



Contempt of Court Act 1981

1981 CHAPTER 49

Strict liability

4 Contemporary reports of proceedings.

- (1) Subject to this section a person is not guilty of contempt of court under the strict liability rule in respect of a fair and accurate report of legal proceedings held in public, published contemporaneously and in good faith.
- (2) In any such proceedings the court may, where it appears to be necessary for avoiding a substantial risk of prejudice to the administration of justice in those proceedings, or in any other proceedings pending or imminent, order that the publication of any report of the proceedings, or any part of the proceedings, be postponed for such period as the court thinks necessary for that purpose.

[^{F1}(2A) Where in proceedings for any offence which is an administration of justice offence for the purposes of section 54 of the ^{M1}Criminal Procedure and Investigations Act 1996 (acquittal tainted by an administration of justice offence) it appears to the court that there is a possibility that (by virtue of that section) proceedings may be taken against a person for an offence of which he has been acquitted, subsection (2) of this section shall apply as if those proceedings were pending or imminent.]

- (3) For the purposes of subsection (1) of this section and of section 3 of the ^{M2}Law of Libel Amendment Act 1888 (privilege) a report of proceedings shall be treated as published contemporaneously—
 - (a) in the case of a report of which publication is postponed pursuant to an order under subsection (2) of this section, if published as soon as practicable after that order expires;
 - (b) in the case of a report of committal proceedings of which publication is permitted by virtue only of subsection (3) of section 8 of the ^{M3}Magistrates' Courts Act 1980, if published as soon as practicable after publication is so permitted.
- (4) Subsection 9 of the said section 8 is repealed.

Status: Point in time view as at 04/07/1996. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Contempt of Court Act 1981, Section 4. (See end of Document for details)

Textual Amendments

- F1** S. 4(2A) inserted (E.W.,N.I.) (4.7.1996 with effect as mentioned in s. 54(4)(7)(8) of the amending Act) by 1996 c. 25, **ss. 54(4)(7)(8), 57(3)** (with s. 78(1)); S.I. 1997/1019, **art. 2**; S.I. 1997/1504, **art. 2**

Modifications etc. (not altering text)

- C1** The text of ss. 3(4), 4(4), 14(5), 16(6), Sch. 2 Pt.II and Pt. III paras. 1, 6 and 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

- M1** 1996 c. 25.
M2 1888 c. 64.
M3 1980 c. 43.

Status:

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Changes to legislation:

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