

The Nigeria Lawful Interception of Communications Regulations, 2019

PART 2



The is the second part in the series of our analysis of The Nigeria Telecommunications Facilities (Lawful Interception of Information) Bill 2019.

You can find the First Part also publish on our blog at <https://marcusflynn.org/blog/>



The Nigeria Lawful Interception of Communications Regulations (LICR), 2019 (the Regulation) was issued by the Nigerian Communications Commission (NCC) to provide a legal and regulatory framework for the lawful interception of communications, collection and disclosure of intercepted communications in Nigeria



The LICR applies to all licensees under the Nigeria Communications Act (NCA), as well as any person who provides assistance to the NCC or any authorized government agency in relation to lawful interception.

It also specifies the nature and types of communications that can be intercepted, such as voice, data, text, email, internet browsing, location information and any other form of electronic communication.

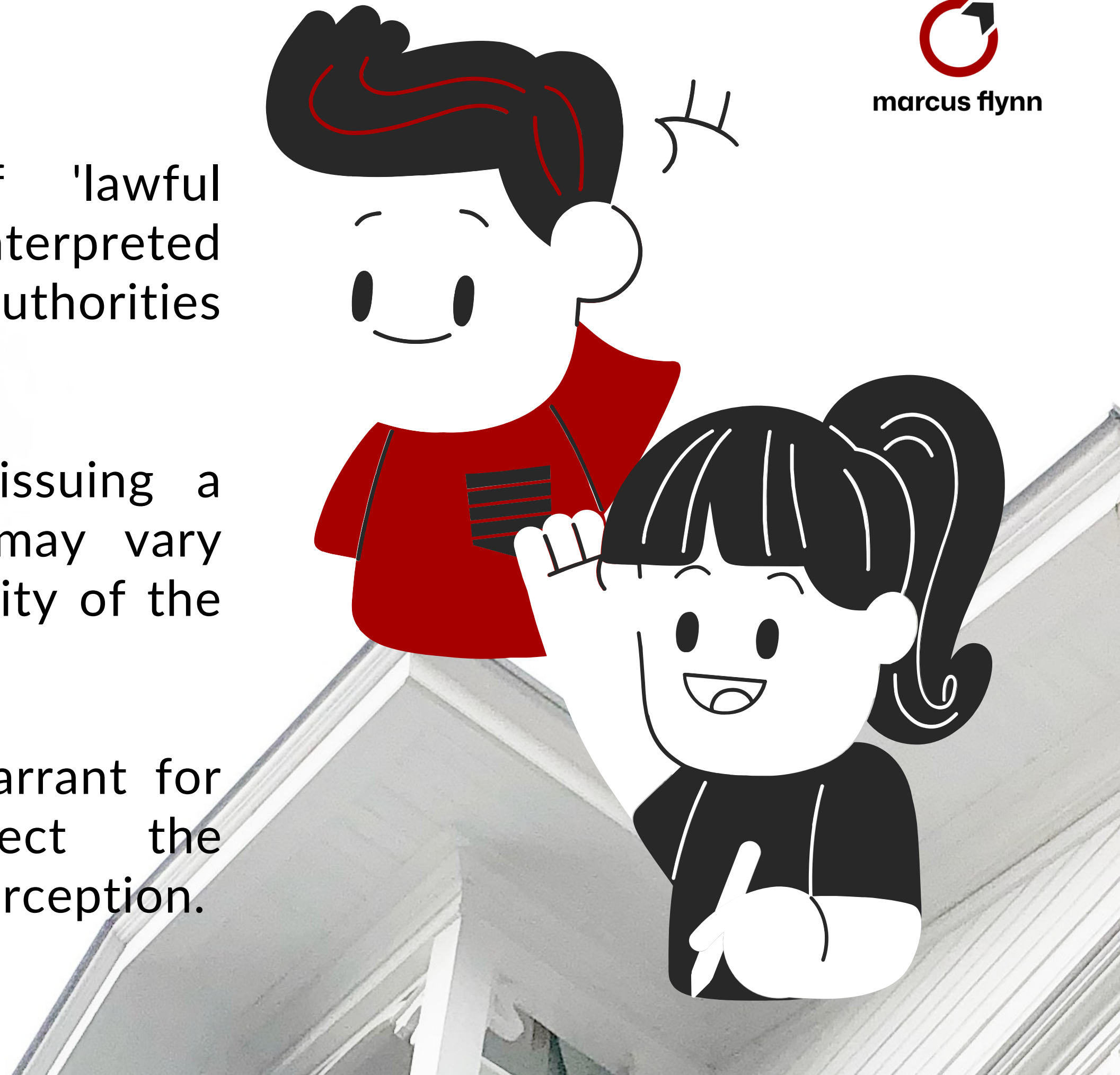




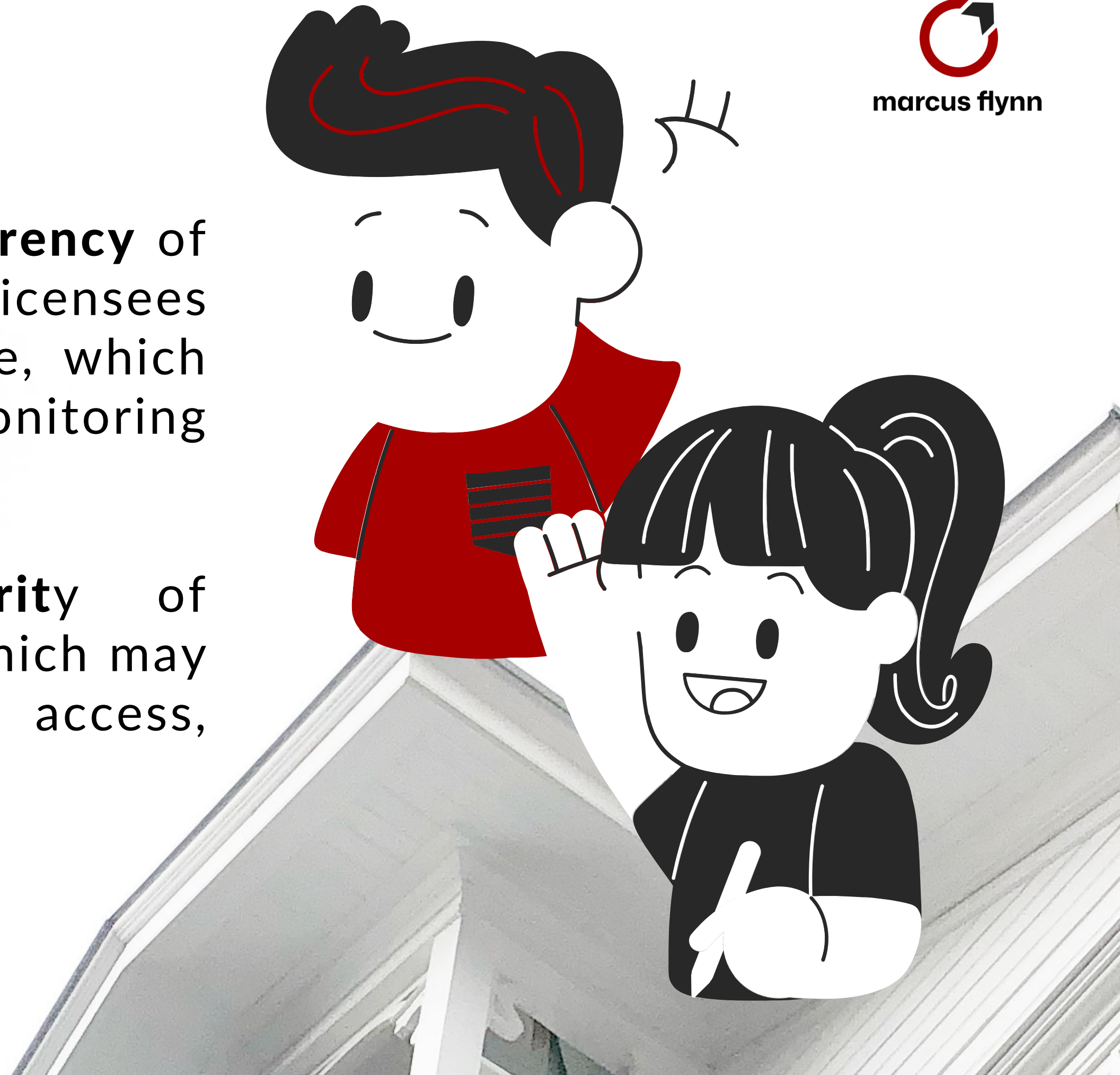
Key Watchouts from this Regulation:



- The scope and definition of 'lawful interception', which may be interpreted broadly or narrowly by different authorities or courts.
- The criteria and standards for issuing a warrant for interception; which may vary depending on the nature and severity of the crime or threat involved.
- The duration and renewal of a warrant for interception, which may affect the proportionality and necessity of interception.



- The **accountability** and **transparency** of law enforcement agencies and licensees or persons providing assistance, which may affect the oversight and monitoring of interception activities.
- The **protection** and **security** of intercepted communications, which may be vulnerable to unauthorized access, misuse, or leakage.



The Regulation further imposes duties on licensees or persons providing assistance to law enforcement agencies to facilitate interception, such as installing interception capabilities, storing intercepted communications, and disclosing protected or encrypted communications.

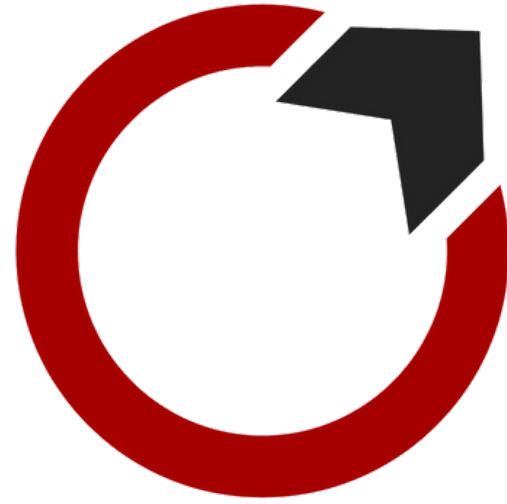


It makes additional provisions for penalties for non-compliance with the Regulations, as well as safeguards for the use, secrecy, and oversight of intercepted communications.



In all, the Regulation aim to balance the need for effective law enforcement and national security with the protection of privacy and human rights of individuals.





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