



# Human Rights Act 1998

## CHAPTER 42

### HUMAN RIGHTS ACT 1998

#### *Introduction*

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

#### *Legislation*

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

#### *Public authorities*

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

#### *Remedial action*

- 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.

#### *Derogations and reservations*

- 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.

*Supplemental*

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

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**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*

No one shall be subjected to torture or to inhuman...

**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...

## ARTICLE 12

### *RIGHT TO MARRY*

Men and women of marriageable age have the right to...

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## ARTICLE 14

### *PROHIBITION OF DISCRIMINATION*

The enjoyment of the rights and freedoms set forth in...

## ARTICLE 16

### *RESTRICTIONS ON POLITICAL ACTIVITY OF ALIENS*

Nothing in Articles 10, 11 and 14 shall be regarded...

## ARTICLE 17

### *PROHIBITION OF ABUSE OF RIGHTS*

Nothing in this Convention may be interpreted as implying for...

## ARTICLE 18

### *LIMITATION ON USE OF RESTRICTIONS ON RIGHTS*

The restrictions permitted under this Convention to the said rights...  
Part II — THE FIRST PROTOCOL

## ARTICLE 1

### *PROTECTION OF PROPERTY*

Every natural or legal person is entitled to the peaceful...  
The preceding provisions shall not, however, in any way impair...

## ARTICLE 2

### *RIGHT TO EDUCATION*

No person shall be denied the right to education. In...

## ARTICLE 3

### *RIGHT TO FREE ELECTIONS*

The High Contracting Parties undertake to hold free elections at...  
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*

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

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## ARTICLE 2

### *DEATH PENALTY IN TIME OF WAR*

A State may make provision in its law for the...

#### SCHEDULE 2 — Remedial Orders

##### *Orders*

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

##### *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

##### *The 1988 notification*

The United Kingdom Permanent Representative to the Council of Europe...  
There have been in the United Kingdom in recent years...  
The Government found it necessary in 1974 to introduce and...  
Section 12 of the Prevention of Terrorism (Temporary Provisions) Act...  
Article 10 of the Prevention of Terrorism (Supplemental Temporary Provisions)...  
Where such a person is detained under the said Article...  
In its judgment of 29 November 1988 in the Case...  
Following this judgment, the Secretary of State for the Home...  
Since the judgment of 29 November 1988 as well as...  
Dated 23 December 1988.

##### *The 1989 notification*

The United Kingdom Permanent Representative to the Council of Europe...  
In his communication to the Secretary General of 23 December...

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These provisions have been replaced by section 14 of and...  
The United Kingdom Permanent Representative avails himself of this  
opportunity...  
23 March 1989.

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

At the time of signing the present (First) Protocol, I...  
Dated 20 March 1952  
Made by the United Kingdom Permanent Representative to the  
Council...

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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**Commencement Orders yet to be applied to the Human Rights Act 1998:**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2009/1059](#) Order transitional provisions for effects of commencing SI 2009/812