



Defamation Act 1996

1996 CHAPTER 31

Offer to make amends

2 Offer to make amends.

- [^{F1}(1) A person who has published a statement alleged to be defamatory of another may offer to make amends under this section.
- (2) The offer may be in relation to the statement generally or in relation to a specific defamatory meaning which the person making the offer accepts that the statement conveys (“a qualified offer”).
- (3) An offer to make amends—
- (a) must be in writing,
 - (b) must be expressed to be an offer to make amends under section 2 of the Defamation Act 1996, and
 - (c) must state whether it is a qualified offer and, if so, set out the defamatory meaning in relation to which it is made.
- (4) An offer to make amends under this section is an offer—
- (a) to make a suitable correction of the statement complained of and a sufficient apology to the aggrieved party,
 - (b) to publish the correction and apology in a manner that is reasonable and practicable in the circumstances, and
 - (c) to pay to the aggrieved party such compensation (if any), and such costs, as may be agreed or determined to be payable.

The fact that the offer is accompanied by an offer to take specific steps does not affect the fact that an offer to make amends under this section is an offer to do all the things mentioned in paragraphs (a) to (c).

- (5) An offer to make amends under this section may not be made by a person after serving a defence in defamation proceedings brought against him by the aggrieved party in respect of the publication in question.

Changes to legislation: There are currently no known outstanding effects for the Defamation Act 1996, Section 2. (See end of Document for details)

- (6) An offer to make amends under this section may be withdrawn before it is accepted; and a renewal of an offer which has been withdrawn shall be treated as a new offer.]

Textual Amendments

- F1** Ss. 1-4 repealed (S.) (8.8.2022) by [Defamation and Malicious Publication \(Scotland\) Act 2021 \(asp 10\)](#), **ss. 35(3)(a)**, 39(2); S.S.I. 2022/154, regs. 1(2), 2

Commencement Information

- I1** S. 2 wholly in force; s. 2 not in force at Royal Assent see s. 19; s. 2 in force for E.W. at 28.2.2000 by S.I. 2000/222, **art. 3**; s. 2 in force at for S. at 31.3.2001 by S.S.I. 2001/98, **art. 3(a)**
- I2** S. 2 in force at 6.1.2010 for N.I. by S.I. 2009/2858, **art. 3(a)**

Changes to legislation:

There are currently no known outstanding effects for the Defamation Act 1996, Section 2.