

Audiovisual Communication Law

Code: 103029
ECTS Credits: 6

Degree	Type	Year	Semester
2501928 Audiovisual Communication	OB	3	1

The proposed teaching and assessment methodology that appear in the guide may be subject to changes as a result of the restrictions to face-to-face class attendance imposed by the health authorities.

Errata

There have been changes on the teaching team. The members of the team are Ms. Esther Padró Maristany (esther.padro@uab.cat) and Ms. Noemí Morell Alsina (noemi.morell@uab.cat).

Contact

Name: Jorge Pedemonte Marino
Email: Jorge.Pedemonte@uab.cat

Use of Languages

Principal working language: catalan (cat)
Some groups entirely in English: No
Some groups entirely in Catalan: Yes
Some groups entirely in Spanish: Yes

Teachers

Valentina Maglietta
Maria Carme Miralpeix Peix

Prerequisites

The Audiovisual Communication Law subject does not require any prerequisite to be taken, as it is a legal training designed for the degree in Journalism, which already involves basic legal knowledge acquired in the degree. This subject provides in-depth knowledge of the legal regulation on the contents of audiovisual communication, especially intellectual property law and image rights at both international and European and national levels.

Objectives and Contextualisation

The Autonomous University of Barcelona was a pioneer in the inclusion of subjects with legal content in the study plans of Communication Sciences.

The purpose of this course is to provide in-depth knowledge for audiovisual communication professionals on the legal framework for this matter, paying special attention to intellectual property law and image rights. It is about knowing the contents and the international, european and regional protection courts and bodies and acquiring the powers to apply real situations to existing regulations.

We want to influence knowledge of the legislation in audiovisual communication of new technologies and media literacy as a fundamental right in a democratic society.

These contents are acquired through a critical debate in class.

An apprenticeship is carried out in the different interrelated areas:

-Intellectual property of audiovisual communication: International, European and state legislation.

-Moral rights of audiovisual works.

-Alternatives to traditional copyright management: Copyleft and open licenses.

-The image rights in audiovisual works.

General legal regulation of audiovisual communication media.

Legal regulation of telecommunications.

-Competence ownership and management of radio and television.

-The legal regulation of audiovisual services.

-The independent audiovisual authorities.

-New technologies, regulation and incidence in the audiovisual field.

Competences

- Demonstrate a critical and self-critical capacity.
- Demonstrate a self-learning and self-demanding capacity to ensure an efficient job.
- Demonstrate knowledge of legislation applicable to the field of audiovisual communication.
- Develop autonomous learning strategies.
- Develop critical thinking and reasoning and be able to relay ideas effectively in Catalan, Spanish and a third language.
- Differentiate the disciplines main theories, fields, conceptual developments, as well as their value for professional practice.
- Research, select and arrange in hierarchical order any kind of source and useful document to develop communication products.

Learning Outcomes

1. Apply legal knowledge to specific communication aspects.
2. Be familiar with and apply state and autonomous community regulations governing audiovisual activity.
3. Be familiar with the different legal aspects of copyright related to audiovisual media.
4. Demonstrate a critical and self-critical capacity.
5. Demonstrate a self-learning and self-demanding capacity to ensure an efficient job.
6. Develop autonomous learning strategies.
7. Develop critical thinking and reasoning and be able to relay ideas effectively in Catalan, Spanish and a third language.
8. Research, select and arrange in hierarchical order any kind of source and useful document to develop communication products.

Content

Unit 1. Introduction

1.1. Law and legal system.

1.2. The Constitution as the supreme rule of the legal system.

1.3. Higher values of the legal system and constitutional principles. The multilevel legal system.

1.4. Fundamental rights as essential elements of the legal system.

Unit 2. The constitutional content of freedom of communication

2.1. The constitutional configuration of the right to freedom of communication: article 20 of the Spanish Constitution. Audiovisual communication as a fundamental right.

2.2. Audiovisual communication as a form of expression of opinions and ideas. Audiovisual communication as a form of ideological, artistic and religious expression. Audiovisual communication as a way of transmitting information.

2.3. The distinction between the right to freedom of expression and the right to freedom of information.

2.3.1. Freedom of expression and ideological freedom.

2.3.2. Freedom of opinion.

2.3.3. The right to freedom of information: requirement of truthfulness, newsworthy events, public relevance. The professional secret.

Unit 3. Sources of audiovisual communication

3.1. The right of access to public information and research in public records.

3.2. The transparency of public information.

3.3. The right to criticism.

3.4. Information on private persons: regulatory framework.

Unit 4. Limits to the exercise of the right of communication

4.1. The right to honor: general characteristics. Honor in natural and legal persons, institutions, groups and collectives.

4.2. The right to personal and family privacy.

4.3. Limits to the use of computing as a communication tool, use of data and social networks.

4.4. The right to one's own image.

4.5. The right to the protection of personal data.

4.6. The dignity of people: prohibition of insults, humiliating, discriminatory treatment and hate speech.

Unit 5. Other limits to the freedom of audiovisual communication

5.1. Protection of children and youth.

5.2. The official secrets.

5.3. Information on legal proceedings; the summary secret.

Unit 6. Civil liability and audiovisual communication

6.1. The right to informative self-determination.

6.2. Civil protection of the rights of the rights to honor, personal and family privacy and own image.

6.3. The civil liability of the communicator.

Unit 7. Criminal responsibility and audiovisual communication

7.1. General characteristics of criminal responsibility.

7.2. Criminal figures linked to audiovisual communication: slander, insults, disclosure of secrets, illegal eavesdropping, illicit image capture.

7.3. Other crimes against fundamental rights: exaltation and incitement to terrorism; denial of genocide; disclosure of official secrets; Crimes against intellectual property; professional recklessness.

7.4. Hate speech and hate crimes.

7.5. Computer crimes and responsibilities for the improper use of social networks.

Unit 8. Guarantees and protection of audiovisual communication

8.1. Legal protection and constitutional protection of fundamental rights.

8.2. The prohibition of prior censorship.

8.3. The right to the conscience clause.

8.4. Ordinary judicial protection and constitutional protection.

Unit 9. Legal regulation of audiovisual communication media and telecommunications

9.1. Legal regulation of audiovisual communication media and services.

9.2. Legal regulation of telecommunications.

9.3. Competency ownership and management of audiovisual media.

9.4. Independent authorities.

Methodology

The learning process focuses on the work of the student, who learns by working individually and in groups, the mission of the teacher being to help him in this task by providing information and showing him the techniques and sources where it can be obtained.

The development of the teaching of the subject and of the student's training is based on the following activities:

1. Directed activities:

1.1. Master classes where students acquire through the transmission of knowledge from the teacher / professor the conceptual bases of the subject.

1.2. Seminar classes: as a learning space where students assume a preferably active role to, together with the teacher, analyze and interpret questions, questions or previously elaborated cases in order to develop and consolidate the essential content explained in the theoretical classes.

2. Supervised activities: These are activities that students will develop in the classroom, with the supervision and support of the teacher. It is about the solution of some practical assumption in the classroom, elaboration of some files of sentences and / or regulations or the realization of outlines or written writing developed of some epigraphs of the subject or of complementary readings of monographs or doctrinal articles.

3. Autonomous activities: these are activities in which the student organizes time and effort autonomously, either individually or in groups.

3.1 Study of the subject.

3.2 It is possible to propose the elaboration of documents of practical activities that will be delivered and analyzed in the classroom. These are practical cases proposed in advance by the teacher or the preparation of critical reviews of books and readings or files on jurisprudence, regulations or films.

3.3 Search of bibliography, jurisprudence and materials for the resolution of practical cases, complementing the theoretical questions

3.4. Preparation of course work, reports, etc.

If proposed, attendance at the seminars, except for justified cause, will be mandatory for students.

Important advice. The teaching methodology and the evaluation may undergo some modification depending on the circumstances and especially the restrictions on presence established by the health authorities.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Lectures	15	0.6	1, 8, 2, 5, 6, 4, 7
Seminars	37.5	1.5	1, 3, 4, 7
Type: Supervised			
Tutorships	7.5	0.3	5, 6, 4, 7

Assessment

The competences of these subjects will be evaluated continuously through the following activities:

- Final exam to be carried out on the date officially indicated by the Academic Secretary. You will receive 50% of the note. The teaching team corresponding to each of the groups will indicate the format of this test.

- A minimum of two other evaluation activities whose weight in the grade will be the remaining 50%: For these purposes in each of the groups of this subject the respective teaching team must select at least two different evaluation activities (determining the weight of each one of them in the percentage of the qualification within the present 50%). An example of these possible activities, only by way of example, we point out: Partial exam (not liberatory), practical cases, reports, reviews, legal writings, opinions, preparation of research papers, reviews, book reviews, case law files, regulations, videos or movies, or developing projects, among other activities. The selected activities may be carried out, as provided by the teaching team, individually or in groups.

The teaching team of each group at the beginning of the course will present the program of the subject provided in this guide, explaining the topics that will be discussed. In this way, it will also present the schedule of teaching activities (theory and seminars), specify the continuous evaluation system that it has selected and establish the percentage assigned to each of the selected activities and its date of completion, as well as the system for re-evaluation of the activities. suspended. The reevaluation can only be carried out if the student has followed the continuous evaluation. Such indications will be exposed in the virtual campus / Moodle.

Within these activities to be evaluated, the teaching team will also be able to assess attendance and participation in class. It is about active participation throughout the course, of quality, legally based, adequate and relevant to the topics covered, and different from that carried out in the seminar / practical classes. In this case, the teaching team of each group will determine the corresponding percentage.

A student who copies or attempts to copy on a final exam will have a 0 on the exam. A student who presents a practice in which there is plagiarism will obtain a 0 and receive a warning. In case of repetition of the behavior, the student will suspend the subject.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Final exam	50%	4	0.16	1, 3, 2, 5, 7
Practices	50%	3.5	0.14	1, 8, 5, 6, 4, 7

Bibliography

A) Reference manuals:

DE CARRERAS. LL.: Las normas jurídicas de los periodistas. Universitat Oberta de Catalunya, Editorial UOC, 2012.

TORRES DEL MORAL. A. (Dir): Libertades informativas. Colex 2009.

GAVARA DE CARA, JC (Ed): Las autoridades independientes en materia audiovisual. Bosch, Barcelona 2013.

ÁLVAREZ CONDE, Enrique Curso de Derecho Constitucional, 2 vols, Tecnos, Madrid.

APARICIO PÉREZ, Miguel Angel. (dir.)- BARCELÓ, Merce., Manual de Derecho Constitucional, Atelier, Barcelona.

FOSSAS, Enric.- PÉREZ FRANCESC, Joan Lluís, Lliçons de Dret Constitucional, Proa, Barcelona.

PÉREZ ROYO, Javier. Curso de Derecho Constitucional, Marcial Pons, Madrid.

B) Legal texts:

CARRERAS SERRA, F.- GAVARA, J.C. Leyes políticas, Aranzadi, Pamplona.

ALBERTÍ, E- GONZALEZ,M. Leyes políticas del Estado, Civitas, Madrid.

Web links:

<http://www.der.uva.es/constitucional/verdugo/matriz.htm> Materials de Dret Constitucional.

<http://www.iustel.com> Informació normativa, jurisprudencial i doctrinal.

www.westlaw.es. Base dedades westlaw.

Software

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