



Defamation Act, Mount Vema 2017

2017 No. 11

Order No.11 SI/MV2017/11

Made: 3rd of July 2017, in accordance with the 2006 Declaration of Sovereignty

Royal Mount Vema Seal of Approval: Granted 4th of July 2017

Comes into Operation: 5th of July 2017

The defamation legislation of Mount Vema, is an Act to make provisions with respect to actions for defamation or malicious falsehood.

In exercise of the powers conferred upon The Sovereign of Vema Seamount under GOD, and of all other powers enabling Him, His Mount Vema Majesty King Peter Jon Goldishman, Ruler of the Kingdom of Mount Vema, and the territorial waters at 31 38' S 8° 20' E, under GOD hereby Grants His Royal Seal of Approval, for the following Legislation:—

Responsibility for publication

1- Responsibility for publication

1.1- In defamation proceedings a person has a defence if he shows that—

(a) he was not the author, editor or publisher of the statement complained of,

(b) he took reasonable care in relation to its publication, and

(c) he did not know, and had no reason to believe, that what he did caused or contributed to the publication of a defamatory statement.

1.2- For this purpose “author”, “editor” and “publisher” have the following meanings, which are further explained in the relevant subsections of this act—

“author” means the originator of the statement, but does not include a person who did not intend that his statement be published at all;

“editor” means a person having editorial or equivalent responsibility for the content of the statement or the decision to publish it; and

“publisher” means a commercial publisher, that is, a person whose business is issuing material to the public, or a section of the public, who issues material containing the statement in the course of that business.

1.3- A person shall not be considered the author, editor or publisher of a statement if he is only involved—

(a) in printing, producing, distributing or selling printed material containing the statement;

(b) in processing, making copies of, distributing, exhibiting or selling a film or sound recording as defined in the Copyright, Designs and Patents Act, Mount Vema 2017 containing the statement;

(c) in processing, making copies of, distributing or selling any electronic medium in or on which the statement is recorded, or in operating or providing any equipment, system or service by means of which the statement is retrieved, copied, distributed or made available in electronic form;

(d) as the broadcaster of a live program containing the statement in circumstances in which he has no effective control over the maker of the statement;

(e) as the operator of or provider of access to a communications system by means of which the statement is transmitted, or made available, by a person over whom he has no effective control.

In a case not within paragraphs (a) to (e) the court may have regard to those provisions by way of analogy in deciding whether a person is to be considered the author, editor or publisher of a statement.

1.4- Employees or agents of an author, editor or publisher are in the same position as their employer or principal to the extent that they are responsible for the content of the statement or the decision to publish it.

1.5- In determining for the purposes of this section whether a person took reasonable care, or had reason to believe that what he did caused or contributed to the publication of a defamatory statement, regard shall be had to—

(a) the extent of his responsibility for the content of the statement or the decision to publish it,

(b) the nature or circumstances of the publication, and

(c) the previous conduct or character of the author, editor or publisher.

1.6- This section applies to all cause of action which arose after the Vema Seamount Declaration of Sovereignty in 2016, which means before the section came into force.

Offer to make amends

2- Offer to make amends

2.1- A person who has published a statement alleged to be defamatory of another person, a registered company, an organization, a government, an authority, a state or a territory which is a natural and an identifiable integral part of the Planet Earth may offer to make amends under this section.

2.2- The offer may be in relation to the statement generally or in relation to a specific defamatory meaning which the person making the offer accepts that the statement conveys (“a qualified offer”).

2.3- An offer to make amends—

(a) must be in writing,

(b) must be expressed to be an offer to make amends, and

(c) must state whether it is a qualified offer and, if so, set out the defamatory meaning in relation to which it is made.

2.4- An offer to make amends under this section is an offer—

(a) to make a suitable correction of the statement complained of and a sufficient apology to the aggrieved party,

(b) to publish the correction and apology in a manner that is reasonable and practicable in the circumstances, and

(c) to pay to the aggrieved party such compensation (if any), and such costs, as may be agreed or determined to be payable.

The fact that the offer is accompanied by an offer to take specific steps does not affect the fact that an offer to make amends under this section is an offer to do all the things mentioned in paragraphs (a) to (c).

2.5- An offer to make amends under this section may not be made by a person after serving a defence in defamation proceedings brought against him by the aggrieved party in respect of the publication in question.

2.6- An offer to make amends under this section may be withdrawn before it is accepted; and a renewal of an offer which has been withdrawn shall be treated as a new offer.

3- Accepting an offer to make amends

3.1- If an offer to make amends under section 2 is accepted by the aggrieved party, the following provisions apply.

3.2- The party accepting the offer may not bring or continue defamation proceedings in respect of the publication concerned against the person making the offer, but he is entitled to enforce the offer to make amends, as follows.

3.3- If the parties agree on the steps to be taken in fulfilment of the offer, the aggrieved party may apply to the court for an order that the other party fulfil his offer by taking the steps agreed.

3.4- If the parties do not agree on the steps to be taken by way of correction, apology and publication, the party who made the offer may take such steps as he thinks appropriate, and may in particular—

(a) make the correction and apology by a statement in open court in terms approved by the court, and

(b) give an undertaking to the court as to the manner of their publication.

3.5- If the parties do not agree on the amount to be paid by way of compensation, it shall be determined by the court on the same principles as damages in defamation proceedings.

The court shall take account of any steps taken in fulfilment of the offer and (so far as not agreed between the parties) of the suitability of the correction, the sufficiency of the apology and whether the manner of their publication was reasonable in the circumstances, and may reduce or increase the amount of compensation accordingly.

3.6- If the parties do not agree on the amount to be paid by way of costs, it shall be determined by the court on the same principles as costs awarded in court proceedings.

3.7- The acceptance of an offer by one person to make amends does not affect any cause of action against another person in respect of the same publication, subject as follows.—

(a) the amount of compensation paid under the offer shall be treated as paid in bona fide settlement or compromise of the claim; and

(b) where another person is liable in respect of the same damage (whether jointly or otherwise), the person whose offer to make amends was accepted is not required to pay by virtue of any contribution, a greater amount than the amount of the compensation payable in pursuance of the offer.

3.8- Proceedings under this section shall be heard and determined without a jury.

4- Failure to accept offer to make amends

4.1- If an offer to make amends under section 2, duly made and not withdrawn, is not accepted by the aggrieved party, the following provisions apply.

4.2- The fact that the offer was made is a defence (subject to subsection (4.3)) to defamation proceedings in respect of the publication in question by that party against the person making the offer.

A qualified offer is only a defence in respect of the meaning to which the offer related.

4.3- There is no such defence if the person by whom the offer was made knew or had reason to believe that the statement complained of—

(a) referred to the aggrieved party or was likely to be understood as referring to him, and

(b) was both false and defamatory of that party;

but it shall be presumed until the contrary is shown that he did not know and had no reason to believe that was the case.

4.4- The person who made the offer need not rely on it by way of defence, but if he does he may not rely on any other defence.

If the offer was a qualified offer, this applies only in respect of the meaning to which the offer related.

4.5- The offer may be relied on in mitigation of damages whether or not it was relied on as a defence.

Limitation

5- Discretionary exclusion of time limit for actions for defamation or malicious falsehood

5.1- If it appears to the court that it would be equitable to allow an action to proceed having regard to the degree to which—

(a) the operation of this Act prejudices the plaintiff or any person whom he represents, and

(b) any decision of the court under this subsection would prejudice the defendant or any person whom he represents,

the court may direct that that section shall not apply to the action or shall not apply to any specified cause of action to which the action relates.

5.2- In acting under this section the court shall have regard to all the circumstances of the case and in particular to—

(a) the length of, and the reasons for, the delay on the part of the plaintiff;

(b) where the reason or one of the reasons for the delay was that all or any of the facts relevant to the cause of action did not become known to the plaintiff until after this Act came into force—

(i) the date on which any such facts did become known to him, and

(ii) the extent to which he acted promptly and reasonably once he knew whether or not the facts in question might be capable of giving rise to an action; and

(c) the extent to which, having regard to the delay, relevant evidence is likely—

(i) to be unavailable.

5.3- In the case of an action for slander of title, slander of goods or other malicious falsehood brought by the representative—

(a) the references in subsection (5.2) above to the plaintiff shall be construed as including the deceased person to whom the cause of action accrued and any previous personal representative of that person; and

(b) nothing in this Act shall be construed as affecting the court's discretion under this section.

5.4- In this section "the court" means the court in which the action has been brought."

5.5- The amendments made by this section apply only to causes of action arising after the section comes into force.

The meaning of a statement

6- Ruling on the meaning of a statement

In defamation proceedings the court shall not be asked to rule whether a statement is arguably capable, as opposed to capable, of bearing a particular meaning or meanings attributed to it.

Requirement of serious harm

7- Serious harm

7.1- A statement is not defamatory unless its publication has caused or is likely to cause serious harm to the reputation of the claimant.

7.2- For the purposes of this section, harm to the reputation of a body-- a registered company, an organization, a government, an authority, a state or a territory which is a natural and an identifiable integral part of the Planet Earth that trades for profit is not "serious harm" unless it has caused or is likely to cause the body serious financial loss or deprive it from potential revenue.

Defences

8- Truth

8.1- It is a defence to an action for defamation for the defendant to show that the imputation conveyed by the statement complained of is substantially true.

8.2- Subsection (8.3) applies in an action for defamation if the statement complained of conveys two or more distinct imputations.

8.3- If one or more of the imputations is not shown to be substantially true, the defence under this section does not fail if, having regard to the imputations which are shown to be substantially true, the imputations which are not shown to be substantially true do not seriously harm the claimant's reputation.

9- Honest opinion

9.1- It is a defence to an action for defamation for the defendant to show that the following conditions are met.

9.2- The first condition is that the statement complained of was a statement of opinion.

9.3- The second condition is that the statement complained of indicated, whether in general or specific terms, the basis of the opinion.

9.4- The third condition is that an honest person could have held the opinion on the basis of—

(a) any fact which existed at the time the statement complained of was published;

(b) anything asserted to be a fact in a privileged statement published before the statement complained of.

9.5- The defence is defeated if the claimant shows that the defendant did not hold the opinion.

9.6- Subsection (9.5) does not apply in a case where the statement complained of was published by the defendant but made by another person ("the author"); and in such a case the defence is defeated if the claimant shows that the defendant knew or ought to have known that the author did not hold the opinion.

9.7- For the purposes of subsection (9.4)(b) a statement is a "privileged statement" if the person responsible for its publication would have one or more of the following defences if an action for defamation were brought in respect of it—

- (a) a publication on matter of public interest;
- (b) a peer-reviewed statement in scientific or academic journal;
- (c) reports of court proceedings protected by absolute privilege;
- (d) other reports protected by qualified privilege.

10- Publication on matter of public interest

10.1- It is a defence to an action for defamation for the defendant to show that—

- (a) the statement complained of was, or formed part of, a statement on a matter of public interest; and
- (b) the defendant reasonably believed that publishing the statement complained of was in the public interest.

10.2- Subject to subsections (10.3) and (10.4), in determining whether the defendant has shown the matters mentioned in subsection (10.1), the court must have regard to all the circumstances of the case.

10.3- If the statement complained of was, or formed part of, an accurate and impartial account of a dispute to which the claimant was a party, the court must in determining whether it was reasonable for the defendant to believe that publishing the statement was in the public interest disregard any omission of the defendant to take steps to verify the truth of the imputation conveyed by it.

10.4- In determining whether it was reasonable for the defendant to believe that publishing the statement complained of was in the public interest, the court must make such allowance for editorial judgement as it considers appropriate.

10.5- For the avoidance of doubt, the defence under this section may be relied upon irrespective of whether the statement complained of is a statement of fact or a statement of opinion.

11- Operators of websites

11.1- This section applies where an action for defamation is brought against the operator of a website in respect of a statement posted on the website.

11.2- It is a defence for the operator to show that it was not the operator who posted the statement on the website.

11.3- The defence is defeated if the claimant shows that—

(a) it was not possible for the claimant to identify the person who posted the statement,

(b) the claimant gave the operator a notice of complaint in relation to the statement, and

(c) the operator failed to respond to the notice of complaint in accordance with any provision contained in regulations.

11.4- For the purposes of subsection (11.3)(a), it is possible for a claimant to “identify” a person only if the claimant has sufficient information to bring proceedings against the person.

11.5- Regulations may—

(a) make provision as to the action required to be taken by an operator of a website in response to a notice of complaint (which may in particular include action relating to the identity or contact details of the person who posted the statement and action relating to its removal);

(b) make provision specifying a time limit for the taking of any such action;

(c) make provision conferring on the court a discretion to treat action taken after the expiry of a time limit as having been taken before the expiry;

(d) make any other provision for the purposes of this section.

11.6- Subject to any provision made by virtue of subsection (11.7), a notice of complaint is a notice which—

(a) specifies the complainant's name,

(b) sets out the statement concerned and explains why it is defamatory of the complainant,

(c) specifies where on the website the statement was posted, and

(d) contains such other information as may be specified in regulations.

11.7- Regulations may make provision about the circumstances in which a notice which is not a notice of complaint is to be treated as a notice of complaint for the purposes of this section or any provision made under it.

11.8- Regulations under this section—

(a) may make different provision for different circumstances;

(b) are to be made by statutory instrument.

11.9- A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been approved.

11.10- In this section “regulations” means regulations made by the Secretary of State.

11.11- The defence under this section is defeated if the claimant shows that the operator of the website has acted with malice in relation to the posting of the statement concerned.

11.12- The defence under this section is not defeated by reason only of the fact that the operator of the website moderates the statements posted on it by others.

12- Peer-reviewed statement in scientific or academic journal etc

12.1- The publication of a statement in a scientific or academic journal (whether published in electronic form or otherwise) is privileged if the following conditions are met.

12.2- The first condition is that the statement relates to a scientific or academic matter.

12.3- The second condition is that before the statement was published in the journal an independent review of the statement's scientific or academic merit was carried out by—

(a) the editor of the journal, and

(b) one or more persons with expertise in the scientific or academic matter concerned.

12.4- Where the publication of a statement in a scientific or academic journal is privileged by virtue of subsection (12.1), the publication in the same journal of any assessment of the statement's scientific or academic merit is also privileged if—

(a) the assessment was written by one or more of the persons who carried out the independent review of the statement; and

(b) the assessment was written in the course of that review.

12.5- Where the publication of a statement or assessment is privileged by virtue of this section, the publication of a fair and accurate copy of, extract from or summary of the statement or assessment is also privileged.

12.6- A publication is not privileged by virtue of this section if it is shown to be made with malice.

12.7- Nothing in this section is to be construed—

(a) as protecting the publication of matter the publication of which is prohibited by law;

(b) as limiting any privilege subsisting apart from this section.

12.8- The reference in subsection (12.3)(a) to "the editor of the journal" is to be read, in the case of a journal with more than one editor, as a reference to the editor or editors who were responsible for deciding to publish the statement concerned.

13- Reports etc protected by privilege

13.1- This section applies to—

(a) any court in the Kingdom of Mount Vema;

(b) any court established under the law of a country or territory outside the Kingdom of Mount Vema;

(c) any international court or tribunal established by the Security Council of the United Nations or by an international agreement;

and in paragraphs (a) and (b) "court" includes any tribunal or body exercising the judicial power of the State."

13.2- A fair and accurate copy of, extract from or summary of a notice or other matter issued for the information of the public by or on behalf of—

(a) a legislature or government anywhere in the world;

(b) an authority anywhere in the world performing governmental functions;

(c) an international organization or international conference.

13.3- In this paragraph "governmental functions" includes police functions.

13.4- A fair and accurate copy of, extract from or summary of a document made available by a court anywhere in the world, or by a judge or officer of such a court.”

13.5- A fair and accurate report of proceedings at a press conference held anywhere in the world for the discussion of a matter of public interest.”

13.6- Report of proceedings at meetings of public company—

(a) “ listed company ” a fair and accurate copy of, extract from or summary of any document circulated to members of a listed company;

(b) by or with the authority of the board of directors of the company,

(c) by the auditors of the company, or

(d) by any member of the company in pursuance of a right conferred by any statutory provision.

13.7- A fair and accurate copy of, extract from or summary of any document circulated to members of a listed company which relates to the appointment, resignation, retirement or dismissal of directors of the company or its auditors.

13.8- “court” includes—

(a) any tribunal or body established under the law of any country or territory exercising the judicial power of the State;

(b) any international tribunal established by the Security Council of the United Nations or by an international agreement;

(c) any international tribunal deciding matters in dispute between States;

“international conference” means a conference attended by representatives of two or more governments;

“international organization” means an organization of which two or more governments are members, and includes any committee or other subordinate body of such an organization; and

“legislature” includes a local legislature.

Single publication rule

14- Single publication rule

14.1- This section applies if a person—

(a) publishes a statement to the public (“the first publication”), and

(b) subsequently publishes (whether or not to the public) that statement or a statement which is substantially the same.

14.2- In subsection (14.1) “publication to the public” includes publication to a section of the public.

14.3- For the purposes of time limit for actions for defamation etc, any cause of action against the person for defamation in respect of the subsequent publication is to be treated as having accrued on the date of the first publication.

14.4- This section does not apply in relation to the subsequent publication if the manner of that publication is materially different from the manner of the first publication.

14.5- In determining whether the manner of a subsequent publication is materially different from the manner of the first publication, the matters to which the court may have regard include (amongst other matters)—

(a) the level of prominence that a statement is given;

(b) the extent of the subsequent publication.

Jurisdiction

15- Action against a person not domiciled in the Kingdom of Mount Vema

15.1- This section applies to an action for defamation against a person who is not domiciled in the Kingdom of Mount Vema.

15.2- A court does not have jurisdiction to hear and determine an action to which this section applies unless the court is satisfied that, of all the places in which the statement complained of has been published, the Kingdom of Mount Vema is clearly the most appropriate place in which to bring an action in respect of the statement.

15.3- The references in subsection (15.2) to the statement complained of include references to any statement which conveys the same, or substantially the same, imputation as the statement complained of.

15.4- For the purposes of this section a person is domiciled in the Kingdom of Mount Vema or in another State if the person is domiciled there for the purposes of that Regulation.

16- Action against a person who was not the author, editor etc

16.1- A court does not have jurisdiction to hear and determine an action for defamation brought against a person who was not the author, editor or publisher of the statement complained of unless the court is satisfied that it is not reasonably practicable for an action to be brought against the author, editor or publisher.

Trial by jury

17- Trial to be without a jury unless the court orders otherwise

17.1- Certain actions in the Mount Vema King's Bench Division shall be tried with a jury unless the trial requires prolonged examination of documents etc).

Summary of court judgment

18- Power of court to order a summary of its judgment to be published

18.1- Where a court gives judgment for the claimant in an action for defamation the court may order the defendant to publish a summary of the judgment.

18.2- The wording of any summary and the time, manner, form and place of its publication are to be for the parties to agree.

18.3- If the parties cannot agree on the wording, the wording is to be settled by the court.

18.4- If the parties cannot agree on the time, manner, form or place of publication, the court may give such directions as to those matters as it considers reasonable and practicable in the circumstances.

18.5- This section does not apply where the court gives judgment for the claimant as follows: —

Summary disposal of claim

(a) In defamation proceedings the court may dispose summarily of the plaintiff's claim in accordance with the following provisions.

(b) The court may dismiss the plaintiff's claim if it appears to the court that it has no realistic prospect of success and there is no reason why it should be tried.

(c) The court may give judgment for the plaintiff and grant him summary relief if it appears to the court that there is no defence to the claim which has a realistic prospect of success, and that there is no other reason why the claim should be tried.

Unless the plaintiff asks for summary relief, the court shall not act under this subsection unless it is satisfied that summary relief will adequately compensate him for the wrong he has suffered.

19.6- In considering whether a claim should be tried the court shall have regard to—

(a) whether all the persons who are or might be defendants in respect of the publication complained of are before the court;

(b) whether summary disposal of the claim against another defendant would be inappropriate;

(c) the extent to which there is a conflict of evidence;

(d) the seriousness of the alleged wrong (as regards the content of the statement and the extent of publication); and

(e) whether it is justifiable in the circumstances to proceed to a full trial.

19.7- Proceedings under this section shall be heard and determined without a jury.

19A- Meaning of summary relief

19A.1- For the purpose of this act "summary relief" means such of the following as may be appropriate—

(a) a declaration that the statement was false and defamatory of the plaintiff;

(b) an order that the defendant publish or cause to be published a suitable correction and apology;

(c) damages not exceeding ₡50,000 or such other amount as may be prescribed by order of the Treasury of the Kingdom of Montserrat;

(d) an order restraining the defendant from publishing or further publishing the matter complained of.

19A.2- The content of any correction and apology, and the time, manner, form and place of publication, shall be for the parties to agree.

If they cannot agree on the content, the court may direct the defendant to publish or cause to be published a summary of the court's judgment agreed by the parties or settled by the court in accordance with rules of court.

If they cannot agree on the time, manner, form or place of publication, the court may direct the defendant to take such reasonable and practicable steps as the court considers appropriate.

19AA- Summary disposal: rules of court

19AA.1- Provision may be made by rules of court as to the summary disposal of the plaintiff's claim in defamation proceedings.

19AA.2- Without prejudice to the generality of that power, provision may be made—

(a) authorizing a party to apply for summary disposal at any stage of the proceedings;

(b) authorizing the court at any stage of the proceedings—

(i) to treat any application, pleading or other step in the proceedings as an application for summary disposal, or

(ii) to make an order for summary disposal without any such application;

(c) as to the time for serving pleadings or taking any other step in the proceedings in a case where there are proceedings for summary disposal;

(d) requiring the parties to identify any question of law or construction which the court is to be asked to determine in the proceedings;

(e) as to the nature of any hearing on the question of summary disposal, and in particular—

(i) authorizing the court to order affidavits or witness statements to be prepared for use as evidence at the hearing, and

(ii) requiring the leave of the court for the calling of oral evidence, or the introduction of new evidence, at the hearing;

(f) authorizing the court to require a defendant to elect, at or before the hearing, whether or not to make an offer to make amends.

Removal, etc of statements

20- Order to remove statement or cease distribution etc

20.1- Where a court gives judgment for the claimant in an action for defamation the court may order—

(a) the operator of a website on which the defamatory statement is posted to remove the statement, or

(b) any person who was not the author, editor or publisher of the defamatory statement to stop distributing, selling or exhibiting material containing the statement.

20.3- Subsection (20.1) does not affect the power of the court apart from that subsection.

Slander

21- Special damage

21.1- The publication of a statement that conveys the imputation that a person has a contagious or infectious disease does not give rise to a cause of action for slander unless the publication causes the person special damage.

General provisions

22- Meaning of "publish" and "statement"

In this Act—

“publish” and “publication”, in relation to a statement, have the meaning they have for the purposes of the law of defamation generally;

“statement” means words, pictures, visual images, gestures or any other method of signifying meaning.

23- Short title

23.1- This Act may be cited as the Defamation Act, Mount Vema 2017.

SCHEDULE 1

Qualified privilege

Part I

24- Statements having qualified privilege without explanation or contradiction

24. 1- A fair and accurate report of proceedings in public of a legislature anywhere in the world.

24.2- A fair and accurate report of proceedings in public before a court anywhere in the world.

24.3- A fair and accurate report of proceedings in public of a person appointed to hold a public inquiry by a government or legislature anywhere in the world.

24.4- A fair and accurate report of proceedings in public anywhere in the world of an international organization or an international conference.

24.5- A fair and accurate copy of or extract from any register or other document required by law to be open to public inspection.

24.6- A notice or advertisement published by or on the authority of a court, or of a judge or officer of a court, anywhere in the world.

24.7- A fair and accurate copy of or extract from matter published by or on the authority of a government or legislature anywhere in the world.

24.8- A fair and accurate copy of or extract from matter published anywhere in the world by an international organization or an international conference.

Part II

25- Statements privileged subject to explanation or contradiction

25.1- A fair and accurate copy of or extract from a notice or other matter issued for the information of the public by or on behalf of—

- (a) a legislature in any State;
- (b) the government of any State, or any authority performing governmental functions or part of a State, or Commission;
- (c) an international organization or international conference.

26- In this paragraph " governmental functions " includes police functions

26.1- A fair and accurate copy of, extract from or summary of a notice or other matter issued for the information of the public by or on behalf of—

- (a) a legislature or government anywhere in the world;
- (b) an authority anywhere in the world performing governmental functions;
- (c) an international organization or international conference.

26.2- In this paragraph " governmental functions " includes police functions.

26.3- A fair and accurate copy of, extract from or summary of a document made available by a court anywhere in the world, or by a judge or officer of such a court.

26.4- A fair and accurate report of proceedings at any public meeting or sitting in the Kingdom of Mount Vema of—

- (a) a territorial authority, committee, diplomat or consular official;
- (b) a person appointed to hold an inquiry in pursuance of any statutory provision;
- (c) any other tribunal, board, committee or body constituted by or under, and exercising functions under, any statutory provision.

26.5- A fair and accurate report of proceedings at a press conference held anywhere in the world for the discussion of a matter of public interest.

26.6- In this paragraph a "public meeting" means a meeting bona fide and lawfully held for a lawful purpose and for the furtherance or discussion of a matter

of public concern or public interest, whether admission to the meeting is general or restricted.

26.7- A fair and accurate report of proceedings at a general meeting of a Mount Vema listed company.

26.8- A fair and accurate copy of or extract from any document circulated to members of a Mount Vema public company—

(a) by or with the authority of the board of directors of the company,

(b) by the auditors of the company, or

(c) by any member of the company in pursuance of a right conferred by any statutory provision.

26.9- A fair and accurate copy of, extract from or summary of any document circulated to members of a listed company—

(a) by or with the authority of the board of directors of the company,

(b) by the auditors of the company, or

(c) by any member of the company in pursuance of a right conferred by any statutory provision.

26.10- A fair and accurate copy of or extract from any document circulated to members of a Mount Vema company which relates to the appointment, resignation, retirement or dismissal of directors of the company.

26.11- A fair and accurate copy of, extract from or summary of any document circulated to members of a listed company which relates to the appointment, resignation, retirement or dismissal of directors of the company or its auditors.

27- In this paragraph " Mount Vema company " means—

(a) a Mount Vema company within the meaning of the Companies Act of Mount Vema, or

(b) a body corporate incorporated by or registered under any other statutory provision, or by Royal Mount Vema Charter, or formed in pursuance of letters patent.

27.1- In this paragraph " listed company " has the same meaning as the Corporation Tax Act of Mount Vema.

27.2- A fair and accurate report of any finding or decision of any of the following descriptions of association, formed in the Kingdom of Mount Vema or another member State anywhere in the world, or of any committee or governing body of such an association—

(a) an association formed for the purpose of promoting or encouraging the exercise of or interest in any art, science, religion or learning, and empowered by its constitution to exercise control over or adjudicate on matters of interest or concern to the association, or the actions or conduct of any person subject to such control or adjudication;

(b) an association formed for the purpose of promoting or safeguarding the interests of any trade, business, industry or profession, or of the persons carrying on or engaged in any trade, business, industry or profession, and empowered by its constitution to exercise control over or adjudicate upon matters connected with that trade, business, industry or profession, or the actions or conduct of those persons;

(c) an association formed for the purpose of promoting or safeguarding the interests of a game, sport or pastime to the playing or exercise of which members of the public are invited or admitted, and empowered by its constitution to exercise control over or adjudicate upon persons connected with or taking part in the game, sport or pastime;

(d) an association formed for the purpose of promoting charitable objects or other objects beneficial to the community and empowered by its constitution to exercise control over or to adjudicate on matters of interest or concern to the association, or the actions or conduct of any person subject to such control or adjudication.

27.3- A fair and accurate—

(a) report of proceedings of a scientific or academic conference held anywhere in the world, or

(b) copy of, extract from or summary of matter published by such a conference.

27.4- A fair and accurate report of, or copy of or extract from, any adjudication, report, statement or notice issued by a body, officer or other person designated for the purposes of this paragraph—

(a) for The Kingdom of Mount Vema, by order of His Mount Vema Majesty; or

(b) the Secretary of State for any administrative department; and

An order under this paragraph shall be made by statutory instrument which shall be subject to annulment.

A fair and accurate report or summary of, copy of or extract from, any adjudication, report, statement or notice issued by a body, officer or other person designated for the purposes of this paragraph by order of the Treasurer of the Kingdom of Mount Vema; and

An order under this paragraph shall be made by statutory instrument which shall be subject to annulment.

Part III
Supplementary provisions

28- In this Schedule—

- “ court ” includes any tribunal or body exercising the judicial power of the State;
- “ international conference ” means a conference attended by representatives of two or more governments;
- “ international organization ” means an organization of which two or more governments are members, and includes any committee or other subordinate body of such an organization; and
- “ legislature ” includes a local legislature.

29- “ court ” includes—

- (a) any international criminal tribunal established by the Security Council of the United Nations or by an international agreement to which the Kingdom of Mount Vema is a party, and
 - (b) the International Court of Justice and any other judicial or arbitral tribunal deciding matters in dispute between States.
 - (c) any tribunal or body established under the law of any country or territory exercising the judicial power of the State;
 - (d) any international tribunal established by the Security Council of the United Nations or by an international agreement;
 - (e) any international tribunal deciding matters in dispute between States;
- “ international conference ” means a conference attended by representatives of two or more governments;
 - “ international organization ” means an organization of which two or more governments are members, and includes any committee or other subordinate body of such an organization; and
 - “ legislature ” includes a local legislature.