
DRAFT STATUTORY INSTRUMENTS

2013 No.

The Defamation (Operators of Websites) Regulations 2013

Defective notices to be treated as notice of complaint

4.—(1) Where a notice given to the operator contains a complaint that a statement on the operator's website is defamatory of the complainant but does not contain all the information required by section 5(6)(a) to (c) of the Act and by regulation 2, that notice is to be treated as a notice of complaint for the purposes of section 5(3)(b) and (c) of the Act.

(2) Where the operator receives a notice which is to be treated as a notice of complaint by virtue of paragraph (1)—

- (a) regulation 3 does not apply; and
- (b) for the purposes of section 5(3)(c) of the Act the claimant must show that the operator failed to send to the complainant, within 48 hours of receiving the notice, notification in writing—
 - (i) that the notice does not comply with the requirements set out in section 5(6)(a) to (c) of the Act and regulation 2; and
 - (ii) what the requirements of those provisions are.