

Provisions of the Cybercrime Act, 2015



The Cybercrime Act was enacted into law by the President of the Federal Republic of Nigeria in March, 2015. The objectives of this Act are to:

- Provide an Effective and Unified Legal, Regulatory and Institutional Framework for the Prohibition, Prevention, Detection, Prosecution and Punishment of Cybercrimes in Nigeria;
- Ensure the Protection of Critical National Information Infrastructure; and
- Promote Cybersecurity and the Protection of Computer Systems and Networks, Electronic Communications, Data and Computer Programs, Intellectual Property and Privacy Rights.

There are thirty two (32) offenses and penalties in the Cybercrime Act 2015, below are some of the offenses and penalties consumers should keep abreast of:

Child pornography and related offences:

Any person who intentionally uses any computer system or network in or for:

- (a) Producing child pornography;
- (b) Offering or making available child pornography;
- (c) Distributing or transmitting child pornography;
- (d) Procuring child pornography for oneself or for another person;
- (e) Possessing child pornography in a computer--data storage medium: commits an offence under this Act and shall be liable on conviction
 - (i) in the case of paragraphs (a), (b) and (c) to imprisonment for a term of 10 years or a fine of not more than N20,000,000.00 or to both fine and imprisonment;
 - (ii) in the case of paragraphs (d) and (e) of this subsection, to imprisonment for a term of not more than 5 years or a fine of not more than N10,000,000.00 or to both such fine and imprisonment.

Use of Fraudulent Device or Attached E---mails and Websites:

Any person who with intent to defraud uses any device or attachment, e-mails or fraudulent website to obtain information or details of a cardholder commits an offence and upon conviction is liable to imprisonment for a period of 3 years or to a fine of N1,000,000 or both.

Phishing, Spamming, Spreading of Computer Virus:

Any person who knowingly or intentionally engages in computer phishing shall be liable upon conviction to 3 years imprisonment or a fine of N1, 000,000.00 or both.

Manipulation of ATM/POS Terminals:

Any person who manipulates an ATM machine or Point of Sales terminals with the intention to defraud shall be guilty of an offence and upon conviction sentenced to Five Years imprisonment or N5,000,000.00 fine or both.