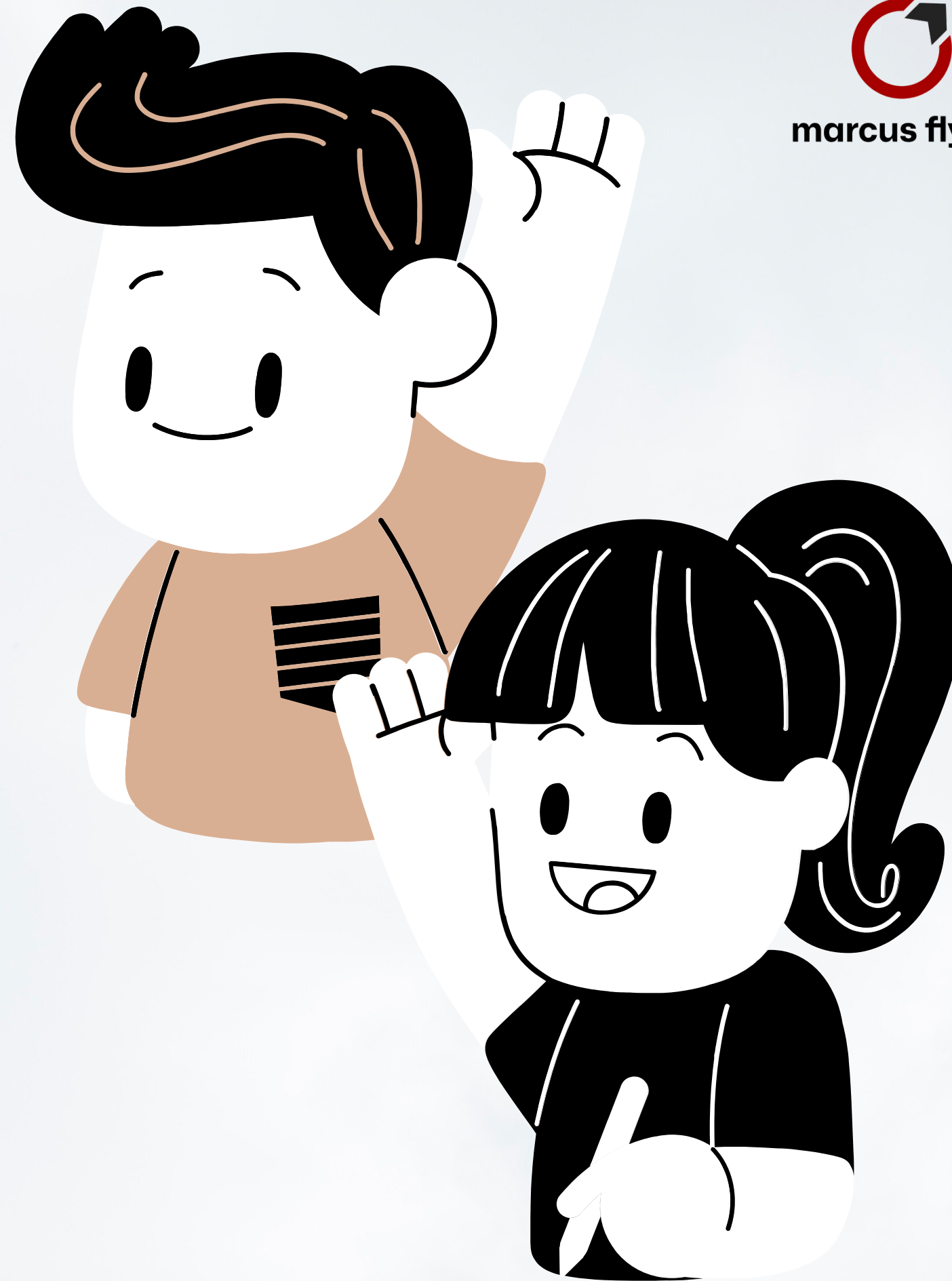


The Nigeria Telecommunications Facilities (Lawful Interception of Information) Bill 2019

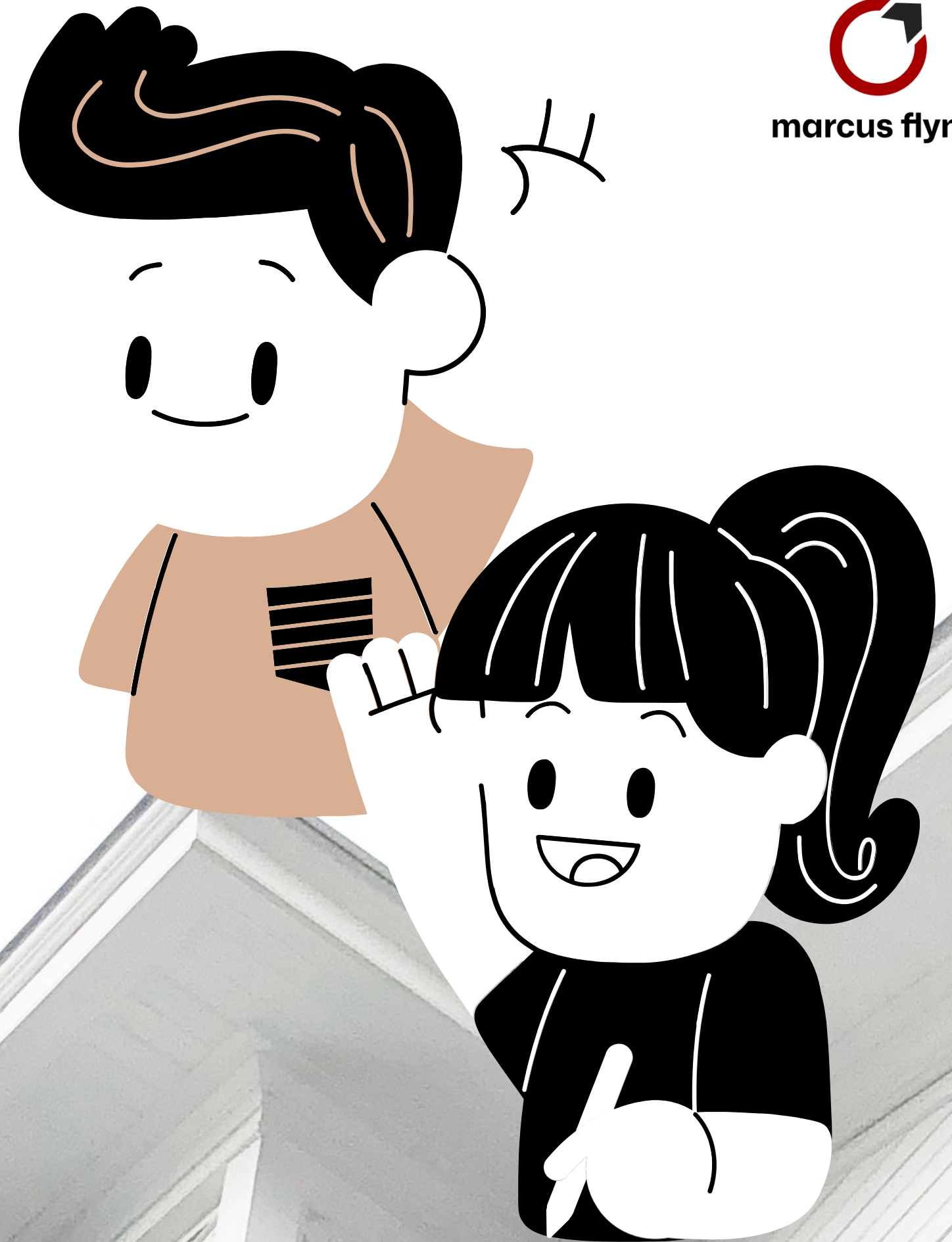
PART 1



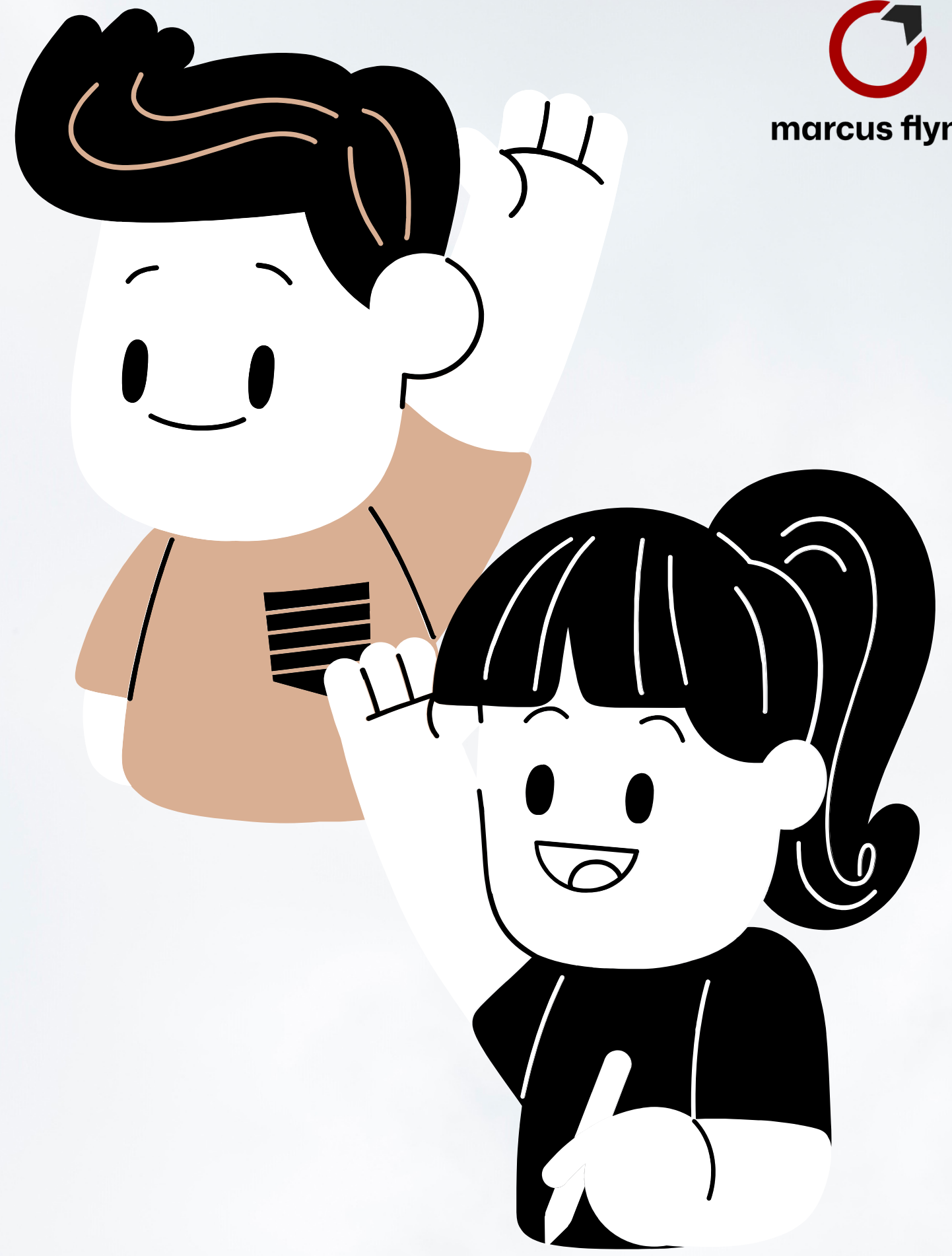
marcus flynn



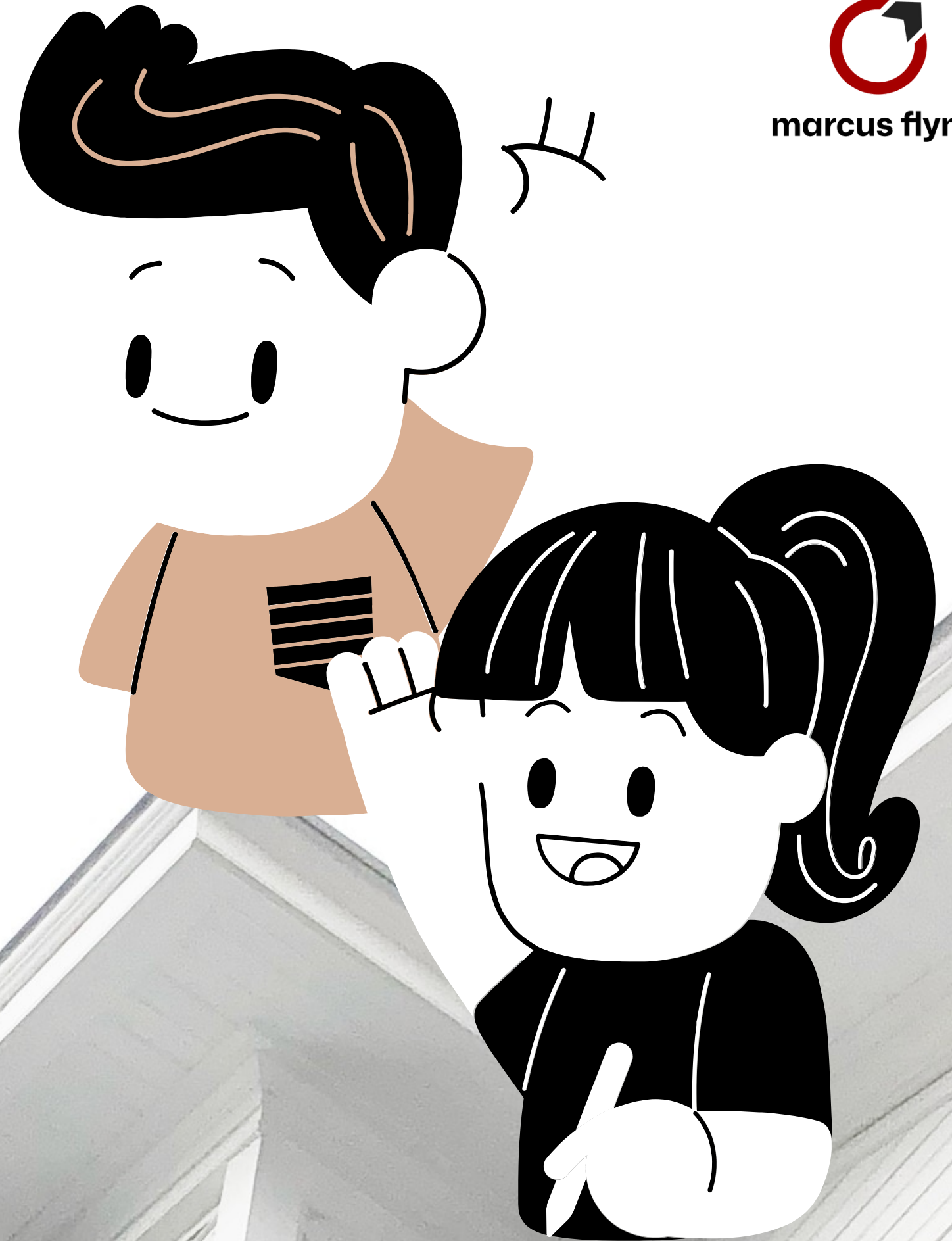
The Nigeria Telecommunications Facilities (Lawful Interception of Information) Bill 2019 was a proposed legislation that sought to provide a legal framework for the interception of communications by law enforcement agencies and other authorized persons in Nigeria. The bill was sponsored by Hon. Uzoma Abonta and was first read in the House of Representatives on July 4, 2019.



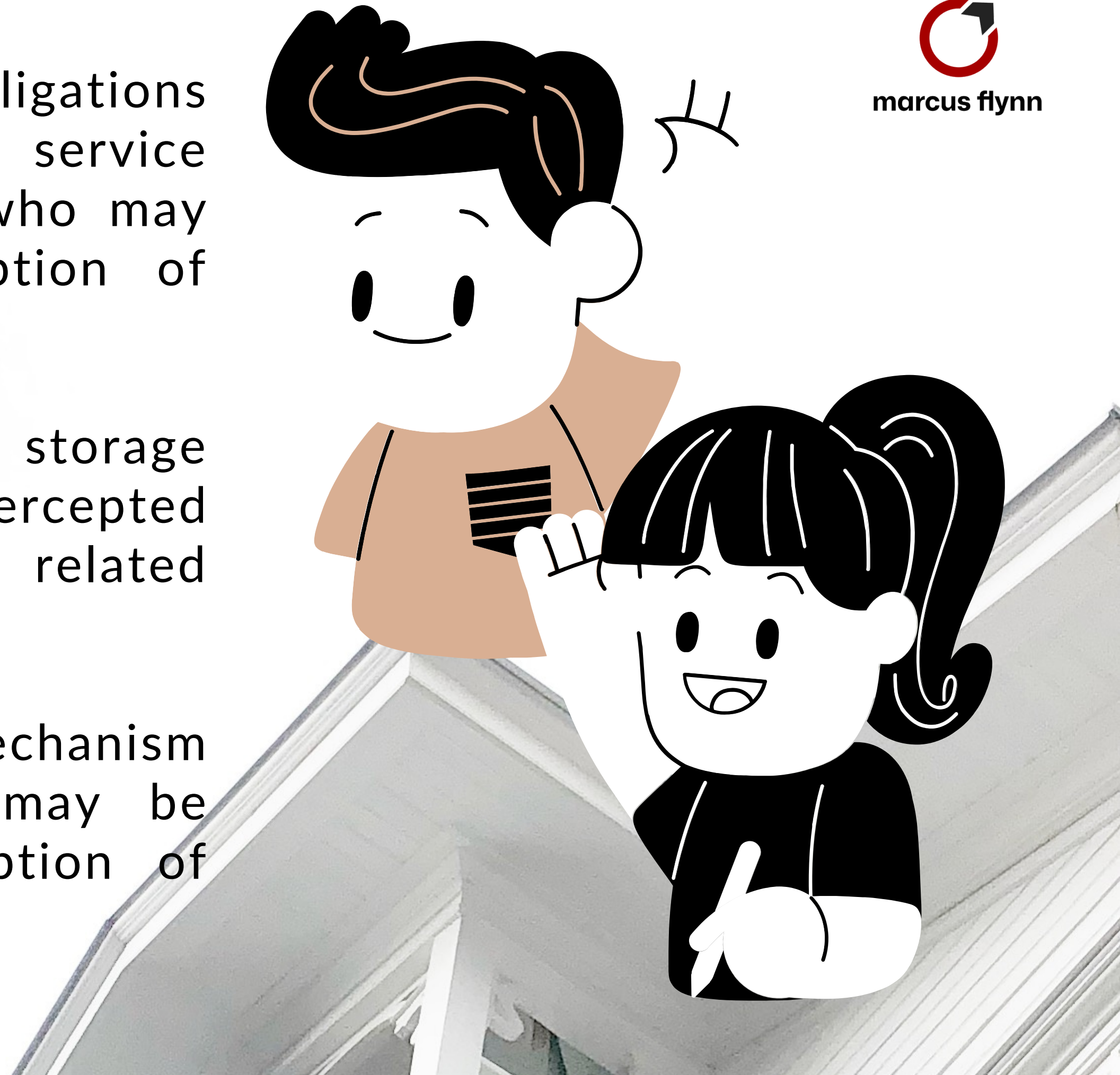
The bill aims to achieve the following objectives:



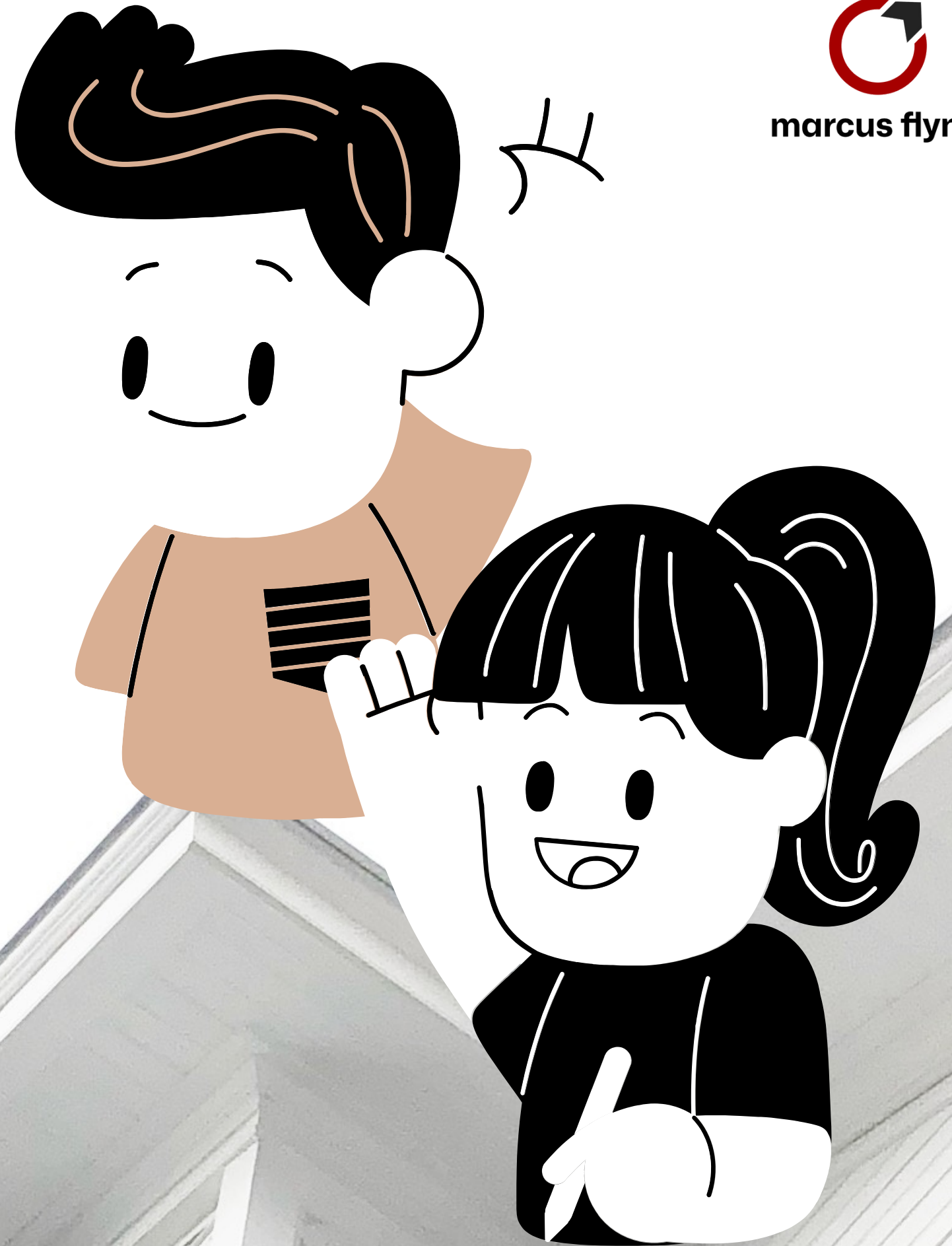
- To protect national security, public safety, public order and public morality by enabling lawful interception of communications for the prevention, investigation and prosecution of crimes and threats to national security.
- To balance the right to privacy of communications with the need for lawful interception of communications for legitimate purposes.
- To specify the conditions and procedures for obtaining, executing and cancelling warrants for lawful interception of communications.



- To prescribe the duties and obligations of telecommunications service providers and other persons who may assist in the lawful interception of communications.
- To regulate the use, disclosure, storage and destruction of intercepted communications and related information.
- To establish a complaints mechanism for aggrieved persons who may be affected by unlawful interception of communications.



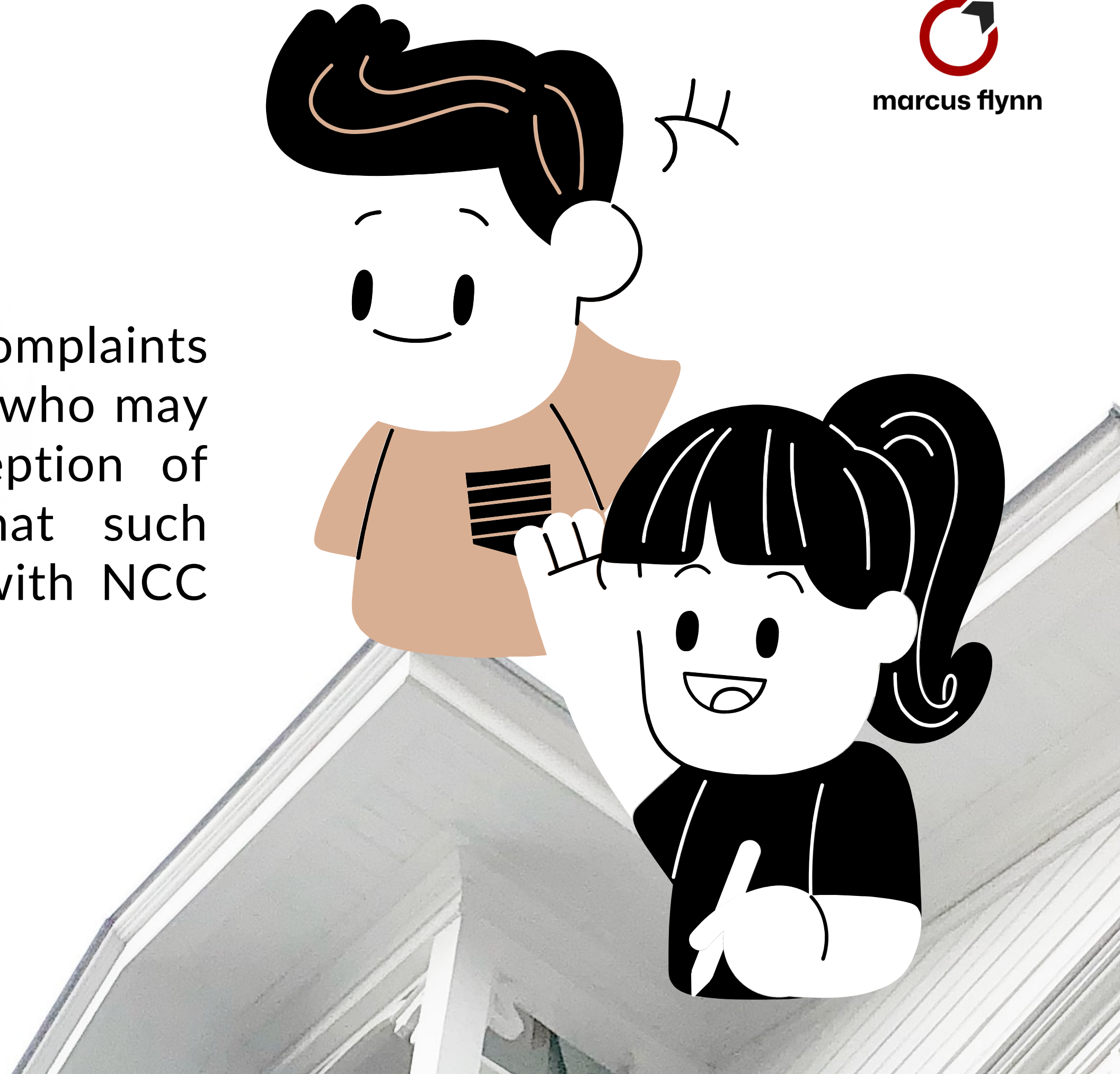
The bill proposed that only the President, the National Security Adviser, the Inspector-General of Police, the Director-General of the State Security Service, the Chief of Defence Intelligence and any other person authorized by them could apply for a warrant to intercept communications for any of the following purposes:



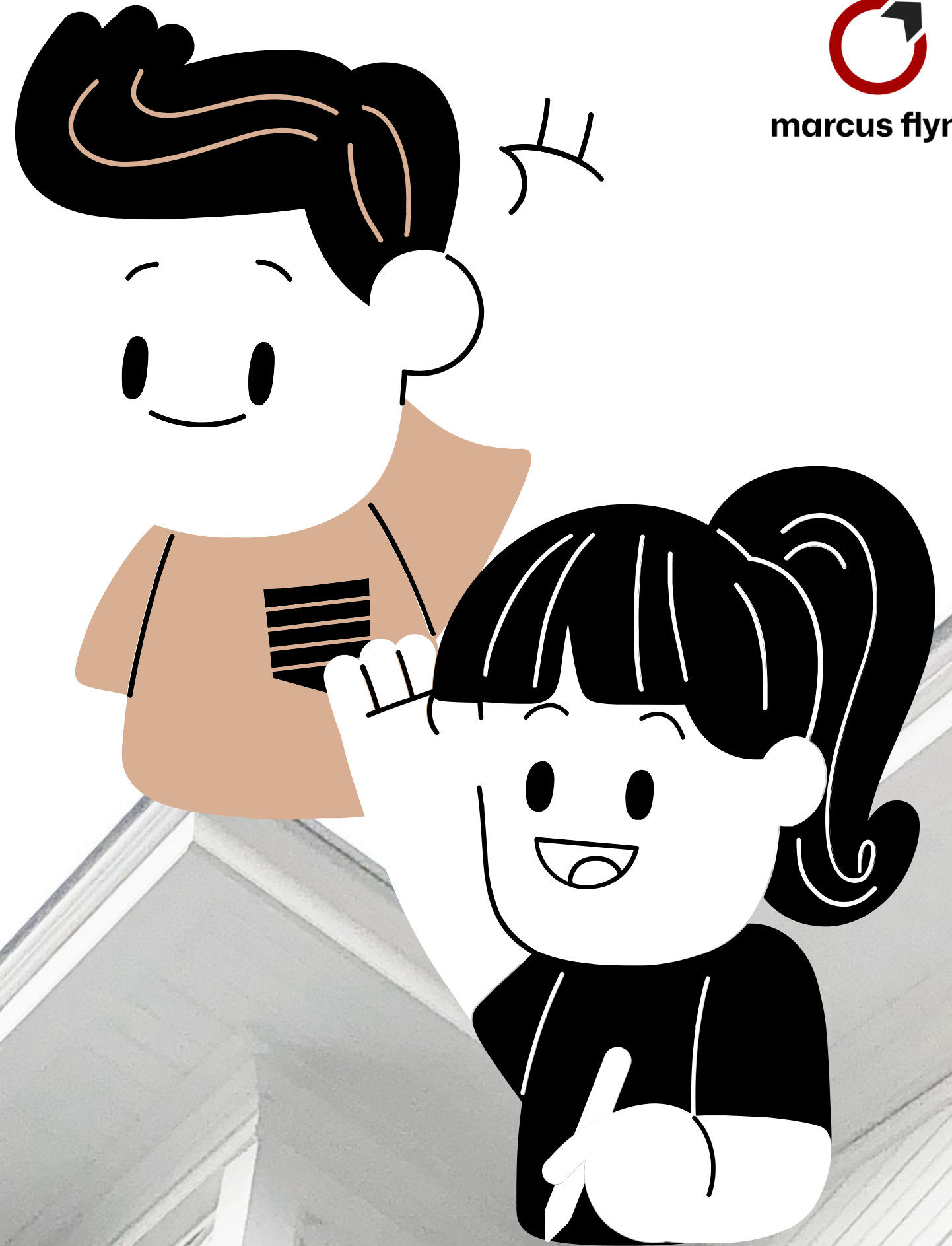
- The interest of national security or defence.
- The prevention or detection of any offence involving national security or defence.
- The prevention or detection of any offence involving terrorism, money laundering, kidnapping, human trafficking, cybercrime or any other serious offence punishable with imprisonment for a term exceeding three years.
- The safeguarding of the economic well-being of Nigeria.
- The protection of public health or safety.
- The protection of public order or morality.



Finally, the bill established a complaints mechanism for aggrieved persons who may be affected by unlawful interception of communications. It provides that such persons may lodge a complaint with NCC or any other relevant authority.



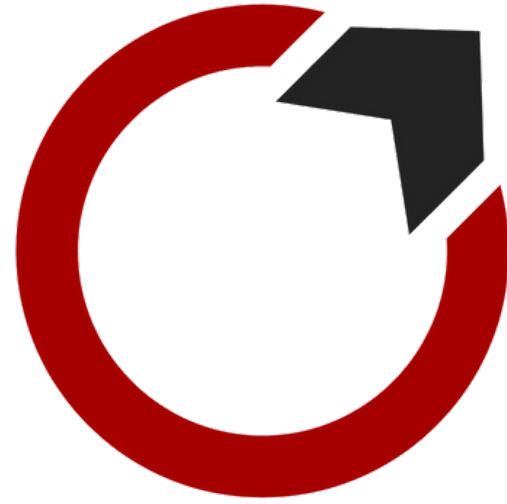
While the discussed bill has not been passed, On 23 January 2019, the Nigerian Communications Commission (“NCC”) issued the Lawful Interception of Communications Regulations (“LICR”), which provides a Regulatory framework for lawful interception of communications, collection and disclosure of intercepted communications in Nigeria.



We will talk about the Lawful Interception of Communications Regulations (“LICR”), in **PART 2** of this series.

See you then.





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Address: SUITE 116, JINIFA PLAZA, CBD, ABUJA, NIGERIA

+2348061211501

CONSULTATION@MARCUSFLYNN.ORG / I.IBEAWUCHI@MARCUSFLYNN.ORG

WWW.MARCUSFLYNN.ORG