

No.

2025



THE REPUBLIC OF KENYA

HIS EXCELLENCY THE PRESIDENT

WILLIAM SAMOEI RUTO

I assent

President

, 2025

**AN ACT of Parliament to amend the Computer Misuse and
Cybercrimes Act.**

**THE COMPUTER MISUSE AND CYBERCRIMES
(AMENDMENT) ACT, 2025**

A Bill for

AN ACT of Parliament to amend the Computer Misuse and Cybercrimes Act.

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Computer Misuse and Cybercrimes (Amendment) Act, 2025. Short title.

2. Section 2 of the Computer Misuse and Cybercrimes Act (in this Act referred to as “the principal Act”), is amended— Amendment of section 2 of Cap 79C.

(a) in the definition of “access” by inserting the words “through a programme or a device” immediately after the words “by a person”; and

(b) by inserting the following new definitions in their proper alphabetical sequence—

“asset” includes all property movable or immovable, physical or virtual and all estates, easements and rights whether equitable or legal in, over or out of property, choses-in-action, money or goodwill whether situated in Kenya or elsewhere;

“computer misuse” means the unauthorized use, modification or access to a computer system, programme or data;

“cybercrime” means an offence committed through the use of information and communication technology to target networks, systems, data, websites or technology or to facilitate a crime;

“identity theft” means the use of another person’s personal identification information including the name, identification number, SIM-card, bank card, bank account information, address password or any other subscriber information;

“terrorist act” has the meaning assigned to it under the Prevention of Terrorism Act; and Cap 59B.

“virtual account” means a digital account acquired through virtual representation.

3. Section 6 of the principal Act is amended in subsection (1) by inserting the following new paragraph immediately after paragraph (j)—

Amendment of section 6 of Cap 79C.

(ja) where it is proved that a website or application promotes unlawful activities, inappropriate sexual content of a minor, terrorism or religious extremism and cultism, issue a directive to render the website or application inaccessible.

4. Section 27 of the principal Act is amended in subsection (1) by inserting the words “or is likely to cause them to commit suicide” immediately after the word “person” appearing in paragraph (b).

Amendment of section 27 of Cap 79C.

5. Section 30 of the principal Act is amended—

Amendment of section 30 of Cap 79C.

- (a) by inserting the words “or email or makes a call” immediately after the words “sends a message”; and
- (b) by inserting the words “email or call” immediately after the words “recipient of the message”.

6. The principal Act is amended by inserting the following new section immediately after section 46—

Insertion of a new section 46A in Cap 79C.

Further court orders.

46A. (1) Where a person has been convicted of an offence related to promotion of unlawful activities, inappropriate sexual content of a minor, terrorism or religious extremism and cultism and the person was using a computer system, website or digital device in contravention of this Act, the court may—

- (a) order the person to remove the content or materials from the computer system, website or digital device;
- (b) order the person to close or deactivate the computer system,

website or digital device; or

- (c) make such orders as the court may deem appropriate.

(2) Notwithstanding subsection (1), where an authorised person believes that a computer system, website or digital device is being used to promote unlawful activities, inappropriate sexual content of a minor, terrorism or religious extremism and cultism, the authorised person may apply to court for—

- (a) an order for removal of the content or materials from the computer system, website or digital device;
- (b) an order for closure or deactivation of the computer system, website or digital device; or
- (c) such orders as may be necessary.

The Computer Misuse and Cybercrime (Amendment) Act, 2025

I certify that this printed impression is a true copy of the Bill passed by the National Assembly on 25th September, 2025 pursuant to Article 109(3) of the Constitution.

Clerk of the National Assembly

Presented for assent in accordance with the provisions of the Constitution of Kenya on the day of 2025 at the hour of

Speaker of the National Assembly