

OFFICIAL PARTY

PRESIDENTIAL DOCUMENTS

PRESIDENCY OF THE REPUBLIC

ACT No. 2013-451 dated 19 June 2013 on the fight against cybercrime.

CHAPTER 1: Definitions

THE NATIONAL ASSEMBLY has adopted

THE PRESIDENT OF THE REPUBLIC has promulgated the following law:

Article 1 -. The definitions of legal instruments of ECOWAS, of the African Union or the International Telecommunication Union prevail for terms not defined in this Act.

For the purposes of this Act, the term:

Cybercrime refers to all criminal offenses that are committed by or on a telecommunication network or an information system;

Violation of human dignity refers to infringement, except in cases of attacks life, injury to the integrity or freedom, which has important effect to treat the person as a thing, as an animal or as a which would be denied any right;

Electronic communication refers to any emission, transmission or reception of signs, signals, writing, images, sounds or videos electromagnetically, optically or by any other means;

Personal character data refers to any information of any nature whatsoever and regardless of media, including sound and image relative to identified or identifiable natural person directly or indirectly, by reference to an identification number or to one or more specific cultural, social and economic factors specific to his physical, physiological, genetic, psychological,;

Computer data or give any representation of facts information or concepts in a form suitable for computer processing, including a program suitable to perform a function by an information system;

Subscriber data refers to information in the form of computer data or any other form that is held by a service provider and relating to subscribers of these services, other than traffic data, content, and to establish on the basis of a contract or arrangement of services:

---- The type of communication service, the technical provisions taken thereto and the period of service;

----- The identity, postal or geographic address, telephone and other access number, information about the location, billing and location of communication equipment;

Traffic data refers to all data relating to a communication by an information system, produced by the latter as part of the chain of communication, indicating the origin, destination, route, time, date, size, duration, or type of underlying service;

Sensitive data refers to all data on personal opinions or religious, philosophical, political, union, a racial or sexual life, to health, to social measures, prosecution, criminal or administrative sanctions;

Critical infrastructure refers to physical facilities and information technology, networks, services and assets which, if disrupted or destroyed can have a serious impact on the health, safety or the economic and social well-being citizens or the continued operation of the State;

Minor refers to anyone under the age of eighteen years under the Penal Code;

Third countries refers to non-member state of ECOWAS;

Individual refers to any individual who is the subject of processing personal data;

Child pornography refers to any data regardless of the nature or form that visually

depicts a child eighteen years of age engaged in sexually explicit conduct or images representing a child under fifteen years of age engaged in sexually explicit behaviour;

Racism and xenophobia in ICT, while writing any image or any other representation of ideas or theory that advocates or incites hatred, discrimination or violence against a person or group of persons because of race, color, descent or national or ethnic origin or religion, in since the latter serves as a pretext for one or the other of these elements that encourages such acts;

SMS, English acronym meaning "short message service" (in French: short message service);

Monitoring any activity involving technical or electronic means to detect, observe, copy or record the movements, images, words, writings or state of an object or a person fixed mobile ;

Information system or computer system: any device isolated or not, any set of device interconnects providing all or part of an automatic processing of data in program execution.

CHAPTER 2

Object scope

Art. 2 ---- This Act aims to fight against cybercrime for.

S.3---- are subject to the provisions of this Act, offenses relating to cyber crime and criminal offenses including finding requires the collection of electronic evidence.

CHAPTER 3

Specific offenses technology

Information and Communication

S.4. --- A penalty of one to two years' imprisonment and 5 to 10 million CFA francs fine, anyone accessing or attempting to access to all or part of an information system.

S.5. ----- A penalty of one to two years' imprisonment and 5.000000 10,000,000 CFA francs fine, anyone who maintains or attempts to fraudulently in all or part of an information system.

Atr.6. ----- A penalty of one to five years' imprisonment and 10 to 40 million CFA francs fine, who obstructs, or attempts to hinder false or fraudulently distort the functioning of an information system.

S.7----- A penalty of one to five years' imprisonment and 10 to 40 million CFA francs fine, whoever introduces or attempts to smuggle data in an information system .

Art.8-East ---- punishable by five to ten years' imprisonment and 40 to 60 million CFA francs fine, whoever intercepts or attempts to intercept fraudulently by technical means of computer data during their non-public transmission to, from or within an information system.

Art.9. ----- Is punishable by five to ten years' imprisonment and 40 to 60 million CFA francs fine, whoever altered or attempts to alter, modify or attempt to modify, remove or attempt to remove fraudulently computer data.

Art.10. ----- Is punishable by five to ten years' imprisonment and 40 to 60 million CFA francs fine d4, anyone who produces or manufactures a set of data by introducing modification, alteration or fraudulent suppression of computer data, resulting in counterfeit data in the intent that they be considered or used for legal purposes as if they were original.

Art.11. East punishable by one to five years of imprisonment and 20 to 40 million CFA francs fine, anyone who uses, knowingly, fraudulently obtained computer data.

Art.12 -. Shall be punished by one to five years' imprisonment and 30 to 50 million CFA francs fine, anyone

Art. 14 -. Shall be punished with ten to twenty years' imprisonment and 75 million CFA francs to 100.00 fine, anyone who participates in an association formed or association established to prepare or commit one or more offenses provided in this Act. The offense defined above is an offense.

Rt.15. East punishable by two to five years' imprisonment and 75 to 100 million CFA francs fine, anyone who produces, stores, offers, makes available, distributes, transmits an image or representing a character representation of child pornography through an information system or means of computer data storage.

Art.16. East punishable by two to five years; imprisonment and 75 to 100 million CFA francs fine, anyone who provides or procures others, imports or imports, exports or export is an image or representation with a character of child pornography by means of an information or means of computer data storage system.

Art.17 -. Shall be punished with one to three years of imprisonment and 20 to 40 million CFA francs fine, whoever intentionally has a picture or representation having a child character in an information system or means in a computer data storage.

Art.18. - A penalty of one to five years imprisonment and a fine of 20 million to 40 million, a person who facilitates access to images, documents, sound representation with a character has a minor pornography.

Art19 ----- Is punishable by two to five years imprisonment and a 5,000.00 10,000,000 CFA francs fine who fraudulently uses any identifying elements of a natural or legal person by through an information system.

Anyone who uses, possesses, offers, sells, provides, transmits knowingly false identification data is punishable by two to five years imprisonment and 5 to 10 million CFA francs to fine. Anyone who performs or attempts to perform false identification data is punishable by two to five years imprisonment.

Art.22-East ---- punished by imprisonment for one to five years and a fine of 1 million to 10 million CFA francs, anyone who uses illegal means of sending messages unsolicited electronic based on the collection of personal data.

Art.23-East ---- punished with imprisonment of one month to one year and a fine of 500,000 to 1,000,000 CFA francs, whoever conceals the identity of the person on behalf of which a commercial offer is issued or an offer or referred unrelated presentation or service offers.

Art.24 -. Shall be punished with imprisonment of one to five years and five million to one million CFA francs fine, whoever is processing personal data by fraudulent means, dishonest or illegal.

The fine may not be less than 10 million CFA francs when the fraudulent treatment, unfair or unlawful was made for sending unsolicited electronic messages by a legal person, other than the State.

Art.25 -. Shall be punished with imprisonment from one year to five years and a fine of 5 million to 100 million CFA francs fine, anyone who uses the identifying elements of a person or entity in order to deceive the recipients of an email message or the users of a website to bring a character to communicate personal or confidential information from the data.

L imprisonment can not be less than five years and the fine can not be less than 20 million CFA francs, when personal data or confidential data communicated served in embezzlement of public funds or private .

Art.26. Whoever fraudulently ---- becomes aware of information is within an

electronic information or fraudulently copy information from such a system system, or fraudulently removes the physical medium on which is information is guilty of theft of information.

Whoever commits theft of information, is punishable by a prison term of five to ten years and 3 million to 5 million fine.

The attempt is punishable.

The above offense is defined as an offense.

Art.27. ----- The penalty is imprisonment for ten to twenty years and a fine of 5 million to 10 million CFA francs if information theft or attempted theft of information has occurred accompanied one at least of the following circumstances:

----- With violence that resulted in injury

----- Burglary, climbing or use Skeleton Key

----- In a meeting by at least two people

----- Fraudulent with a costume or uniform of a civilian or military public official, or a title of an official, or a false order of civil or military authority use .

----- In an inhabited or used as a dwelling or business premises house;

----- With the use of a mask;

----- With the use of a vehicle to facilitate business his flight.

----- Night.

Art.28. ----- Information theft or attempted theft of information is punished by twenty years' imprisonment and 10 million CFA francs fine, if accompanied by one of these circumstances after:

----- When the perpetrator or accomplice is carrying a concealed weapon or apparent;

__Lorsque The author or accomplice used a weapon having resulted in injury or death to the victim.

Art.29. ----- When done intentionally and without right, the production, sale,

procurement for use, import, distribution or otherwise making available of a device, including including a computer program designed or adapted primarily for the purpose of committing a theft of information or the use of a password, an access code, or similar data to access all or part of an information system intended them to be used to commit any of the offenses under this Act is liable to the penalties the penalties for the offense itself or for the offense most of them severely punished.

Art.30. ----- When the offenses punishable under this Act relates to an information system or program data processing protected by a secret access code, the penalty may not be less than ten years imprisonment.

Art.31. ----- Shall be punished by imprisonment of one to five years and 1,000,000 CFA francs fine, anyone of bad faith, open, delete, delay or divert electronic correspondence arrived or not and destination addresses a third party, or fraudulently takes knowledge.

Is liable to the same penalties, anyone of bad faith, intercept, divert, use or disclose electronic correspondence sent, transmitted or received by means of telecommunications or installs equipment designed to perform such interceptions.

Art.32. ----- Persons convicted by crime under this chapter also incur the following additional penalties:

----- Ban for a period of five years, to hold public office or to undertake the social or professional activity in the exercise of which the offense was committed;

----- Confiscation of the means used to commit the offense or was intended to the commission of the offense or the property which is the product;

----- The closing for a period of five years if necessary of establishments or one

or more facilities now used to commit the offense;

----- Exclusion for a period of five years of public procurement;

----- Ban for a period of five years to issue checks other than those allowing the withdrawal of funds by the drawer from the tires or those who are certified;

----- Display or dissemination of the decision made at the expense of the convicted.

CHAPTER 4

Infringements of intellectual property

Art.33---- are punishable by imprisonment of one to ten years and a fine of 500,000 to 100,000,000 CFA francs, the infringement of intellectual property committed by means of a system information.

Constitutes an infringement of intellectual property:

----- The fact, without permission from the author or his heirs, reproduce, represent or make available to the public on a system or a digital or analog support, a fully or partially work protected by copyright or related right mind;

----- Does, without permission from the author or his heirs to translate or adapt a work of the mind through a computer program or to the translation or adaptation on a digital or analog available to the public.

----- Done without the permission of the author or his assigns, reproduce, use, sell distort, denigrate, brand, trade name, trade name, n Internet domain name or other distinctive sign belonging to a tires through a public or through a computer program or a digital or analog media information system;

----- The fact, knowingly, operate reproduction or representation by an intellectual work put unlawfully available to the public on an electronic communications network;

----- The fact, knowingly, without the right to sell or make available to the public by reproduction or representation of a product or protected by a patent product.

Art. . 34 ---- Do not constitute an infringement of intellectual property when performed through a system or computer program or electronic:

----- Copies or reproductions of works of the mind strictly reserves the private use of the copier and not intended for collective use, with the exception of copies of works of art for a be used for identical or similar to those for which the original work was created;

----- Analysis and quotes races, subject to be clearly specified the name of the author of the work and the source, justified by the scientific critical, polemic, educational, or information of the work to which they are incorporated;

----- Parody and caricature of the original work done without intent to harm the image and reputation of the author of that work;

----- Copies or reproductions with a temporary transitional and accessories when they are an integral and essential part of a technological process and are designed to enable the transmission where the use of work on an information system or electronic;

----- Reproduction and representation was performed by a non-profit legal persons of public law and of public facilities such as libraries, archives, museums, the center documentation and multimedia cultural spaces for strictly personal consultation work by people with one or more impairments in motor, physical, sensory, mental, cognitive or mental functions whose level of disability is recognized in a medical certificate duly established;

----- The reproduction and representation of intellectual work was performed exclusively for teaching, for

teachers and researchers in the strict framework of their education or their search for their students and their students or port other teachers and researchers directly concerned, provided that such reproduction or representation not give rise to any commercial or profit

Art 35 ----- the author of a work of the mind or his beneficiaries may impede the copy of the work by limiting the copy right recognized by this Act, including by setting implementation of technological protection measure when the implementation of the right to copy prejudice the normal exploitation of the work or causes unjustified harm interests of the author.

The term technological protection measure means any technology, device, component, which in the normal course of its operation, performs the control function uses the work or limitation copies of the work in question.

The user should be clearly informed of the existence of technological protection measures on the work he acquires or uses and functions of technical measures, especially if they prohibit or non use of the work on other information or operating system.

Art 36. ----- Holder of an Internet access service or

Any electrical communication network is required to

Ensure that this access is not used for

Clearly illegal, including reproduction or

Representation of intellectual work without permission

Their authors or their heirs.

In case of non-compliance with this obligation, it may be

Prosecuted for complicity by providing means.

CHAPTER 5

Unlawful conduct on networks

Electronic communication

Art 37 ----- organizing games on electronic communication networks in a register of exclusive rights granted by the State to a limited number of operators.

Art 38 ----- East imprisonment of one to five years and a penalty of 10 to 100 million francs, who, without authority organizes illegal gambling online characterized by holding the games of chance, illegal lottery, lottery advertising prohibited, illicit paris reserves of electronic communication.

Art 39 --- are prohibited money transfer payment card or by bank transfer or any other means of payment made by physical or legal persons under illegal gambling on electronic communications networks.

Liements bank or financial exerted on the national territory shall ensure compliance with the ban.

----- Art 4o be punished with a prison sentence of five years and a fine of 5 million to 10 million CFA francs, anyone who does not comply with the prohibition of money transfer.

The penalty for the legal person responsible is double the fine for the person who committed the offense.

If the transfer is made to a foreign destination, the offense also constitutes an offense under the regulations governing the external financial relations and is punished without prejudice to the law relating to litigation offenses exchange controls.

Art 41 ----- national courts are competent to find or punish offenses when the activities of illegal gambling are available from the national territory or are accessible to users of electronic communications networks from the national territory and there is a sufficient connection between substantial or significant illicit benefit available to network users of online

communication and the country, including the language, the currency used, the products proposed, the domain used by the site offers that benefit.

CHAPTER 6

Responsibility for the technical service

online service.

Art 42 ----- access to internet service from a cyber cafe located on the national territory is subject to the prior identification of users.

Internet cafe operators are required to carry out such identification under conditions established by decree.

Arte 43 ----- Minor less than ten years can not access the café simply accompany an adult.

The internet in a cafe for a minor under eighteen is a limited access, which excluded websites with pornographic, violent, racist or degrading and generally all website undermining the dignity human or incite incivility.

Art 44 ----- people whose business is to provide access to services online communication inform their subscribers of the existence of technical means to restrict access to certain services or to select and offer them at least one of these.

Art 45 ----- East punished; a fine of 1 million to 10 million CFA francs, anyone who does not respect the obligation; information and provision of technical means of filtering.

The service provider offering access to communications services or providing free or expensive direct and permanent storage for provision of content, is bound by a decision of the competent court, to suspend access to such services immediately or content.

Art 46 ----- natural or legal persons that provide access to routes of communication that provide online or even free of charge,

for the provision of public services through online communication, the signal storage, d; writings, d; images, sounds or messages of any kind provided by recipients of those services can not be held civilly or criminally liable because of activities or information stored at the request of a recipient of these services:

----- If it actually was aware of their illegal nature or facts and circumstances appear that character;

----- If, from the time when they had this knowledge, they acted promptly to remove the data or make access impossible;

----- If the withdrawal of such data has not been ordered by a court.

Art 47----- knowledge of the relevant facts shall be assumed by the persons mentioned in the preceding article, when they are notified by the victim or by an interested person, illegal activities or events and circumstances that appear character. To be considered the notification must include the following elements:

----- If the notifier is an individual, the name, occupation, residence, nationality, date and place of birth.

----- If the notifier is a corporation, its name and its headquarters;

----- The first names and address of the recipient of the service in question or if it is a corporation, its name and its headquarters;

----- Description of the facts and their precise location on the network;

----- Rights and the reasons for the withdrawal of the content in question is sought;

----- Copy of the correspondence addressed to the author or the publisher fault information and contentious activities requiring their interruption, withdrawal or modification, or justification of what the author or publisher could not be contacted.

Art 48 --- The notification procedure of facts or illegal activities prescribed in the preceding article, does not bind the responsibility of a people covered by the exceptions provided in Article 47 of this law.

Art 49 ---- East punished by imprisonment of one to five years and a fine of 1,000,000 to 5,000,000 CFA of coats, fine, the fact of any person to present bad faith to persons referred to in Article 47 of this Act, any content or activity as being unlawful in order to obtain the withdrawal or to stop the broadcast.

Art 50 ----- The persons referred to in Article 47 of this Act are not subject to an obligation to monitor the information which they transmit or store or an obligation to re looking for facts or circumstances indicating illicit activities.

However, the judicial authority may require such persons targeted and temporary surveillance activities conducted through their services.

At. 51 --- T he ISPs are required to establish an easily accessible and visible on their website allowing anyone to bring to their attention this type of illegal activity and are required to make public resources devoted to this fight.

The ISPs are also required to inform the competent public authorities of all illegal activities reported to them and exercised by the recipients of their services.

Any breach of the obligations set out above shall be punished by imprisonment of one to five years and a fine from 1,000,000 to 5,000,000 CFA francs.

Art 52 --- The judicial authority may prescribe, to any person mentioned in section 47 of this Act

All measures to prevent damage or halt damage causes by the contents of electronic communications service.

T out breach of judicial services defined above shall be punished by imprisonment

of one to five years and a fine from 1,000,000 to 5,000,000 CFA francs.

The judicial authority may require such persons to the communication of the identification of recipients of services they are data providers.

Art 54 ----- The persons referred to in Article 47 of the present law are required to make available to the public online their own data to identify when their services are available to the territory of online communication that territory . National and intended for users from the network

These credentials must include the following elements:

Case of legal persons, their name and address `s offices, telephone number and, if they are subject to the formalities` entry in the Register of Commerce and Personal Property Credit or directories trades , le numéro de leur inscription, leur capital social et leur adresse électronique.

However, people editing to make unprofessional service of electronic communication can not *draw available to the public, to preserve r their* anonymity, the name, the name and address of the person `referred to in article 47 of the this Act, subject to hearing satisfied with the latter's obligation as identification as provided above.

Art.55. ----- Shall be liable to a penalty of `` imprisonment of one year and five years for a fine of one million to five million CFA francs. Occurs when an individual or officer of law or fact to a `legal person exercising` s one of the activities referred to in article 47 of this law, not to comply with the obligations laid down in Articles 53 and 54 above.

Art.56---- Any person who is a transmission activity contained in a telecommunications network or providing access to a `telecommunications network can not be held civilly or criminally liable because of the content in the ` the following cases;

-When it is the origin of the request
DISPUTED transmission;

-When it selects the recipient of the
Transmission;

-When it selects or modifies the content
doing in the transmission.

S.57. ---- Any person who is for the sole
purpose of making more efficient
subsequent transmission activity
automatic, intermediate and temporary
content provider transmits a that may
incur civil or criminal liability right if such
content;

She changed the content and not's not
complied with the conditions of their
access to the usual rules regarding
updating or obstructs lawful and
customary use of the technology used to
obtain data;

She hath not acted promptly to remove
content that it stored or to make the access
impossible, as soon as she had actual
knowledge or because the content
originally submitted were removed from
the network or that the access to the
content originally submitted was rendered
impossible,

Or because the judicial authorities ordered
to remove content network initially
transmitted or in the access impossible.

Chapter 7

Adaptation of traditional offenses technology

Information and Communication

Art 58 ---- East punished by ten to twenty
years imprisonment and 5 to 10 million
CFA francs fine, the fact every person to
create, disseminate or make available in
any form, whether written, messages,
pictures, sounds, videos, drawings or any
other representation of ideas or theories,
racist or xenophobic nature, through an
information system.

The offense defined above is an offense.

Art 59 ---- East punishable by two to five
years imprisonment and a 5,000,000

20,000,000 CFA francs fine, does for
anyone to threaten others with death or
violence by means of an information
system.

When the threat has, racist, xenophobic,
ethnic, religious or refers to a group
distinguished by race, color, descent or
national or ethnic origin, imprisonment is
ten to twenty years and a fine of 20 million
to 40 million CFA francs.

The offense defined above is an offense.

Art 60 ---- East punished by one to five
years imprisonment and 5 to 10 million
CFA francs fine, the fact that anyone
uttering or issuing any offensive
expression, any term contempt or invective
which does not contain an allegation of
fact, through a system of information.

Art.61---- Is punishable by three to five
years imprisonment and 75.000.000a 10,000,000
CFA francs fine, the fact that anyone deny d
to approve or justify intentionally acts
constituting genocide or crimes against the
humanity via system's information.

Article 62 shall be punished ----- one
month five years imprisonment e 1000000-
20000000 CFA francs fine, the fact that a
person produce, make available to others
or disseminate information likely to disturb
public order or undermine human dignity
through an information system.

Art 63----- is punished by one to five
years imprisonment and 5 to 20 million
CFA francs fine, the fact that any person to
distribute or make available to others
through an information system, except to
authorized persons, a manual or proceeds
for the manufacture of destruction likely to
affect life, property or the environment.

Art 64 ----- A penalty of one to five years
imprisonment and 5 to 20 million CFA
francs fine, the fact that any person to
make available to others through an
information system, processes or
information of incentives to suicide.

Art 65 ---- East punished by six months to
two years imprisonment and a 1,000,000

5,000,000 CFA francs fine, the fact that everyone from communicating or disclosing the system information, false information tending to believe that destruction, degradation or damage to property or harm to people has been committed or will be committed.

Is liable to the same penalties, the fact of release or disclose through an information system, believing false information to a disaster or other emergency situation.

Art 66----- Is punishable by five to ten years imprisonment and 5 to 20 million CFA francs fine, the fact that anyone threatening to commit by means of a destruction, degradation or damage to property or harm to people information system, when materialized in writing, image, sound, video or other data.

67 ----- Art is guilty of treason and punishable by life imprisonment, the fact that an Ivorian:

----- Deliver or ensure the possession for delivery to a foreign country or a foreign individual or through an information system person, information, document , process or computer data that must be kept (e) secret in the interest of National Defence;

Destroy or let them destroy information, document, process or computer data that must be kept (e) secret in the interest of National Defence, to promote a foreign country or a foreign natural or legal person.

Art ---- 68 is guilty of espionage and punished by life imprisonment, the fact that a foreigner

Deliver or ensure the possession for delivery to a foreign country or a natural or legal through an information system person, information, document, process or computer data that must be held (e) secret in the interest of National Defence;

----- Destroy or let them destroy information, document, process or computer data that must be kept (e) secret

in the interest of national defense, to promote a foreign country or foreign natural or legal person.

Art 69 ----- Any legal person, with the exception of the State is criminally responsible for offenses under this Act, if committed on its behalf by its representatives.

Liability of legal persons does not exclude those individuals perpetrators or accomplices of the same facts.

The penalty incurred by legal persons responsible is double the fine for the individual who committed the offense.

Art 70 --- Upon conviction under this Act Del addition to the advertising of the ordered and carried conviction, pursuant to Article 75 of the Penal Code, the judge may in addition, special confiscation disenfranchisement and banishment laid down in Articles 63,66 and 80 of the Penal Code .

CHAPTER 8

Criminal Procedure cybercrime

Art 71 --- The police officers defined in Article 16 of the new Code of Criminal Procedure, the experts tackle the courts and any other person whose skills are required prior oath, may proceed with the transactions contemplated by this Act.

The competent authorities referred to above does not have the status of judicial police officer may conduct a search in a presence of these officers.

Art 72 ---- data on subscribers shall be kept by the service providers. This obligation requires providers to retain and protect the integrity for a period of ten years.

When you can not find the author of an electronic conviction default retention data related to subscribers, the service provider is liable to a fine of 10 to 100 million CFA francs.

Art 73 ---- when in the course of an investigation or an investigation, there is

reason to believe that the specified computer data, including data relating to subscribers and traffic stored using a information system, are vulnerable to loss or modification, the competent authority or procured the immediate preservation of the data.

The natural or legal person to whom order is made, preserves and protects the integrity of such data for a period as long as necessary for the purposes of the investigation or trial

----- Art74 the competent authority, at the request of the prosecutor or judge order, may require:

Any natural or legal person, the obligation to provide data specified in its possession or under its control that are stored in an information or computer storage medium system;

From a service provider, to provide the specified data traffic and subscribers in its possession or under its control.

Art 75 --- the competent authority may, during a search conducted in accordance with the Code of Criminal Procedure, access to an information system or a digital storage medium and has interesting data the ongoing investigation and storing in said system or said support at the scene of the search.

The competent authority may also access interesting data the ongoing investigation and store in another information system, provided that the data are accessible from the initial or available to the initial system.

If it is found that the data accessed from or available to the initial system initial system are stored in another information system located outside the national territory, they are collected by the competent authority, subject to compliance international commitments.

Art 76 --- The competent authority may, as provided by the Code of Criminal Procedure, proceed to the seizure of computer systems, computer storage media

or make a copy of computer data necessary to the manifestation of the truth .

If a copy is made in the context of this procedure, a decision the judge has the final deletion on the physical medium that has not been placed under hand of justice, computer data the possession or use is illegal or dangerous to the safety of persons or property.

When computer systems or computer storage media are put under seal, they can only be opened in the manner prescribed by the Code of Criminal Procedure.

Art 77 ----- the competent authority, on request of the prosecutor or order of the judge is empowered;

----- Collect or record by technical means the traffic data or content associated with specified communications in its territory transmitted by means of an information system;

----- Compel a service provider within its existing technical capability, to collect or record by technical means or lend assistance to the competent authorities and assistance to collect or record real-time data traffic or content combines a specified communications in its territory transmitted by means of a business information system.

The identifiable and specific extra costs eventually exposes service providers to meet these requests are subject to financial compensation from the state.

Art 78 ----- be punished with a prison sentence of three to six months and one million to five million CFA francs fine, anyone who refuses to comply with the request of the prosecutor or judge.

When it is a legal person, it incurs a fine of 10 to 100 million CFA francs.

Art79 ---- this Act shall be published in the Official Gazette of the Republic of COTE D'IVOIRE and run as state law.

Signed in Abidjan, June 19, 2013
Alassane Ouattara.