

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

Code	33403
Name	Communication law
Cycle	Grade
ECTS Credits	6.0
Academic year	2022 - 2023

Study (s)

Degree	Center	Acad. year	Period
1301 - Degree in Audiovisual Communication	Faculty of Philology, Translation and Communication	2	First term

Subject-matter

Degree	Subject-matter	Character
1301 - Degree in Audiovisual Communication	5 - Communication structure and policies	Basic Training

Coordination

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

SUMMARY**English version is not available**

Esta asignatura se incluye en la titulación de grado en los estudios de Comunicación Audiovisual (también en los estudios de Periodismo) para, desde una reflexión teórica y práctica, formar a los alumnos en el régimen jurídico de las libertades y derechos de expresión e información en la comunicación de masas, tanto en cuanto a los mensajes y los medios de comunicación, como en su posible actividad profesional en estos medios, con especial atención al régimen constitucional vigente en España para cualquier actividad comunicativa. Asimismo se incluye un capítulo específico sobre el Derecho de la comunicación en la Comunidad Valenciana.

Se trata, en consecuencia, de una asignatura esencial en el desarrollo curricular de esta titulación, en la medida en que conforma una parte absolutamente básica del conjunto de materias teóricas y prácticas que el estudiante deberá conocer al finalizar sus estudios. Una parte, además, que será también de gran importancia a lo largo del ejercicio de sus tareas profesionales, dadas las numerosísimas situaciones en las



que un graduado en comunicación audiovisual debe conocer el marco regulatorio de su actividad para evitar conflictos y gestionar su actividad profesional de la mejor manera posible.

PREVIOUS KNOWLEDGE

Relationship to other subjects of the same degree

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

Other requirements

There are no official restrictions that prevent the course.

In any case, it is recommended to pass the first year subjects before enrolling in this subject.

Overcoming the subject requires a deep knowledge of the Spanish political and legal system, as an essential basis to understand how the communication and information regulation model is incorporated.

OUTCOMES

1301 - Degree in Audiovisual Communication

- Knowledge of the complex reality of the sector known as Cultural Industries and of communication and its production, circulation and consumption processes in order to understand fully the structure and dynamics of a system that has different dimensions in which many political, social, financial, cultural and, of course, semiotic-communicative factors interact.
- Theoretical and practical knowledge of organisational structures in the field of visual and sound communication, as well as its evolution and management over the years, including audiovisual taxes. It also comprises knowledge and research of the nature and interrelations between the subjects of audiovisual communication: authors, institutions, enterprises, media, supports and recipients.
- Knowledge of professional ethics and deontology, as well as the legal norms concerning information covering both the practice of the profession and the role of the communicator. The ability to interpret the legislative mechanisms concerning audiovisual o communication media, as well as the legislation governing the different aspects of audiovisual productions.
- The ability to interpret relevant data such as the major events and processes of todays societies from a synchronic viewpoint. This knowledge must cover as broad an area as possible so that it will contribute to develop the capacity to understand diversity and promote respect for the values of others and civic sensibility.
- Conciencia solidaria: respeto solidario por las diferentes personas y pueblos del planeta, así como conocimiento de las grandes corrientes culturales en relación con los valores individuales y colectivos y respecto por los derechos humanos.



LEARNING OUTCOMES

- Rule of Law and the Spanish Constitution of 1978
- Fundamental rights and freedoms of expression and information
- Model and structure of communication media
- Legal regime of the media in Spain
- Public rights
- Rights of communicators
- Protection of copyright in the world of communication
- Regulation of communication in the Valencian Community

DESCRIPTION OF CONTENTS

1. INTRODUCTION. STATE OF LAW AND SPANISH CONSTITUTION OF 1978.

INTRODUCTORY CHAPTER. THE STATE OF LAW AND THE SPANISH CONSTITUTION OF 1978

1. THE RULE OF LAW
2. THE CONSTITUTION OF 1978. BACKGROUND AND CONSTITUENT PROCESS
3. THE CONSTITUTION OF 1978 AS A BASIS OF THE POLITICAL SYSTEM AND OF FUNDAMENTAL RIGHTS AND DUTIES
4. THE RIGHTS, DUTIES AND FUNDAMENTAL GUARANTEES IN THE CONSTITUTIONAL TEXT

2. HISTORICAL BACKGROUND OF THE RIGHT OF COMMUNICATION IN SPAIN

1. INFORMATIVE FREEDOMS IN THE SPANISH CONSTITUTIONAL AND LEGISLATIVE HISTORY. BRIEF NOTE
2. THE DEVELOPMENT AND REGULATION OF CINEMATOGRAHY IN SPAIN
3. THE BEGINNINGS AND NORMATIVE DEVELOPMENT OF BROADCASTING IN SPAIN
4. THE BEGINNINGS AND REGULATORY FRAMEWORK OF TELEVISION IN SPAIN

3. THE RIGHT OF COMMUNICATION IN THE INTERNATIONAL AND EUROPEAN AREAS

1. INTERNATIONAL NORMATIVE INSTRUMENTS
2. INTERNATIONAL ORGANIZATIONS
3. REGULATIONS AND POLICIES OF COMMUNICATION IN EUROPE



4. THE CONSTITUTIONAL FRAMEWORK OF COMMUNICATION

1. THE CONSTITUTION AS A GENERAL FRAMEWORK OF THE REGULATION OF COMMUNICATION
2. FUNDAMENTAL RIGHTS AND PUBLIC FREEDOMS AND COMMUNICATION
3. RIGHTS AND FREEDOMS OF EXPRESSION, INFORMATION AND COMMUNICATION
4. THE RIGHTS OF PERSONALITY AS LIMITS IN COMMUNICATION
5. CIVIL AND CRIMINAL RESPONSIBILITY
6. COLLECTIVE RIGHTS IN THE COMMUNICATION OF MASSES
7. THE GUARANTEES AND SUSPENSION OF THESE RIGHTS AND FREEDOMS

5. THE SPANISH MODEL OF THE MEDIA

1. THE FREEDOM OF CREATING COMPANIES
2. ACCESS TO RADIO AND TELEVISION ACTIVITIES. SERVICES OF GENERAL INTEREST
3. THE DISTRIBUTION AND TRANSPORTATION SYSTEMS. REGULATION AND LIBERALIZATION
4. THE PROVIDERS OF THE AUDIOVISUAL COMMUNICATION SERVICE
5. THE INDEPENDENT AUTHORITIES
6. COMPETITION IN THE SPANISH COMMUNICATION SECTOR. FINANCING, TRANSPARENCY AND PLURALISM

6. ORGANIZATION AND LEGAL REGIME OF PUBLIC MEANS

1. GENERAL LEGAL REGIME AND STRUCTURE OF PUBLIC MEANS
2. PUBLIC RADIO AND PUBLIC TELEVISION WITH A STATE SCOPE
3. RADIO AND PUBLIC TELEVISION WITH A REGIONAL SCOPE
4. RADIO AND LOCAL PUBLIC TELEVISION

7. ORGANIZACIÓN Y RÉGIMEN JURÍDICO DE LAS TELEVISIONES PRIVADAS

1. RÉGIMEN JURÍDICO GENERAL Y ESTRUCTURA DE LA TELEVISIÓN PRIVADA
2. LA TELEVISIÓN PRIVADA DE ÁMBITO ESTATAL
3. LA TELEVISIÓN PRIVADA DE ÁMBITO AUTONÓMICO
4. LA TELEVISIÓN PRIVADA DE ÁMBITO LOCAL
5. LOS PRESTADORES DE TELEVISIÓN A TRAVÉS DE SERVICIOS DE COMUNICACIÓN ELECTRÓNICA (CABLE, SATÉLITE E INTERNET)

8. ORGANIZATION AND LEGAL REGIME OF PRIVATE BROADCASTING

1. GENERAL LEGAL REGIME AND STRUCTURE OF BROADCASTING
2. SOUND BROADCASTING IN THE MIDDLE WAVE BAND (OM)
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)

9. ORGANIZATION AND LEGAL REGIME OF CINEMATOGRAPHY

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

10. ORGANIZATION AND LEGAL REGIME OF THE WRITTEN PRESS

1. GENERAL LEGAL REGIME
2. PRESS AND PRINT LAW
3. THE REGULATION OF THE DISTRIBUTION, CREDITS AND AIDS

11. THE RIGHTS OF THE PUBLIC AND THE PROFESSIONALS BEFORE THE CONTENTS OF THE MEDIA

1. THE LEGAL FRAMEWORK
2. THE MAIN AREAS OF THE NEW REGULATION.
3. SELF-REGULATION ON THE CONTENTS
4. CLAIMS AND ACTIONS AGAINST THE TRANSGRESSION OF THESE RIGHTS. THE RIGHT OF RECTIFICATION
5. THE CLAUSE OF CONSCIENCE AND THE PROFESSIONAL SECRET OF THE COMMUNICATORS
6. DEONTOLOGICAL CODES, STATUTES OF DRAFTING AND STYLE BOOKS

12. PRINCIPLES AND RULES ON TELEVISION PROGRAMMING

1. THE GENERAL LEGAL REGIME AND PRINCIPLES OF PROGRAMMING
2. INFORMATION TO USERS
3. THE REGULATION OF THE PROGRAMMING CONCERNING THE CHILDREN AND YOUTH PUBLIC, AND TO HUMAN DIGNITY
4. THE REGULATION ON THE ISSUANCE OF CINEMATOGRAPHIC WORKS AND EUROPEAN AUDIOVISUAL PRODUCTION
5. THE GENERAL INTEREST AND THE REGULATION OF THE EMISSIONS AND RETRANSMISSIONS OF SPORTS COMPETITIONS AND EVENTS
6. ELECTORAL PROCESSES IN THE SOCIAL COMMUNICATION MEDIA

13. PRINCIPLES AND RULES ON ADVERTISEMENTS

1. THE GENERAL LEGAL REGIME AND THE PRINCIPLES OF ISSUANCE OF PUBLICITY
2. THE REGULATION OF THE PRESENTATION AND PUBLICITY INSERTIONS
3. THE REGULATION ON THE CONTENTS
4. PUBLICITY, TELEVISION AND SPONSORSHIP ADDRESSED TO MINORS
5. PUBLICITY, TELEVENTA AND SPONSORING OF CERTAIN PRODUCTS



14. COPYRIGHTS IN THE COMMUNICATIVE FIELD

1. THE LEGAL PROTECTION OF THE PERIODISTIC AND AUDIOVISUAL PRODUCTION
2. COMPETENCIAL DISTRIBUTION AND NORMATIVE EVOLUTION
3. THE FIELD OF INTELLECTUAL PROPERTY: AUTHORS 'RIGHTS AND LEGAL LIMITS
4. THE MANAGEMENT OF INTELLECTUAL PROPERTY RIGHTS THROUGH COLLECTIVE ENTITIES
5. THE PROTECTION OF INTELLECTUAL PROPERTY: REGISTRATION AND CIVIL, ADMINISTRATIVE AND CRIMINAL PROTECTION OF COPYRIGHTS

15. INTERNET AND THE RIGHT OF COMMUNICATION

1. INTERNET COMMUNICATION AND ITS LEGAL REGULATION
2. FREEDOM OF INFORMATION AND CREATION OF COMMUNICATING COMPANIES ON THE INTERNET
3. THE CONTENTS ON THE INTERNET

16. LEGAL REGIME OF THE MEDIA OF COMMUNICATION OF MASSES IN THE VALENCIAN COUNTRY

1. THE CONSTITUTIONAL FRAMEWORK AND AUTONOMOUS COMPETENCES ON MEDIA
2. COMPETENCIAL DEVELOPMENT AND RADIO AND TELEVISION CONCESSIONS
3. THE REGULATION OF THE ADVISORY COUNCIL OF RTVE IN THE VALENCIAN COMMUNITY
4. THE CREATION AND REGULATION OF VALENCIAN RADIOTELEVISION
5. THE REGULATION OF THE AUDIOVISUAL SECTOR
6. THE REFORM STATUTE OF 2006 AND THE AUDIOVISUAL COUNCIL

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

Cancelled

EVALUATION

Please contact the teacher

REFERENCES

Basic

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- BOIX PALOP, Andrés y LÓPEZ GARCÍA, Guillermo (eds.), La autoría en la era digital. Industria cultural y medios de comunicación, Tirant lo Blanch, Valencia, 2006.
- CATALÀ i BAS, Alexandre H., La libertad de expresión e información. La jurisprudencia del TEDH y su recepción por el Tribunal Constitucional, Ediciones Revista General de Derecho, Valencia, 2001.
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