[RO] Government Proposes Harsh Penalties for Hackers

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In a Bill submitted to Parliament on 27 November 2002, the Government proposed harsh penalties for crimes involving the use of information technologies.

Persons, for example, who gain unauthorised access to the computerised transmission of data that is not meant for the public or who receive electromagnetic transmissions originating from a system designed for confidential information will be liable to prison sentences of one to seven years. The Bill also stipulates that persons who alter, erase or transfer data without permission, or who unlawfully obstruct the access of authorised persons to such data may be sentenced to between three and twelve years in prison.

Custodial sentences ranging from six months to five years may be imposed on people who illegally break into data systems, with heavier sentences applicable if special security precautions are bypassed.

If the operation of a data processing system is hampered by the insertion, transfer or removal of data or the blocking of access to stored data, the perpetrator may be sent to prison for between three and fifteen years.

Sentences ranging from six months to five years are proposed for the manufacture, sale, importation or marketing of technical devices and (decoding) software for the purposes of committing or aiding and abetting the aforementioned offences.

The Bill also provides for sanctions relating to child pornography on the Internet. For example, the production, transmission or possession of pornographic material portraying minors using computer technology is also to be punishable with prison sentences of between three and twelve years.

In order to support the work of the Supreme Court, an office to combat Internet-based crime is to be set up, with powers to confiscate immediately any data that could be the object of one of the aforementioned crimes.

Proiect de lege privind prevenirea şi combaterea criminalităţii informatice, 27-11-2002

Draft Law on Cybercrime of 27 November 2002

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