

GX 1698

Ollscoil na hÉireann, Gallimh
National University of Ireland, Galway

Semester II Examinations, 2003/2004

Exam Code(s)	2BL1, 2BL2, 2CW1, 3BA1, 3BL1, 3BL2, 3CW1, 4BA4, 4BL2, 1EM1, 1OA1.
Exams(s)	2 nd 3 rd & 4 th LL.B 2 nd & 3 rd Bachelor of Civil Law 3 rd & 4 th Bachelor of Arts (Legal Science) Erasmus & Occasional
Module Codes(s)	LW393
Module(s)	Entertainment Law
Paper No.	1
Repeat Paper __ Special Paper	
External Examiner(s)	Ms. Charlotte Waelde
Internal Examiner(s)	Ms. Marie McGonagle
Instructions	Answer THREE Questions All questions carry equal marks
Duration	TWO Hours
No. of AnswerBooks	
Requirements:	
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	
Department(s)	LAW

PTO

1. The film industry has provided significant subject-matter for courts as they consider the scope of artistic expression. The popularity of films prompted widespread regulatory responses from state censorship boards concerned with moral standards generally and the protection of children in particular. Discuss the approach of the courts in relation to artistic expression and the censorship of films.
2. Commercial speech should be protected as part of freedom of expression because of the crucial role that advertising plays in free market economies and the difficulties in drawing sharp lines between political and commercial speech. Discuss.
3. Tom, a student, has been writing and performing his own material for the past two years. He is eager to make his mark in the music business and is thrilled to have been offered a recording contract. He seeks your advice about the contract, which is in the following terms. It is for six months and one album, with options for five more. The material to be recorded is to be at the company's discretion; the company may decide when, where and whether to release it. The company can terminate the contract at any time on one month's notice if the work is not up to scratch or if the artist fails to comply with any reasonable request from the company. The company will have worldwide rights and Tom may not engage in any form of musical pursuits without the express prior agreement of the company. Advise Tom, with reference to decided cases, where appropriate.
4. Answer EITHER a) OR b):
 - a) Critically assess the powers and duties of the Broadcasting Commission of Ireland (BCI), particularly in relation to new technologies or other key areas under the Broadcasting Act 2001.

OR

 - b) Explain the structure and role of the Broadcasting Complaints Commission (BCC), particularly under the Broadcasting Act 2001 and in relation to entertainment programming.
5. "Disney created Mickey Mouse. Why shouldn't Disney own Mickey Mouse forever?" Discuss with reference to the aims, duration and effects of copyright law as it applies to the entertainment industry.
6. Critically assess the legal regime and regulatory practice in relation to ONE of the following:
 - (i) The sale and rental of video recordings
 - (ii) Broadcast advertising, sponsorship and teleshopping
 - (iii) Parody, satire and humour
 - (iv) Undue influence in recording and similar contracts.

END