

**COURSE DATA****Data Subject**

Code	36569
Name	Communication Law
Cycle	Grade
ECTS Credits	6.0
Academic year	2023 - 2024

Study (s)

Degree	Center	Acad. Period	year
1333 - Degree in Audiovisual Communication	Faculty of Philology, Translation and Communication	3	Second term

Subject-matter

Degree	Subject-matter	Character
1333 - Degree in Audiovisual Communication	7 - Anàlisi dels discursos audiovisuals i dels seus efectes socials	Obligatory

Coordination

Name	Department
VIDAL BELTRAN, JOSE MARIA	55 - Constitutional Law, Political and Administrative Sciences

SUMMARY

This subject is included in the graduate degree in Audiovisual Communication studies (also in Journalism studies) in order, from a theoretical and practical reflection, to train students in the legal regime of the freedoms and rights of expression and information to the mass communication, both in relation to messages and the media, as well as in their possible professional activity in these media, with special attention to the current constitutional regime in Spain for any communication activity. Likewise, a specific chapter on Communication Law in the Valencian Community is included.

It is, consequently, an essential subject within the curricular development of this



degree, to the extent that it forms an absolutely basic part of the set of theoretical and practical subjects that the student will have to know at the end of their studies. A part, furthermore, that will also be of great importance throughout the exercise of their professional tasks, taking into account the numerous situations in which a graduate in audiovisual communication must know the regulatory framework of their activity to avoid conflicts and manage them in the best way possible.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

There are no specified enrollment restrictions with other subjects of the curriculum.

Other requirements

No requirements

1333 - Degree in Audiovisual Communication

- Students must be able to apply their knowledge to their work or vocation in a professional manner and have acquired the competences required for the preparation and defence of arguments and for problem solving in their field of study.
- Students must have the ability to gather and interpret relevant data (usually in their field of study) to make judgements that take relevant social, scientific or ethical issues into consideration.
- Students should be able to obtain and select relevant information and sources in order to solve problems and elaborate on strategies.
- Students should show solidarity with people across the planet, as well as knowledge of the main cultural currents in relation to individual and collective values and respect for human life.
- Students should be able to search for, select, read, interpret and analyse both written and audiovisual texts and documents (analytically, synthetically and critically).
- Students should have an understanding of own and other social, historical, economic and cultural aspects within their relevant contexts.
- Students should be able to defend a culture of peace and respect for the fundamental human rights within the processes of communication, specifically in regards to equality between women and men in all types of communication (informative, interpretative, semiotic, dialogic and opinion).
- Students should have a practical and theoretical understanding of the organisation structures within sound and visual communication, as well as its evolution and development over time, including audiovisual taxation. This also includes knowledge of, and research into, the interrelations between the natures of the subjects within audiovisual communication: authors, institutions, companies, the media, storage and recipients.



- Conocimiento de la ética y deontología profesional así como del ordenamiento jurídico de la información, que afecta tanto a la práctica profesional como al quehacer del comunicador. Capacidad de interpretar los mecanismos legislativos de incidencia en el audiovisual o la comunicación, así como el régimen jurídico de aplicación en los distintos aspectos de las producciones audiovisuales.
- Students must be able to deepen their acquired knowledge and to develop and apply these skills in the various fields of audiovisual communication.

- Identify organizational structures in the field of visual and sound communication.
- Know the interrelation between the subjects of audiovisual communication: authors, institutions, companies, media, media and receivers.
- Know the legal system of communication and media information.
- Interpret the legislative mechanisms of incidence in the audiovisual or communication.
- Apply the applicable legal regime in the different aspects of audiovisual productions.

DESCRIPTION OF CONTENTS

1. CHAPTER I. HISTORICAL BACKGROUND OF COMMUNICATION LAW IN SPAIN

- 1.- RESTRICTIONS ON THE PRINTING AND DISSEMINATION OF BOOKS AND NEWSPAPERS IN THE OLD REGIME
- 2.- FREEDOM OF EXPRESSION, PRESS AND PRINTING IN THE CONSTITUTIONAL PERIOD
- 3.- CONTROL OF THE PRESS DURING THE FRANCO REGIME
- 4.- APPEARANCE AND REGULATION OF THE NEW MEDIA. RADIO AND TELEVISION

2. CHAPTER II. THE LAW OF COMMUNICATION IN THE EUROPEAN SCOPE

- 1.- PROVISIONS OF THE TREATIES AND FREEDOM OF INFORMATION
- 2.- AUDIOVISUAL POLICY AND REGULATION IN THE EUROPEAN UNION

3. CHAPTER III. THE CONSTITUTIONAL FRAMEWORK. FREEDOM OF INFORMATION AND THE MEDIA

- 1.- CONSTITUTIONAL PRECEPTS THAT AFFECT THE MEDIA AND ITS CONTENT
- 2.- DISTRIBUTION OF COMPETENCES IN THE FIELD OF THE MEDIA



4. TEMA IV. LIBERTADES Y DERECHOS EN LA ACTIVIDAD COMUNICATIVA

- 1.- LAS LIBERTADES Y DERECHOS DE EXPRESIÓN E INFORMACIÓN
- 2.- LOS LÍMITES LEGALES Y LA PROTECCIÓN DE OTROS DERECHOS CONSTITUCIONALES EN LA ACTIVIDAD COMUNICATIVA

5. CHAPTER V. ORGANIZATION AND LEGAL REGIME OF THE PUBLIC MEDIA

- 1.- GENERAL LEGAL REGIME AND STRUCTURE OF THE PUBLIC MEDIA
- 2.- STATE PUBLIC RADIO AND TELEVISION
- 3.- REGIONAL PUBLIC RADIO AND TELEVISION
- 4.- LOCAL PUBLIC RADIO AND TELEVISION
- 5.- PARLIAMENTARY CONTROL OF THE PUBLIC MEDIA

6.

CHAPTER VI. ORGANIZATION AND LEGAL REGIME OF PRIVATE TELEVISIONS

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- 1.- GENERAL LEGAL REGIME AND STRUCTURE OF PRIVATE TELEVISION
- 2.- PRIVATE STATE TELEVISION
- 3.- PRIVATE TELEVISION IN THE AUTONOMOUS SCOPE
- 4.- LOCAL PRIVATE TELEVISION
- 5.- TELEVISION PROVIDERS THROUGH ELECTRONIC COMMUNICATION SERVICES (CABLE, SATELLITE AND INTERNET)

7. CHAPTER VII. ORGANIZATION AND LEGAL REGIME OF PRIVATE BROADCASTING

- 1.- GENERAL LEGAL REGIME AND STRUCTURE OF BROADCASTING
- 2.- SOUND BROADCASTING IN THE MEDIUM WAVES (MW) BAND
- 3.- SOUND BROADCASTING IN THE METRIC WAVE BAND WITH FREQUENCY MODULATION (FM)
- 4.- DIGITAL BROADCASTING
- 5.- BROADCASTING PROVIDERS THROUGH ELECTRONIC COMMUNICATION SERVICES (CABLE, SATELLITE AND INTERNET)

8. CHAPTER VIII. ORGANIZATION AND LEGAL REGIME OF CINEMATOGRAPHY

- 1.- GENERAL LEGAL REGIME
- 2.- THE STIMULUS FOR FILM AND AUDIOVISUAL PRODUCTION
- 3.- THE REGULATION OF THE DISTRIBUTION AND OF THE CINEMATOGRAPHIC EXHIBITION



9. CHAPTER IX. ORGANIZATION AND LEGAL REGIME OF THE WRITTEN PRESS

- 1.- GENERAL LEGAL REGIME
- 2.- PRESS AND PRINTING LAW
- 3.- THE REGULATION OF DISTRIBUTION, CREDITS AND SUBSIDIES

10. CHAPTER X. THE RIGHTS OF THE PUBLIC AND PROFESSIONALS IN THE CONTENT AND THE PRACTICAL EXERCISE OF THE COMMUNICATIVE ACTIVITY

- 1.- THE MAIN REGULATORY AREAS IN THE COMMUNICATIVE ACTIVITY
- 2.- SELF-REGULATION IN THE COMMUNICATIVE FIELD
- 3.- ETHICAL CODES, AGREEMENTS, DRAFTING STATUTES AND OTHER SELF-REGULATION INSTRUMENTS
- 4.- THE CLAIMS AND ACTIONS BEFORE THE CONTENTS OF THE COMMUNICATIVE ACTIVITY
- 5.- THE PROFESSIONAL EXERCISE OF THE JOURNALISTIC AND COMMUNICATIVE ACTIVITY

11. CHAPTER XI. PRINCIPLES AND RULES ON PROGRAMMING

- 1.- REGULATION ON CONTENT AND PROGRAMMING
- 2.- INFORMATION TO USERS
- 3.- THE REGULATION OF PROGRAMMING FOR CHILDREN AND YOUTH AUDIENCES
- 4.- THE ISSUANCE AND FINANCING OF EUROPEAN AUDIOVISUAL WORKS
- 5.- ELECTORAL PROCESSES AND POLITICAL COMMUNICATION IN THE SOCIAL MEDIA

12. CHAPTER XII. PRINCIPLES AND RULES ON ADVERTISING

- 1.- PRINCIPLES AND RULES ON THE ISSUANCE OF ADVERTISING
- 2.- COMMERCIAL COMMUNICATIONS TO AUDIOVISUAL BROADCASTS
- 3.- IDENTIFICATION, PRESENTATION AND INSERTION OF COMMERCIAL COMMUNICATIONS
- 4.- CONTENT AND PROHIBITIONS ON COMMERCIAL COMMUNICATIONS
- 5.- COMMERCIAL COMMUNICATIONS DIRECTED TO MINORS

13. CHAPTER XIII. AUTHOR'S RIGHTS IN THE COMMUNICATIVE FIELD

- 1.- INTELLECTUAL PROPERTY AND INDUSTRIAL PROPERTY
- 2.- INTELLECTUAL PROPERTY LEGISLATION
- 3.- SUBJECT TO INTELLECTUAL PROPERTY
- 4.- ASSIGNMENT OF INTELLECTUAL PROPERTY RIGHTS
- 5.- INTELLECTUAL PROPERTY PROTECTION MECHANISMS



14. CHAPTER XIV. LEGAL REGIME OF THE MASS COMMUNICATION MEDIA IN THE VALENCIAN COMMUNITY

- 1.- THE LEGAL FRAMEWORK ESTABLISHED BY THE STATUTE OF AUTONOMY
- 2.- CONFORMATION OF THE COMPETENCE FRAMEWORK ON THE MEDIA
- 3.- SOUND BROADCASTING
- 4.- STATE AND REGIONAL PUBLIC RADIO TELEVISION IN THE VALENCIAN COMMUNITY
- 5.- REGIONAL AND LOCAL PRIVATE TELEVISION

15. CHAPTER XV. LEGAL REGIME OF AUDIOVISUAL IN THE VALENCIAN COMMUNITY

- 1.- LAW OF THE AUDIOVISUAL SECTOR AND REGISTRY OF LENDERS
- 2.- THE INDEPENDENT AUTHORITIES AND THE AUDIOVISUAL COUNCIL OF THE VALENCIAN COMMUNITY

WORKLOAD

ACTIVITY	Hours	% To be attended
Theory classes	60,00	100
Development of group work	5,00	0
Development of individual work	10,00	0
Study and independent work	20,00	0
Readings supplementary material	15,00	0
Preparation of evaluation activities	20,00	0
Preparing lectures	5,00	0
Preparation of practical classes and problem	5,00	0
Resolution of case studies	10,00	0
TOTAL	150,00	

TEACHING METHODOLOGY

In face-to-face teaching, master classes will be combined with practical examples, conflicting aspects in the application of communication law, as well as reflection on the most current or interesting aspects of the subject and, in general, an attempt will be made to cultivate an analysis Deep and critical about the regulatory framework of Communication Law and its practical application, based on the interests expressed by the students.

Preparation of the classes. Given the methodology of the course, for the most adequate development of the syllabus throughout the course, it is recommended that students, with the help of the bibliographic references and material they have, prepare each session with previous readings of the contents that are planned to be treated.



Without this preparation, the use of the theoretical and practical classes will be frankly insufficient, so it is the student's responsibility to keep the subject up to date with their individual work and the study of the contents entrusted by the teacher.

To facilitate the preparation of the classes by the students, the teacher will indicate, weekly, the contents that he plans to deal with in the following classes.

Activities, jobs and practices. The teacher will prepare weekly a series of practical activities that the students will have to carry out individually or in groups, as the case may be. There will always be a sharing in class, for evaluation purposes. These activities will take into account the agenda and its development, but also current affairs and the interests expressed by the students themselves.

EVALUATION

The evaluation of learning will be carried out through:

Individual final written test: 70%

Presentation of outlines, summaries and proposed texts: 30%

Intellectual honesty is vital to an academic community and for the fair evaluation of the student's work. All work submitted in this course must be originally authored by every student. No student shall engage in unauthorized collaboration or make use of ChatGPT or other AI composition software.

Problems with spelling, syntax and/or written expression will be scored negatively and may result in failure of the test.

In case of plagiarism in a student's evaluation work, this may be evaluated with a numerical grade of zero, regardless of the disciplinary procedure that may be initiated and, if applicable, the appropriate sanction in accordance with.

The general grading system will follow the regulations of the Universitat de València approved by the Consell de Govern on May 30, 2017. ACGUV 108/2017.

REFERENCES

Basic

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- GUICHOT, Emilio (coord.). Derecho de la Comunicación. 5ª ed. Iustel. Madrid, 2018.
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Derecho Comunitario Europeo, 63, (<https://doi.org/10.18042/cepc/rdce.63.05>), págs. 537-571, 2019.
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Additional

- - ANDRÉS SEGOVIA, Belén. Las transformaciones de la televisión pública valenciana. Tirant lo Blanch. Valencia, 2015.
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- BERNARDO, J. M.; MARTINEZ, E.; MONTIEL, G (Coord.) Retos de la Comunicación ante la violencia de género. Marco jurídico, discurso mediático y compromiso social. Ed. Tirant lo blanc, Valencia, 2009
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BASES DE DATOS JURÍDICAS / BASES DE DADES JURÍDIQUES

Disponibles a les biblioteques de la Universitat de València:

<http://www.iustel.com>

<http://www.tirantonline.com>

<http://www.westlaw.es>

Diaris oficials i pàgines web de diferents institucions espanyoles i europees:

<http://www.boe.es>

<http://www.tribunalconstitucional.es>

<http://www.consejo-estado.es>

<http://www.poderjudicial.es>

<http://curia.europa.eu/es/index.htm>