



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A

MAIN EXAMINATION

JANUARY – APRIL 2014 TRIMESTER

FACULTY OF LAW

REGULAR PROGRAMME

CLS 312: IT AND THE LAW (CYBER LAW)

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Date: APRIL 2014

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

Q1. Read the extract attached and make it the background for answering the following questions:

- a) Identify the exact titles of the Bills termed draconian in the extract and state to what extent they amend existing laws. **(6 marks)**
- b) The 2013 amendments to the Kenya Information and Communications Act, 1998 has made substantial contribution to the dispute resolution mechanism within the Act. Illustrate. **(15 marks)**
- c) The Communications Authority of Kenya plays a pivotal role in ensuring that disputes between stakeholders are amicably resolved. Highlight the process from the point where a person or entity lodges a complaint to determination. **(9 marks)**

Q2. Cyber Law has affected every aspects of modern life. Even the courts of law had to bow to the reality of the information age. This is especially illustrated in the law of evidence. Explain how Cyber Law has impacted this branch of law focusing on the common law principle on admissibility of

evidence, presumption of evidence and admission of computer print outs of electronic records. **(20 marks)**

Q3. Cyber crimes have become a constant threat to national and international security. What are these? How have they been regulated in Kenya? **(20 marks)**

Q4. The National Information and Communications Technology (ICT) Policy, 2006 lay the foundation for the marked changes in the ICT Sector to date. Briefly explain how detailing its provisions. **(20 marks)**

Q5. Make short notes on:

- a) Improper use of Telecommunication Service. **(4 marks)**
- b) Community Broadcasting Service. **(4 marks)**
- c) Anti – Competitive Conduct. **(6 marks)**
- d) Procedures of appointing a new member of Board of the Authority. **(6 marks)**

END