

PART 53

DEFAMATION CLAIMS

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SCOPE OF THIS PART

53.1 | This Part contains rules about defamation claims.

SUMMARY DISPOSAL UNDER THE DEFAMATION ACT 1996

- 53.2 |
- (1) This rule provides for summary disposal in accordance with the Defamation Act 1996 (“the Act”)⁽⁹⁹⁾.
 - (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.

(99) 1996 c.31.

SOURCES OF INFORMATION

53.3 | 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)