

DEFAMATION CLAIMS

Contents of this Part

Rule 53.1 Scope of this Part

Rule 53.2 Summary disposal under the Defamation Act 1996

Rule 53.3 Sources of information

53.1 Scope of this Part

This Part contains rules about defamation claims.

53.2 Summary disposal under the Defamation Act 1996

- (1) This rule provides for summary disposal in accordance with the Defamation Act 1996 ('the Act')¹
- (2) In proceedings for summary disposal under sections 8 and 9 of the Act, rules 24.4 (procedure), 24.5 (evidence) and 24.6 (directions) apply.
- (3) An application for summary judgment under Part 24 may not be made if –
 - (a) an application has been made for summary disposal in accordance with the Act, and that application has not been disposed of; or
 - (b) summary relief has been granted on an application for summary disposal under the Act.
- (4) The court may on any application for summary disposal direct the defendant to elect whether or not to make an offer to make amends under section 2 of the Act.
- (5) When it makes a direction under paragraph (4), the court will specify the time by which and the manner in which –
 - (a) the election is to be made; and
 - (b) notification of it is to be given to the court and the other parties.

53.3 Sources of information

Unless the court orders otherwise, a party will not be required to provide further information about the identity of the defendant's sources of information.

(Part 18 provides for requests for further information)

¹ 1996 c.31.

