

SUMMARY OF THE CYBERCRIMES ACT 19 OF 2020

The Cybercrimes Act was promulgated on 1 December 2021. The purpose of this Act is to detect, investigate, prevent, mitigate, and regulate matters associated with cybercrimes.

The Act provides that any individual who intentionally and unlawfully:

- accesses a computer system or computer data storage medium;
- acquires, possesses, provides to other persons, or uses, a password, an access code or similar data or device for purposes of contravening the provisions of this Act;
- incites damage to property or violence in a data message;
- threatens persons with damage to property or violence in a data message;
- discloses, by means of a data message, an intimate image of a person without that person's consent; and/or
- is found to be attempting, conspiring, aiding, abetting, inducing, inciting, instigating, instructing, commanding, or procuring to commit an offence

will be guilty of a criminal offence.

The posting of intimate images of another without their consent on any social media platform, including by direct message (DM) to third parties is also covered in the provisions of the legislation.

The full Act can be accessed here: <https://www.gov.za/documents/cybercrimes-act-19-2020-1-jun-2021-0000>