

SPECIAL ISSUE

Kenya Gazette Supplement No. 170 (Acts No. 17)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

ACTS, 2025

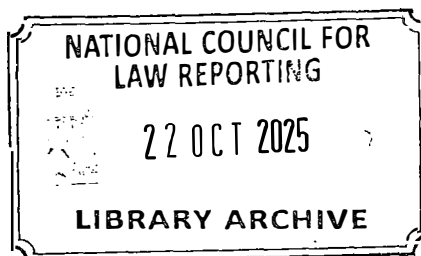
NAIROBI, 21st October, 2025

CONTENT

Act—

PAGE

The Computer Misuse and Cybercrimes (Amendment) Act, 2025 447



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

No. 17 of 2025

Date of Assent: 15th October, 2025

Date of Commencement: 4th November, 2025

AN ACT of Parliament to amend the Computer Misuse and Cybercrimes Act, Cap. 79C and for connected purposes

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 program 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, program 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 that other person 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 “or 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.

