

# 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

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- 7 Proceedings.
- 7A Limitation: overseas armed forces 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.

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## Derogations and reservations

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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.

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- 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...

## ARTICLE 12

RIGHT TO MARRY

# ARTICLE 14

PROHIBITION OF DISCRIMINATION

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#### ARTICLE 16

# RESTRICTIONS ON POLITICAL ACTIVITY OF ALIENS

#### ARTICLE 17

PROHIBITION OF ABUSE OF RIGHTS

#### 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 PROTOCOLABOLITION 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,...

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—...

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## 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. 3 excluded by 2023 c. 37 s. 1(5)