authorities from time to time on different areas of law and industry. Being abreast of what is happening in industry will help putting the particular law or regulation in context.

5. Participation

Participation is a main element of the learning process. Being actively involved during seminars and lectures and participating in legal debate sessions, mock trial competitions and moot courts are essential in order to improve your persuasive and presentation skills. If you find this very difficult (all of us have different characters and traits), then try to focus on participation in other events which will expose you to public speaking starting off in smaller groups in a more familiar environment and trying out new experiences and larger audiences as you go along.

6. Practice is the key to success

This leads us to our next point – practice. Attaining good grades is undoubtedly an important part of the law course, however, in themselves, they are not enough to show that you have substantial material to succeed. Working within a law firm introduces you to the world of work, and allows you to gain specific industry-related skills which one will only ever be able to learn in a workplace setting.

Work experience can provide you with valuable insight which will help you decide what your career aspirations are and in which areas you would like to further delve into.

UNIVERSITY OF MALTA
FACULTY OF LAWS
LL.D. II YEARS
SECOND SEMESTER 2000 TESTS
PRESS LAW

CREDIT CODE: PL017

CREDIT VALUE: 1

Date of Test: 5th May 2000

Time: 9 to 10 a.m.

Answer question 1 OR question 2 and answer also question 3

1. Describe the JOURNALISTIC FREEDOMS that have formed part of the Press Act since the enactment of Act X of 1996. Discuss their importance in the context of a meaningful exercise of the freedom of expression in a democratic society.

OR

2. What circumstances and what limitations can bar the successful raising of the plea of justification (or *exceptio veritatis* or *prova tal-verita' tal-fatti*) when one is accused of defamatory libel?
3. Choose four of the following statement and by a simple Yes or No state whether they are correct or incorrect...
- i) The Press Act does not distinguish between the malicious and the negligent publication of false news. ... Yes/No
- ii) The plea of *diritto di cronaca* can be successfully raised by a newspaper editor in a case of defamatory libel against a newspaper editor. ... Yes/No
- iii) The plea of justification cannot be raised in the case of "obscene libel" ... Yes/No
- iv) The "right of reply" can be availed of only within one month of the broadcast or publication of the writing objected to. ... Yes/No
- v) Moral damages are not awarded in the case of defamation of a trivial nature. ... Yes/No

UNIVERSITY OF MALTA
FACULTY OF LAWS
B.A LEGAL & HUMANISTIC STUDIES 2ND YEAR
MAY 2000 TESTS
PRESS LAW

02/06/00

15:00 - 16:00

or question 1 or question 2 and answer also question 3.

The plea of justification (exceptio veritatis or prova tal-verita tal-fatt) is subject to precise rules as to when, how, against who and in what other circumstances it can be validly raised.

DISCUSS:

OR

Discuss the protection of confidentiality of sources and the right to access to information held by the Government that journalists enjoy.

Choose four of the following statements and by a simple YES or NO state whether they are correct or incorrect:

- (i) The "right of reply" can be availed of without prejudice to any other right under the Press Act..... YES/NO
- (ii) Judicial action can be taken also in respect of a "privileged publication"... YES/NO
- (iii) In the Press Act the term "editor" refers to a newspaper and can never refer to a broadcasting medium..... YES/NO
- (iv) The notion of "Qualified Privilege" was introduced in the Press Act by Act X of 1996..... YES/NO
- (v) The offence of racism was introduced in the Press Act by Act X of 1996... YES/NO
- (vi) Religion may be freely discussed, but vilification of religion is an offence ... YES/NO

UNIVERSITY OF MALTA
FACULTY OF LAWS
A. LEGAL & HUMANISTIC STUDIES 2ND YEAR / LL.D. II YEAR
SEPTEMBER 2000 TESTS
PRESS LAW

13TH September 2000

Time : 9.00 – 10.00 a.m.

Answer question 1 OR 2 and answer also question 3

When and how can the RIGHT OF REPLY provided for in the Press Act be successfully exercised?

OR

The Plea of Justification (*exceptio veritatis/ prova tal-verita tal-fatti*) is a useful and reasonable exercise of the freedom of expression in a democratic society. Discuss.

Choose four of the following statements and by a simple Yes or No state whether they are *correct* or *incorrect*.....

- The Press Act distinguishes between the malicious and the negligent publication of false newsYes/No
- The exercise of the "right of reply" is not subject to a time limitYes/No
- The "right of reply" can be exercised together with other rights in respect of the same writing or broadcastYes/No
- The "animus retorquendi" can be a good defence in cases of defamatory libelYes/No
- Circumstances of time and place have to be taken into account in order to decide whether a writing is defamatory or notYes/No
- No action lies in respect of "privileged publications"Yes/No

UNIVERSITY OF MALTA
FACULTY OF LAWS
PRESS LAW
(RESIT)

Date: 6th September 2002

Answer question 1 OR question 2 and also answer question 3

1. Discuss in detail how and in what circumstances the plea of justification (*exceptio veritatis*) may be validly raised in an action for defamatory libel

OR

2. Explain the difference between *priveleged publications* and *quasi-privelege* and illustrate how the two facilitate the duty of journalists "to inform".

3. Choose *five* of the following statements and, by a simple Yes or No state whether they are correct or incorrect.

- i) To establish whether a writing or broadcast is defamatory or not, very often one has to take into account the circumstances of time and place.

..... Yes/No

- ii) For purposes of the Press Act, a poster is a "printed matter"

..... Yes/No

- iii) Every holder of a broadcasting licence in Malta has to appoint an "editor" to be responsible for the broadcasting service

..... Yes/No

- iv) The Press Act does not distinguish between the negligent and malicious publication of false news

UNIVERSITY OF MALTA
FACULTY OF LAWS
B.A. LEGAL AND HUMANISTIC STUDIES II YEAR/LL.D. II YEAR

PRESS LAW

6th June, 2003

8.00a.m. – 9.00a.m.

Answer Question 1 or Question 2 and answer also question 3

1. Which are the "privileged publications"? In what sense they are protected by law? What is meant by "quasi-privilege"?

or

2. Freedom of expression in the rule but this *freedom* is subject to limitations in order to protect the rights of others. Discuss

3. Choose four of the following statements and by a simple YES or NO state whether they are correct or incorrect:-

i) The plea of justification can be raised only at the start of the proceedings – in *limine litis* ...Yes/No

ii) If a person defamed avails himself of the right of reply he cannot avail himself of an action for payment of damages as well ...Yes/No

iii) The right of reply can be exercised within these months from the date when the right arises ...Yes/No

iv) Where defamation is proved, moral damages are presumed and no further proof is necessary ...Yes/No

v) For the plea of justification to succeed, it is enough that the facts in question are substantially proved ...Yes/No

UNIVERSITY OF MALTA
FACULTY OF LAWS
B.A LEGAL AND HUMANISTIC STUDIES II YEAR & LL.D. II YEAR
MAY/JUNE 2004 SESSION

PRESS LAW

CREDIT CODE: PBL2010

CREDIT VALUE: 2

DATE OF TEST: 4th June 2004

TIME: 8 to 9 am.

Answer Question 1 or Question 2 and answer ALSO Question 3.

1. Discuss the issues that arise when considering whether an infringement of the right to freedom of expression meets the conditions of art 10(2) of the European Convention on Human Rights.

Or

2. By Act X of 1996 the Legislator, besides mentioning for the first time the importance of the role of the media in a democratic society, introduced provisions that help journalists fulfil such a role. Discuss.
3. Choose five of the following statements and by a simple YES or NO state whether they are CORRECT or INCORRECT:
- i) For purposes of the Press Act, the word "person" refers to physical persons only and does not include moral persons. ... YES/NO
 - ii) By the word "editor" the Press Act refers both to a newspaper as well as to a broadcasting service. ... YES/NO
 - iii) A cartoon falls under the provisions of the Press Act. ... YES/NO
 - iv) A person who reasonably thinks that he has been subjected to an attack on his honour, dignity or reputation can avail himself of the RIGHT OF REPLY without prejudice to the exercise of other rights. ... YES/NO
 - v) It is perfectly in order for the Government to issue instructions prohibiting the supply of information to a specified broadcasting station. ... YES/NO
 - vi) In an action for defamatory libel the "exceptio veritatis" can be raised at any stage of the proceedings. ... YES/NO

UNIVERSITY OF MALTA
FACULTY OF LAWS
LLB II YEAR & LLD II YEAR (2004/5)
JUNE 2005 SESSION OF TESTS

STUDY-UNIT: PBL2010 -- PRESS LAW
DATE: THURSDAY, 2ND JUNE 2005
TIME: 8.00-9.00A.M.

Answer Question 1 or Question 2 and answer also Question 3.

1. What is meant by Freedom of EXPRESSION? What limitations are imposed on this fundamental human right?

OR

2. When and in what manner may the *Right of Reply* under the Press Act be availed of?

3. With a simple YES or NO state whether four of the following statements are CORRECT or INCORRECT:

- i. By the word "editor" the Press Act refers both to a newspaper as well as to a broadcasting medium.

...YES/NO

- ii. A cartoon falls under the provisions of the Press Act.

...YES/NO

- iii. In an action for defamatory libel the "exceptio veritatis" can be raised at any stage of the proceedings.

...YES/NO

- iv. The plea of "qualified privilege" may be successfully raised by a journalist as a defence plea in an action for defamatory libel.

...YES/NO

- v. Confidentiality of sources is one of the journalistic freedoms introduced in the Press Act by Act X of 1996.

...YES/NO

UNIVERSITY OF MALTA
FACULTY OF LAWS
PRESS LAW
LLB II YEARS / LLD II YEARS

SATURDAY 26TH MAY, 2007

9.15AM – 10.15AM

Answer Question 1 or Question 2 and answer also Question 3.

1. What rules are to be observed so that any limitation to the "freedom of expression" be justified?

OR

2. Explain how the "Qualified Privilege" and "Confidentiality of Sources" provisions introduced in the Press Act by Act X of 1996, are useful tools in the hands of journalists.

3. Choose four of the following statements and by a simple YES or No state whether they are correct or incorrect.

i) Religion may be freely discussed but vilification of religion is an offence.

YES / NO

ii) An innuendo may be enough to establish the defamatory character of a statement.

YES / NO

iii) The exercise of the "right of reply" is not subject to a time-limit.

YES / NO

iv) Criminal proceedings for defamation may be instituted only on the complaint of the injured party.

YES / NO

v) A person may only sue for defamation if he has been mentioned by name in the writing complained of.

YES / NO

vi) The plea of justification (*exceptio veritatis* / *prova tal-verita tal-fatti*) can be raised at any stage of the Court proceedings.

YES / NO

UNIVERSITY OF MALTA
FACULTY OF LAWS
LLB II YEARS / LLD II YEARS
PRESS LAW

Tuesday 4th September 2007

9.15am to 10.15am

Answer question 1 or 2 and answer also question 3.

1. "The restrictions imposed by the press law should be interpreted in the light of article 41 of the Constitution of Malta as well as against the background of article 10 of the European Convention of Fundamental Human Rights and Freedoms, as interpreted by the case-law of the European Court of Human Rights". Discuss.

Or

2. Distinguish between "Qualified privilege" and "Privileged publications". How does the "Qualified privilege" help the media in the fulfillment of its duty "to inform"
3. Choose four of the following statements and, by a simple YES or NO state whether they are correct or incorrect
 - (i) In an action for defamatory libel there is no need to prove actual damage YES / NO
 - (ii) The Police may, of its own motion, institute criminal proceedings for defamatory libel YES / NO
 - (iii) Commercial advertising and artistic expression are protected by the right to "freedom of expression" YES / NO
 - (iv) The "Right of Reply" does not apply in the case of "Privileged publications" YES / NO
 - (v) The "Right of Reply" can be availed of within three months of the publication of the newspaper in respect of which the said right may be exercised YES / NO

University of Malta
Faculty of Laws
Press Law
June 2009 Session

FRIDAY 5th June 2009 8:00am - 9:00am

Answer Question 1 or Question 2 and answer also Question 3.

1. The right of freedom of expression is not unlimited, but any curtailment of this right must satisfy certain criteria. Discuss.

OR

2. The "Journalistic Freedoms" introduced into the Press- Act by Act X of 1996 recognised "the importance of the role of the media in a democratic society" and made provisions favourable to journalists. Discuss.

3. Choose four of the following statements and by a simple YES or No state whether they are correct or incorrect.

i) Religion may be freely discussed but vilification of religion is a crime.

YES / NO

ii) The "plea of justification" (*exceptio veritatis*) may be raised at any stage of the proceedings.

YES / NO

iii) In defamatory libel the *exceptio veritatis* may be raised by defendant against any plaintiff.

YES / NO

iv) Every entire statement, irrespective of its nature, constitutes an offence under the law.

YES / NO

v) The "right of reply" can be availed of not later than three months from the day when the right arises.

YES / NO

vi) A handwritten letter is a "printed matter" for purposes of the Press Act.

YES / NO

**UNIVERSITY OF MALTA
FACULTY OF LAWS
SEPTEMBER 2009 EXAMINATION SESSION**

PBL2010 – PRESS LAW

WEDNESDAY, 2ND SEPTEMBER 2009

11.45AM – 12.45PM

Answer question 1 or question 2 and answer also question 3.

1. The Law distinguishes between the malicious and negligent publication of false news. Furthermore, falsity alone is not enough for a criminal offence to materialize. Discuss.

OR

2. Freedom of expression is a right subject to specific limitations as specified by law and elaboration by case-law. Discuss.

3. Choose four of the following statements and, by a simple YES or NO state whether they are correct or incorrect.

- i) When defamation is alleged, the plea of justification (*exceptio veritatis*) can be raised at all stages of the proceedings and in respect of all persons ...YES / NO
- ii) "Qualified privilege" is distinguished from "privileged publications"YES / NO
- iii) The "right of reply" can be availed of without prejudice to any other rightYES / NO
- iv) Criminal and civil action for defamation is prescribed (time-barred) by the lapse of one year
...YES / NO
- v) Moral damages for defamatory libel are capped at €11550 (LM5,000) ...YES / NO
- vi) Every broadcasting station in Malta must have an "editor" ...YES / NO

UNIVERSITY OF MALTA

FACULTY OF LAWS

PBL 2010 - PRESS LAW

LL.B - Second Year

Friday 4th June 2010, 8.00 a.m. to 9.00 a.m.

Answer question 1 or 2 and answer also question 3.

Question 1 or 2 carry 80% and question 3 carries 20%

1. Freedom of expression is not absolute but is limited by law. Discuss.

Or

2. What do you consider to be the salient features of the Press Act?

3. Choose any four of the following statements and, by a simple YES or NO, state whether they are correct or incorrect:

- | | |
|---|----------|
| i) Every broadcasting station in Malta must have an editor | YES / NO |
| ii) Printed matter, as defined in the Press Act, includes any record, tape and film | |
| iii) incitement to take away the life or liberty of the President of Malta by means of a publication or a broadcast is a criminal offence | YES / NO |
| iv) the right of reply can be availed of without prejudice to any other right | YES / NO |
| v) the plea of justification can be pleaded in any action for defamatory libel and not in the case of other offences established by the Press Act | YES / NO |
| vi) the spreading of false news is both a crime under the Press Act and the Criminal Code | YES / NO |

UNIVERSITY OF MALTA
FACULTY OF LAWS
MCT2010 – Press Law

June SESSION 2011

Friday 3rd June, 2011

8.00AM – 9.00AM

Answer question 1 or question 2 and answer also question 3.

1. “Freedom of Expression” is the norm, but it is not a wholly unrestricted right. This freedom carries with it duties and responsibilities. Certain guidelines should be respected when the state legislates on restrictions. DISCUSS. (80 marks)

Or

2. Distinguish between “Privileged Publications” and “Qualified Privilege”. How does the latter facilitate the journalist’s duty to keep the public informed? (80 marks)
3. Choose four of the following statements and, by a simple YES or NO state whether they are correct or incorrect.
 - i. Religion may be freely discussed, but vilification of religion is a crime. (5 marks) YES / NO
 - ii. The “Right of Reply” can be availed of within six months from the day when the right may be exercised. (5 marks) YES / NO
 - iii. The law does not distinguish between the malicious and negligent publication of false news. (5 marks) YES / NO
 - iv. A handwritten letter is considered to be a “printed matter” (5 marks) YES / NO
 - v. In any action for defamatory libel under art. 11 of the Press Act, the plea of justification (*exceptio veritatis*) can be raised against any person allegedly defamed (5 marks) YES / NO
 - vi. “Confidentiality of sources” is a right enjoyed by journalists except in extremely rare circumstances (5 marks) YES / NO

UNIVERSITY OF MALTA

FACULTY OF LAWS

LL.B. II YEAR

MCT2011 – PRESS LAW

FRIDAY 31st MAY, 2013

9.15 A.M. – 10.15 A.M.

Each question carries equal marks.

Answer any ONE (1) question from the following.

1. *"One can argue that the right of freedom of expression is not absolute."* Discuss.
2. *"The Press Act carries various press offences which on conviction could lead to imprisonment and or fine (multa)."* Discuss.
3. Discuss with reference to case law, the various defence pleas which a defendant can raise against the allegation of defamation by a plaintiff.

UNIVERSITY OF MALTA
FACULTY OF LAWS
MCT2011 – PRESS LAW
MONDAY, 3rd FEBRUARY 2014, 9.15 A.M. – 10.15 A.M.
LL.B. HONS. 2nd YEAR

SECTION A

Each question carries ten (10) marks

1. Write short notes on any TWO of the following:
 - a. Diritto di Cronaca
 - b. Right of Reply
 - c. Parliamentary Immunity
 - d. Editor's and Publisher's obligations
 - e. The Press Registrar

SECTION B

Each question carries eighty (80) marks

Choose any ONE of the following:

2. The press is indisputably important in any democratic society which upholds the right to information and the freedom of expression. Discuss. **OR**
3. The defendant has a number of pleas which could be raised in reply to an action of defamation. Discuss with reference to case law. **OR**
4. The offences contemplated under the Press Act are many and various. Discuss.

**UNIVERSITY OF MALTA
FACULTY OF LAWS
LL.B. HONS. II YEAR
MCT2011 – PRESS LAW**

Friday 30th January, 2015

9.15am – 10.15am

SECTION A

Write short notes on any **TWO** of the following:

- a. The plea of *animus jocandi*
- b. Article 6 – Racism and similar offences
- c. The plea of fair comment
- d. The role of the Press Registrar under the Press Act
- e. Negligent publication of false news

[Ten (10) marks EACH]

SECTION B

Choose any **ONE** of the following:

1. The Press Act [Chapter 248], specifically Article 21, contemplates the right of reply. Give a brief review thereof. **OR**
2. A defendant, be it the editor, the author and/or the publisher, can raise a number of pleas in reply to an action of defamation. Discuss two or three pleas with reference to case law. **OR**
3. Article 12 of the Press Act [Chapter 248] provides for the plea of justification. Discuss with reference to case law.

[Eighty (80) marks]

UNIVERSITY OF MALTA
FACULTY OF LAWS
LL.B. HONS. 2nd YEAR/LL.B. 2nd YEAR WITH L.P. OPTION/L.P. OPTION
JANUARY 2016 EXAMINATIONS

EXAMINATION: MCT2011 – PRESS LAW

DATE: WEDNESDAY 27TH JANUARY 2016

READING TIME: 10.00AM to 10.05AM

DURATION OF EXAMINATION: 10.05AM to 11.05AM

INSTRUCTIONS TO STUDENTS:

STUDENTS ARE REQUIRED TO REPLY TO TWO QUESTIONS FROM SECTION A AND ONE QUESTION FROM SECTION B

SECTION A

WRITE SHORT NOTES ON ANY TWO OF THE FOLLOWING. (EACH WILL CARRY 10 MARKS)

1. Role of the Press Registrar
2. Diritto di Cronaca
3. Plea of Fair Comment
4. Journalistic Freedoms
5. Article 33 – Privileged Publications

SECTION B

CHOOSE ONE FROM THE FOLLOWING QUESTIONS. (THE ESSAY WILL CARRY 80 MARKS)

6. Explain how and to what extent *Can one* resort to the right of reply under Article 21 of the Press Act.
7. There are various pleas which the defendant can raise when faced with judicial procedures. Comment on the pleas which may be raised with reference to case law.
8. The Press Act contemplates a number of offences applicable to both publications and broadcasting. Comment on such offences through case law.

UNIVERSITY OF MALTA
FACULTY OF LAWS
LL.B. HONS. 2nd YEAR/LL.B. 2nd YEAR WITH L.P. OPTION
JANUARY 2017 EXAMINATIONS

EXAMINATION: MCT2011 - PRESS LAW

DATE: FRIDAY 27th JANUARY 2017

READING & NOTING TIME: 10.00AM to 10.05AM

DURATION OF EXAMINATION: 10.05AM to 11.05AM

WRITING IS PERMITTED DURING THE READING AND NOTING TIME

INSTRUCTIONS TO STUDENTS:
STUDENTS ARE REQUIRED TO REPLY TO ONE QUESTION

CHOOSE ONE FROM THE FOLLOWING QUESTIONS. (THE ESSAY WILL CARRY 100 MARKS)

1. In 1765, W. Blackstone in Commentaries on the Laws of England, [Book IV] argued that:

"The liberty of the press is indeed essential to the nature of a free state: but this consists in laying no previous restraints on publications, and not in freedom from censure for criminal matter when published. Every free man has an undoubted right to lay what sentiments he pleases before the public; to forbid this is to destroy the freedom to the press; but if he publishes what is improper, mischievous or illegal, he must take the consequences of his own temerity."

Comment on the role of the press in a democratic society.

2. The defendant can raise a number of pleas in libel proceedings. Comment on specific pleas with reference to case law.

3. A number of offences are contemplated under the Press Act. Comment on such offences through case law where applicable.

University of Malta
Faculty of Laws

January/February 2019 Examination Session

MCT2011 PRESS LAW

Date: Saturday 26th January 2019

Duration of Examination: 08:30AM-09:35PM

INSTRUCTIONS TO STUDENTS:

Write short notes on any **TWO (2)** topics from Section A and choose **ONE (1)** question from Section B.

SECTION A

1. Write short notes on any **TWO** of the following:
 - a. The Right of Reply (10 marks)
 - b. Journalistic Freedoms (10 marks)
 - c. The role of the Media Registrar under the Media and Defamation Act (Act XI of 2018) (10 marks)
 - d. Explain the plea of *Diritto di Cronaca* (10 marks)

SECTION B

Choose **ONE** of the following:

2. 'The right to Freedom of Expression as contemplated under Article 10 of the European Convention on Human Rights safeguards democratic principles in a given society.' Discuss with reference to case law. (80 marks)

OR

3. Various pleas could be raised by the defendant in libel proceedings. Discuss with reference to local jurisprudence. (80 marks)

University of Malta
Faculty of Laws

September 2020 Examination Session

MCT2011 PRESS LAW

Date: Friday 4th September 2020

Duration of Examination: 11:30AM - 12:35PM

INSTRUCTIONS TO STUDENTS:

Answer Question 1 from Section A. (20 marks)

Choose **ONE** (1) question from Section B. (80 marks)

Section A

1. Write short notes on any **TWO** of the following: (10 marks each)
 - (a) The role of the Media Registrar;
 - (b) The plea of *Diritto di Cronaca*;
 - (c) Defamation proceedings relative to a deceased person;
 - (d) Protection of journalists' sources.

Section B

2. The Media and Defamation Act [Act XI of 2018] of the Laws of Malta, provides for the right of reply. Discuss the relative provisions thereof.

OR

3. The freedom of expression under Article 10 of the European Convention on Human Rights is deemed fundamentally important to uphold a society's democratic principles. Discuss this statement with reference to case law.