

The Analysis of Computer Crimes Act 1997 in the Circumvention and Prevention of Computer Crimes in Malaysia

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Abstract : Computer Crimes Act 1997 (CCA 1997) was conceded by Malaysia's legislative body in 1997 and the Act was enforced in June 2000. The purpose of CCA 1997 is to provide for offences related to misuse of computers such as hacking, cracking and phishing. CCA 1997 was modelled after United Kingdom's Computer Misuses Act 1990 as a response to the emerging computer crimes. This legislation is divided into three parts and 12 Sections. The first part outlines preliminary matters that include short title and relevant definitions, second part provides for the offenses related to misuse of computers and specifies penalties for each offences, and the last part deals with ancillary provisions such as jurisdictional and investigational issues of cybercrime. The main objective of this paper is to discuss the development of computer crimes and its deterrence in Malaysia. Specific sections of CCA 1997 will be analysed in details and detail assessment on the prevention and prosecution of computer crimes in Malaysia will be accessed to determine whether CCA 1997 is so far adequate in preventing computer crimes in Malaysia.

Keywords : computer, computer crimes, CCA 1997, circumvention, deterrence

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