



## CR Art. 26

# Defamation and Calumny

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## TITLE 04 — OFFENCES AGAINST PERSONS AND DIGNITY · CHAPTER 02 — OFFENCES AGAINST HONOUR AND PRIVACY

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- 1 Any national who knowingly or recklessly makes a false statement of fact concerning another person that damages that person's reputation, and communicates the statement to at least one third party, commits the offence of **defamation**.
  - 2 Any national who falsely accuses another person of having committed an offence, knowing the accusation to be false, commits the offence of **calumny**.
  - 3 Truth is a complete defence to a charge under this Article.
  - 4 Fair comment on matters of public interest, made in good faith, does not constitute an offence under this Article.
  - 5 An offence under this Article is aggravated where it is committed through State digital platforms or official channels.
  - 6 An offence of defamation under paragraph 1, absent any aggravating circumstance, is classified as a **minor** offence. An offence of calumny under paragraph 2, or an aggravated offence under paragraph 5, is classified as a **serious** offence.
  - 7 A person convicted of a minor offence under this Article is liable to the following sanction, in accordance with [Article 10](#):
    - a. A fine of not less than \$100 and not exceeding \$5,000.
  - 8 A person convicted of a serious offence under this Article is liable to the following sanctions:
    - a. A fine of not less than \$5,000 and not exceeding \$50,000.
    - b. Public censure.
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- 9 Proceedings for an offence under this Article may be instituted only upon complaint of the aggrieved person and shall not be commenced ex officio.

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DOCUMENT INFORMATION	
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