



Broadcasting Act 1990

1990 CHAPTER 42

PART VII

PROHIBITION ON INCLUSION OF OBSCENE AND OTHER MATERIAL IN PROGRAMME SERVICES

Defamation

166 Defamatory material.

- (1) For the purposes of the law of libel and slander (including the law of criminal libel so far as it relates to the publication of defamatory matter) the publication of words in the course of any programme included in a programme service shall be treated as publication in permanent form.
- (2) Subsection (1) above shall apply for the purposes of section 3 of each of the Defamation Acts (slander of title etc.) as it applies for the purposes of the law of libel and slander.
- [^{F1}(3) Section 7 of each of those Acts (qualified privilege of newspapers) shall apply in relation to—
 - (a) reports or matters included in a programme service, and
 - (b) any inclusion in such a service of any such report or matter,as it applies in relation to reports and matters published in a newspaper and to publication in a newspaper; and subsection (2) of that section shall have effect, in relation to any such inclusion, as if for the words “in the newspaper in which” there were substituted the words “in the programme service in which”.]
- (4) In this section “the Defamation Acts” means the ^{M1}Defamation Act 1952 and the ^{M2}Defamation Act (Northern Ireland) 1955.
- (5) Subsections (1) and (2) above do not extend to Scotland.

Status: Point in time view as at 14/07/2008.

Changes to legislation: Broadcasting Act 1990, Cross Heading: Defamation is up to date with all changes known to be in force on or before 03 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F1 S. 166(3) repealed (31.3.2001 for S. and otherwise *prosp.*) by 1996 c. 31, ss. 16, 19, **Sch. 2** (with s. 20(2)); S.S.I. 2001/98, **art. 3**

Marginal Citations

M1 1952 c. 66.

M2 1955 c. 11 (N.I.).

Status:

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