

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Defamation Act (Northern Ireland) 1955, Schedule. (See end of Document for details)

[^{F1}SCHEDULE

Section 7.

NEWSPAPER STATEMENTS HAVING QUALIFIED PRIVILEGE]

F1 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F2}PART I

STATEMENTS PRIVILEGED WITHOUT EXPLANATION OR CONTRADICTION]

F2 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F3}1 A fair and accurate report of any proceedings in public of the legislature of any part of Her Majesty's dominions outside Northern Ireland.]

F3 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F4}2 A fair and accurate report of any proceedings in public of an international organisation of which the United Kingdom or Her Majesty's Government in the United Kingdom is a member, or of any international conference to which that government sends a representative.]

F4 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F5}3 fair and accurate report of any proceedings in public of an international court.]

F5 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F6}4 A fair and accurate report of any proceedings before a court exercising jurisdiction throughout any part of Her Majesty's dominions outside the United Kingdom, or of any proceedings before a court-martial held outside the United Kingdom under the Naval Discipline Act, the Army Act or the Air Force Act.]

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F6 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F7}5 A fair and accurate report of any proceedings in public of a body or person appointed to hold a public inquiry by the government or legislature of any part of Her Majesty's dominions outside the United Kingdom.]

F7 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F8}6 A fair and accurate copy of or extract from any register kept in pursuance of any Act of Parliament which is open to inspection by the public, or of any other document which is required by the law of any part of the United Kingdom to be open to inspection by the public.]

F8 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F9}7 A notice or advertisement published by or on the authority of any court within the United Kingdom or any judge or officer of such a court.]

F9 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F10}PART II

STATEMENTS PRIVILEGED SUBJECT TO EXPLANATION OR CONTRADICTION]

F10 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F11}8 A fair and accurate report of the findings or decision of any of the following associations, or of any committee or governing body thereof, that is to say—

- (a) an association formed in the United Kingdom for the purpose of promoting or encouraging the exercise of or interest in any art, science, religion or learning, and empowered by its constitution to exercise control over or adjudicate upon matters of interest or concern to the association, or the actions or conduct of any persons subject to such control or adjudication;

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- (b) an association formed in the United Kingdom for the purpose of promoting or safeguarding the interests of any trade, business, industry or profession, or of the persons carrying on or engaged in any trade, business, industry or profession, and empowered by its constitution to exercise control over or adjudicate upon matters connected with the trade, business, industry or profession, or the actions or conduct of those persons;
- (c) an association formed in the United Kingdom for the purpose of promoting or safeguarding the interests of any game, sport or pastime to the playing or exercise of which members of the public are invited or admitted, and empowered by its constitution to exercise control over or adjudicate upon persons connected with or taking part in the game, sport or pastime,

being a finding or decision relating to a person who is a member of or is subject by virtue of any contract to the control of the association.]

F11 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F12}9 A fair and accurate report of the proceedings at any public meeting held in the United Kingdom, that is to say, a meeting bona fide and lawfully held for a lawful purpose and for the furtherance or discussion of any matter of public concern, whether the admission to the meeting is general or restricted.]

F12 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F13}10 A fair and accurate report of the proceedings at any meeting or sitting in any part of the United Kingdom of—

- (a) ^{F14}any local authority or committee of a local authority or local authorities;
- (b) any justice or justices of the peace acting otherwise than as a court exercising judicial authority;
- (c) any commission, tribunal, committee or person appointed for the purposes of any inquiry by Act of Parliament, by Her Majesty, by the Governor or by a Minister of Northern Ireland or other Minister of the Crown;
- (d) ^{F14}any person appointed by a local authority to hold a local inquiry in pursuance of any Act of Parliament;
- (e) any other tribunal, board, committee or body constituted by or under, and exercising functions under, an Act of Parliament,

not being a meeting or sitting admission to which is denied to representatives of newspapers and other members of the public.]

F13 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

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F14 Refs. to loc. auths. deemed to include refs. to education and library boards or committees of such boards, 1986 NI 3 art. 97(2)

[^{F15}11 A fair and accurate report of the proceedings at a general meeting of any company or association constituted, registered or certified by or under any Act of Parliament or incorporated by Royal Charter, not being a private company within the meaning of the Companies Act (Northern Ireland), 1932^{F16}.]

F15 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

F16 Rep. and replaced, 1960 c. 22 (NI)

[^{F17}12 A copy or fair and accurate report or summary of any notice or other matter issued for the information of the public by or on behalf of any government department, officer of state, local authority or chief officer of police.]

F17 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F18}PART III

INTERPRETATION]

F18 Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

[^{F19}13(1)] In this Schedule the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Act of Parliament" includes an Act of Parliament of the United Kingdom, and the reference to the Companies Act (Northern Ireland), 1932^{F20}, includes a reference to any corresponding enactment of the Parliament of the United Kingdom;

"government department" includes a department of the Government of the United Kingdom;

"international court" means the International Court of Justice and any other judicial or arbitral tribunal deciding matters in dispute between States;

"legislature", in relation to any territory comprised in Her Majesty's dominions which is subject to a central and a local legislature, means either of those legislatures;

[^{F21}"local authority" means—

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- (a) any authority or body to which sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 apply ;
- (b) any principal council, within the meaning of the Local Government Act 1972, any body falling within any paragraph of section 100J(1) of that Act and any local authority, within the meaning of the Local Government (Scotland) Act 1973 ;
- (c) any authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies ;

and any reference to a committee of a local authority shall be construed in accordance with sub-paragraph (2) below.]

"part of Her Majesty's dominions" means the whole of any territory within those dominions which is subject to a separate legislature.

[^{F21}(2) Any reference in this Schedule to a committee of a local authority includes a referenc—

- (a) to any committee or sub-committee in relation to which sections 100A to 100D of the Local Government Act 1972 apply by virtue of section 100E of that Act (whether or not also by virtue of section 100J of that Act); and
- (b) to any committee or sub-committee in relation to which sections 50A to 50D of the Local Government (Scotland) Act 1973 apply by virtue of section 50E of that Act.]

- F19** Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2
- F20** Rep. and replaced, 1960 c. 22 (NI)
- F21** 1985 c. 43

[^{F22}14 In relation to the following countries and territories, that is to say, India, the Republic of Ireland, any protectorate, protected state or trust territory within the meaning of the British Nationality Act, 1948, any territory administered under the authority of a country mentioned in Schedule 3 to the British Nationality Act 1981], the Sudan and the New Hebrides, the provisions of this Schedule shall have effect as they have effect in relation to Her Majesty's dominions, and references therein to Her Majesty's dominions shall be construed accordingly.

- F22** Sch. repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13 of the repealing Act, 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1, otherwise prosp.) by 1996 c. 31, ss. 16, 19(2)(3)(a), Sch. 2 (with s. 20(2)); S.I. 1999/817, art. 2

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