



# Defamation and Malicious Publication (Scotland) Act 2021

2021 asp 10

## PART 1

### DEFAMATION

#### *Absolute privilege*

#### **9 Contemporaneous reports of court proceedings**

- (1) The contemporaneous publication of a statement which is a fair and accurate report of proceedings in public before a court to which this section applies is absolutely privileged.
- (2) Where the publication of a report of proceedings is required to be postponed—
  - (a) by an order of the court, or
  - (b) as a consequence of a statutory provision,it is to be treated as being contemporaneously published if it is published as soon as practicable after that is permitted.
- (3) This section applies to—
  - (a) any court in the United Kingdom,
  - (b) any court established under the law of a country or territory outside the United Kingdom, and
  - (c) any international court or tribunal established by the Security Council of the United Nations or by an international agreement.
- (4) For the purposes of [subsection \(3\)\(a\)](#) and [\(b\)](#), “court” includes any tribunal or body exercising the judicial power of the State.