



Human Rights Act 1998

1998 CHAPTER 42

Derogations and reservations

14 Derogations.

(1) In this Act “designated derogation” means—

^{F1}
any derogation by the United Kingdom from an Article of the Convention, or of any protocol to the Convention, which is designated for the purposes of this Act in an order made by the [^{F2}Secretary of State]

^{F3}(2)

(3) If a designated derogation is amended or replaced it ceases to be a designated derogation.

(4) But subsection (3) does not prevent the [^{F4}Secretary of State] from exercising his power under subsection (1) ^{F5}. . . to make a fresh designation order in respect of the Article concerned.

(5) The [^{F6}Secretary of State] must by order make such amendments to Schedule 3 as he considers appropriate to reflect—

- (a) any designation order; or
- (b) the effect of subsection (3).

(6) A designation order may be made in anticipation of the making by the United Kingdom of a proposed derogation.

Annotations:

Amendments (Textual)

F1 S. 14(1): from “(a)” to “(b)” repealed (1.4.2001) by S.I. 2001/1216, art. 2(a)

F2 Words in s. 14 substituted (19.8.2003) by The Secretary of State for Constitutional Affairs Order 2003 (S. I. 2003/1887), art. 9, Sch. 2 para. 10(1)

F3 S. 14(2) repealed (1.4.2001) by S.I. 2001/1216, art. 2(b)

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Human Rights Act 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

- F4** Words in s. 14 substituted (19.8.2003) by The Secretary of State for Constitutional Affairs Order 2003 (S. I. 2003/1887), art. 9, **Sch. 2 para. 10(1)**
- F5** S. 14(4): “(b)” repealed (1.4.2001) by S.I. 2001/1216, **art. 2(c)**
- F6** Words in s. 14 substituted (19.8.2003) by The Secretary of State for Constitutional Affairs Order 2003 (S. I. 2003/1887), art. 9, **Sch. 2 para. 10(1)**

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Commencement Orders yet to be applied to the Human Rights Act 1998:

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2009/1059](#) Order transitional provisions for effects of commencing SI 2009/812