

**THE EFFECTIVENESS OF
SOUTH AFRICA'S
CYBERCRIMES ACT**

Sovereign Security Conference 2022

Date 11 August 2022

The importance of cybersecurity



DATA EXPOSURE

- ❖ Momentum Metropolitan
- ❖ Experian
- ❖ Lombard Insurance
- ❖ **Office of the Chief Justice**
- ❖ ABSA
- ❖ **South African National Space Agency**
- ❖ **Telkom SOC Limited**

SYSTEM INTRUSION

- ❖ Nedbank
- ❖ JSE company -Omina
- ❖ Life Healthcare Group
- ❖ **PostBank**
- ❖ Stefanutti Stocks

CYBERCRIME

- ❖ Tracker SA
- ❖ **Department of Justice**
- ❖ **UIF Covid-19 Relief Fund Scheme**
- ❖ **City of Johannesburg**
- ❖ TransUnion

COMPROMISED WEBSITES

- ❖ South African online stores
- ❖ **SABC**
- ❖ **ANC Youth League**

South Africa's cybercrime landscape



- ❖ In 2021 South Africa had a total of **230 million threat detections**.
- ❖ Globally, South Africa has the third highest number of cybercrime victims.
- ❖ On average South Africa takes **177 days to identify** a security breach and **51 days to contain**.
- ❖ Root causes of security breaches in South Africa is malicious attacks (48%), system glitch (26%) and human error (26%).
- ❖ Targeted ransomware attacks are increasing.

A Brave New World

- ❖ **Cyber-enabled crime:** Traditional crimes that are facilitated and amplified by the Internet.
- ❖ **Cyber-dependent crime:** Sophisticated attacks against computer networks and software.

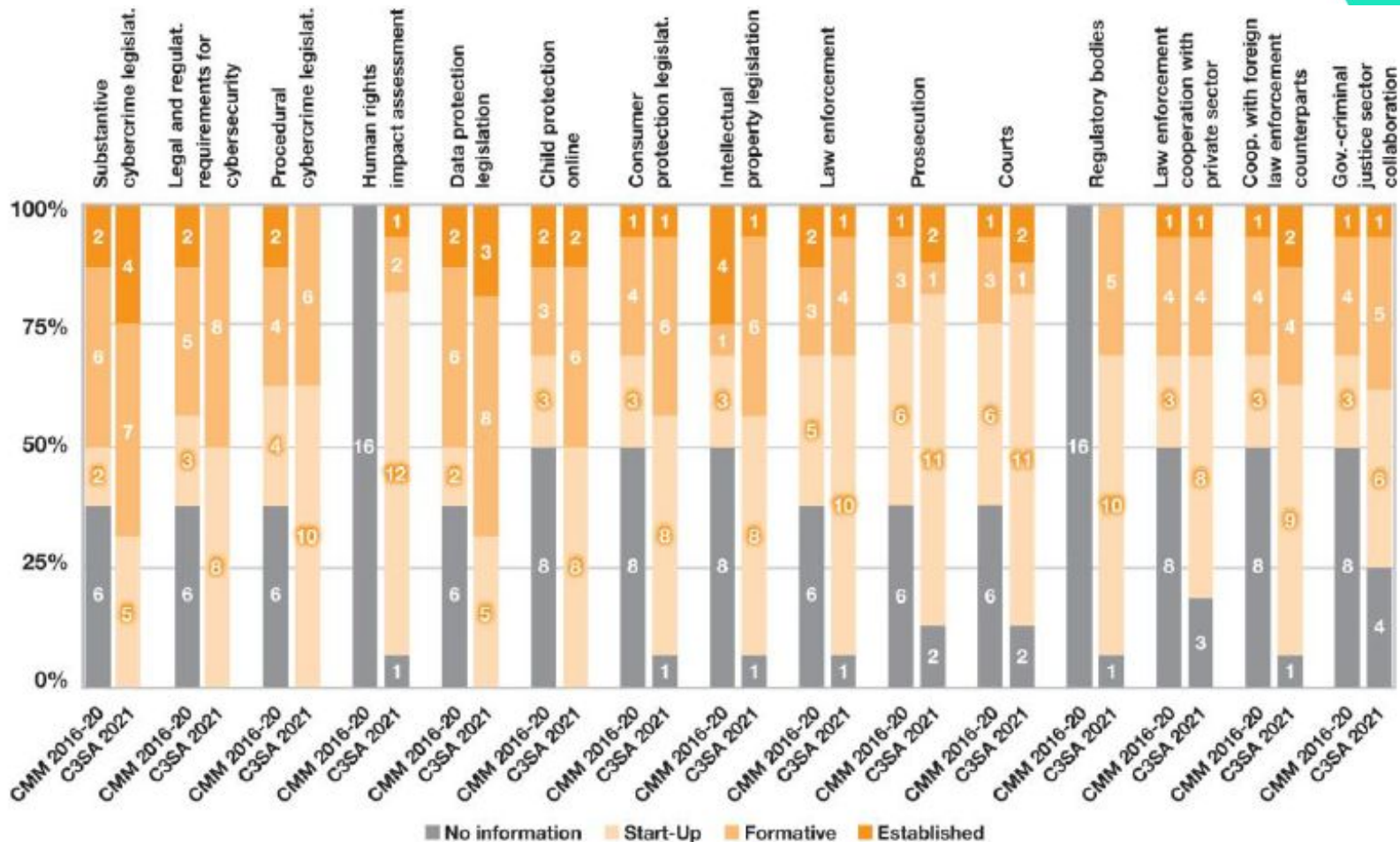
Cyber legislative landscape

Cybersecurity is a growing concern for governments, with the push for universal access to the Internet, the increasing ubiquity of social networks and the growing reliance on digital government service and given a growing range of threats from foreign powers, terrorists and criminals.

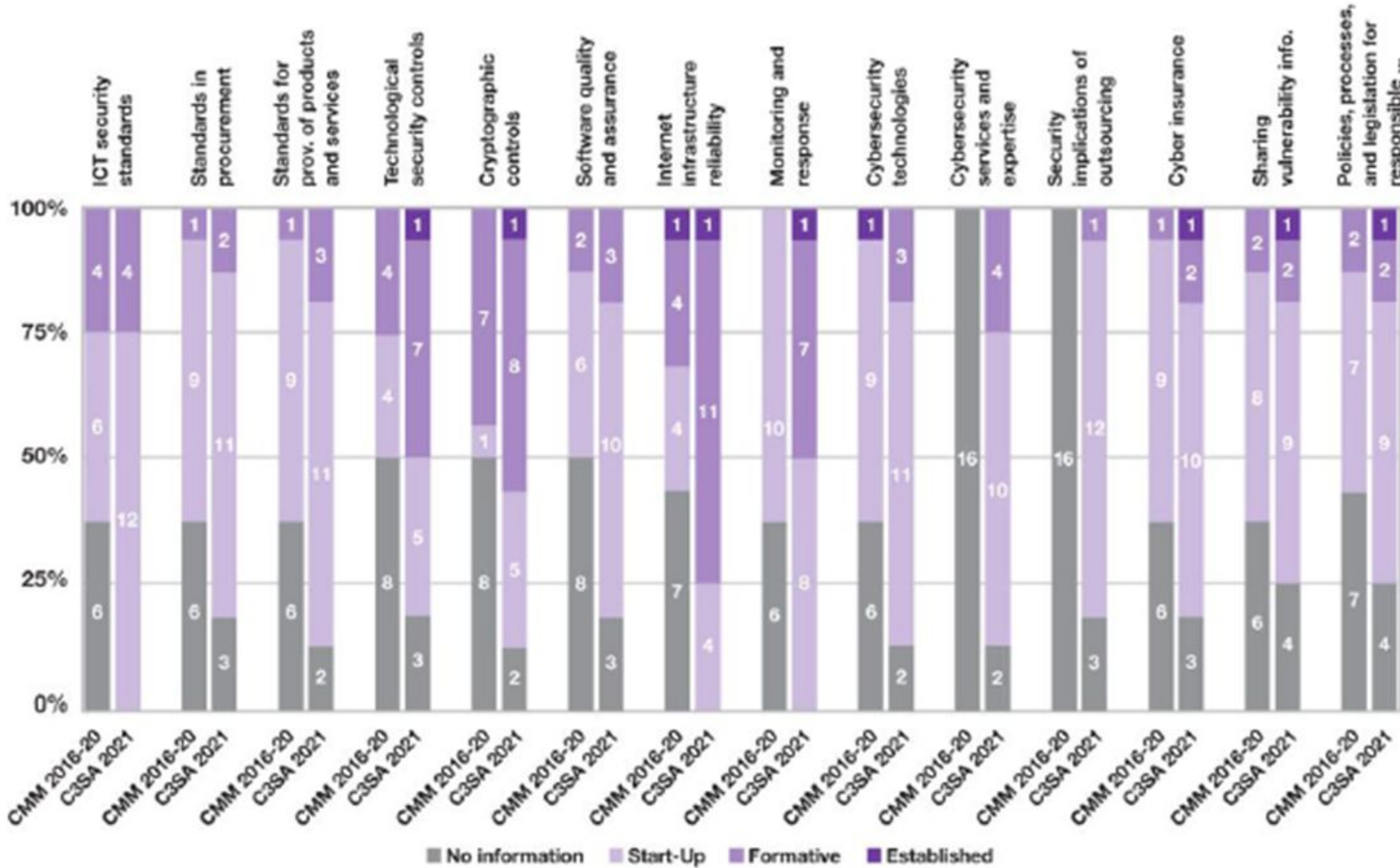
- ❑ cybercrime;
- ❑ cyberespionage;
- ❑ cyberterrorism; and
- ❑ cyberwarfare.



SADC countries: Legal & Regulatory Framework maturity stage



SADC countries: Standards & technologies maturity stage

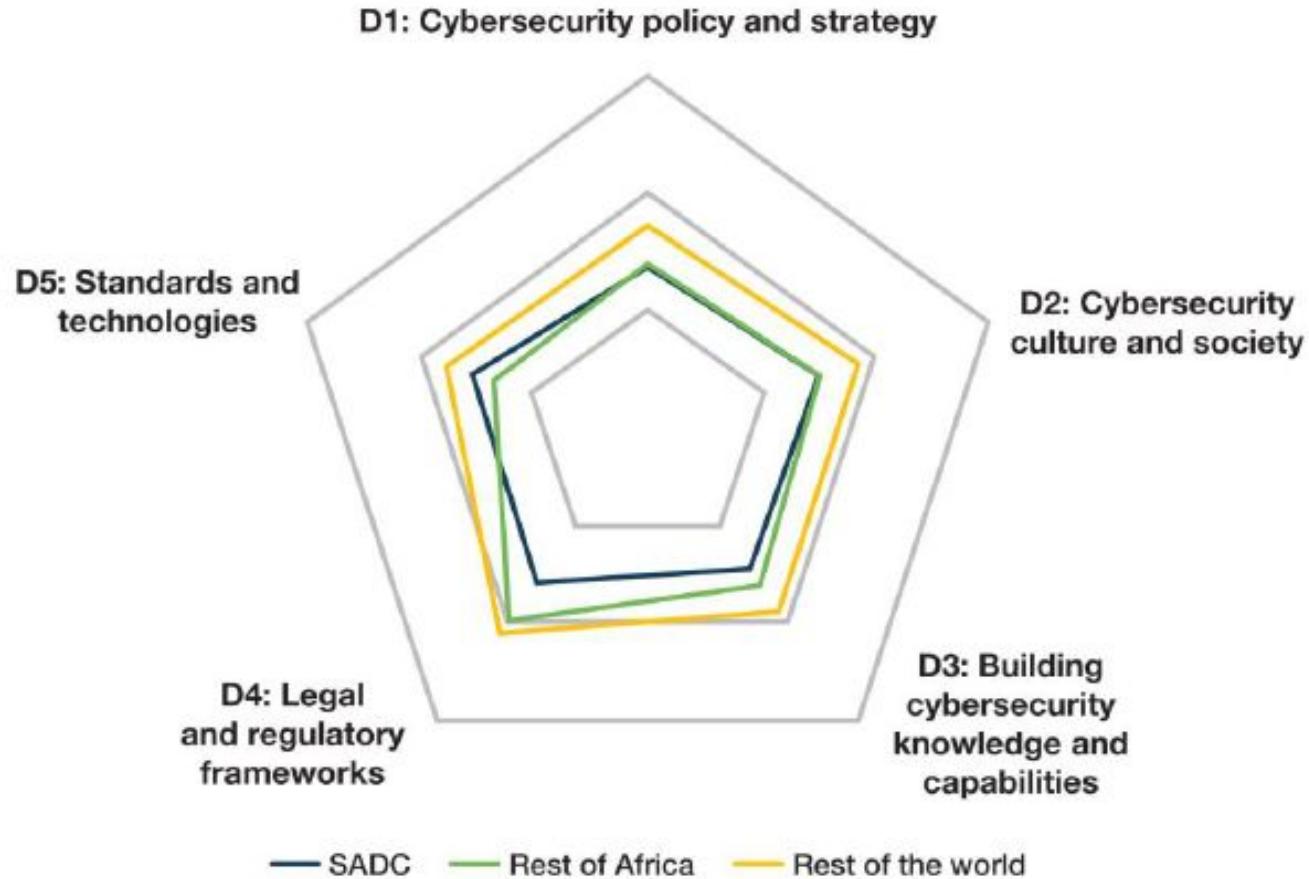


SADC countries: Status of data protection laws



Country	Legislation	Status
Angola	Law No.(s) 22/11, 23/11 and 7/17	Passed
Botswana	Data Protection act of 20182	Passed
DRC	Law 29-2019	Passed
Comoros	None (Relies on Electronic Communications Decree)	
Eswatini	Data Protection Bill 2020	Passed
Lesotho	Data Protection Act 2013	Passed, not enforced
Madagascar	Law No. 2014-038	Passed, not enforced
Mauritius	Data Protection Act of 2017	Passed
Mozambique	No data protection law but some protections under the Penal Code, Labour Law and Electronic Transactions Law	Passed
Malawi	Partial Protection via the Electronic Transactions and Cybersecurity Act No. 33 of 2016 (has some provisions that cover personal data protection)	Passed
Namibia	None	
Seychelles	Data Protection Act 2003	Passed, not enforced
South Africa	Protection of Personal Information Act	Passed
Tanzania	Privacy recognised in the constitution and other laws, e.g. Electronic Transactions Act The Electronic and Postal Communications Act, 2010	
Zambia	Electronic Transactions and Cybersecurity/Communications Act	Passed
Zimbabwe	Access to Information and Protection of Privacy Act, Draft Data Protection Bill	Not yet passed

SADC Cybersecurity Maturity Model



The interior grey ring corresponds to the start-up maturity stage, the middle grey ring to the formative, and the exterior grey ring to the established.

Let's look at the Global Approach



- ❖ Cyber security has become a major concern across the world.
- ❖ Due to the cross border and international nature of cybercrime cannot be treated as any other regulatory topic or subject matter and should be a priority for government and organisations.
- ❖ Combatting cybercrime requires a multi stakeholder approach where the role and responsibilities of all players are clearly defined in order to identify, manage and mitigate cyber incidents.
- ❖ The complexity and international dimension of cybersecurity and cybercrimes calls for international and regional policy discussions and debates on cybersecurity and the creation of a global framework on cybersecurity and cybercrime.



Thank you

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