

SCHEDULES

SCHEDULE 18

Amendments relating to Article 15(1) to (4) etc

PART 1

Acts of the Parliament of the United Kingdom

Defamation Act 1996

- 51.** Amend the Defamation Act 1996⁽¹⁾ as follows.
- 52.** In section 9 (meaning of summary relief)—
- (a) in subsection (3) at the beginning insert “Subject to subsection (4)”;
 - (b) after subsection (3) insert—
 - “(4) Any order made by the Department of Justice in Northern Ireland under subsection (1)(c) shall be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979⁽²⁾, and shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954⁽³⁾.”
- 53.** In Schedule 1 (qualified privilege)—
- (a) in paragraph 15—
 - (i) for sub-paragraph (1)(a) substitute—
 - “(a) for England and Wales, by order of the Lord Chancellor,”;
 - (ii) after sub-paragraph (1)(b) insert—
 - “, and
 - (c) for Northern Ireland, by order of the Department of Justice in Northern Ireland”;
 - (iii) in sub-paragraph (2) at the beginning insert “Subject to sub-paragraph (3),”;
 - (iv) after sub-paragraph (2) insert—
 - “(3) An order under sub-paragraph (1)(c) shall be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 and subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.”;
 - (b) in paragraph 17—
 - (i) for sub-paragraph (2)(a) substitute—
 - “(a) for England and Wales, by the Lord Chancellor,”;

(1) 1996 c.31. Relevant amendments are made by the Constitutional Reform Act 2005 (c. 4), section 15 and Schedule 4, paragraph 255.

(2) S.I. 1979/1573 (N.I. 12).

(3) 1954 c. 33 (N.I.). Section 41(6) was amended by S.I. 1999/663.

Status: This is the original version (as it was originally made).

(ii) after sub-paragraph (2)(b) insert—

“, and

(c) for Northern Ireland, by the Department of Justice in Northern Ireland”;

(iii) in sub-paragraph (3) at the beginning insert “Subject to sub-paragraph (4),”;

(iv) after sub-paragraph (3) insert—

“(4) An order under sub-paragraph (2)(c) shall be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 and subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.”