

МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ  
ОДЕСЬКИЙ НАЦІОНАЛЬНИЙ УНІВЕРСИТЕТ ІМЕНІ  
І. І. МЕЧНИКОВА

ЕКОНОМІКО-ПРАВОВИЙ ФАКУЛЬТЕТ

КАФЕДРА ЦИВІЛЬНО-ПРАВОВИХ ДИСЦИПЛІН



## **MEDIA LAW**

Електронні методичні рекомендації  
до практичних занять з курсу  
для здобувачів другого (магістерського) рівня вищої освіти  
спеціальності 081 Право

ОДЕСА  
2023

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ОНУ імені І. І. Мечникова  
Протокол № 10 від «26» червня 2023 р.*

**М46** **Media Law** [Електронний ресурс] : електронні методичні рекомендації до практичних занять з курсу для підготовки здобувачів другого (магістерського) рівня вищої освіти спеціальності 081 «Право» / уклад.: Н. М. Булат. – Одеса, 2023. – 66 с. – 1,0 МБ.

Методичні рекомендації розроблені для здобувачів другого (магістерського) рівня вищої освіти освітньо-професійної програми «Право» спеціальності 081 «Право». Методичні рекомендації містять опис змісту навчальної дисципліни, перелік питань та методичні рекомендації для підготовки до практичних занять, пояснення до виконання самостійних завдань та рекомендовану літературу до них.

Основна мета методичних рекомендацій – надати методичну допомогу здобувачам вищої освіти у підготовці та вивченні дисципліни на аудиторних заняттях та під час самостійної роботи. Матеріал представлено в розрізі змістових модулів і тем.

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## ВСТУП

**Мета дисципліни** – формування теоретичних і практичних знань про правові засади медіадіяльності, актуальні проблеми у цій сфері та шляхи їх вирішення, а також формування та вдосконалення практичних умінь і навичок реалізації та захисту прав у сфері медіа.

### **Завдання дисципліни:**

- засвоєння правових основ медіадіяльності;
- вивчення актуальних проблем у сфері медіа та шляхів їх подолання з огляду на кращі світові практики;
- формування та вдосконалення практичних умінь і навичок реалізації та захисту прав у сфері медіа.

**Міждисциплінарні зв'язки навчальної дисципліни:** конституційне право, цивільне право, право інтелектуальної власності, ІТ-право.

**Предметом навчальної дисципліни** є норми права, що регулюють суспільні відносини, які виникають під час здійснення медіадіяльності, а також правові категорії, наукові погляди та концепції у сфері медіаправа.

**У результаті вивчення навчальної дисципліни здобувач вищої освіти має:**

**знати:** правові засади медіадіяльності, зокрема діяльності суб'єктів у сфері медіа, повноваження органів влади в інформаційній сфері, особливості охорони прав інтелектуальної власності у сфері медіа, правові засади свободи вираження поглядів та захисту приватності, правові засади діяльності журналіста, особливості доступу до інформації, відповідальності за дифамацію, особливості правового регулювання реклами, видавничої справи, соціальних медіа.

**вміти:** аналізувати основні проблеми правової регламентації медіадіяльності, пропонувати шляхи їх вирішення, реалізовувати та захищати права у сфері медіа.

# **ЗМІСТ НАВЧАЛЬНОЇ ДИСЦИПЛІНИ**

## **MODULE 1**

### **General Provisions Concerning Legal Regulations in the Field of Media**

#### **Topic 1. Subjects of media industry.**

Classification of subjects of media relations. Subjects in the field of media. Services and subjects in the field of audiovisual media. Public audiovisual media. Subjects in the field of printed media. Subjects in the field of online media. Providers of audiovisual services. Providers of video-sharing platforms. Providers of electronic communication services for broadcasting using the radio frequency spectrum. Requirements for media subjects. Licensing and registration in the field of media. Subjects of media and related industry: general provisions and classification. Subjects of advertising industry. Advertising producer. Advertising disseminator. Subjects of publishing industry. Publishers. Producers. Distributors. The State Register of Publishers, Producers and Distributors of Publishing Products.

#### **Topic 2. Legal authorities in the field of information.**

Ministry of Culture and Information Policy of Ukraine. National Council of Television and Radio Broadcasting of Ukraine. State Committee for Television and Radio Broadcasting of Ukraine. State Agency of Ukraine on Cinema Issues. Control authorities in the field of advertising. Book chamber of Ukraine. The Ukrainian Book Institute. Joint regulation in the field of media.

#### **Topic 3. Media law and intellectual property.**

Advertisement as an intellectual property object. Legal protection of a slogan. Relations between advertiser, producer and disseminator. Subjects of intellectual property rights to advertising. Legal protection of audiovisual works. Broadcast organizations and their programmes. Types of licenses. Exclusive license. Non-exclusive license. Sole license. Creative Commons licenses. BY, NC, ND, SA and their combinations.

#### **Topic 4. Freedom of expression and privacy protection.**

Freedom of expression and privacy protection under the Universal Declaration of Human Rights. Freedom of expression under the Convention for the Protection of Human Rights and Fundamental Freedoms. Right to respect for private and family life under the Convention for the Protection of Human Rights and Fundamental Freedoms. Freedom of expression and privacy protection under Ukrainian legislation. The Global Principles on Protection of Freedom of Expression and Privacy. Global Network Initiative. Joint declaration on freedom of expression and the Internet. Internet and freedom of expression: analyses of the European Court of Human Rights practice. The Court's general principles concerning freedom of expression and the Internet. Interpretation of the Convention 'in the light of present-day conditions' and the Internet as a 'modern means of imparting information'. Restrictions that might prove necessary in the Internet context. The 'duties and responsibilities' of an Internet news portal as regards online comments posted by users. Press publications on the Internet: reinforcement of journalists' duties and responsibilities. High level of protection of freedom of expression in the area of political, militant and polemical expression on the Internet. The chilling effect on freedom of expression.

## **MODULE 2**

### **Legal Regulation of Different Professional Activities in the Field of Media**

#### **Topic 5. The legal status of a journalist.**

Freedom of speech and prohibition of censorship under the Constitution of Ukraine. Prohibition of censorship and prohibition of interfering with the professional activity of journalists and media. Guarantees of activity of the media and journalists. Accreditation of journalists. Rights and duties of a journalist. Social protection of journalists. International Federation of Journalists. Global charter of ethics for journalists. The safety of journalists.

## **Topic 6. Access to information.**

Core principles of information relations. Right to information. Ensuring the right to information. Types of information activity. Types of information. Activity of journalists, media and their employees. Public information. Guarantees and principles for ensuring the right of access to public information. Access to public information. Public restricted information and its kinds. Access to information about a person. Public information in the form of open data. Protection of a person who discloses information. Parties of relations in the field of access to public information. Information requests. Period of considering information requests.

## **Topic 7. Defamation.**

Defamation: meaning. Elements of defamation. Libel and slander. Opinion and fact. Right to a response and refutation of inaccurate information. Prohibition of dissemination of information violating personal non-property rights. The right of an individual, whose personal non-property right has been violated, to compensation for damage. Release from liability. Internet and defamation, threats and insults: analyses of the European Court of Human Rights Practice. Money laundering and defamation: analyses of the European Court of Human Rights Practice.

## **Topic 8. Advertising law.**

Legislation in the field of advertising. Subjects of advertising relations. Advertising: classification. Sponsorship. TV sales. Language of advertising. Principles of advertising. General requirements for advertising. Identification of advertising. Unfair advertising. Comparative advertising. Social advertising. Advertising in media. External advertising. Internal advertising. Advertising on transport. Advertising and children. Peculiarities of advertising of some types of goods. Control of the observance and responsibility for the breach of legislation on advertising.

### **Topic 9. Legal regulation of publishing activity.**

Legislation in the field of publishing. Subjects of publishing relations. Aim of publishing. State policy in the field of publishing. State Support of Book Publishing in Ukraine. Language of publishing. The State Register of Publishers, Producers and Distributors of Publishing Products. A person who orders publishing products. Publisher. Producer of publishing products. Disseminator of publishing products. The Book Chamber of Ukraine. Restrictions of rights in publishing. International cooperation in publishing.

### **Topic 10. Social media law.**

Social media: meaning. Social media and social networking. Social media functionality. Legal risks for social media. New boundaries of free speech in social media. Anti-SLAPP statutes. Social media content. Social media and privacy protection. Social media law and ethics. Child labor laws in the era of 'kidfluencers'. Artificial intelligence and social media. Liability of social media platforms.

**ПЛАН ПРАКТИЧНИХ ЗАНЯТЬ, ЗАВДАННЯ ДЛЯ САМОСТІЙНОЇ РОБОТИ ТА МЕТОДИЧНІ РЕКОМЕНДАЦІЇ ДО ВИВЧЕННЯ ОКРЕМИХ ТЕМ**

**Module 1. General Provisions Concerning Legal Regulations in the Field of Media**

**Topic 1. Subjects of media industry**

**Topic 2. Legal authorities in the field of information**

**Practical class 1**

**Subjects in the field of media and related areas**

**Functions of legal authorities in the field of information**

*Issues for discussion*

1. Classification of subjects of media relations.
2. Subjects in the field of media.
3. Public audiovisual media.
4. Requirements for media subjects.
5. Licensing and registration in the field of media.
6. Subjects of advertising industry. Advertising producer. Advertising disseminator.
7. Ministry of Culture and Information Policy of Ukraine.
8. State Agency of Ukraine on Cinema Issues.
9. Control authorities in the field of advertising.

**Practical task.**

1. Use the State Register of Subjects of Publishing and answer the questions:

- 1) how many subjects of publishing are registered in Ukraine (do not count subjects of publishing whose certificates are annulled)?
- 2) what is the percentage of subjects of publishing – individual entrepreneurs and what is the percentage subjects of publishing – legal entities (do not count subjects of

publishing whose certificates are annulled)?

2. To find analytical materials of the National Council of Television and Radio Broadcasting of Ukraine and to answer the questions:

1) how many television and radio organisations have licenses according to the report of the last year?

2) how many licenses were issued during the last year? Compare with data of the previous year.

### **Methodical Recommendations**

Preparing for the practical class, a student should pay attention that it is possible to divide subjects in the field of media into three groups: subjects of media industry, legal authorities and consumers and orderers of media services and products.

Considering the first group of subjects (subjects of media industry), it is possible to make the following observations.

According to the Law of Ukraine 'On Media', one can determine subjects in the field of audiovisual media, subjects in the field of printed media, subjects in the field of online media, providers of audiovisual services, providers of video-sharing platforms, providers of electronic communication services for broadcasting using the radio frequency spectrum. It is necessary to address special provisions of the Law of Ukraine 'On Media' devoted to each of the groups.

In addition, a student should take into account that media law may be considered in a broad sense – not only as the field concerning media as means for regular distribution of information but also as the field concerning media and related areas such as advertising and publishing. Therefore, it is worth addressing subjects of these areas too.

In the field of advertising, subjects of media industry are represented by advertising producers and advertising disseminators.

First of all, a student should address the Law of Ukraine 'On Media' and analyse provisions concerning the state policy in the field of media (its tasks,

implementation and the role of the National Council of Television and Radio Broadcasting of Ukraine.

Also, it is worth addressing the tasks and powers of each main legal authority in the field of media. Among such authorities, one can determine:

- Ministry of Culture and Information Policy of Ukraine;
- National Council of Television and Radio Broadcasting of Ukraine;
- State Committee for Television and Radio Broadcasting of Ukraine;
- State Agency of Ukraine on Cinema Issues.

The Ministry of Culture and Information Policy of Ukraine is the main body of the central executive power system in the field of culture, state language policy, popularization of Ukraine in the world, state foreign broadcasting, information sovereignty of Ukraine and information security, as well as national memory, art, protection of culture heritage, museum activity, export, import, and return of cultural values.

The National Council of Television and Radio Broadcasting of Ukraine is an independent constitutional permanent collegial state body that operates based on the Constitution of Ukraine, this Law, and other laws of Ukraine, and carries out state regulation, supervision, and control in the media sphere.

The National Council of Television and Radio Broadcasting of Ukraine operates on the principles of the rule of law, legality, independence, objectivity, predictability, legal certainty, competence, professionalism, collegiality in considering and resolving issues, justification of decisions made, openness, and publicity.

The State Committee for Television and Radio Broadcasting of Ukraine is the principal organization in the system of central executive bodies on the formation and realization of the state policy in the fields of television and radio broadcasting, information and publishing.

The State Agency of Ukraine on Cinema is a central executive body whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine and which ensures the formation and implementation of state policy in the field of

cinematography. The main tasks are: implementation of state policy in the field of cinematography; ensuring the formation of state policy in the field of cinematography; exercising state supervision (control) in the field of cinematography.

The Book Chamber of Ukraine is the state scientific institution in the field of publishing and information activity. Its tasks are related to catalogue, data collection, book market research, State archive of publishing, prospects, scientific research, databases.

The Ukrainian Book Institute is a state institution that belongs to the management sphere of the central executive authority responsible for shaping state policy in the fields of culture and art (hereinafter referred to as the managing authority), and operates in accordance with the statute approved by the managing authority and the Strategy for the Development of Reading approved by the Cabinet of Ministers of Ukraine. The purpose of the Ukrainian Book Institute is to: support book publishing; popularize reading; stimulate translation activity; promote Ukrainian literature around the world.

In addition, a student should take into account that, under special laws, it is possible to determine other authorities which are to perform control functions. For example, the Law of Ukraine ‘On Advertising’ contains a norm regarding control authorities in the field of advertising.

Also, it is worth addressing provisions of the Law of Ukraine ‘On Media’ regulating relations concerning joint regulation in the field of media – state regulation and self-regulation.

In the field of publishing, subjects of media industry are represented by publishers, producers and distributors of publishing products.

To analyse the legal status of these subjects as well as the correlations between them, it is necessary to address special legislation: the Law of Ukraine ‘On Advertising’ and the Law of Ukraine ‘On Publishing’.

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### **Topic 3. Media law and intellectual property**

#### **Practical Class 2**

#### **Legal protection of products of media industry. Licensing**

##### *Issues for discussion*

1. Advertisement as an intellectual property object.
2. Legal protection of a slogan.
3. Relations between advertiser, producer and disseminator.
4. Subjects of intellectual property rights to advertising.
5. Legal protection of audiovisual works.
6. Broadcast organizations and their programmes.
7. Types of licenses. Exclusive license. Non-exclusive license. Sole license.
8. Creative Commons licenses.
9. BY, NC, ND, SA and their combinations.

#### **Practical task**

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### **Methodical Recommendations**

Addressing the correlations between media law and intellectual property, it is important to pay attention to the following issues: advertisement as an intellectual property object, legal protection of a slogan, relations between an advertiser, a producer and a disseminator, subjects of intellectual property rights to advertising, legal protection of audiovisual works, legal status of broadcast organisations.

According to the legal definition, advertising is the information about a person or goods, disseminated in any form and by any means, and is aimed at the development or maintenance of advertising consumer awareness and their interest related to such a person or goods.

Advertising may include different intellectual property objects such as illustrations, photos, videos, literary works, music, trademarks, commercial names.

A slogan is not always protectable under the copyright law because, due to the volume, it does not always meet originality criterion as one of the two criteria (objective form and originality) for copyright objects. Therefore, there are three ways to protect slogans: as a copyright object (if a slogan is original), as a trademark (if a slogan is registered as a trademark, not all slogans may be registered due to the non-descriptiveness criterion), and under competition legislation.

The authors of audiovisual works are: the director; the author of the script and (or) texts of dialogues; the author of a musical work with or without lyrics, specially created for the audiovisual work; art director; cameraman.

Programmes of broadcast organizations are objects of related rights. There are moral and economic rights to these objects.

In addition, it is important to address the issue of types of licenses: an exclusive license, a non-exclusive license and a sole license.

Special attention should be paid to Creative Commons licenses (BY, NC, ND, SA and their combinations) as the unified licenses used worldwide.

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## **Topic 4. Freedom of expression and privacy protection.**

### **Practical Class 3**

#### **Freedom of expression and privacy protection under international treaties and Ukrainian legislation. Internet and freedom of expression**

##### *Issues for discussion*

1. Freedom of expression and privacy protection under the Universal Declaration of Human Rights.
2. Freedom of expression under the Convention for the Protection of Human Rights and Fundamental Freedoms. .
3. The Global Principles on Protection of Freedom of Expression and Privacy.
4. Global Network Initiative.
5. The Court's general principles concerning freedom of expression and the Internet.
6. Interpretation of the Convention 'in the light of present-day conditions' and the Internet as a 'modern means of imparting information'.
7. Restrictions that might prove necessary in the Internet context.
8. The 'duties and responsibilities' of an Internet news portal as regards online comments posted by users.
9. High level of protection of freedom of expression in the area of political, militant and polemical expression on the Internet.

##### **Practical task**

1. Provide a brief analysis of one of the cases mentioned in the report prepared by the Research division of ECHR 'Internet: case-law of the European Court of Human Rights' in section III ('Internet and freedom of expression').

##### **Methodical Recommendations**

Addressing an issue of freedom of expression and privacy protection in the international context, a student should pay attention, in particular, to regulation of these rights by the Universal Declaration of Human Rights and the Convention for the Protection of Human Rights and Fundamental Freedoms.

According to art. 12 of the Universal Declaration of Human Rights, 'No one

shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks’.

Under the art. 19 of the Universal Declaration of Human Rights, ‘Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers’.

Under art. 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms, ‘everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary’.

According to art. 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms, ‘Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others’.

It is important to understand that according to international regulation, all the restrictions of freedom of expression must meet so-called ‘three-part test’: 1 – be provided by law, 2 – be in accordance with the legitimate grounds (for respect of the

rights or reputations of others, for the protection of national security or of public order, or of public health or morals, 3 – be necessary.

After studying the international regulation, it is worth addressing how the freedom of expression and privacy protection are provided under the Ukrainian legislation paying special attention to the norm of the Constitution of Ukraine, the Law of Ukraine ‘On Information’, the Law of Ukraine ‘On Access to Public Information’, the law of Ukraine ‘On Media’.

Also, it is important to consider the issue paying attention to so-called ‘soft law’ (for example, ‘The Global Principles on Protection of Freedom of Expression and Privacy’).

Using the Internet influences freedom of expression and privacy protection. The Research division of ECHR prepared the report ‘Internet: case-law of the European Court of Human Rights’. Section III of the Report ‘Internet and freedom of expression’ contains the analysis of the European Court of Human Rights practice regarding the issue (the Court’s general principles concerning freedom of expression and the Internet, interpretation of the Convention ‘in the light of present-day conditions’ and the Internet as a ‘modern means of imparting information’, restrictions that might prove necessary in the Internet context, the ‘duties and responsibilities’ of an Internet news portal as regards online comments posted by users, press publications on the Internet: reinforcement of journalists’ duties and responsibilities, high level of protection of freedom of expression in the area of political, militant and polemical expression on the Internet, the chilling effect on freedom of expression).

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## MODULE 2

### Legal Regulation of Different Professional Activities in the Field of Media

#### Topic 5. The legal status of a journalist.

##### Practical Class 4

##### Peculiarities of journalist's activity

##### *Issues for discussion*

1. Freedom of speech and prohibition of censorship under the Constitution of Ukraine.
2. Prohibition of censorship and prohibition of interfering with the professional activity of journalists and media.
3. Accreditation of journalists.
4. Rights and duties of a journalist.
5. International Federation of Journalists.
6. Global charter of ethics for journalists.
7. The safety of journalists.

## **Practical task**

1. Provide a brief analysis of one of the cases of the ECHR concerning the safety of journalists.

### **Methodical Recommendations**

Addressing an issue of the legal status of a journalist, it is worth paying attention to the following questions: freedom of speech and prohibition of censorship under the Constitution of Ukraine and the Law of Ukraine 'On Media'.

Then, it is necessary to address the relevant provisions of the Law of Ukraine 'On Information' concerning prohibition of censorship and prohibition of interfering with the professional activity of journalists and media, guarantees of activity of the media and journalists, accreditation of journalists.

The article 25 of the Law of Ukraine 'On Information' establishes the Guarantees of activity of the media and journalists. When performing professional duties, a journalist shall have the right to make written, audio and video recording using the necessary technical means, except for the cases provided for by law. A journalist shall have the right to freely visit the premises of public authorities, open events held, and be personally received within reasonable periods of time by their officers and officials, except for the cases determined by legislation. A journalist shall have the right not to disclose the source of information or information enabling to determine the sources of information, except for the cases he/she is obliged to do so under a judgement based on the law. After presenting a document certifying his/her professional activity, a media employee shall have the right to gather information in the areas of a natural disaster, catastrophes, in the places of accidents, civil unrest, military actions and on the territories where the state of emergency has been declared or administrative and medical and sanitary measures (quarantine) have been taken, except for the cases provided for by law. A journalist shall have the right to disseminate the materials (sound recordings, video recordings, written texts, etc.) prepared and signed (written) personally by him/her or under an operational name (alias). A media journalist shall have the right to waive the authorship (signature) of

the material if the content thereof after the editor's alterations (editing) is contrary to his/her beliefs.

In order to create favourable conditions for carrying out by journalists and media employees of the professional activity, a public authority may accredit them. Art. 26 of the Law of Ukraine 'On Information' regulates the relations concerning accreditation of journalists.

Also, it is worth paying attention to rights and duties and social protection of journalists. In Ukraine, these issues are regulated by the Law of Ukraine 'On State Support of Media, Guarantees of Professional Activity and Social Protection of a Journalist' of 23.09.1997.

In addition, a student should take into account that the issue of the legal status of a journalist is regulated by so-called 'soft law', for example the 'Global charter of ethics for journalists'.

The issue of safety of journalists was under consideration of ECHR. Based on the analysis of ECHR's practice, the Research and Library division of ECHR prepared the Report 'The safety of journalists'. In this Report, the following questions are under consideration: the safety of journalists: analyses of the European Court of Human Rights practice, positive obligations under the European Convention on Human Rights (art. 2, 3, 8, 10, 11), freedom of Expression (art. 10), the duty to protect life (art. 2), the prohibition of torture and ill-treatment (art. 3).

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## **Topic 6. Access to information.**

### **Practical Class 5**

#### **Principles of information relations. Public information. Access to public information**

#### **Defamation: meaning and liability**

##### *Issues for discussion*

1. Core principles of information relations.
2. Right to information. Ensuring the right to information.
3. Activity of journalists, media and their employees.
4. Public information. Guarantees and principles for ensuring the right of access to public information.
5. Public restricted information and its kinds.
6. Protection of a person who discloses information.

7. Defamation: meaning. Elements of defamation. Libel and slander. Opinion and fact.
8. Right to a response and refutation of inaccurate information.
9. Prohibition of dissemination of information violating personal non-property rights.

### **Practical task**

1. To write a draft of an information request.
2. To write a draft of a statement requesting a correction or exercising the right to reply (to a subject of media) or a draft of a statement of claim about refutation of inaccurate information (to a court) (on your choice).

### **Methodical Recommendations**

Preparing for the practical class, a student should pay special attention to the provisions of the Law of Ukraine ‘On Information’ and the law of Ukraine ‘On Access to Public Information’.

According to the art. 2 of the Law of Ukraine ‘On Information’, ‘the core principles of information relations shall include: securing the rights to information; publicity and availability of information, freedom in exchanging the information; authenticity and completeness of information; freedom to express opinions and beliefs; obtaining, using, disseminating, storing and securing the information in a lawful manner; security of a person from interference with his/her personal and family life’.

The article 5 of the Law of Ukraine ‘On Information’ establishes that ‘every person shall have the right to information, which provides for the opportunity to freely obtain, use, disseminate, store and secure the information required for exercising his/her rights, freedoms and legitimate interests. Exercise of the right to information must not violate public, political, economic, social, spiritual, environmental and other rights, freedoms and legitimate interests of other citizens, rights and interests of legal entities’.

Ensuring the right to information is one of the core principles of information relations. International treaties and national legislation guarantee the right to information and ensure the right.

Under the art. 2 of the Law of Ukraine ‘On Information’, ‘the right to information shall be ensured by: creating a mechanism for exercising the right to information; creating opportunities for free access to statistical data, archive, library and museum funds, other data banks, databases, information resources; the obligation of public authorities to inform the public and media about their activity and adopted decisions; the obligation of public authorities to determine special subdivisions or persons in charge to ensure that requesting persons have access to the information; exerting state and public control over the compliance with the legislation on information; envisaging the liability for violating the legislation on information’.

Public information is a special kind of information, and there are special guarantees and principles for ensuring the right of access to public information.

According to the art. 3 of the Law of Ukraine ‘On Access to Public Information’, the right of access to public information shall be guaranteed by:

1) duty of information administrators to provide and publish information, except for the cases provided for by the law;

2) determination by the information administrator of special structural subdivisions or officers organising the access to public information in their possession in accordance with the determined procedure;

3) maximum simplification of the procedure for submitting a request and obtaining information;

4) access to meetings of collegial public authorities, except for the cases provided for by legislation;

5) exercise of parliamentary, public and state control over the observance of rights of access to public information;

6) legal liability for violating the legislation on access to public information.

Under art. 4 of the Law of Ukraine ‘On Access to Public Information’, access to public information shall be carried out based on the principles of:

- 1) transparency and openness of the activity of public authorities;
- 2) free obtaining, dissemination and any other use of information, which was provided or published under this Law, except for the restrictions set by the law;
- 3) equal rights irrespective of race, political, religious or other beliefs, sex, ethnic and social origin, financial standing, place of residence, language or other features.

The Law of Ukraine ‘On Access to Public Information’ determined the procedure for accessing the information.

On the other hand, there is restricted information, and the legislation establishes special regime of the information. The restricted information includes confidential information, secret information and official information. Confidential information shall mean information restricted by an individual or legal entity, except for the public authorities, and which may be disseminated at their choice and in accordance with the procedure determined by them. Secret information shall mean restricted information, disclosure of which may harm a person, society, and the state. Information containing state, professional, banking secrets, secrets of pre-trial investigation and other secrets provided for by the law shall be deemed secret. Official information means 1) information contained in documents of public authorities, which constitute the inter-agency official correspondence, internal memoranda, recommendations if they are related to the development of the activity direction of an institution or performing control and supervision functions by the government authorities, decision-making process and precede public discussion and/or adoption of decisions; 2) information collected in the process of operative investigation, counterintelligence activity, in the field of the country’s defence and is not classified as state secret.

Under the art. 12 of the Law of Ukraine ‘On Access to Public Information’, parties to relations in the field of access to public information shall be:

- 1) requesters of information shall mean individuals, legal entities, associations of citizens without the status of a legal entity, except for public authorities;
- 2) information administrators shall mean parties defined in Article 13 of this

Law;

3) structural subdivision or responsible person for the access to public information of the information administrators.

According to the art. 5 of the Law of Ukraine 'On Access to Public Information', access to information shall be ensured by systematic and prompt publication of information and providing information in response to information requests.

An information request is a special tool by which a person may have an access to public information. Section IV of the Law of Ukraine 'On Access to Public Information' regulates relations in the field of exercising the right of access to information through an information request.

Preparing for the practical class, a student should take into account that national legislation does not contain the term 'defamation'. Defamation means sharing false information concerning facts which brings harm to a person. Libel is a defamatory statement that is written. Slander is a defamatory statement that is oral. Usually, one can determine four elements of defamation: 1) a false statement purporting to be fact; 2) publication or communication of that statement to a third person; 3) fault amounting to at least negligence; and 4) damages, or some harm caused to the reputation of the person or entity who is the subject of the statement.

Although the term 'defamation' is not used in national legislation, the Civil Code of Ukraine contains provisions concerning refutation of inaccurate information, prohibition of dissemination of information violating personal non-property rights, and a right of an individual whose personal non-property rights has been violated to compensation for damage.

Also, art. 43 of the Law of Ukraine 'On Media' establishes the right to a response and refutation. According to this article, a person who believes that inaccurate information (partially or entirely) has been disseminated about them in audiovisual, printed, or online media that undermines their honour, dignity, or business reputation, has the right to demand a correction of the inaccurate information or to exercise their right to reply. A statement requesting a correction or

exercising the right to reply must be submitted within 20 days from the day the relevant information was disseminated. The subject in the field of audiovisual or printed media is required to consider the statement and inform the applicant of their decision within 14 days from the day of receiving it. The subject in the field of online media is required to consider the statement and inform the applicant of their decision immediately, but no later than five working days from the day of receiving the statement.

If there are no grounds for refusing the correction or reply, it is distributed as follows:

1) the subject in the field of audiovisual media – as soon as possible, but no later than the fifteenth day from the day of receiving the corresponding statement;

2) the subject in the field of online media – immediately, but no later than the fifth day from the day of receiving the corresponding statement;

3) the subject in the field of printed media – in the nearest (after receiving the corresponding statement) planned issue of the printed media.

Refusal to disseminate the correction or reply, or the actions of the subject in the field of audiovisual, printed or online media in disseminating corrections or replies, may be challenged in court. Submitting a statement by a person regarding the correction or reply is not a mandatory condition for filing a lawsuit with the corresponding claim.

Preparing for the practical class, it is also important to address cases of release from liability established by the art. 30 of the Law of Ukraine ‘On Information’ and the art. 117 of the Law of Ukraine ‘On Media’.

The ECHR addressed the issues of Internet and defamation, threats and insults and money laundering and defamation. Based on the decisions of the ECHR, the Research division of the ECHR prepared the Report ‘Internet: case-law of the European Court of Human Rights’ (see the section the section IV(1)(c) of the Report of 2011 updated in 2015 and the section IV(A)(4)(b) of the Report of 2011).

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## **Topic 8. Advertising law**

### **Practical Class 6**

#### **Legislation in the field of advertising. Subjects of advertising relations.**

#### **Types of advertising**

#### *Issues for discussion*

1. Legislation in the field of advertising. Subjects of advertising relations.
2. Advertising: classification.
3. Sponsorship. TV sales.
4. Language of advertising. Principles of advertising.
5. General requirements for advertising. Identification of advertising.
6. Unfair advertising. Comparative advertising.
7. Advertising in media.
8. Control of the observance and responsibility for the breach of legislation on advertising.

#### **Practical task.**

May advertising with too small font size be a violation of consumers rights? In what cases? Provide legislation provisions regulating the issue.

#### **Methodical Recommendations**

Preparing for the practical class, a student should take into account that legal regulation of relations in the field of advertising is represented by international treaties and national law. Concerning international treaties, it is worth mentioning the Universal Declaration of Human Rights (the right to dissemination of information (art. 19) and protection of intellectual property (art. 27)), the European Convention on

Human Rights (dissemination of information and restrictions in the field (art. 10) and the right to property (art. 1, Protocol 1), the European Convention on Transfrontier Television (Chapter III), and treaties concerning intellectual property (the Paris Convention for the Protection of Industrial Property (especially norms concerning unfair competition (art. 10 bis)), the Universal Copyright Convention, the Convention Establishing the WIPO, the Berne Convention for the Protection of Literary and Artistic Works, the Trade-Related Aspects of Intellectual Property Rights, etc.). National legislation is represented by acts concerning advertising activity directly, acts regulating activity of control bodies in the field of advertising, special acts regulating relations in particular fields but having norms concerning advertising activity in these fields, acts regulating relations in fields of intellectual property, information in general and particularly media, and acts regulating business activity in general.

Subjects of advertising relations may be divided into three groups: subjects of advertising industry (advertising producers and advertising disseminators), legal authorities and consumers and orderers of advertising.

The relations in the field of advertising arise concerning advertising. According to its legal definition, advertising is the information about a person or goods, disseminated in any form and by any means, and is aimed at the development or maintenance of advertising consumer awareness and their interest related to such a person or goods.

The Law of Ukraine 'On Advertising' establishes different types of advertising. Based on the legal provisions, it is possible to classify advertising depending on the following criteria: a placement of advertising, legality, an advertised object, containing comparisons with other persons and/or goods (activities) of another person, aims of advertising, containing all the essential conditions of a contract, and advertising tools.

Preparing for the practical class, it is worth paying attention to each type of advertising as well as to the peculiarities of the advertising of some types of goods and services.

The content of relations in the field of advertising is represented by rights and duties of subjects of these relations. Relations between legal authorities and subjects of advertising industry are covered by administrative law, while relations between subjects of advertising industry themselves and relations between them and orderers and consumers of advertising services are under regulation of civil law.

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## **Topic 9. Legal regulation of publishing activity.**

### **Practical Class 7**

#### **Legislation in the field of publishing. Subjects of publishing relations.**

#### **Performing publishing activity**

##### *Issues for discussion*

1. Legislation in the field of publishing.
2. Subjects of publishing relations.
3. State policy in the field of publishing.
4. State Support of Book Publishing in Ukraine.
5. The State Register of Publishers, Producers and Distributors of Publishing Products.
6. Publisher.
7. Producer of publishing products.
8. The Book Chamber of Ukraine.

#### **Practical task.**

Use the State Register of Subjects of Publishing and answer the questions:

- 1) how many subjects of publishing act only as publishers (do not count subjects of publishing whose certificates are annulled)?
- 2) how many subjects of publishing act only as producers of publishing products (do

not count subjects of publishing whose certificates are annulled)?

3) how many subjects of publishing act only as disseminators of publishing products (do not count subjects of publishing whose certificates are annulled)?

4) how many subjects of publishing perform different types of publishing activities (do not count subjects of publishing whose certificates are annulled)?

### **Methodical Recommendations**

Legal regulation of relations in the field of publishing is represented by international treaties and national law. Regarding international treaties, it is worth mentioning the Universal Declaration of Human Rights (the right to dissemination of information (art. 19) and protection of intellectual property (art. 27)), the European Convention on Human Rights (dissemination of information and restrictions in the field (art. 10) and the right to property (art. 1, Protocol 1), and treaties concerning intellectual property (the Universal Copyright Convention, the Convention Establishing the WIPO, the Berne Convention for the Protection of Literary and Artistic Works, the Trade-Related Aspects of Intellectual Property Rights, etc.). National legislation is represented by acts concerning publishing activity directly, acts regulating information issues and intellectual property ones, and acts regulating business activity in general.

Preparing for the practical class it is worth paying special attention to the provisions of the Law of Ukraine ‘On Publishing’ and the Law of Ukraine ‘On State Support of Book Publishing in Ukraine’.

The Law of Ukraine ‘On Publishing’ regulates status of subjects of publishing industry, as well as establishes the aim of publishing, peculiarities of state policy in the field of publishing and support of publishing, language requirements of publishing, restrictions of rights in publishing, international cooperation in publishing and so on.

The Law of Ukraine ‘On State Support of Book Publishing in Ukraine’ defines principles of state support for book publishing in Ukraine and aims at overcoming the crisis in domestic book publishing, as well as creation of favourable conditions for its

development.

Subjects of publishing relations are represented by subjects of publishing industry, legal authorities and consumers and orderers of publishing products. Among the subjects of publishing industry, there are publishers (publishing houses, publishing organisations and individual entrepreneurs), producers of publishing products and disseminators of publishing products.

Relations in the field of publishing arise regarding publishing products. According to a legal definition, publishing products are a number of editions published by a publisher. An edition means a work (a document) which has undergone through editorial and publishing processing, produced by printing, embossing or other means, contains information intended for distribution, and meets the requirements of normative legal acts on issues of publishing design, polygraphic and technical execution

The content of relations in the field of publishing is represented by rights and duties of subjects of these relations. Relations between legal authorities and subjects of publishing industry are covered by administrative law, while relations between subjects of publishing industry themselves and relations between them and orderers and consumers of publishing services and products are under regulation of civil law.

According to the art. 27 of the Law of Ukraine 'On Publishing', the Ukrainian Book Chamber is a state scientific institution in the field of publishing and information activities, which performs the following functions: state bibliographic registration and centralized cataloguing of all publications issued in Ukraine without exception; collection and use of administrative data characterizing the dynamics and trends in publishing; analysis of trends in the dissemination of publishing products, study of the book market and its regional features; acquisition and preservation of a complete and intact collection of the State Archive of Print - the main repository of all types of publications issued in Ukraine; development and justification of short-term and long-term forecasts for the development of publishing and bibliographic activities in Ukraine; scientific research in the field of bibliography, book studies, sociology of the book and reading, conservation and restoration of documents;

scientific research and development of bibliometric methods for determining priority areas and levels of scientific research; creation and publication of current, cumulative and retrospective bibliographic indexes, scientific-analytical reviews, centralized cataloguing cards; development and operation of bibliographic databases and networks of bibliographic information.

Article 28 of the Law of Ukraine ‘On Publishing’ establishes restrictions of rights in publishing. Section III of the Law of Ukraine ‘On Publishing’ regulates issues concerning the international cooperation in publishing.

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## **Topic 10. Social media law.**

### **Practical Class 8**

#### **Social media: meaning, functionality and legal risks. Social media law and related areas**

##### *Issues for discussion*

1. Social media: meaning.
2. Social media functionality.
3. Anti-SLAPP statutes.
4. Social media content.
5. Social media and privacy protection.
6. Social media law and ethics.
7. Child labour laws in the era of 'kidfluencers'.

#### **Practical task.**

Find and analyse a Privacy Policy of a social media on your choice. Present its main provisions.

#### **Methodical Recommendations**

Preparing for the practical class, it is important to pay attention to questions concerning a definition of social media, its functionality, legal risks for social media,

and correlations between social media and privacy protection, social media law and ethics, social media and intellectual property, artificial intelligence and social media.

A student should understand that social media is a part of new media which, in contrast to traditional media deal with communication ‘many to many’, active participation, simultaneous production and distribution. The distinguish feature of social media from other new media is interaction between participants.

It is possible to determine the following groups of social media: creativity work sharing sites, business networking sites, collaborative websites, blogging sites, social network (virtual gaming world, podcasts, virtual social world).

Functions of social media include posting, hashtags, engagement and sharing.

There are two groups of legal risks concerning social media – the risks behind the viral content (personal, brand) and the risks behind personal connections (reply all, the casual good day, jumping on a trending topic).

Since social media are very much related to freedom of expression, it is worth addressing the issue of Anti-SLAPP statutes. Anti-SLAPP statutes provide a person sued with a right to make a motion to strike the case because it involves speech on a matter of public concern. The plaintiff then has the burden of showing a probability that they will prevail in the suit – meaning they must show that they have evidence that could result in a favourable verdict. If the plaintiff cannot meet this burden and the suit is dismissed through anti-SLAPP proceedings, many statutes allow defendants to collect attorney’s fees from the plaintiff.

Addressing the issue of social media and privacy protection, it is worth paying attention to the following risks: data mining (for advertising), phishing attempts (a phishing attack presents itself as a message from a legitimate organization), malware (malicious software), and botnet attacks.

Social media are also related to the issue of child labour (so called ‘kidfluencers’) and a necessity to find a mechanism to protect children’s rights.

Another issue is liability of social media platforms. Are they merely intermediaries or may the ‘over-compliance’ strategy be applied? A student should be able to provide arguments supporting his/her point of view.

The questions of social media law are not well-explored, and legislation does not regulate many of these issues. Thus, addressing them is quite important to propose legal solutions concerning legislation improvement.

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## ЗАВДАННЯ ДЛЯ САМОСТІЙНОЇ РОБОТИ

До самостійної роботи здобувачів відноситься: підготовка до лекцій та практичних занять, рішення практичних задач, ситуаційних вправ та проблемних ситуацій, підготовка до контрольних робіт за змістовими модулями (письмове опитування або тестування).

Види самостійної роботи виконується здобувачами для закріплення і розширення теоретичних і практичних знань з навчальної дисципліни. Такі завдання передбачені у кожному практичному занятті, мають окрему систему та критерії оцінювання та є формою поточного контролю знань здобувачів. Практичні завдання здобувач виконує, слідуючи інструкціям у планах практичних занять. Виконання завдань оформлюється письмово (ворд-, пдф-документ тощо) і надсилається викладачу на електронну адресу або Google Classroom. Викладач перевіряє виконані завдання та надає зворотний зв'язок.

Виконання самостійних завдань різного виду дозволяють здобувачам опанувати практичні навички для розгляду та аналізу найбільш складних та проблемних питань навчальної дисципліни, вдосконалення навичок проведення самостійної науково-аналітичної роботи. Індивідуальні завдання здаються на практичних заняттях відповідно до графіку вивчення дисципліни.

# МЕТОДИ НАВЧАННЯ, ФОРМИ КОНТРОЛЮ ТА КРИТЕРІЇ ОЦІНЮВАННЯ ЗНАНЬ ЗДОБУВАЧІВ

## Методи навчання

У процесі вивчення навчальної дисципліни використовуються такі методи навчання:

- словесні методи: лекція, розповідь, бесіда, пояснення, дискусія, обговорення проблемних ситуацій;
- наочні методи: мультимедійні презентації;
- практичні методи: рішення практичних завдань, складання проєктів документів, робота з електронними реєстрами.

## Форми контролю і методи оцінювання

(у т.ч. критерії оцінювання результатів навчання)

### Поточний контроль:

- усний контроль: індивідуальне / фронтальне опитування за питаннями відповідної теми;
- письмовий контроль: оцінювання розв'язання практичних завдань.

**Підсумковий контроль:** залік.

## Критерії оцінювання навчальних досягнень здобувачів вищої освіти за різними видами роботи

Вид роботи	Кількість балів
Поточний контроль:	
- Опитування за питаннями відповідної теми на практичному занятті, участь здобувачів в обговоренні проблемних питань	від 0 до 5
- Розв'язання практичних завдань	від 0 до 5

Вид роботи	Бали	Критерії оцінювання
Опитування за питаннями відповідної теми на практичному	0 балів	Здобувач не бере участі у практичному занятті, є лише спостерігачем; ніколи не виступає і не ставить питання, не зацікавлений у вивченні матеріалу; дає неправильні відповіді на запитання, демонструє незадовільне знання понятійного апарату і літературних джерел.

занятті, участь здобувачів в обговоренні проблемних питань	1 бал	Здобувач демонструє пасивну роботу на практичних заняттях; допускає суттєві помилки під час відповідей на запитання; демонструє фрагментарні знання понятійного апарату і літературних джерел.
	2 бали	Здобувач іноді бере участь у практичному занятті; ставить питання; допускає помилки під час відповідей на запитання; демонструє базові знання понятійного апарату і літературних джерел; демонструє незадовільне вміння публічно представляти матеріал.
	3 бали	Здобувач бере участь у практичному занятті; виступає і ставить питання; допускає незначні помилки під час відповідей на запитання, іноді бере участь в обговоренні проблемних питань, демонструє знання понятійного апарату і основних літературних джерел; здатний публічно представити основний матеріал.
	4 бали	Здобувач бере участь у практичному занятті; виступає і ставить питання; дає правильні, але неповні, відповіді на запитання, бере участь в обговоренні проблемних питань, іноді наводить приклади, демонструє знання понятійного апарату і основних літературних джерел; здатний публічно представити матеріал.
	5 балів	Здобувач бере активну участь у практичному занятті; демонструє глибокі знання, дає повні та детальні відповіді на запитання; бере активну участь у обговоренні проблемних питань, користується додатковою навчально-методичною та науковою літературою; вміє сформулювати своє ставлення до певної проблеми; висловлює власні міркування, наводить доцільні приклади; вміє знаходити найбільш адекватні форми розв'язання суперечностей; здатний публічно представити матеріал.
Розв'язання практичних завдань	0 балів	Здобувач не виконує практичні завдання.
	1 бал	Здобувач виконав практичне завдання, але допустив суттєві помилки; відсутні сформовані уміння та навички; не обґрунтовані висновки; використано обмежену кількість джерел.
	2 бали	Здобувач виконав практичне завдання, але допустив багато помилок; недостатньо сформовані базові уміння та навички; здобувач демонструє фрагментарні знання предмету вивчення і дослідження, має ускладнення щодо виділення суттєвих його ознак, виявлення причинно-наслідкових зв'язків і формулювання висновків; використано обмежену кількість джерел.
	3 бали	Здобувач виконав практичне завдання, але допустив помилки; сформовані базові уміння та навички; здобувач демонструє базові знання предмету вивчення, описує суттєві його ознаки, виявляє причинно-наслідкові зв'язки і формулює висновки; використовує набуті теоретичні знання під час аналізу практичного матеріалу; використовує рекомендовану літературу, демонструє знання змісту відповідних нормативно-правових актів.
4 бали	Здобувач виконав практичне завдання, але допустив незначні помилки; сформовані уміння та навички; здобувач правильно використовує теоретичні поняття для аналізу практичного матеріалу; в аналітичній частині надає повноцінний аналіз проблеми, що досліджується, її всебічне висвітлення; формулює розгорнуті висновки, окрім рекомендованої літератури, використовує додаткову, демонструє глибокі знання змісту відповідних нормативно-правових актів.	

5 балів	Здобувач виконав практичне завдання; сформовані комплексні уміння та навички; здобувач виявляє самостійність у підборі, аналізі та узагальненні відповідної статистичної та аналітичної інформації; із розглянутої проблеми робить чіткі вірні висновки; демонструє творчий підхід, розгорнуте, цікаве бачення проблеми, яке відрізняється власними роздумами, висновками; окрім рекомендованої літератури, використовує додаткову, демонструє аналіз змісту відповідних нормативно-правових актів.
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## РОЗПОДІЛ БАЛІВ, ЯКІ ОТРИМУЮТЬ ЗДОБУВАЧІ

Поточний та періодичний контроль										Сума балів
Змістовий модуль 1				Змістовий модуль 2						
T1	T2	T3	T4	T5	T6	T7	T8	T9	T10	
0–10	0–10	0–10	0–10	0–10	0–10	0–10	0–10	0–10	0–10	0–100

T1, T2 ... T10 – теми практичних занять

## Розподіл балів, які отримують здобувачі вищої освіти за результатами поточного, періодичного та підсумкового контролю

Теми практичних занять	Кількість балів за вид роботи	Разом балів
<b>Module 1. General Provisions Concerning Legal Regulations in the Field of Media</b>		
Practical class 1. Topic 1. Subjects in the field of media and related areas.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
Practical class 1. Topic 2. Functions of legal authorities in the field of information.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
Practical class 2. Topic 3. Legal protection of products of media industry. Licensing.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
Practical class 3. Topic 4. Freedom of expression and privacy protection under international treaties and Ukrainian legislation. Internet and freedom of expression.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
<b>Module 2. Legal Regulation of Different Professional Activities in the Field of Media</b>		
Practical class 4. Topic 5. Peculiarities of journalist's activity.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
Practical class 5. Topic 6. Principles of information relations. Public information. Access to public information.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
Practical class 5. Topic 7. Defamation: meaning and liability.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10

Practical class 6. Topic 8. Legislation in the field of advertising. Subjects of advertising relations. Types of advertising.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
Practical class 7. Topic 9. Legislation in the field of publishing. Subjects of publishing relations. Performing publishing activity.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
Practical class 8. Topic 10. Social media: meaning, functionality and legal risks. Social media law and related areas.	0–5 (опитування) 0–5 (виконання практичних завдань)	0–10
<b>Загалом сума балів</b>		<b>0–100</b>

## ПИТАННЯ ДО ПІДСУМКОВОГО КОНТРОЛЮ

1. Classification of subjects in the field of media.
2. Advertising producer. Advertising disseminator.
3. Subjects of publishing industry.
4. National Council of Television and Radio Broadcasting of Ukraine.
5. State Committee for Television and Radio Broadcasting of Ukraine.
6. State Agency of Ukraine on Cinema Issues.
7. An advertisement as an intellectual property object.
8. Legal protection of audiovisual works.
9. Creative Commons Licenses.
10. Freedom of expression under the Convention for the Protection of Human Rights and Fundamental Freedoms.
11. Right to respect for private and family life under the Convention for the Protection of Human Rights and Fundamental Freedoms.
12. Freedom of speech and prohibition of censorship.
13. Guarantees of activity of the media and journalists.
14. Accreditation of journalists.
15. Global charter of ethics for journalists.
16. The safety of journalists.
17. Right to information. Ensuring the right to information.
18. Types of information.
19. Public information. Guarantees and principles for ensuring the right of access to public information.
20. Public restricted information.
21. Information requests.
22. Access to information and the Internet.
23. Defamation: meaning.
24. Refutation of inaccurate information.
25. Prohibition of dissemination of information violating personal non-property

rights.

26. The right of an individual, whose personal non-property right has been violated, to compensation for damage.
27. Legislation in the field of advertising.
28. Subjects of advertising relations.
29. Advertising: classification.
30. General requirements for advertising.
31. Unfair advertising.
32. Comparative advertising.
33. Social advertising.
34. External advertising. Internal advertising. Advertising on transport.
35. Advertising and children.
36. Peculiarities of advertising of some types of goods.
37. Control of the observance and responsibility for the breach of legislation on advertising.
38. Legislation in the field of publishing.
39. Subjects of publishing relations.
40. Social media: meaning and functionality.
41. Legal risks for social media.
42. Free speech in social media.
43. Social media content.
44. Social media and privacy protection.
45. Social media law and ethics.

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### Електронні інформаційні ресурси

1. Офіційний сайт Верховної Ради України: <https://www.rada.gov.ua>
2. Офіційний сайт Кабінету Міністрів України: <https://www.kmu.gov.ua>
3. Офіційний сайт Міністерства культури та інформаційної політики України <https://mkip.gov.ua>
4. Офіційний сайт Національної ради України з питань телебачення і радіомовлення <https://www.nrada.gov.ua>
5. Офіційний сайт Державного комітету телебачення і радіомовлення України

<http://comin.kmu.gov.ua>

6. Офіційний сайт Державного агентства України з питань кіно  
<https://usfa.gov.ua>
7. Офіційний сайт наукової бібліотеки Одеського національного університету імені І. І. Мечникова: <http://lib.onu.edu.ua>
8. Офіційний сайт Національної бібліотеки України імені В. І. Вернадського:  
<http://www.nbu.gov.ua>
9. ScienceDirect: <https://www.sciencedirect.com>
10. Official website of Global Network Initiative <https://globalnetworkinitiative.org>
11. Official website of Creative Commons <https://creativecommons.org>
12. Official website of International Federation of Journalists <https://www.ifj.org>

*Навчальне видання*

## **MEDIA LAW**

Електронні методичні рекомендації  
до практичних занять з курсу  
для здобувачів другого (магістерського) рівня вищої освіти  
спеціальності 081 «Право»

### **Електронне практичне видання**

*Укладач*

**Булат Наталія Миколаївна**

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