




Computers and the Law

Fun feature **Computers & the Law** **additional notes**

The Computer Misuse Act 1990

The Computer Misuse Act 1990 was introduced to deal with the increased incidence of computer hacking (the unauthorised accessing of a computer system).

There are three main elements of the act:

- 1** 
Unauthorised accessing.
- 2** 
Unauthorised accessing with intent to break the law further.
- 3** 
Unauthorised accessing with intent to modify or delete data.

The planting of malware is included under the modification and deletion section.

Screen 04 of 07

Workshop Exam Questions Quiz Print Screen Submit Text Help Return to Menu

Workshop Exam Questions Quiz Print Screen Images Text Help Return to Menu

Internet fraud

- The arrival of Internet technology has brought with it an increase of activities that are often classifiable as illegal.
- The informatics and legal slang name - cybercrime or IT-related crime.
- The concept of computer crime was laid by the Convention about Cybercrime, initiated by the Council of Europe in 2001.

Reasons for cybercrime:

- price availability of technology,
- sense of anonymity,
- technological modesty,
- speed of execution of operations.

Offences against the confidentiality, authenticity and availability of computer data and systems:

- illegal access to computer system,
- illegal data capture,
- access to data - damage, deletion, deterioration, alteration of data, or deny access to data,
- interference into the system - functional obstruction of the computer system,
- abusing of facilities.

Computer crimes:

- falsifying computer data,
- computer fraud.

Offences relating to content:

- offenses relating to child pornography,
- computer fraud,
- offences related to infringements of copyright and related rights.

From a pragmatic point of view, IT criminality can be divided into two basic areas:

- 1) Where IT (computers, software tools) are a means that crime is committed by computing and thus the computer is only a means to achieve another goal.
- 2) Where IT assets are target to activities considered criminal activity.

Examples for 1st possibility

- forgery and counterfeiting of money and valuables,
- slander, intimidation, extortion,
- credit scams - fake documents,
- possession and dissemination of data in violation of the law.

Examples for 2nd possibility

- the use of SW without/in conflict with a valid license,
- spread of illegal software and audiovisual,
- hard disk loading,
- Illegally television broadcasting using IT,
- unauthorized handling of sensitive data.

Legislation

Law no. 300/2005 - Criminal Law

- § 221 – Fraud
- § 226 - Unjust enrichment
- § 283 - Violation of copyright

THANK YOU FOR YOUR
ATTENTION!