SCOTTISH STATUTORY INSTRUMENTS

2001 No. 98 (C. 3)

DEFAMATION

The Defamation Act 1996 (Commencement No. 3 and Transitional Provision) (Scotland) Order 2001

Made - - - - 7th March 2001

The Scottish Ministers, in exercise of the powers conferred by section 19(3)(b) and (4) of the Defamation Act 1996(**1**), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and extent

1. This Order may be cited as the Defamation Act 1996 (Commencement No. 3 and Transitional Provision) (Scotland) Order 2001.

2. This Order extends to Scotland only.

Appointed day

3. 31st March 2001 is the day appointed for the coming into force of the following provisions of the Defamation Act 1996:–

(a) section 2 (offer to make amends), section 3(1) to (7), (9) and (10) (accepting an offer to make amends) and section 4 (failure to accept offer to make amends); and

(b) so far as they extend to, and are not already in force in, Scotland–

(i) section 16 and Schedule 2 (repeals);

(ii) section 17 (interpretation)(**2**).

Transitional provision

4. Section 4 of the Defamation Act 1952(**3**) shall continue to apply as if it had not been repealed to any offer of amends made before 31st March 2001, and to any legal proceeding relating to that offer.

(**1**) 1996 c. 31. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
(**2**) Section 17 was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 33.
(**3**) 1952 c. 66