



# Human Rights Act 1998

## CHAPTER 42

### HUMAN RIGHTS ACT 1998

#### *Introduction*

- 1 The Convention Rights.
- 2 Interpretation of Convention rights.

#### *Legislation*

- 3 Interpretation of legislation.
- 4 Declaration of incompatibility.
- 5 Right of Crown to intervene.

#### *Public authorities*

- 6 Acts of public authorities.
- 7 Proceedings.
- 8 Judicial remedies.
- 9 Judicial acts.

#### *Remedial action*

- 10 Power to take remedial action.

#### *Other rights and proceedings*

- 11 Safeguard for existing human rights.
- 12 Freedom of expression.
- 13 Freedom of thought, conscience and religion.

#### *Derogations and reservations*

- 14 Derogations.

*Status: Point in time view as at 20/12/2001.*

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- 15 Reservations.
- 16 Period for which designated derogations have effect.
- 17 Periodic review of designated reservations.

*Judges of the European Court of Human Rights*

- 18 Appointment to European Court of Human Rights.

*Parliamentary procedure*

- 19 Statements of compatibility.

*Supplemental*

- 20 Orders etc. under this Act.
- 21 Interpretation, etc.
- 22 Short title, commencement, application and extent.

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**SCHEDULES**

**SCHEDULE 1 — The Articles**

**PART I — THE CONVENTION RIGHTS AND FREEDOMS**

**ARTICLE 2**

*RIGHT TO LIFE*

- 1 Everyone's right to life shall be protected by law. No...
- 2 Deprivation of life shall not be regarded as inflicted in...

**ARTICLE 3**

*PROHIBITION OF TORTURE*

**ARTICLE 4**

*PROHIBITION OF SLAVERY AND FORCED LABOUR*

- 1 No one shall be held in slavery or servitude.
- 2 No one shall be required to perform forced or compulsory...
- 3 For the purpose of this Article the term "forced or..."

**ARTICLE 5**

*RIGHT TO LIBERTY AND SECURITY*

- 1 Everyone has the right to liberty and security of person....
- 2 Everyone who is arrested shall be informed promptly, in a...
- 3 Everyone arrested or detained in accordance with the provisions of...
- 4 Everyone who is deprived of his liberty by arrest or...
- 5 Everyone who has been the victim of arrest or detention...

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## ARTICLE 6

### *RIGHT TO A FAIR TRIAL*

- 1 In the determination of his civil rights and obligations or...
- 2 Everyone charged with a criminal offence shall be presumed innocent...
- 3 Everyone charged with a criminal offence has the following minimum...

## ARTICLE 7

### *NO PUNISHMENT WITHOUT LAW*

- 1 No one shall be held guilty of any criminal offence...
- 2 This Article shall not prejudice the trial and punishment of...

## ARTICLE 8

### *RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE*

- 1 Everyone has the right to respect for his private and...
- 2 There shall be no interference by a public authority with...

## ARTICLE 9

### *FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION*

- 1 Everyone has the right to freedom of thought, conscience and...
- 2 Freedom to manifest one's religion or beliefs shall be subject...

## ARTICLE 10

### *FREEDOM OF EXPRESSION*

- 1 Everyone has the right to freedom of expression. This right...
- 2 The exercise of these freedoms, since it carries with it...

## ARTICLE 11

### *FREEDOM OF ASSEMBLY AND ASSOCIATION*

- 1 Everyone has the right to freedom of peaceful assembly and...
- 2 No restrictions shall be placed on the exercise of these...

## ARTICLE 12

### *RIGHT TO MARRY*

## ARTICLE 14

### *PROHIBITION OF DISCRIMINATION*

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## ARTICLE 16

### *RESTRICTIONS ON POLITICAL ACTIVITY OF ALIENS*

## ARTICLE 17

### *PROHIBITION OF ABUSE OF RIGHTS*

## ARTICLE 18

### *LIMITATION ON USE OF RESTRICTIONS ON RIGHTS*

## Part II — THE FIRST PROTOCOL

### ARTICLE 1

#### *PROTECTION OF PROPERTY*

### ARTICLE 2

#### *RIGHT TO EDUCATION*

### ARTICLE 3

#### *RIGHT TO FREE ELECTIONS*

## PART 3 — ARTICLE 1 OF THE THIRTEENTH PROTOCOL *ABOLITION OF THE DEATH PENALTY*

The death penalty shall be abolished. No one shall be...

## Part III — THE SIXTH PROTOCOL

### ARTICLE 1

#### *ABOLITION OF THE DEATH PENALTY*

### ARTICLE 2

#### *DEATH PENALTY IN TIME OF WAR*

## SCHEDULE 2 — Remedial Orders

### *Orders*

- 1 (1) A remedial order may— (a) contain such incidental, supplemental,...

### *Procedure*

- 2 No remedial order may be made unless—

### *Orders laid in draft*

- 3 (1) No draft may be laid under paragraph 2(a) unless—...

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*Urgent cases*

- 4 (1) If a remedial order (“the original order”) is made...

*Definitions*

- 5 In this Schedule— “representations” means representations about a remedial order...

*Calculating periods*

- 6 In calculating any period for the purposes of this Schedule, ...  
7 (1) This paragraph applies in relation to—

SCHEDULE 3 — Derogation and Reservation  
PART I — DEROGATION

*United Kingdom’s derogation from Article 5(1)*

The United Kingdom Permanent Representative to the Council of Europe...  
Public emergency in the United Kingdom  
The Anti-terrorism, Crime and Security Act 2001  
Domestic law powers of detention (other than under the Anti-terrorism, Crime and Security Act 2001)  
Article 5(1)(f) of the Convention  
Derogation under Article 15 of the Convention  
Part II — RESERVATION

SCHEDULE 4 — Judicial Pensions

*Duty to make orders about pensions*

- 1 (1) The appropriate Minister must by order make provision with...

*Contributions*

- 2 A pensions order may, in particular, make provision—

*Amendments of other enactments*

- 3 A pensions order may amend any provision of, or made...

*Definitions*

- 4 In this Schedule— “appropriate Minister” means— in relation to any...

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