

Changes to legislation: There are currently no known outstanding effects for the Defamation Act 1996, Paragraph 11. (See end of Document for details)

SCHEDULES

[^{F1} SCHEDULE 1

QUALIFIED PRIVILEGE

Textual Amendments

F1 Sch. 1 repealed (S.) (8.8.2022) by Defamation and Malicious Publication (Scotland) Act 2021 (asp 10), ss. 35(3)(a), 39(2); S.S.I. 2022/154, regs. 1(2), 2

Modifications etc. (not altering text)

C1 Sch. 1 extended (1.12.1998) by 1998 c. 38, s. 77(4)(a) (with ss. 139(2), 143(2)); S.I. 1998/2789, art. 2

PART II

STATEMENTS PRIVILEGED SUBJECT TO EXPLANATION OR CONTRADICTION

- 11 (1) A fair and accurate report of proceedings at any public meeting or sitting in the United Kingdom of—

- (a) a local authority ^{F2}...[^{F2}or local authority committee];
- [^{F3}(aa) in the case of a local authority which are operating executive arrangements, the executive of that authority or a committee of that executive;]
- (b) a justice or justices of the peace acting otherwise than as a court exercising judicial authority;
- (c) a commission, tribunal, committee or person appointed for the purposes of any inquiry by any statutory provision, by Her Majesty or by a Minister of the Crown [^{F4}a member of the Scottish Executive][^{F5}, the Welsh Ministers or the Counsel General to the Welsh Assembly Government]or a Northern Ireland Department;
- (d) a person appointed by a local authority to hold a local inquiry in pursuance of any statutory provision;
- (e) any other tribunal, board, committee or body constituted by or under, and exercising functions under, any statutory provision.

[^{F6}(1A) In the case of a local authority which are operating executive arrangements, a fair and accurate record of any decision made by any member of the executive where that record is required to be made and available for public inspection by virtue of section 22 of the Local Government Act 2000 or of any provision in regulations made under that section.]

- (2) [^{F7}In sub-paragraphs (1)(a) and (1A)—

“executive” and “executive arrangements” have the same meaning as in Part II of the Local Government Act 2000;]

“local authority” means—

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- (a) in relation to England and Wales, a principal council within the meaning of the ^{M1}Local Government Act 1972, any body falling within any paragraph of section 100J(1) of that Act or an authority or body to which the ^{M2}Public Bodies (Admission to Meetings) Act 1960 applies,
- (b) in relation to Scotland, a council constituted under section 2 of the ^{M3}Local Government etc. (Scotland) Act 1994 or an authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies,
- (c) in relation to Northern Ireland, any authority or body to which sections 23 to 27 of the ^{M4}Local Government Act (Northern Ireland) 1972 apply; and

“local authority committee” means any committee of a local authority or of local authorities, and includes—

- (a) 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) 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.

- (3) A fair and accurate report of any corresponding proceedings in any of the Channel Islands or the Isle of Man or in another member State.]

Textual Amendments

- F2** Words in Sch. 1 para. 11(1)(a) substituted (E.) (6.5.2002) by [S.I. 2002/1057](#), **art. 12(a)**
- F3** Sch. 1 para. 11(1)(aa) inserted (E.) (6.5.2002) by [S.I. 2002/1057](#), **art. 12(b)**
- F4** Words in Sch. 1 para. 11(1)(c) inserted (6.5.1999) by [1998 c. 46](#), s. 125, **Sch. 8**, para. 33(3)(with s. 126(3)-(11)); [S.I. 1998/3178](#), **art. 2(2)**, **Sch. 3**
- F5** Words in Sch. 1 para. 11(1)(c) inserted by [Government of Wales Act 2006 \(c. 32\)](#), ss. 160, 163, Sch. 10 para. 40 (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(1)(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see ss. 46, 161(4)(5) of the amending Act.
- F6** Sch. 1 para. 11(1A) inserted (E.) (11.7.2001) by [S.I. 2001/2237](#), **art. 31(b)**; and that same sub-paragraph inserted (W.) (1.4.2002) by [S.I. 2002/808](#), **art. 30(b)**
- F7** Words in Sch. 1 para. 11(2) substituted (E.) (11.7.2001) by [S.I. 2001/2237](#), **art. 31(c)**; and those same words substituted (W.) (1.4.2002) by [S.I. 2002/808](#), **art. 30(c)**

Modifications etc. (not altering text)

- C1** Sch. 1 para. 11(1)(c) modified (1.12.1998) by [1998 c. 38](#), s. 77(4)(b) (with ss. 139(2), 143(2)); [S.I. 1998/2789](#), **art. 2**

Marginal Citations

- M1** [1972 c. 70](#).
- M2** [1960 c. 67](#).
- M3** [1994 c. 39](#).
- M4** [1972 c. 9 \(N.I.\)](#).

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