



Human Rights Act 1998

CHAPTER 42

HUMAN RIGHTS ACT 1998

Introduction

- 1 The Convention Rights.
- 2 Interpretation of Convention rights.

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- 3 Interpretation of legislation.
- 4 Declaration of incompatibility.
- 5 Right of Crown to intervene.

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- 6 Acts of public authorities.
- 7 Proceedings.
- 8 Judicial remedies.
- 9 Judicial acts.

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- 10 Power to take remedial action.

Other rights and proceedings

- 11 Safeguard for existing human rights.
- 12 Freedom of expression.
- 13 Freedom of thought, conscience and religion.

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- 14 Derogations.

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- 15 Reservations.
- 16 Period for which designated derogations have effect.
- 17 Periodic review of designated reservations.

Judges of the European Court of Human Rights

- 18 Appointment to European Court of Human Rights.

Parliamentary procedure

- 19 Statements of compatibility.

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- 20 Orders etc. under this Act.
- 21 Interpretation, etc.
- 22 Short title, commencement, application and extent.

SCHEDULES

SCHEDULE 1 — The Articles

PART I — THE CONVENTION RIGHTS AND FREEDOMS

ARTICLE 2

RIGHT TO LIFE

- 1 Everyone's right to life shall be protected by law. No...
- 2 Deprivation of life shall not be regarded as inflicted in...

ARTICLE 3

PROHIBITION OF TORTURE

ARTICLE 4

PROHIBITION OF SLAVERY AND FORCED LABOUR

- 1 No one shall be held in slavery or servitude.
- 2 No one shall be required to perform forced or compulsory...
- 3 For the purpose of this Article the term "forced or..."

ARTICLE 5

RIGHT TO LIBERTY AND SECURITY

- 1 Everyone has the right to liberty and security of person....
- 2 Everyone who is arrested shall be informed promptly, in a...
- 3 Everyone arrested or detained in accordance with the provisions of...
- 4 Everyone who is deprived of his liberty by arrest or...
- 5 Everyone who has been the victim of arrest or detention...

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ARTICLE 6

RIGHT TO A FAIR TRIAL

- 1 In the determination of his civil rights and obligations or...
- 2 Everyone charged with a criminal offence shall be presumed innocent...
- 3 Everyone charged with a criminal offence has the following minimum...

ARTICLE 7

NO PUNISHMENT WITHOUT LAW

- 1 No one shall be held guilty of any criminal offence...
- 2 This Article shall not prejudice the trial and punishment of...

ARTICLE 8

RIGHT TO RESPECT FOR PRIVATE AND FAMILY LIFE

- 1 Everyone has the right to respect for his private and...
- 2 There shall be no interference by a public authority with...

ARTICLE 9

FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

- 1 Everyone has the right to freedom of thought, conscience and...
- 2 Freedom to manifest one's religion or beliefs shall be subject...

ARTICLE 10

FREEDOM OF EXPRESSION

- 1 Everyone has the right to freedom of expression. This right...
- 2 The exercise of these freedoms, since it carries with it...

ARTICLE 11

FREEDOM OF ASSEMBLY AND ASSOCIATION

- 1 Everyone has the right to freedom of peaceful assembly and...
- 2 No restrictions shall be placed on the exercise of these...

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ARTICLE 12

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ARTICLE 14

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ARTICLE 16

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ARTICLE 17

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ARTICLE 18

LIMITATION ON USE OF RESTRICTIONS ON RIGHTS

Part II — THE FIRST PROTOCOL

ARTICLE 1

PROTECTION OF PROPERTY

ARTICLE 2

RIGHT TO EDUCATION

ARTICLE 3

RIGHT TO FREE ELECTIONS

PART 3 — ARTICLE 1 OF THE THIRTEENTH PROTOCOL

ABOLITION OF THE DEATH PENALTY

The death penalty shall be abolished. No one shall be...

Part III — THE SIXTH PROTOCOL

ARTICLE 1

ABOLITION OF THE DEATH PENALTY

ARTICLE 2

DEATH PENALTY IN TIME OF WAR

SCHEDULE 2 — Remedial Orders

Orders

- 1 (1) A remedial order may— (a) contain such incidental, supplemental,...

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Procedure

- 2 No remedial order may be made unless—

Orders laid in draft

- 3 (1) No draft may be laid under paragraph 2(a) unless—...

Urgent cases

- 4 (1) If a remedial order (“the original order”) is made...

Definitions

- 5 In this Schedule— “representations” means representations about a remedial order...

Calculating periods

- 6 In calculating any period for the purposes of this Schedule,...
7 (1) This paragraph applies in relation to—

SCHEDULE 3 — Derogation and Reservation
PART I — DEROGATION

United Kingdom’s derogation from Article 5(1)

The United Kingdom Permanent Representative to the Council of Europe...
Public emergency in the United Kingdom
The Anti-terrorism, Crime and Security Act 2001
Domestic law powers of detention (other than under the Anti-terrorism, Crime and Security Act 2001)
Article 5(1)(f) of the Convention
Derogation under Article 15 of the Convention
Part II — RESERVATION

SCHEDULE 4 — Judicial Pensions

Duty to make orders about pensions

- 1 (1) The appropriate Minister must by order make provision with...

Contributions

- 2 A pensions order may, in particular, make provision—

Amendments of other enactments

- 3 A pensions order may amend any provision of, or made...

Definitions

- 4 In this Schedule— “appropriate Minister” means— in relation to any...

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Changes and effects yet to be applied to :

- s. 5(2) functions made exercisable concurrently or jointly with the Welsh Ministers by 2006 c. 32 Sch. 3A para. 1 (as inserted) by [2017 c. 4 Sch. 4 para. 1](#)