



Crime and Courts Act 2013

2013 CHAPTER 22

PART 2

COURTS AND JUSTICE

Publishers of news-related material: damages and costs

36 Amount of exemplary damages

- (1) This section applies where the court decides to award exemplary damages under section 34.
- (2) The court must have regard to these principles in determining the amount of exemplary damages—
 - (a) the amount must not be more than the minimum needed to punish the defendant for the conduct complained of;
 - (b) the amount must be proportionate to the seriousness of the conduct.
- (3) The court must take account of these matters in determining the amount of exemplary damages—
 - (a) the nature and extent of any loss or harm caused, or intended to be caused, by the defendant's conduct;
 - (b) the nature and extent of any benefit the defendant derived or intended to derive from such conduct.
- (4) The court may regard deterring the defendant and others from similar conduct as an object of punishment.
- (5) This section is not to be read as limiting the power of the court to take account of any other matters it considers relevant to its decision.

Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Section 36. (See end of Document for details)

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Commencement Information

- II** Ss. 34-39 in force at 3.11.2015 by virtue of s. 61(7) of this Act (and see explanatory note to [S.I. 2015/1837](#))

Changes to legislation:

There are currently no known outstanding effects for the Crime and Courts Act 2013, Section 36.