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Two of 6 proposed cyber laws tabled (HL)

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TWO of the six proposed cyber laws that will form the legal framework of the Multimedia Super Corridor (MSC) were tabled in Parliament yesterday, spelling out some of the legal obligations and rights of parties involved as well as the computer crimes punishable by law in Malaysia.

The two bills tabled for first reading were Digital Signature Bill 1997 and Computer Crimes Bill 1997. Six cyber laws have been proposed for the MSC.

The Digital Signature Bill seeks to provide for, and regulate the use of, digital signatures. Among other things, it will make digital signature as legally binding as handwritten ones or thumbprints.

The Computer Crimes Bill lists the offences relating to misuse of computers. Common computer mischief such as hacking, implanting viruses and divulging secret passwords will soon become offences punishable by heavy fines and jail terms.

Energy, Telecommunications and Posts Minister Datuk Leo Moggie tabled the two bills and Deputy Prime Minister and Finance Minister Datuk Seri Anwar Ibrahim answered related questions raised by members of Parliament.

Divided into seven parts, the Digital Signature Bill defines the digital signature as a transformation of a message using an asymmetric cryptosystem such that a person having the initial message and the signer's public key can accurately determine.

Under the Bill, a controller of the certification authorities will be appointed by the minister, primarily to license certification authorities and to monitor as well as oversee the activities of the authorities.

The certification authorities appointed to monitor and supervise the use of digital signatures must be licensed under the proposed Digital Signature Act.

Under the Bill, those convicted of operating or submitting as a certification authority without valid licence are liable to a fine of up to RM500,000 or 10 years' jail or both.

In the case of a continuing offence, offenders are liable to a daily fine not exceeding RM5,000 for each day the offence continues.

A mandatory licensing scheme is also being proposed for the establishment of a minimal supervisory system for the provision of basic reliability in the conduct of certification authorities.

The Computer Crimes Bill 1997 provides penalties of between RM25,000 and RM150,000 or imprisonment of between three and 10 years for offenders.

For example, Section 3 of the Bill stipulates that it is an offence for a person to cause a computer to perform any function with intent to secure unauthorised access to any computer material.

Offenders can be fined not more than RM50,000 or imprisonment not exceeding five years or both.

The Computer Crimes Bill proposes to extend its effect beyond Malaysia's boundaries, given the borderless nature of computer crime.

Anwar, who is also the MSC Founder Council chairman, said the proposed laws are needed to encourage electronic commerce by means of applying the "commerce-enabling" laws, as well as protection to the consumers through "societal laws".

He said since Prime Minister Datuk Seri Dr Mahathir Mohamad led the MSC roadshows to the US and Japan in January, the project has received "overwhelming" response, both from foreign and local companies.

More than 500 multimedia-based companies have shown keen interest to participate in the MSC. Of these, 122 are foreign companies and 461 locals.

Four companies have been awarded the MSC status; they are: Malaysian Institute of Microelectronic Systems Bhd, Telekom Malaysia Bhd, Nippon Telegraph and Telephone of Japan, and Sun Microsystems.

He also said the MSC status will be given to companies based on three main criteria: a global multimedia and information technology-based company; companies which provide adequate skilled workers; and those which promote transfer of technology.

On the seven MSC flagship applications, Anwar said their implementation strategies are expected to be ready by June.

The applications are a worldwide manufacturing web, borderless marketing, research and development clusters, smart schools, multipurpose card, telemedicine, electronic government and multimedia fund haven.

The Government also plans to set up a multimedia university within the MSC to cater to the long-term need for local professional workforce.

"As a pioneer project, Telekom Malaysia has been directed to temporarily locate its multimedia faculty of its Universiti Telekom in the MSC," he added.

Besides Digital Signature and Computer Crimes, the other four cyber bills to be tabled are the Telemedicine Bill 1997, Electronic Government Bill 1997, Multimedia Convergence Bill 1997, and a Bill on amendments to the Copyright Act, which include provisions on protection of intellectual property.

The Telemedicine Bill and the Bill on Copyright Act are expected to be tabled at the current Parliament sitting, and the other two at the next sitting.