



Crime and Courts Act 2013

2013 CHAPTER 22

PART 2

COURTS AND JUSTICE

Publishers of news-related material: damages and costs

41 Meaning of “relevant publisher”

- (1) In sections 34 to 40, “relevant publisher” means a person who, in the course of a business (whether or not carried on with a view to profit), publishes news-related material—
- which is written by different authors, and
 - which is to any extent subject to editorial control.

This is subject to subsections (5) and (6).

- (2) News-related material is “subject to editorial control” if there is a person (whether or not the publisher of the material) who has editorial or equivalent responsibility for—
- the content of the material,
 - how the material is to be presented, and
 - the decision to publish it.
- (3) A person who is the operator of a website is not to be taken as having editorial or equivalent responsibility for the decision to publish any material on the site, or for content of the material, if the person did not post the material on the site.
- (4) The fact that the operator of the website may moderate statements posted on it by others does not matter for the purposes of subsection (3).
- (5) A person is not a “relevant publisher” if the person is specified by name in Schedule 15.
- (6) A person is not a “relevant publisher” in so far as the person’s publication of news-related material is in a capacity or case of a description specified in Schedule 15.

Status: This is the original version (as it was originally enacted).

- (7) But a person who is not a “relevant publisher” as a result of paragraph 8 of that Schedule (micro-businesses) is nevertheless to be regarded as such if the person was a member of an approved regulator at the material time.