

**COURSE DATA****DATA SUBJECT****Code:** 36569**Name:** Communication Law**Cycle:** Undergraduate Studies**ECTS Credits:** 6**Academic year:** 2025-26**STUDY (S)**

| Degree | Center | Acad. year | Period |
|--|---|------------|----------------|
| 1333 - Degree in Audiovisual Communication | Facultat de Filologia, Traducció i Comunicació | 3 | Second quarter |

SUBJECT-MATTER

| Degree | Subject-matter | Character |
|--|----------------|------------|
| 1333 - Degree in Audiovisual Communication | Law | COMPULSORY |

COORDINATION

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SUMMARY

Communications Law is a compulsory course of the Degree in Audiovisual Communication that is part of the subject Law.

This subject is included in the Bachelor's Degree in Audiovisual Communication studies to, through theoretical and practical reflection, train students in the legal framework for freedoms and rights of expression and information in mass and media communication, both in terms of messages and media, digital communication spaces, and their potential professional activity, paying special attention to the constitutional framework in force in Spain for any communicative activity. A specific chapter on Communications Law in the Valencian Community is also included. It is, therefore, an essential subject in the curricular development of this degree, as it constitutes a basic part of the set of theoretical and practical subjects that students must know upon completion of their studies.

This aspect will also be of great importance throughout the course of their professional work, given the numerous situations in which audiovisual communication graduates must understand the regulatory framework of their field of work to avoid conflicts and manage their professional activity in the best possible way.



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 other types of requirements are considered.

COMPETENCES / LEARNING OUTCOMES

1333 - Degree in Audiovisual Communication

Knowledge of professional ethics and conduct, as well as the legal framework governing information, which affects both professional practice and the work of communicators. Ability to interpret the legislative mechanisms that impact audiovisual media and communication, as well as the applicable legal framework for different aspects of audiovisual productions.

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 be able to deepen their acquired knowledge and to develop and apply these skills in the various fields of audiovisual communication.

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 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 be able to obtain and select relevant information and sources in order to solve problems and elaborate on strategies.

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 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.

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.

DESCRIPTION OF CONTENTS

INTRODUCTORY TOPIC. THE RULE OF LAW AND THE SPANISH CONSTITUTION OF 1978

PART ONE. HISTORICAL BACKGROUND OF COMMUNICATION LAW

TOPIC I. PRECEDENTS IN THE REGULATION OF RIGHTS AND FREEDOMS INVOLVED IN COMMUNICATION

1. The precedents and normative recognition of the rights to freedom of expression, printing, and publishing
2. The first regulations of the media through which these rights and freedoms are disseminated (press and printing, radio and television)

PART TWO. THE CONSTITUTIONAL FRAMEWORK OF RIGHTS AND FREEDOMS INVOLVED IN COMMUNICATION

TOPIC II. RIGHTS AND FREEDOMS OF EXPRESSION AND INFORMATION

1. The rights and freedoms involved in communication in the development of the Spanish constitutional framework
2. The rights and freedoms of expression and information in the 1978 Constitution
 - 2.1. The rights and freedoms of expression and information in the constitutional text
 - 2.2. Constitutional guarantees of the rights and freedoms of expression and information
 - 2.3. The normative projection of the rights and freedoms of expression and information

TOPIC III. THE PROTECTION OF PERSONAL RIGHTS IN THE EXERCISE OF THE RIGHTS AND FREEDOMS OF EXPRESSION AND INFORMATION

1. Personality rights that affect the field of communication
2. The collision between the rights and freedoms of expression and information and personality rights



3. The right to receive truthful information and the right to rectification

TOPIC IV. PROTECTION AND CONSTITUTIONAL GUIDELINES FOR OTHER RIGHTS INVOLVED IN COMMUNICATION

1. Constitutional protection of collective rights in the field of communication

1.1. Regulation and control of public media

1.2. The right of access of significant political and social groups

1.3. Non-discrimination of individuals and the protection of children and young people

2. Constitutional guidelines on the distribution of powers in the field of communication

PART THREE. THE EUROPEAN REGULATORY FRAMEWORK FOR COMMUNICATION

TOPIC V. THE EUROPEAN REGULATORY FRAMEWORK FOR COMMUNICATION IN THE DIGITAL SOCIETY

1. The beginnings and development of European regulation on audiovisual media services. Special reference to the Audiovisual Media Services Directives

2. Actions and regulations on free competition and pluralism in audiovisual communication

2.1. Actions and regulations on media pluralism and concentration

2.2. Financial aid to public broadcasting organizations

2.3. Actions and regulations on pluralism, media, and professionals in the digital environment

3. Access to the new communications market and convergence with other sectors in the digital society

3.1. Harmonization of technical standards and the promotion of new technologies

3.2. Liberalization of the infrastructures on which communication is based

3.3. Convergence with other sectors. Special reference to the European Laws on Digital Markets and Services, and the regulation of AI

4. Audiovisual Authorities



5. Registry of providers and sanctioning regime

PART FOUR. COMMUNICATION REGULATION IN SPAIN

TOPIC VI. REGULATION OF AUDIOVISUAL COMMUNICATION IN SPAIN IN THE DIGITAL AGE

1. The new regulatory framework for audiovisual communication in Spain in the digital age
2. The principles that should govern audiovisual communication activity in the digital age
3. User rights and obligations of audiovisual communication service providers
 - 3.1. The protection of minors in audiovisual communication
 - 3.2. Accessibility to audiovisual communication services
 - 3.3. The promotion of European audiovisual works
 - 3.4. Commercial audiovisual communications
 - 3.5. Exclusive contracting and broadcasting of events of general interest

TOPIC VII. REGULATION OF THE PROVISION OF PRIVATE TELEVISION COMMUNICATION SERVICES

1. Licensed television communication services
2. Prior communication services
3. Cross-border provision of television communication services
4. Non-profit community television communication service provision via terrestrial radio waves

TOPIC VIII. REGULATION OF THE PROVISION OF PUBLIC AUDIOVISUAL COMMUNICATION SERVICES

1. Public providers of audiovisual communication services
2. Public providers of audiovisual communication services at the state level
3. Public providers of audiovisual communication services at the regional level



4. Public providers of audiovisual communication services at the local level

TOPIC IX. REGULATION OF THE PROVISION OF VIDEO EXCHANGE SERVICES VIA PLATFORMS

1. Providers of video exchange services via platforms
2. Users of special relevance who use video exchange services via platforms

TOPIC X. REGULATION OF THE PROVISION OF ON-DEMAND RADIO AND SOUND COMMUNICATION SERVICES

1. The provision of on-demand radio and sound communication services
2. The provision of shortwave, MW, and FM radio communication services
3. The provision of digital radio communication services

TOPIC XI. REGULATION OF CINEMATOGRAPHY

1. General legal regime
2. Incentives for film and audiovisual production
3. Regulation of film distribution and exhibition

TOPIC XII. REGULATION OF THE WRITTEN PRESS

1. General Legal System
2. Press and Printing Law

TOPIC XIII. COPYRIGHT IN THE COMMUNICATIVE FIELD

1. Intellectual Property and Industrial Property
2. Intellectual Property Legislation
3. Subjects of Intellectual Property
4. Assignment of Intellectual Property Rights



5. Mechanisms for the Protection of Intellectual Property

PART FIVE. COMMUNICATION LAW IN THE VALENCIAN COMMUNITY

TOPIC XIV. THE LEGAL SYSTEM OF COMMUNICATION IN THE VALENCIAN COMMUNITY

1. The legal framework established by the Statute of Autonomy
2. Establishment of the framework of powers over the media
3. The Audiovisual Sector Law
4. The Law of the Audiovisual Council of the Valencian Community
5. The Registry of Providers

TOPIC XV. REGULATION OF THE MEDIA IN THE VALENCIAN COMMUNITY

1. Radio Broadcasting
2. State Public Radio and Television in the Valencian Community
3. Regional Public Radio and Television
4. Regional and Local Private Television

The contents of this module aim to help students develop the concepts of regulation in the field of communication in relation to the projection and rights of citizens and communication policies, as well as their projection and as the basis of the democratic public space, as a preliminary step to developing capacities for the creation of audiovisual content and formats in the new digital environment.

The aim is to provide this knowledge to navigate this new scenario, in which globalization and digital technologies applied to communication and information have completely transformed and continue to transform it daily, fostering, in turn, a new regulatory framework, both for communicative rights and freedoms and for a set of aspects linked to audiovisual production and content. Therefore, they will also have acquired knowledge about media regulation, the production aid regime, and the rights and obligations related to intellectual property and AI.

Learning outcomes

These contents will be reflected in the following learning outcomes:



- Identify organizational structures in the field of visual and audio communication
- Understand the interrelationship between the subjects of audiovisual communication (authors, institutions, companies, media, networks, and recipients)
- Understand the legal framework for communication and media information in its professional scope
- Interpret the legislative mechanisms that impact audiovisual or communication.
- Apply the applicable legal framework to the different aspects of audiovisual productions

WORKLOAD

PRESENCIAL ACTIVITIES

| Activity | Hours |
|--------------------|--------------|
| Theory | 60,00 |
| Total hours | 60,00 |

NON PRESENCIAL ACTIVITIES

| Activity | Hours |
|---------------------------------------|--------------|
| Attendance at other activities | 0,00 |
| Individual or group project | 15,00 |
| Independent study and work | 25,00 |
| Preparation of lessons | 20,00 |
| Preparation for assessment activities | 0,00 |
| Resolution of case studies | 30,00 |
| Total hours | 90,00 |

TEACHING METHODOLOGY

In-person activities:

In-person teaching will be delivered in two two-hour sessions that will combine the following methodologies:



- **Lecture.** The theoretical content of the course will be taught in the classroom by in-house faculty using the methodologies of lecture sessions, analysis of normative texts, and case studies.
- **Guided debates:** Students will present the results of their case study analyses in class through discussions guided by in-house faculty.
- **Case study and analysis:** Typically, the sessions will be divided into two parts: the first will consist of a cross-sectional presentation of the content by the faculty; the second will be dedicated to the analysis of a case or the supervised preparation of case studies. Participation in the case studies will be reflected before the end of the session through a discussion of progress by students and feedback from the faculty.
- **Seminars:** Conferences given by invited specialists.

Out-of-class activities

Students will complete the following distance learning activities:

- **Group work.** Group applications for various types of audiovisual production grants from European, national, and regional institutions.
- **Individual work.** Preparation and practical exercises for registering an audiovisual work in the Property Registry.
- **Class preparation.** Reading of materials provided in advance by the teaching staff prior to their discussion in class.
- **Independent study and work.** Study of the course content in preparation for the exam.
- **Preparation and resolution of practical cases.** Preparation of practical cases that students must prepare for subsequent discussion in class

Sustainable Development Goals

This course specifically considers the following Sustainable Development Goals:

- **SDG 4, Quality Education.** Goal 7: Students acquire the theoretical and practical knowledge necessary to promote sustainable development, human rights, gender equality, the promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity, and the contribution of culture to sustainable development.
- **SDG 5: Gender Equality.** Goal 1: End all forms of discrimination against all women and girls everywhere.

EVALUATION

The general grading system will follow the University of Valencia's Assessment and Grading Regulations for undergraduate and master's degrees, approved by the Governing Council on May 30, 2017 (ACGUV 108/2017).

Assessment in the First Session



The assessment in the first session will be carried out as follows:

- **Theoretical-practical exam (70%).** Solving practical cases, with bibliographical material on the content and development of the concepts covered in the course. This can be made up in the second session.
- **Presentation of outlines, summaries and proposed texts (30%).** Submission of individual and group exercises on the content developed by the faculty in their sessions. Student participation in class in the analysis of case studies presented by the faculty. This cannot be made up in the second session.

Assessment in the Second Examination

The assessment in the second examination will maintain, if applicable, the grades obtained in the sections passed in the first examination. The assessment of failed or missed sections will be carried out as follows:

- **Theoretical-practical exam (70%).** Solving practical cases, with bibliographical material on the contents and the development of the concepts covered in the subject.
- **Presentation of outlines, summaries and proposed texts (30%).** This cannot be made up in the second examination period. The grade obtained in the first examination period will be maintained.

Other observations

- Spelling and grammar correction will be required in all tests, exercises, or written assignments. Each error will result in a reduction of the grade obtained, which may go as far as a failure.
- If plagiarism is found in an assessment project, it may be graded with a numerical grade of zero, regardless of any disciplinary proceedings that may be initiated and, if applicable, any appropriate sanctions in accordance with current legislation.
- Intellectual honesty is vital in academic communities and for the fair evaluation of student work. All work submitted on this course must be of original authorship. Work that uses fraudulent collaboration or composition aided by artificial intelligence (ChatGPT or others) will not be accepted, unless its use is part of the course content or authorized by the teaching faculty.

REFERENCES

Basic references

- GUICHOT, Emilio (coord.) (2022). *Derecho de la Comunicación*. 6ª ed. Iustel. Madrid.
- LOPEZ GARCIA, Guillermo (eds.), (2019) *La comunicación en la Comunidad Valenciana (2010-2018): crisis y cambio*. Ed. Alfons el Magnanim, Valencia.
- MARTÍNEZ OTERO, José M. (2019) Un nuevo marco regulador para el sector audiovisual en Europa: la Directiva 2018/1808 en el contexto de la convergencia mediática y el Mercado Único



Digital. Revista Derecho Comunitario Europeo, 63, (<https://doi.org/10.18042/cepc/rdce.63.05>), págs. 537-571.

- VIDAL BELTRAN, José M. (2024) *La regulación de la comunicación en la era digital. Contenidos, retos y objetivos de la nueva regulación española y europea del audiovisual*. Ed. Tirant lo Blanch, Valencia.
- VIDAL BELTRAN, José M. (2019) *Libertades informativas y medios de comunicación. Conformación, desmoronamiento y reconstrucción del espacio comunicativo audiovisual de la Comunitat Valenciana*. Ed. Tirant lo Blanch, Valencia.

Additional references

- ANDRÉS SEGOVIA, Belén. (2015) *Las transformaciones de la televisión pública valenciana*. Tirant lo Blanch, Valencia.
- BOIX PALOP, Andrés y VIDAL BELTRÁN, José María (coords.) (2014). *La nueva regulación del audiovisual: medios, derechos y libertades*. Aranzadi.
- BOIX PALOP, Andrés, "Pluralismo y libertad de expresión en la Red", (2002) Revista española de Derecho constitucional, nº 65, mayo-agosto, pp. 133-180.
- BOIX PALOP, Andrés y LÓPEZ GARCÍA, Guillermo (eds.), (2006) *La autoría en la era digital. Industria cultural y medios de comunicación*, Tirant lo Blanch, Valencia.
- GAVARA DE CARA, Juan Carlos. (2015) *Control judicial de los medios de comunicación*. Ed. Bosch, Barcelona.
- LOPEZ GARCIA, Guillermo (eds.), (2010) *El ecosistema comunicativo valenciano*, Valencia, Tirant lo Blanc.
- VIDAL BELTRÁN, José M^a. (2011) La Reforma Estatutaria y el Régimen Jurídico de los medios de comunicación audiovisuales en la Comunidad Valenciana. En Revista Valenciana d'Estudis Autonòmics. Ed. Generalitat Valenciana, núm. 56, 2011, págs. 206-276-
- VILAJOANA, Sandra (2011). *Las leyes de la publicidad. Límites jurídicos de la actividad publicitaria*. Ed. UOC, Barcelona.

References from websites of various Spanish and European institutions, official journals, and case law



- Comisión Nacional de los Mercados y la Competencia: <https://www.cnmc.es/>
- European Audiovisual Observatory: <https://www.obs.coe.int/en/web/observatoire>
- UNESCO: <https://www.unesco.org/es>
- European Commission (Europa creativa. Audiovisual) : <https://culture.ec.europa.eu/cultural-and-creative-sectors/audiovisual>
- European Comission : https://commission.europa.eu/index_es
- European Platform of Regulatory Authorities: <https://www.epra.com/>
- Audiovisual and Media Policies. Info Centre: http://ec.europa.eu/avpolicy/info_centre/index_en.htm
- Programa Media: http://ec.europa.eu/culture/media/index_en.htm
- UTECA: <http://www.uteca.com/uteca>
- Boletín Oficial del Estado: <http://www.boe.es>
- Jurisprudencia Tribunales españoles: <http://www.poderjudicial.es>
- Jurisprudencia Constitucional: <http://www.tribunalconstitucional.es>
- Jurisprudencia europea: <http://curia.europa.eu/es/index.htm>
- Diario Oficial UE: <https://eur-lex.europa.eu/oj/direct-access.html?locale=es>

Legal databases

Available in the libraries of the University of Valencia

- <http://www.iustel.com>
- <http://www.tirantonline.com>
- <http://www.westlaw.es>