



# Defamation and Malicious Publication (Scotland) Act 2021

2021 asp 10

## PART 1

### DEFAMATION

#### *Defences*

#### **5 Defence of truth**

- (1) It is a defence to defamation proceedings for the defender to show that the imputation conveyed by the statement complained of is true or is substantially true.
- (2) Where defamation proceedings are brought in respect of a statement conveying two or more distinct imputations, the defence under subsection (1) does not fail if—
  - (a) not all of the imputations have been shown to be true or substantially true, and
  - (b) having regard to the imputations that have been shown to be true or substantially true, publication of the remaining imputations has not caused serious harm to the reputation of the pursuer.

#### **Commencement Information**

**II** S. 5 in force at 8.8.2022 by S.S.I. 2022/154, regs. 1(2), 2

**Changes to legislation:**

There are currently no known outstanding effects for the Defamation and Malicious Publication (Scotland) Act 2021, Section 5.