CyberLaw
Navigating the legal framework for cybersecurity
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“It is easy to run a secure computer system. You merely have to disconnect all dial-up connections and permit only direct-wired terminals, put the machine and its terminals in a shielded room, and post a guard at the door.”

AT&T Bell Laboratories Technical Journal, 1984
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The legal framework for cybersecurity in 2013
CyberLaw

- International CyberLaw
- National CyberLaws
- Privacy and Confidentiality Laws
- Sector Regulation
- Contract Law
- Criminal Law
International CyberLaw
The Budapest Convention

• **First** international convention on cybersecurity.
• Ratified by 40 states.
• Deals in particular with copyright, computer-related fraud, illegal content and violations of network security.

• Aims:
  • To **harmonise** domestic criminal law elements of cybercrime offences.
  • To provide domestic criminal law **procedural powers** necessary for investigation of such offences.
  • To enable fast and **effective international cooperation**.

• But not truly global?

• What about **regional laws**?
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- Sector Regulation
National CyberLaws
A couple of examples
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We’ve got some completely new data laws to get to grips with:

- Singapore
- Malaysia
- Philippines

...and some existing data laws that have been expanded:

- Korea
- Hong Kong
- China
- Taiwan
CyberLaw

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- Sector Regulation
- Contract Law
- Criminal Law
CyberRegulation
The five key sector verticals

- Financial Services
- Public Sector
- Healthcare
- Education
- Telecoms
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- Privacy and Confidentiality Laws
- Sector Regulation
- Contract Law
- Criminal Law
A CyberSecure Contracts Checklist

- Run due diligence and pick the right partner
- The contract: get technical and legal input
- Ensure data security and location transparency
- Monitor and audit
- Develop disaster recovery and business continuity plans
- Plan for exit
CyberLaw

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• Cyber-specific offences versus non-cyber-specific offences.

• Sanctions.

• The international challenge.
Thank you.

To continue the discussion:

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