



**CORPORATE AND ACADEMIC SERVICES**

**MODULE SPECIFICATION**

Part 1: Basic Data					
Module Title	Media and Entertainment Law				
Module Code	UJUTNG-30-3	Level	3	Version	4
Owning Faculty	FBL	Field	Law Undergraduate		
Contributes towards	LLB (Hons); LLB (Hons) Commercial Law; LLB (Hons) Law with Business; BA (Hons) Business and Law; BA (Hons) Business with Law; Law Joint Awards				
UWE Credit Rating	30	ECTS Credit Rating	15	Module Type	Standard
Pre-requisites			Co- requisites		
Excluded Combinations			Module Entry requirements	120 credits acceptable to the award on which the student is registered of which at least 60 credits must be credits from law modules	
Valid From	September 2012		Valid to		

<b>CAP Approval Date</b>	1 May 2012
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Part 2: Learning and Teaching	
Learning Outcomes	<p><b>AIMS:</b></p> <ol style="list-style-type: none"> <li>To provide an understanding of the concepts of ownership, use and infringement of copyright and the analogous intellectual property rights, including performers rights, moral rights and rights in personality, central to the Entertainment business.</li> <li>To provide an understanding of the contractual concepts underpinning relationships in the Entertainment industry, particularly recording agreements, publishing agreements and management agreements</li> <li>To develop a student's ability to interpret and use a variety of legal sources applicable to Entertainment Law.</li> <li>To develop an understanding of the legal and non-legal principles affecting Entertainment Law and ability to apply these principles to factual situations in the Entertainment Industry. To provide an understanding of the laws affecting Media, including laws of Defamation, Obscenity, Privacy, Contempt, Advertising, Media ownership, concepts of self-regulation as it affects the Media industry</li> <li>To ensure that students appreciate and can evaluate and critically analyse the socio-economic and business context in which these principles were and are being developed, as well as the role and influence of European Union Law and where appropriate American Law.</li> <li>To ensure that students are able to demonstrate a logical and practical approach to the analysis of legal issues</li> </ol>

7. To develop a student's ability to initiate and carry through study and research both individually and/or as part of a group, as required.

**LEARNING OUTCOMES:**

On successful conclusion of the module, students will be able to

- show a detailed knowledge of the legal and regulatory framework affecting media and entertainment and the law and an awareness of a variety of ideas, contexts and frameworks as covered in the topics studied (Assessment Component A and B)
- be aware of the wider social implications of media and entertainment and the law and be able to debate issues in relation to more general ethical perspectives (Assessment Component A and B)
- demonstrate a basic ability to identify accurately issues which require researching; identify and retrieve up-to-date legal information, using paper and electronic resources; to use primary and secondary legal sources relevant to the topic under study (Assessment Component B)
- demonstrate a basic ability to undertake independent research in areas of law which he or she has not previously studied starting from standard legal information sources (Assessment Component B)

In addition the educational experience may explore, develop, and practise but not formally discretely assess the following:

1. Recognize the most effective methods of communication as appropriate to a given situation
2. Identify personal strengths and weaknesses in your own work and in working with others
3. Work and contribute co-operatively to group discussions and presentations
4. Show a willingness to share responsibility with others
5. Be self reflective in your actions and attitudes
6. Give and receive feedback in order to promote self improvement

Syllabus Outline

**COPYRIGHT**

Introduction: The nature, function and use of copyright protection.

Subsistence: Different types of "work", the requirement of originality, periods of protection, moral rights and rights in performances, the impact of harmonisation within the EU and its effect on UK law.

Ownership: Ownership, assignment and licensing, the role of the collecting societies.

Infringement: The concept of infringement, copying and derivation, primary and secondary infringement, remedies and defences.

**MANAGEMENT, PUBLISHING, RECORDING CONTRACTS**

Introduction: The nature and function of such agreements

Duration of agreements

Royalties, Advances and Accounting; Taxation

Obligations of both parties

Termination of contracts

**MEDIA LAW**

Law of defamation, obscenity, blasphemy and other matters of speech

Privacy, confidence and the balance of the competing rights of privacy and freedom of expression

	<p>Contempt of Court and Journalists sources Self-regulation including Press, Media and Advertising Ownership of Media Law relating to Advertising</p> <p><b>FURTHER ISSUES</b> Manufacturing and distribution agreements Sampling, copying and plagiarism Brand Names and exploitation Touring and sponsorship</p> <p>(Note: As this is a very topical area, not every subject may necessarily be covered each year)</p>
<p>Contact Hours/Scheduled Hours</p>	<p>Lectures: 2 hours per week. Seminars: 2 hour workshop per fortnight.</p> <p>Students will be expected to undertake their own independent reading and research in preparation for lectures and workshops/seminars</p>
<p>Teaching and Learning Methods</p>	<p>The emphasis throughout will be on providing the student the opportunity and facilities to question, understand, analyse and evaluate the law in its historical, practical, academic and social context. The learning context is student-centred and utilises a variety of techniques to encourage independent thought and constructive criticism. Dialogue is promoted between student and lecturer in an inter-active relationship which emphasizes the two-way flow of information and criticism.</p> <p>It is not necessarily envisaged that every topic in the syllabus will be covered in any one academic year. Areas which have topical significance could, therefore, be developed at greater length and less important areas delineated in outline only.</p> <p>Students will be expected to conduct research with both traditional and electronic sources and will be instructed how to do this both during the Programme as a whole and, where necessary, within the module.</p> <p>Lectures: In most cases there is no expectation of preliminary work. However, students may be given directed preliminary reading from recommended texts. Occasionally material may be also given out in advance so as to provide the basis for practical exercises or for more detailed discussion of topics to be conducted within the lecture.</p> <p>Guest speakers will be utilised where appropriate.</p> <p>Seminars: The Programme estimates a preparation time of 10 hours per seminar. At Level 3, more qualitative research and preparation is expected.</p> <p>Students will be given seminar sheets in advance of their seminars which will be centred on the analysis of cases, statutes, European and Human Rights' material as appropriate. The material will usually be problem or discussion title-based. Supplementary material (usually of a problem-solving nature) will normally be provided in the seminar.</p> <p>Directed reading will be suggested along with internet sources and video material as appropriate.</p> <p>Students are expected to make full use of their independent learning time to reflect critically upon the subject and to develop their own ideas.</p> <p><b>Scheduled learning</b> includes lectures, seminars, tutorials and workshops;</p> <p><b>Independent learning</b> includes hours engaged with essential reading, case study preparation, assignment preparation and completion etc. These sessions constitute an average time per level as indicated in the table below. Scheduled</p>

	sessions may vary slightly depending on the module choices you make.
Reading Strategy	<p><b>Essential Reading</b> It is essential that students read one of the many texts on research methods available through the Library. Module guides will also reflect the range of reading to be carried out.</p> <p><b>Further Reading</b> Students are expected to identify all other reading relevant to their chosen research topic for themselves. They will be encouraged to read widely using the library catalogue, a variety of bibliographic and full text databases, and Internet resources. Many resources can be accessed remotely.</p> <p><b>Access and Skills</b> The development of literature searching skills is supported by a Library seminar provided within the first semester and by the Graduate Development Programme at level three. These level three skills will build upon skills gained by the student whilst studying at levels one and two. Additional support is available through the Library Services web pages, including interactive tutorials on finding books and journals, evaluating information and referencing. Sign up workshops are also offered by the Library.</p>
Indicative Reading List	<p>The following list is offered to provide validation panels/accrediting bodies with an indication of the type and level of information students may be expected to consult. As such, its currency may wane during the life span of the module specification. However, as indicated above, CURRENT advice on readings will be available via the module guide.</p> <p>Baden-Powell et al <i>Intellectual Property and Media Law Companion</i> (Montagu &amp; Weston)  Bainbridge D. <i>Intellectual Property</i> (Pitman)  Bloy D and Hadwin S <i>Law and The Media</i> (Sweet &amp; Maxwell)  Carey et al <i>Media Law</i> (Sweet b&amp; Maxwell)  Carey P and Verow R <i>Media and Entertainment: The Law And Business</i> (Jordans)  Cornish W.R.. <i>Intellectual Property</i> (Sweet &amp; Maxwell)  Harrison A. <i>Music: The Business</i> (Virgin)  Krasilovsky M.W. and Shemel S. <i>This Business Of Music</i> (Billboard)  Passman D.S. <i>All You Need To Know About The Music Business</i> (Penguin)  Robertson G and Nicol A <i>Media Law</i> (Penguin)  Smartt U <i>Media &amp; Entertainment Law</i> (Routledge)</p> <p>Journals (Specialist) :-</p> <p style="padding-left: 40px;">Entertainment Law Review (Sweet &amp; Maxwell)  Entertainment &amp; Media Law Reports (Sweet &amp; Maxwell)  General Journals :-  Law Quarterly Review  Law Society's Gazette  New Law Journal  Solicitors Journal  Cases and Statutes:-  All England Law Reports  Halsbury's Statutes  Lexis Nexis Database  The Law Reports  Westlaw Database</p> <p>From time to time students will be directed to articles, journals and internet sites as are deemed appropriate for various topics.</p>

### Part 3: Assessment

Assessment Strategy	<p>Component A is an examination which is designed to test knowledge and problem solving skills (synthesis/evaluation). The Exam is summative and will take place in the Assessment period following conclusion of all the teaching on the module.</p> <p>Component B is a Coursework which is designed to test the in-depth independent research skills of students by giving them questions to answer requiring a logical approach, analysis of research and synthesis of materials to provide a comprehensive answer to a problem or to provide a critical evaluation of a topic of law in an essay topic.</p>
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Identify final assessment component and element	<b>Component A</b>	
% weighting between components A and B (Standard modules only)	<b>A:</b>	<b>B:</b>
	<b>75%</b>	<b>25%</b>

First Sit	
Component A (controlled conditions) Description of each element	Element weighting (as % of component)
1. 3 Hour Exam	100%
Component B Description of each element	Element weighting (as % of component)
1. Coursework – 2000 Words	
2. Coursework – 2000 Words	
Note: <b>The better mark of element 1 or 2 will count</b>	100%

Resit (further attendance at taught classes is not required)	
Component A (controlled conditions) Description of each element	Element weighting (as % of component)
1. 3 Hour Exam	100%
Component B Description of each element	Element weighting (as % of component)
1. Coursework – 2000 Words	100%

If a student is permitted an **EXCEPTIONAL RETAKE** of the module the assessment will be that indicated by the Module Description at the time that retake commences.