



Defamation Act 1996

1996 CHAPTER 31

Summary disposal of claim

10 Summary disposal: rules of court.

- (1) Provision may be made by rules of court as to the summary disposal of the plaintiff's claim in defamation proceedings.
- (2) Without prejudice to the generality of that power, provision may be made—
 - (a) authorising a party to apply for summary disposal at any stage of the proceedings;
 - (b) authorising the court at any stage of the proceedings—
 - (i) to treat any application, pleading or other step in the proceedings as an application for summary disposal, or
 - (ii) to make an order for summary disposal without any such application;
 - (c) as to the time for serving pleadings or taking any other step in the proceedings in a case where there are proceedings for summary disposal;
 - (d) requiring the parties to identify any question of law or construction which the court is to be asked to determine in the proceedings;
 - (e) as to the nature of any hearing on the question of summary disposal, and in particular—
 - (i) authorising the court to order affidavits or witness statements to be prepared for use as evidence at the hearing, and
 - (ii) requiring the leave of the court for the calling of oral evidence, or the introduction of new evidence, at the hearing;
 - (f) authorising the court to require a defendant to elect, at or before the hearing, whether or not to make an offer to make amends under section 2.

Commencement Information

- II** S. 10 partly in force; s. 10 not in force at Royal Assent, see s. 19; s. 10 in force (E.W.) at 28.2.2000 by S.I. 2000/222, art. 3

Status:

Point in time view as at 28/02/2000. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Defamation Act 1996, Section 10.