

PUBLIC FIGURES RIGHTS TO PRIVACY : A LEGAL PERSPECTIVES

By

Aida Najihah binti Mhd Nazli (2007294176)

Siti Nur Farrah binti Abdul Rahman (2007294334)

Siti Syuhada binti Mohd Isa (2007294324)

Submitted in Partial Fulfillment of the Requirements
for the Degree of Bachelor of Legal Studies (Hons.)

MARA University of Technology (UiTM)

Faculty of Law

October 2009

The student/authors confirm that the works submitted is their own and that appropriate credit has been given where reference has been made to the work of others

ABSTRACT

This is a research project conducted to determine the right of privacy of public figures and how this right interacts with the freedom of the press especially in particular circumstances where a potential balancing of interests is not always an easy task.

Basically, even though press claims that it was their duty as a press to collect information and publish it to public, but public figures or celebrities also are human beings where they have the right to do what they want in their daily life. The individual's right to privacy is a fundamental human right. They are still subjected to the protection of rights same as the ordinary people.

As the Federal Constitution is the supreme law in the land, therefore it has been enumerated in Part II of the Federal Constitution, which stated that no person shall be deprived of his life or personal liberty saves in accordance with law. These provisions are applicable to everyone including public figures. By the virtue of Article 5 of the Federal Constitution that laid down the protection towards personal liberty while Article 8 outline that all people are subjected to equality before the law and being treated equally. Furthermore, it is recognized in key United Nations human rights documents such as the Universal Declaration of Human Rights 1948 particularly under Article 12 or the International Covenant on Civil and Political Rights 1966 by virtue of Article 17.

Yes, every person is entitled to the same treatment and equal to subject before the law. Universal Declaration of Human Rights 1948 also gives protection towards human rights but does the law cover human rights as it is? Therefore, this research paper is to determine either the public figure deserve as well as celebrities deserve to have rights of privacy in their private life based on the legal perspective.

Basically, in other countries the law of privacy has been amended as the authority never fail to ensure that all the citizens are protected. They do not take things for granted as every person in this world is subjected to an equal treatment and also deserve for privacy in private life. Therefore, it has to bear in mind that privacy law should be more effective and protect public figures' life too.

ACKNOWLEDGEMENT

The preparation of this important research paper would not have been possible without the support, hard work and endless efforts of a large number of individuals and institutions. We would like to express our gratitude to all those who gave us the possibility to complete this research paper. We want to thank MARA University of Technology for giving us permission to commence this research paper in the first instance, to do the necessary research work and others. The coordination of all teams would not have been successful without the proper facilitation of the project consultants, our supervisor, Mrs. Noraziah binti Abdul Jabar who gave and confirmed this permission and encouraged us to go ahead with our research paper. We are heartily thankful to our supervisor, whose help, stimulating suggestions, guidance and support from the initial to the final level enabled us to develop an understanding of the subject of the research paper. All the assistances given by our supervisor such as to look closely at the final version of the research paper for English style and grammar, correcting both and offering suggestions for improvement is very well appreciated.

I also want to thank Associated Professor Dr. Haidar Dziauddin, Legal Advisor of MARA University of Technology for all his assistances on the scenario of privacy law that have been going around in our country, Malaysia. Other than that, we really appreciate for all the times spent by him on allowing us to interview him. Moreover, a bunch of thanks to my other two colleagues Siti Syuhada binti Mohd Isa and Siti Nur Farrah binti Abdul Rahman for all the hard works in completing this research work. I want to thank them for all their help, support, interest, and valuable hints through out the whole process.

Especially, we would like to give our special thanks to our parents whose patient love enabled us to complete this work and for all the financial aids in the process of completing this research paper. Lastly, I offer our regards and blessings to all of those who supported us in any respect during the completion of the project.

III

TABLE OF CONTENTS

Acknowledgement	I
Abstract	II
Contents	III
Table of Cases	IV
Table of Statutes	V
CHAPTER 1: INTRODUCTION	
1.1 Background of research	1
1.2 Problem Identification	4
1.3 Research Objectives	5
1.4 Literature Review	5
1.5 Research of Methodology	10
1.6 Scope and Limitations	11
1.7 Contribution/ Significance of the Study	12
1.8 Outline of the Structure of the Paper	13
1.9 Conclusion	13
CHAPTER 2: CURRENT POSITION IN MALAYSIA	
2.1 Introduction	14
2.2 Arguments	14
2.3 Position in Malaysia	15
2.3.1 Laws	16
2.3.2 Cases	21
2.4 Conclusion	23

