

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:

Reporting of Cyber Threats:

Any person or institution, who operates a computer system or a network whether public or private must immediately inform the National Computer Emergency Response Team (CERT) Coordination Centre of any attacks, intrusions and other disruptions liable to hinder the functioning of another system or network, so that the National CERT can take the necessary measures to tackle the issues.

System Interference:

Any person who without lawful authority, intentionally or for fraudulent purposes does an act which causes directly or indirectly the serious hindering of the functioning of a computer system by inputting, transmitting, damaging, deleting, deteriorating, altering or suppressing computer data or any other form of interference with the computer system, which prevents the computer system which prevents the computer system or any part thereof, from functioning in accordance with its intended purpose, commits an offence and shall be liable on conviction to imprisonment for a term of not more than 2 years or to a fine of not more than N5,000,000.00 or to both fine and imprisonment.

Intercepting Electronic Messages, Emails, Electronic Money

Transfer:

Any person who unlawfully destroys or aborts any electronic mails or processes through which money and or valuable information is being conveyed is guilty of an offence and is liable to imprisonment for 7 years in the first instance and upon second conviction shall be liable to 14 years imprisonment.

Tampering with Critical Infrastructure:

From the commencement of this act, any person being employed by or under a local government of Nigeria, private organization or financial institution with respect to working with any critical infrastructure, electronic mails commits any act which he is not authorized to do by virtue of his contract of service or intentionally permits, tampering with such computer is guilty of an offence and is liable to a fine of N2, 000,000.00 or imprisonment for 3 years.