Defamation Act 2013

2013 CHAPTER 26

General provisions

15 Meaning of “publish” and “statement”

In this Act—

“publish” and “publication”, in relation to a statement, have the meaning they have for the purposes of the law of defamation generally;

“statement” means words, pictures, visual images, gestures or any other method of signifying meaning.

16 Consequential amendments and savings etc

(1) Section 8 of the Rehabilitation of Offenders Act 1974 (defamation actions) is amended in accordance with subsections (2) and (3).

(2) In subsection (3) for “of justification or fair comment or” substitute “under section 2 or 3 of the Defamation Act 2013 which is available to him or any defence”.

(3) In subsection (5) for “the defence of justification” substitute “a defence under section 2 of the Defamation Act 2013”.

(4) Nothing in section 1 or 14 affects any cause of action accrued before the commencement of the section in question.

(5) Nothing in sections 2 to 7 or 10 has effect in relation to an action for defamation if the cause of action accrued before the commencement of the section in question.

(6) In determining whether section 8 applies, no account is to be taken of any publication made before the commencement of the section.

(7) Nothing in section 9 or 11 has effect in relation to an action for defamation begun before the commencement of the section in question.
(8) In determining for the purposes of subsection (7)(a) of section 3 whether a person would have a defence under section 4 to any action for defamation, the operation of subsection (5) of this section is to be ignored.

17 Short title, extent and commencement

(1) This Act may be cited as the Defamation Act 2013.

(2) Subject to subsection (3), this Act extends to England and Wales only.

(3) The following provisions also extend to Scotland—

(a) section 6;
(b) section 7(9);
(c) section 15;
(d) section 16(5) (in so far as it relates to sections 6 and 7(9));
(e) this section.

(4) Subject to subsections (5) and (6), the provisions of this Act come into force on such day as the Secretary of State may by order made by statutory instrument appoint.

(5) Sections 6 and 7(9) come into force in so far as they extend to Scotland on such day as the Scottish Ministers may by order appoint.

(6) Section 15, subsections (4) to (8) of section 16 and this section come into force on the day on which this Act is passed.