

# A BILL

## FOR

AN ACT TO AMEND THE CYBER CRIMES (PROHIBITION, PREVENTION, ETC) ACT 2015, TO PROVIDE FOR THE COMPENSATION OF THE VICTIMS OF CRIMES; AND FOR RELATED MATTERS

*Sponsored by Hon. Oladipupo Adebutu*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- 1           **1.** The Cyber Crimes Cyber Crimes (prohibition, Prevention, Etc)      Amendment of  
2 Act 2015 (in this Act referred to as "the Principal Act") is amended as set out      the Principal Act  
3 in this Bill.
- 4           **2.** Section 6 of the Principal Act is amended:      Amendment of  
5           (a) By inserting a new subsection to read “(5) Victims under this      Section 6  
6 section shall be compensated with half of the fine imposed”.
- 7           **3.** Section 7 of the Principal Act is amended:      Amendment of  
8           (a) By inserting a new subsection to read “(5) Victims under      Section 7  
9 subsections 2 and 3 shall be compensated with half of the fine imposed”.
- 10          **4.** Section 8 of the Principal Act is amended:      Amendment of  
11          (a) By inserting after the words "Or both", the words “provided that      Section 8  
12 the Victims under section shall be compensated with half of the fine  
13 imposed”.
- 14          **5.** Section 8 of the Principal Act is amended:      Amendment of  
15          By inserting after the word "imprisonment", the words "or to a fine      Section 8  
16 of not more than N5,000,000.00 or both, provided that the Victims under  
17 section shall be compensated with half of the fine imposed".
- 18          **6.** Section 10 of the Principal Act is amended:      Amendment of  
19          By inserting after the word "3 years", the words "provided that the      Section 10  
20 Victims under section shall be compensated with half of the fine imposed".

Amendment of Section 12	1	<b>7.</b> Section 12 of the Principal Act is amended:
	2	By inserting a new subsection to read “(4) Victims under this section
	3	shall be compensated with half of the fine imposed”.
Amendment of Section 14	4	<b>8.</b> Section 14 of the Principal Act is amended:
	5	By inserting a new subsection to read “(8) Victims under this
	6	subsections 1,2,3 and 4 shall be compensated with half of the fine imposed”.
Amendment of Section 16	7	<b>9.</b> Section 16 of the Principal Act is amended:
	8	By inserting a new subsection to read “(4) Victims under this
	9	subsections and 3 shall be compensated with half of the fine imposed”.
Amendment of Section 17	10	<b>10.</b> Section 17 of the Principal Act is amended:
	11	By inserting in subsection 3, after the words "Or both", the words
	12	“provided that the Victims under section shall be compensated with half of the
	13	fine imposed”.
Amendment of Section 22	14	<b>11.</b> Section 22 of the Principal Act is amended:
	15	By inserting in subsection 2(b) (iv), after the words "Or both", the
	16	words “provided that the Victims under section shall be compensated with half
	17	of the fine imposed”.
Amendment of Section 23	18	<b>12.</b> Section 23 of the Principal Act is amended:
	19	(a) In subsection 1, by inserting a new sub-paragraph to read “(f)
	20	where the victim-child can be identified under this subsections, then he or she
	21	shall be compensated through his or her parents or guardian with half of the fine
	22	imposed”;
	23	(b) In subsection 2, by inserting after the words "Or both", the words
	24	“provided that the Victims under section shall be compensated with half of the
	25	fine imposed”;
	26	(c) In subsection 3, by inserting a new sub-paragraph to read" (d)
	27	where the victim-child can be identified under this subsections, then he or she
	28	shall be compensated through his or her parents or guardian with half of the fine
	29	imposed”.

- 1                    **13.** Section 24 of the Principal Act is amended: Amendment of
- 2                    (a) In subsection 1, by inserting a new sub-paragraph to read “(c) Section 24
- 3                    Victims under this subsections 1 and 3 shall be compensated with half of the
- 4                    fine imposed”;
- 5                    (b) In subsection 2, by inserting a new sub-paragraph to read “(d)
- 6                    the Victims under this subsection shall be compensated with half of the fine
- 7                    imposed, and where it relates to the deceased, then he or she shall be
- 8                    compensated through his or her Estate or next-of-kin.
- 9                    **14.** Section 26 of the Principal Act is amended: Amendment of
- 10                    In subsection 1, by inserting a new sub-paragraph to read “(e) Victims under Section 26
- 11                    subsections 1 and 3 shall be compensated with half of the fine imposed”.
- 12                    **15.** Section 28 of the Principal Act is amended: Amendment of
- 13                    Insert a new subsection 7 to read “(7) Victims under subsections 1,2,3,4,5 Section 28
- 14                    and 6 shall be compensated with half of the fine imposed”.
- 15                    **16.** Section 29 of the Principal Act is amended: Amendment of
- 16                    Insert a new subsection 6 to read “(6) Victims under subsections 1,2,3,4 and Section 29
- 17                    5 shall be compensated with half of the fine imposed”.
- 18                    **17.** Section 32 of the Principal Act is amended: Amendment of
- 19                    Insert a new subsection 4 to read “(4) Victims under subsections 1, 2 and Section 32
- 20                    3 shall be compensated with half of the fine imposed”.
- 21                    **18.** Section 58 of the Principal Act is amended: Amendment of
- 22                    By inserting the definition of Victim to mean, “A Person who suffers mental, Section 58
- 23                    physical or financial hardship as a result of the act of the Offender in this
- 24                    Act”.
- 25                    **19.** This Bill may be cited as the Cyber Crimes (Prohibition, Citation
- 26                    Prevention, Etc.) (Amendment) Bill, 2018.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the compensation of the victims of crimes committed and convicted under the Principal Act and also it promotes cyber security and the protection of computer systems and networks, electronic communications, data and computer programs, intellectual property and privacy rights.