

Draft Computer and Cyber Crime Bill

Kingdom of Eswatini

Data Governance

Definitions of Data:

Data is not defined

Main Focus of Document:

Regulatory measures with respect to cybercrime/cyber security

Target Beneficiaries or Sectors:

n/a

Key Elements:

Criminalises offences against computers and network related crime and also provides for admission of electronic evidence.

Key sections include: 4. (1) A person who intentionally, without lawful excuse or justification or in excess of a lawful excuse or justification, infringes security measures or with the intention of obtaining computer data or with other dishonest intent, remains logged in a computer system or part of a computer system or continues to use a computer system commits an offence and is liable, on conviction, to a fine or to imprisonment for a specified period or to both.

5. (1) A person who, intentionally without lawful excuse or justification or in excess of a lawful excuse or justification, intercepts, by technical means: (a) any non-public transmission to, from or within a computer system; or (b) electromagnetic emissions from a computer system commits an offence and is liable, on conviction, to a fine or to imprisonment for a specified period or to both.
6. (1) Subject to subsections 2 and 5, a person who, intentionally and without lawful excuse or justification or in excess of a lawful excuse or justification, does any of the following acts: (a) damages or deteriorates computer data; (b) deletes computer data; (c) alters computer data; (d) renders computer data meaningless, useless or ineffective; (e) obstructs, interrupts or interferes with the lawful use of computer data; (f) obstructs, interrupts or interferes with any person in the lawful use of computer data; or (g) denies access to computer data to any person authorized to access it, commits an offence and is liable, on conviction, to a fine or to imprisonment for a specified period or to both.
7. (1) A person who, intentionally and without lawful excuse or justification or in excess of a lawful excuse or justification obtains, for that person or for another person, computer data which is not meant for that person and which is specially protected against unauthorized access, commits an offence and is liable, on conviction, to a fine or to imprisonment for a specified period or to both.

Gender

Policy/regulation mirrored:

Countries: