



Coroners and Justice Act 2009

2009 CHAPTER 25

PART 7

CRIMINAL MEMOIRS ETC

Exploitation proceeds orders

160 Deriving a benefit

- (1) This section applies for the purposes of section 155(3).
- (2) The exploitation may be by any means, including—
 - (a) the publication of any material in written or electronic form;
 - (b) the use of any media from which visual images, words or sounds can be produced;
 - (c) live entertainment, representation or interview.
- (3) A person (“A”) is to be regarded as having derived a benefit if A secures the benefit for another person (“B”) (whether or not A had any legal right to ensure the benefit was so secured or B had any legal entitlement to the benefit).
- (4) It does not matter whether the benefit is derived, or whether the exploitation (or any step taken or to be taken with a view to exploitation) takes place,—
 - (a) within or outside the United Kingdom, or
 - (b) before or after the person who committed the relevant offence is convicted of that offence.
- (5) But—
 - (a) the benefit must be derived after the coming into force of section 155, and
 - (b) where the relevant offence is an offence within section 159(1)(c), the associated offence committed by the respondent must have been committed before the benefit was derived.

Changes to legislation: Coroners and Justice Act 2009, Section 160 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (6) In subsection (4)(b), the reference to conviction of the relevant offence includes a reference to a finding mentioned in section 156(2)(b) or (c) or (3)(a)(ii) or (iii) or 157(2)(b) or (3) in relation to the offence.

Commencement Information

I1 [S. 160](#) in force at 6.4.2010 by [S.I. 2010/816](#), art. 2, [Sch. para. 11](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 1\(1\)](#)
- Sch. 1A inserted by [2023 c. 41 Sch. 11 para. 1\(2\)](#)