

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NOTICE 871 OF 2016

PUBLICATION OF EXPLANATORY SUMMARY OF THE CYBERCRIMES AND CYBERSECURITY BILL, 2017

1. Notice is hereby given in terms of Rule 276(1)(b) of the Rules of the National Assembly that the Minister of Justice and Correctional Services intends to introduce the Cybercrimes and Cybersecurity Bill, 2017 (the Bill), in the National Assembly shortly.
2. The explanatory summary of the Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly.
3. The Bill intends to —
 - (a) create offences which has a bearing on cybercrime and to prescribe penalties;
 - (b) criminalise the distribution of data messages which is harmful and to provide for interim protection orders;
 - (c) further regulate jurisdiction in respect of cybercrimes;
 - (d) further regulate the powers to investigate cybercrimes;
 - (e) further regulate aspects relating to mutual assistance in respect of the investigation of cybercrime;
 - (f) provide for the establishment of a 24/7 Point of Contact;
 - (g) further provide for the proof of certain facts by affidavit;
 - (h) impose obligations on electronic communications service providers and financial institutions to assist in the investigation of cybercrimes and to report cybercrimes;
 - (i) provide for the establishment of structures to promote cybersecurity and capacity building;
 - (j) regulate the identification and declaration of critical information infrastructures and measures to protect critical information infrastructures;
 - (k) provide that the Executive may enter into agreements with foreign States to promote cybersecurity;
 - (l) delete and amend provisions of certain laws; and
 - (m) provide for matters connected therewith.
4. A copy of the Bill can be found on the websites of the Parliamentary Monitoring Group at <http://www.pmg.org.za> and the Department of Justice and Constitutional Development at www.justice.gov.za and, after introduction, may also be obtained from the Government Printers: Cape Town (Telephone number: (021) 465-7531).