

PROTECTION FROM INTERNET FALSEHOODS AND MANIPULATION AND
OTHER RELATED MATTERS BILL, 2019

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A BILL

FOR

AN ACT TO MAKE PROVISIONS FOR THE PROTECTION FROM INTERNET FALSEHOODS AND MANIPULATIONS AND FOR RELATED MATTERS

Sponsored by Senator Muhammad Sani Musa

[] - Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

PART I - AIMS, OBJECTIVES AND APPLICATION

- 1 1. The Aims and objectives of this Act: Aims and Objectives
- 2 (a) to prevent the transmission of false statements/declaration of
- 3 facts in Nigeria and to enable measures to be taken to counter the effects of
- 4 such transmission;
- 5 (b) to suppress the financing, promotion and other support of
- 6 online locations that repeatedly transmit false statements/declaration of
- 7 facts in Nigeria;
- 8 (c) to enable measures to be taken to detect, control and safeguard
- 9 against coordinated inauthentic behaviour and other misuses of online
- 10 accounts and bots;
- 11 (d) to enable measures to be taken to enhance disclosure of
- 12 information concerning paid content directed towards a political end; and
- 13 (e) to sanction offenders.

14 2. The provisions of this Act shall apply throughout the Federal Application
15 Republic of Nigeria

PART 2 - PROHIBITION OF TRANSMISSION OF FALSE

STATEMENTS OF FACT

- 18 3.-(1) A person must not do any act in or outside Nigeria in order to Transmission of false statements of fact
- 19 transmit in Nigeria a statements knowing or having reason to believe that-
- 20 (a) it is a false statements of fact; and

- 1 (b) the transmission of the statements in Nigeria is likely to-
- 2 (i) be prejudicial to the security of Nigeria or any part of Nigeria;
- 3 (ii) be prejudicial to public health, public safety, public tranquility or
- 4 public finances;
- 5 (iii) be prejudicial to the friendly relations of Nigeria with other
- 6 countries;
- 7 (iv) influence the outcome of an election to any office in a general
- 8 election or a referendum;
- 9 (v) incite feelings of enmity, hatred directed to a person or ill will
- 10 between different groups of persons; or
- 11 (vi) diminish public confidence in the performance of any duty or
- 12 function of, or in the exercise of any power by the Government.
- 13 (2) Subject to sub Clause (3), a person who contravenes sub Clause
- 14 (1) shall be guilty of an offence and shall be liable on conviction-
- 15 (a) in the case of an individual, to a fine not exceeding N300,000 or to
- 16 imprisonment for a term not exceeding 3 years or to both; or
- 17 (b) in any other case, to a fine not exceeding N10 Million.
- 18 (3) Where an inauthentic online account or a bot is used-
- 19 (a) to transmit in Nigeria the statements mentioned in sub Clause (1);
- 20 and
- 21 (b) for the purpose of accelerating such transmission, the who person
- 22 is guilty of an offence under that sub Clause shall be liable on conviction-
- 23 (c) in the case of an individual, to a fine not exceeding N300,000 or to
- 24 imprisonment for a term not exceeding 3 years or to both; or
- 25 (d) in any other case, to a fine not exceeding N10 Million.
- 26 (4) Sub Clause (1) does not apply to the doing of any act for the
- 27 purpose of, or that is incidental to, the provision of-
- 28 (a) an internet intermediary service;
- 29 (b) a teletransmission service;
- 30 (c) a service of giving the public access to the internet; or

1 (d) a computing resource service.

2 4.-(1) A person must not, whether in or outside Nigeria, make or
3 alter a bot with the intention of-

Making or
altering
bots for
transmission of
false statements
of fact

4 (a) transmitting, by means of the bot, a false statements of fact in
5 Nigeria; or

6 (b) enabling any other person to transmit, by means of the bot, a
7 false statements of fact in Nigeria.

8 (2) A person who contravenes sub Clause (1) shall be guilty of an
9 offence and shall be liable on conviction-

10 (a) in the case of an individual, to a fine not exceeding N200,000 or
11 to imprisonment for a term not exceeding 3 years or to both; or

12 (b) in any other case, to a fine not exceeding N5 Million.

13 (3) However, if the transmission of the false statements of fact
14 under sub Clause (1) is likely to-

15 (a) be prejudicial to the security of Nigeria or any part of Nigeria;

16 (b) be prejudicial to public health, public safety, public tranquility
17 or public finances;

18 (c) be prejudicial to the friendly relations of Nigeria with other
19 countries;

20 (d) influence the outcome of an election to the office of President, a
21 general election of Members of Parliament, a by election of a Member of
22 Parliament, or a referendum;

23 (e) incite feelings of enmity, hatred towards a person or ill will
24 between different groups of persons; or

25 (f) diminish public confidence in the performance of any duty or
26 function of, or in the exercise of any power by the Government, an Organ of
27 State, a statutory board, or a part of the Government, an Organ of State or a
28 statutory board, the person who is guilty of an offence under that sub Clause
29 shall be liable on conviction-

30 (g) in the case of an individual, to a fine not exceeding N300,000 or

Providing services
for transmission
of false statements
of facts in
Nigeria

1 to imprisonment for a term not exceeding 3 years or to both; or

2 5.-(1) A person who, whether in or outside Nigeria, solicits, receives
3 or agrees to receive any financial or other material benefit as an inducement or
4 reward for providing any service, knowing that the service is or will be used in
5 the transmission of one or more false statements of fact in Nigeria, shall be
6 guilty of an offence if the service is in fact used in such transmission.

7 (2) A person who is guilty of an offence under sub Clause (1) shall be
8 liable on conviction-

9 (a) in the case of any individual, to a fine not exceeding N150,000 or
10 to imprisonment for a term not exceeding 2 years or to both; or

11 (b) in any other case, to a fine not exceeding N500,000.

12 (3) However, if the transmission of the false statements of fact
13 under sub Clause (1) is likely to-

14 (a) be prejudicial to the security of Nigeria or any part of Nigeria;

15 (b) be prejudicial to public health, public safety, public tranquility or
16 public finances;

17 (c) be prejudicial to the friendly relations of Nigeria with other
18 countries;

19 (d) influence the outcome of any election to any office in a general
20 election in Nigeria;

21 (e) incite feelings of enmity, hatred towards a person or ill will
22 between different groups of persons; or

23 (f) diminish public confidence in the performance of any duty or
24 function of, or in the exercise of any power by the Government, an Organ of
25 State, a statutory board, or a part of the Government, an Organ of State or a
26 statutory board, the person who is guilty of an offence under that sub Clause
27 shall be liable on conviction;

28 (g) in the case of an individual, to a fine not exceeding N300,000 or to
29 imprisonment for a term not exceeding 3 years or to both; or

30 (h) in any other case, to a fine not exceeding N10 Million.

1 (4) Sub Clause (1) does not apply to any act carried out for the
2 purpose of, or that is incidental to, the provision of-

- 3 (a) an internet intermediary service;
4 (b) a teletransmission service;
5 (c) a service of giving the public access to the internet; or
6 (d) a computing resource service.

7 (5) Where the Court convicts a person of an offence under sub
8 Clause (1) the Court must in addition to imposing the punishment in Sub
9 Clause or (3) order the person to pay as penalty, a sum equal to the amount of
10 any financial or material benefit received or in the opinion of the Court the
11 value of such financial or material benefit.

12 (6) Sub Clause does not apply if the court determines that the value
13 of the financial or other material benefit cannot be assessed.

14 (7) Where-

15 (a) a person charged with 2 or more offences under sub Clause (1)
16 is convicted of one or more of those offences: and

17 (b) the other outstanding offences are taken into consideration by
18 the Court, the Court may increase the penalty mentioned in sub Clause (5) by
19 an amount not exceeding the total amount or value of the financial or other
20 material benefit received for the offences so taken into consideration.

21 PART 3 - REGULATIONS DEALING WITH TRANSMISSION IN NIGERIA OF

22 FALSE DECLARATIONS OF FACT

23 6.-(1) The Law Enforcement Department may issue a Part 3

24 Regulation in the event of the following-

25 (a) that a false DECLARATION of fact (called in this Part the
26 subject (DECLARATION) has been or is being transmitted in Nigeria;

27 (b) the Law Enforcement Department is of the opinion that it is in
28 the public interest to issue the Regulation.

29 (3) The Law Enforcement Department shall issue a Part 3
30 Regulation in relation to the subject DECLARATION even if it has been

Conditions for
issuance of Part
3 Regulations

Correction
Regulation

1 amended or has ceased to be transmitted in Nigeria.

2 7.-(1) A Correction Regulation is one issued to a person who
3 transmitted the subject DECLARATION in Nigeria, requiring the person to
4 transmit in Nigeria in the specified form and manner, to a specified person or
5 description of persons (if any), and by the specified time, a notice (called in this
6 Part a correction notice) that contains one or both of the following:

7 (a) a DECLARATION, in such terms as may be specified, that the
8 subject DECLARATION is false, or that the specified material contains a false
9 DECLARATION of fact;

10 (b) a specified DECLARATION of fact, or a reference to a specified
11 location where the specified DECLARATION of fact may be found, or both.

12 (2) A Correction Regulation may require the person to whom it is
13 issued to transmit in Nigeria a correction notice in a specified online location.

14 (3) A Correction Regulation may also require the person to whom it is
15 issued to do one or both of the following:

16 (a) to transmit in Nigeria the correction notice by placing it in the
17 specified proximity to every copy of the following that is transmitted by the
18 person in Nigeria:

19 (i) the false DECLARATION of fact;

20 (ii) a substantially similar DECLARATION;

21 (b) to publish the correction notice in the specified manner in a
22 specified newspaper or other printed publication of Nigeria.

23 (4) A person who transmitted a false DECLARATION of fact in
24 Nigeria may be issued a Correction Regulation even if the person does not
25 know or has no reason to believe that the DECLARATION is false.

26 (5) In this Clause-

27 (a) "specified" means specified in the Correction Regulation; and

28 (b) a person does not transmit a DECLARATION in Nigeria merely
29 by doing any act for the purpose of, or that is incidental to, the provision of-

30 (i) an internet intermediary service;

- 1 (ii) a teletransmission service;
- 2 (iii) a service of giving the public access to the internet; or
- 3 (iv) a computing resource service.

4 8.-(1) A Stop Transmission Regulation is one issued to a person Stop Transmission
Regulation
5 who transmitted the subject DECLARATION in Nigeria, requiring the
6 person to stop transmitting in Nigeria the subject DECLARATION by the
7 specified time.

8 (2) A Stop Transmission Regulation may also require the person to
9 whom it is.

10 (3) issued to stop transmitting any DECLARATION that is
11 substantially similar to the subject DECLARATION.

12 (4) A Stop Transmission Regulation may also require the person to
13 whom it is issued to do one or both of the following:

14 (a) to transmit in Nigeria a correction notice in the specified form
15 and manner, to a specified person or description of persons (if any), and
16 by the specified time;

17 (b) to publish a correction notice in the specified manner in a
18 specified newspaper or other printed publication of Nigeria.

19 (5) A person who transmitted a false DECLARATION of fact in
20 Nigeria may be issued a Stop Transmission Regulation even if the person
21 does not know or has no reason to believe that the DECLARATION is false.

22 (5) In this Clause-

23 (a) "specified" means specified in the Stop Transmission
24 Regulation;

25 (b) "stop transmitting", in relation to a DECLARATION, means
26 taking the necessary steps to ensure that the DECLARATION is no longer
27 available on or through the internet to end users in Nigeria, including (if
28 necessary) the removal of the DECLARATION from an online location; and

29 (c) a person does not transmit a DECLARATION in Nigeria
30 merely by doing any act for the purpose of, or that is incidental to, the

1 provision of-

2 (i) an internet intermediary service;

3 (ii) a teletransmission service;

4 (iii) a service of giving the public access to the internet; or

5 (iv) a computing resource service.

Provisions
applicable to all
Part 3 Regulation

6 9.-(1) A Part 3 Regulation may be issued to a person whether the
7 person is in or outside Nigeria.

8 (2) A Part 3 Regulation may require the person to whom it is issued to
9 do an Act in or outside Nigeria.

10 (3) A Part 3 Regulation must identify the subject DECLARATION in
11 sufficient detail.

12 (4) A Part 3 Regulation must comply with such form, manner and
13 other as may be prescribed (if any), and for this purpose different requirements
14 may be prescribed for-

15 (a) different Regulation;

16 (b) different parts of a Regulation;

17 (c) different persons or descriptions of persons to whom a Regulation
18 is to be issued; and

19 (d) different circumstances under which a Regulation is to be issued.

20 (5) A Part 3 Regulation remains in effect until the date it expires (if
21 any), or it is set aside under Clause 15 or cancelled under Clause 17.

22 (6) A person issued a Part 3 Regulation is responsible for the costs of
23 complying with the Regulation.

Service of Part
3 Regulation

24 10. A Part 3 Regulation may be served by such means (including
25 electronic means) as may be prescribed-

26 (a) on the person to whom it is issued; or

27 (b) on a person in Nigeria that the person to whom the Part 3
28 Regulation is issued has appointed to accept service on the person's behalf.

Non-compliance
with Part 3
Regulation an
offence

29 11.-(1) A person to whom a Part 3 Regulation is issued and served and
30 who, without reasonable excuse, fails to comply with the Regulation whether

1 in or outside Nigeria, shall be guilty of an offence and shall be liable on
2 conviction-

3 (a) in the case of an individual, to a fine not exceeding N200,000 or
4 to imprisonment for a term not exceeding 12 months or to both; or

5 (b) in any other case, to a fine not exceeding N5Million.

6 (2) It is not a defence to a charge under sub Clause (1) that:

7 (a) the person is subject to a duty under any written law, any rule of
8 law, any contract or any rule of professional conduct, that prevents the
9 person from complying with any part of a Part 3 Regulation or restricts the
10 person in such compliance; or

11 (b) The person has applied under Clause 19 to vary or cancel the
12 Part 3 Regulation or has appealed to the High Court against the Regulation.

13 (2) No civil or criminal liability is incurred by the person or an
14 officer, employee or agent of the person, for doing or omitting to do any act,
15 if the act is done or omitted to be done with reasonable care and in good faith
16 and for the purpose of complying with or giving effect to the Part 3
17 Regulation.

18 12.-(1) This Clause applies where-

Access Blocking
Order.

19 (a) a person fails to comply with a Part 3 Regulation;

20 (b) the subject DECLARATION is being transmitted in Nigeria by
21 the person on an online location; and

22 (c) the Law Enforcement Department is satisfied that one or more
23 end users in Nigeria have used or are using the services of an internet access
24 service provider to access that online location.

25 (3) The Law Enforcement Department may direct the NCC to order
26 the internet access service provider to take reasonable steps to disable access
27 by end users in Nigeria to the online location (called in this Clause an access
28 blocking order), and the NCC must give the internet access service provider
29 an access blocking order.

30 (4) An internet access service provider that does not comply with

1 any access blocking order shall be guilty of an offence and shall be liable on
2 conviction to a fine not exceeding N10 Million for each day during any part of
3 which that order is not fully complied with, up to a total of N5 Million.

4 (5) No civil or criminal liability is incurred by an internet access
5 service Provider or an officer, employee or agent of such provider, for anything
6 done or omitted to be done with reasonable care and in good faith in complying
7 with any access blocking order.

Appeals to the
High Court

8 13.-(1) A person to whom a Part 3 Regulation is issued may appeal to
9 the High Court against the Regulation.

10 (2) No appeal may be made to the High Court by any person unless
11 the person has first applied to the Law Enforcement Department to vary or
12 cancel the Part 3 Regulation and the Law Enforcement Department refused the
13 application whether in whole or in part.

14 (3) An appeal may only be made to the High Court within such period
15 as may be prescribed by Rules of Court.

16 (4) The High Court must hear and determine any such appeal and may
17 either confirm the Part 3 Regulation or set it aside.

18 (5) The High Court may only set aside a Part 3 Regulation on any of
19 the following grounds on an appeal:

20 (a) the person did not transmit in Nigeria the subject
21 DECLARATION;

22 (b) the subject DECLARATION is not a DECLARATION of fact, or
23 is a true DECLARATION of fact;

24 (c) it is not technically possible to comply with the Regulation.

25 (6) A Part 3 Regulation that is the subject of an appeal under sub
26 Clause (1) remains in effect despite the appeal, and only ceases to have effect if
27 it is set aside by the High Court or the Court of Appeal on appeal from the High
28 Court, or if it expires or is cancelled by the Law Enforcement Department.

29 (7) In spite of sub Clause (6), if the appellant establishes a prima facie
30 case that it is technically impossible to comply with the Part 3 Regulation, the

1 High Court may direct that the Regulation be stayed pending determination
2 of the appeal.

3 (8) Rules of Court may provide for the manner in which and the
4 time within which an appeal under sub Clause (1) may be made and the
5 procedure for an application to stay a Part 3 Regulation appealed against.

6 14. The issue of a Part 3 Regulation in relation to the subject
7 DECLARATION does not affect any power or right of any person
8 (including a Law Enforcement Department or any party interested) to take
9 any action under this Act or any other law in relation to that
10 DECLARATION, or the power of the Public Prosecutor to initiate
11 proceedings for an offence under this Act or any other law in relation to that
12 DECLARATION.

Other causes of
action not affected

13 15.-(1) The Law Enforcement Department may vary or cancel the
14 Part 3 Regulation, by serving a written notice on the person to whom the
15 Regulation is issued.

Variation or
cancellation of
Part 3 Regulation

16 (2) The Law Enforcement Department may vary or cancel the Part
17 3 Regulation under sub Clause (1)-

18 (a) on the Law Enforcement Department's own initiative provided
19 there is overwhelming sufficing evidence necessitating this variation or
20 cancellation;

21 (b) on an application by the person to whom the Regulation is
22 issued.

23 (3) A Part 3 Regulation remains in effect despite any application
24 made to the Law Enforcement Department for its variation or cancellation.

25 (4) Clauses 14 to 17 apply in relation to a Part 3 Regulation that is
26 varied under this Clause as they apply in relation to the original Part 3
27 Regulation.

28 (5) Clause 14 applies in relation to a notice cancelling a Part 3
29 Regulation under this Clause as it applies in relation to the original Part 3
30 Regulation.

1 PART 4 - REGULATION FOR INTERNET INTERMEDIARIES AND PROVIDERS
2 OF MASS MEDIA SERVICES

Conditions for
issue of Part 4
Regulation

3 16.-(1) Any Law Enforcement Department may issue a Part 4
4 Regulation if all of the following conditions are satisfied:

5 (a) material (called in this Part the subject material) that contains or
6 consists of a false DECLARATION of fact (called in this Part the subject
7 DECLARATION) has been or is being transmitted in Nigeria;

8 (b) the Law Enforcement Department is of the opinion that it is in
9 public interest to issue the Regulation.

10 (6) Any Law Enforcement Department may instruct the Competent
11 Authority to issue a Part 4 Regulation in relation to the subject material even if
12 it has been amended or has ceased to be transmitted in Nigeria.

Targeted
Correction
Regulation

13 17.-(1) A Targeted Correction Regulation is one issued to the internet
14 intermediary that provided the internet intermediary service by means of which
15 the subject material has been or is being transmitted in Nigeria, requiring it to
16 transmit by means of that service to all end users in Nigeria who access the
17 subject material by means of that service at any time after a specified time, a
18 notice (called in this Part a correction notice) that contains one or both of the
19 following:

20 (a) a DECLARATION, in such terms as may be specified, that the
21 subject DECLARATION is false, or that the subject material contains or
22 consists of a false DECLARATION of fact;

23 (b) a specified DECLARATION of fact, or a reference to a specified
24 location where the specified DECLARATION of fact may be found, or both.

25 (2) Where the internet intermediary mentioned in sub Clause (1) is a
26 prescribed internet intermediary, the Targeted Correction Regulation may also
27 require the internet intermediary to do one or more of the following:

28 (a) transmit the correction notice by means of the internet
29 intermediary service to all end users in Nigeria who access identical copies of

1 the subject material by means of that service at any time after the specified
2 time;

3 (b) transmit the correction notice by any means and by a specified
4 time, to all end users in Nigeria that it knows had accessed the subject
5 material or identical copies of the subject material (or both) by means of that
6 service at any time before the specified time mentioned in sub Clause (1);

7 (c) if the internet intermediary disables access by end users in
8 Nigeria to the subject material at any time after the Regulation is issued and
9 before it expires or is set aside or cancelled,

10 transmit the correction notice by means of the internet intermediary service
11 to a specified description of end users in Nigeria.

12 (3) In this Clause-

13 (a) "specified" means specified in the Targeted Correction
14 Regulation; and

15 (b) an end user who accesses a part of any material is taken to
16 access the material.

17 18.-(1) A Disabling Regulation is one issued to the internet
18 intermediary that provided the internet intermediary service by means of
19 which the subject material has been or is being transmitted in Nigeria,
20 requiring it to disable access by end users in Nigeria to the subject material
21 provided on or through the service that consists of or contains the subject
22 DECLARATION, by the specified time.

Disabling
Regulation

23 (2) Where the internet intermediary mentioned in sub Clause (1) is
24 a Prescribed internet intermediary, the Disabling Regulation may also
25 require the internet intermediary to do one or both of the following:

26 (a) to disable access by end users of the service in Nigeria to
27 identical copies of the subject material provided on or through the internet
28 intermediary service;

29 (b) to transmit a correction notice by any means to a specified
30 description of end users in Nigeria.

1 (3) Once a Disabling Regulation has been issued, the Law
2 Enforcement Department must publish a notice of that fact in the Gazette as
3 soon as possible.

4 (4) However, a failure to publish the notice of the issue of the
5 Disabling (6) Regulation in the Gazette does not invalidate the
6 Regulation.

7 (5) In this Clause-

8 (a) "specified" means specified in the Disabling Regulation; and

9 (b) an end user who accesses a part of any material is taken to access
10 the material.

General
Correction
Regulation

11 19.-(1) A General Correction Regulation is one issued to one of the
12 following persons to carry out an act mentioned in sub-Clause (2):

13 (a) a prescribed internet intermediary;

14 (b) such other person as may be prescribed.

15 (2) The act mentioned in sub Clause (1) is-

16 (a) if the Regulation is issued to a person mentioned in sub Clause
17 (1)(a), to transmit a correction notice in Nigeria by means of the internet
18 intermediary service provided by it, to all end users who use that service at any
19 time after the specified time, or a specified description of such end users;

20 (b) if the Regulation is issued to a person mentioned in sub Clause
21 (1)(b), to give a correction notice to a specified person or description of
22 persons, by the specified means and by the specified time.

23 (2) In this Clause, "specified" means specified in the General
24 Regulation.

Provision
applicable to all
Part 4 Regulations
and Remedial
Orders

25 20.-(1) A Part 4 Regulation or Remedial Order may be issued to a
26 person whether the person is in or outside Nigeria.

27 (2) A Part 4 Regulation or Remedial Order may require a person to
28 whom it is issued to do an act in or outside Nigeria.

29 (3) A Part 4 Regulation must identify in sufficient detail the subject
30 material and the subject DECLARATION.

1 (4) A Part 4 Regulation or Remedial Order remains in effect until
2 the date it expires (if any), it is set aside or it is cancelled.

3 (5) A person who is issued a Part 4 Regulation or Remedial Order is
4 responsible for the costs of complying with the Regulation.

5 (6) A person (A) to whom a General Correction Regulation is
6 issued may bring civil proceedings in the High Court against a person (B)
7 who is the author of the subject DECLARATION and who transmitted in
8 Nigeria the subject material, to recover the costs reasonably incurred by A to
9 comply with the Regulation.

10 (7) In such proceedings, the Court, if it is satisfied on a balance of
11 probabilities that B has contravened this law when transmitting the subject
12 material in Nigeria, may award to A such damages for those costs as the
13 court, having regard to all the circumstances of the case, deem just and
14 equitable.

15 21. A Part 4 Regulation or Remedial Order may be served by such
16 means (including electronic means) as may be prescribed-

Service of Part
4 Regulation and
Remedial Orders

17 (a) on the person to whom it is issued; or

18 (b) on a person in Nigeria that the person to whom the Part 4
19 Regulation or Remedial Order is issued has appointed to accept service on
20 the person's behalf.

21 22.-(1) A person to whom a Part 4 Regulation or Remedial Order is
22 issued and served and who, without reasonable excuse, fails to comply with
23 the Regulation or Order whether in or outside Nigeria, shall be guilty of an
24 offence and shall be liable on conviction-

Non-compliance
with Part 4
Regulation or
Remedial Order
an offence

25 (a) in the case of an individual, to a fine not exceeding N300,000 or
26 to imprisonment for a term not exceeding 12 months or to both; or

27 (b) in any other case, to a fine not exceeding N5 Million, and, in the
28 case of a continuing offence, to a further fine not exceeding N10 Million for
29 every day or part of a day during which the offence continues after

30 (2) It is not a defence to a charge under sub Clause (1) that-

1 (a) the person is subject to a duty under any written law, any rule of
2 law, any contract or any rule of professional conduct, that prevents the person
3 from complying with any part of a Part 4 Regulation or Remedial Order or
4 restricts the person in such compliance; or

5 (b) the person has applied to vary or cancel the Regulation or Order or
6 has appealed to the High Court against the Regulation.

7 (3) No civil or criminal liability is incurred by a person or an officer,
8 employee or agent of the person, for doing or omitting to do any act, if the act is
9 done or omitted to be done with reasonable care and in good faith and for the
10 purpose of complying with or giving effect to the Part 4 Regulation or
11 Remedial Order.

12 (4) In determining whether a person charged with an offence under
13 sub Clause (1) has a reasonable excuse for failing to comply with a Part
14 4 Regulation or Remedial Order, the court must consider-

15 (a) the state of the art available to give effect to the Regulation or
16 Order;

17 (b) the cost of complying with the Regulation or Order relative to the
18 means available to the person; and

19 © any other relevant factor.

Access locking
Order

20 23.-(1) this clause applies where-

21 (a) a person that is an internet intermediary fails to comply with a Part
22 4 Regulation or Remedial Order;

23 (b) the subject material is being transmitted in Nigeria on an online
24 location; and

25 (c) the Law Enforcement Department is satisfied that one or more end
26 users in Nigeria have used or are using the services of an internet access service
27 provider to access that online location.

28 (2) Law Enforcement Department may direct the NCC to order the
29 internet access service provider to take reasonable steps to disable access by
30 end users in Nigeria to the online location called in this Clause an access

1 blocking order), and the NCC must give the internet access service provider
2 an access blocking order.

3 (3) An internet access service provider that does not comply with
4 an access blocking order shall be guilty of an offence and shall be liable on
5 conviction to a fine not exceeding N1 Million for each day during any part of
6 which that order is not fully complied with, up to a total of N10 Million.

7 (4) No civil or criminal liability is incurred by an internet access
8 service provider or an officer, employee or agent of such provider, for
9 anything done or omitted to be done with reasonable care and in good faith
10 in complying with any access blocking order.

11 24.-(1) The following persons may appeal to the High Court
12 against any Part 4 Regulation:

Appeals to High
Court

13 (a) the person to whom the Regulation is issued;

14 (b) a person who transmitted in Nigeria the subject material.

15 (2) No appeal may be made to the High Court by any person unless
16 the person has first applied to the Law Enforcement Department to vary or
17 cancel the Part 4 Regulations either in whole or in part.

18 (3) An appeal may only be made to the High Court within such
19 period as may be prescribed by Rules of Court.

20 (4) The High Court must hear and determine any such appeal and
21 may either confirm the Part 4 Regulation or set it aside.

22 (5) The High Court may only set aside a Part 4 Regulation on any of
23 the following grounds on an appeal by the person to whom the Regulation is
24 issued:

25 (a) in the case of a Targeted Correction Regulation or a Disabling
26 Regulation; the subject material was not transmitted in Nigeria, or was not
27 transmitted in Nigeria by means of any internet intermediary service
28 provided by the person;

29 (b) the subject DECLARATION is not a DECLARATION of fact,
30 or is a true DECLARATION of fact;

1 (c) it is not technically possible to comply with the Regulation.

2 (6) The High Court may only set aside a Part 4 Regulation on an
3 appeal by a person who transmitted in Nigeria the subject material, on the
4 ground that the subject DECLARATION is not a DECLARATION of fact, or is
5 a true of fact.

6 (7) A Part 4 Regulation that is the subject of an appeal under sub
7 Clause (1) remains in effect despite the appeal, and only ceases to have effect if
8 it is set aside by the High Court or the Court of Appeal on appeal from the High
9 Court, or if it expires or is cancelled.

10 (8) If the appellant (being the person to whom the Part 4 Regulation is
11 issued) establishes a prima facie case that it is technically impossible to comply
12 with the Part 4 Regulation, the High Court may direct that the Regulation be
13 stayed pending determination of the appeal.

14 (9) There is such further right of appeal from a decision of the High
15 Court under this Clause as exists in the case of a decision made by that Court in
16 the exercise of its original civil jurisdiction.

17 (10) Rules of Court may provide for the manner in which and the time
18 within which an appeal under sub Clause (1) may be made and the procedure
19 for an application to stay a Part 4 Regulation appealed against.

Other causes of
action not affected

20 25. The issue of a Part 4 Regulation or Remedial Order in relation to
21 any material does not affect any power or right of any person (including a Law
22 Enforcement Department or any Party Interested) to take any action under this
23 Act or any other law in relation to the subject DECLARATION, or the power of
24 the Public Prosecutor to initiate Proceedings for an offence under this Act or
25 any other law in relation to that DECLARATION.

Variation or
cancellation of
Part 4 Regulation
or Remedial
Order

26 26.-(1) The Law Enforcement Department may at any time vary or
27 cancel the Part 4 Regulation or Remedial Order, by serving a written notice on
28 the person to whom the Regulation or Order is issued.

29 (2) The Law Enforcement Department may vary or cancel the
30 Regulation or Order under sub Clause (1)-

1 (a) on the Law Enforcement Department's own initiative provided
2 there is a prima facie reason necessitating this variation or cancellation ; or

3 (b) on an application by-

4 (i) the person to whom the Regulation or Order is issued; or

5 (ii) a person who transmitted in Nigeria the subject material.

6 (3) A Part 4 Regulation or Remedial Order remains in effect despite
7 any application made to the Law Enforcement Department for its variation
8 or cancellation.

9 PART 5 - DECLARATION OF ONLINE LOCATIONS

10 27.-(1) The Law Enforcement Department may declare an online
11 location as DECLARED online location if all of the following conditions
12 are satisfied:

Declared Online
Locations

13 (a) 3 or more different DECLARATIONS that are the subject of one
14 or more active Part 3 regulation or Part 4 regulation, or both, have been or are
15 being transmitted in Nigeria on the online location;

16 (b) at least 3 of those DECLARATIONS had first been transmitted
17 in Nigeria on the online location within 6 months before the date the
18 DECLARATION is made.

19 (2) For the purpose of sub Clause (1)(a), a DECLARATION is
20 different from another if it is different in a material particular from that other
21 DECLARATION.

22 (3) A DECLARATION-

23 (a) must contain the Universal Resource Locator (URL), domain
24 name, or any other unique identifier of the online location;

25 (b) must reproduce the relevant regulation;

26 (c) must state the date the DECLARATION comes into effect;

27 (d) must state the date of the DECLARATION's expiry or a
28 formula by which that date may be worked out, which must not be later than
29 2 years after the date in paragraph (c);

30 (e) may state the time on that date the DECLARATION is to expire

1 or a formula by which that time may be worked out;

2 (f) may require the owner or operator of the online location
3 DECLARATION (whether or not he or she is in or outside Nigeria) to transmit
4 in the specified manner in Nigeria to end user who accesses the online location,
5 a notice in the specified terms that the online location is the subject of a
6 DECLARATION; and

7 (g) must contain such other particulars as may be prescribed.

8 (4) A DECLARATION expires-

9 (a) on the date and at the time (if any) DECLARED in, or worked out
10 in accordance with, the; or

11 (b) on the date it is cancelled or set aside, whichever is earlier.

12 (4) As soon as possible after a DECLARATION is made and before
13 the date it comes into effect, the Law Enforcement Department must-

14 (a) publish, in such form and manner as may be prescribed, a notice in
15 the Gazette-

16 (i) stating that a DECLARATION has been issued under this Clause;
17 and

18 (ii) setting out the URL, domain name, or any other unique identifier
19 of the online location, to which the DECLARATION relates; and

20 (b) make reasonable efforts to give a copy of the DECLARATION to
21 the owner or operator of the DECLARED online location.

22 (6) The owner or operator of a DECLARED online location who fails
23 to comply with any requirement mentioned in sub Clause (3)(f) whether in or
24 outside Nigeria, shall be guilty of an offence and shall be liable on conviction-

25 (a) in the case of an individual, to a fine not exceeding N500,000 or to
26 imprisonment for a term not exceeding 3 years or to both; or

27 (b) in any other case, to a fine not exceeding N5 Million.

28 (7) It is a defence to a charge under sub Clause (6) for the accused to
29 prove that the accused did not know and had no reason to believe that a
30 DECLARATION was made in relation to the online location.

1 (8) The Law Enforcement Department may at any time suspend a
2 DECLARATION for such period as the Law Enforcement Department may
3 determine, or vary or cancel a DECLARATION.

4 (9) The Law Enforcement Department may suspend, vary or
5 cancel a DECLARATION-

6 (a) on the Law Enforcement Department's own initiative; or

7 (b) on an application by-

8 (i) the owner or operator of the DECLARED online location; or

9 (ii) any person with editorial control over the online location.

10 (10) As soon as possible after a DECLARATION is suspended,
11 varied or cancelled, the Competent Authority must-

12 (a) publish, in such form and manner as may be prescribed, a notice
13 of the suspension, variation or cancellation in the Gazette; and

14 (b) make reasonable efforts to give a copy of such notice to the
15 owner or operator of the DECLARED online location.

16 (11) For the purposes of sub Clause (1)-

17 (a) "active", in relation to a Part 3 Regulation or Part 4 Regulation,
18 means that the Part 3 Regulation or Part 4 Regulation (as the case may be)
19 has not been set aside at the time the DECLARATION mentioned in sub
20 Clause (1) is made;

21 (b) where a DECLARATION of fact is transmitted in Nigeria on-

22 (i) an online location bearing a sub domain name that is part of a
23 domain name; or

24 (ii) a sub directory of a website,

25 the Law Enforcement Department may treat the DECLARATION as
26 transmitted on the online location that bears that domain name, or on that
27 website, as the case may be; and

28 (c) where the DECLARATIONS mentioned in sub Clause (1) are
29 duplicated on another online location (called in this paragraph the mirrored
30 location), each mirrored location is to be regarded as part of the original

Access Blocking
Order

1 online location.

2 **28.-(1)** This Clause applies where-

3 (a) paid content included on a DECLARED online location is
4 transmit in Nigeria after a prescribed period starting on the date the
5 DECLARATION concerned came into effect; and

6 (b) the Law Enforcement Department is satisfied that after the date
7 the DECLARATION came into effect, one or more end users in Nigeria have
8 used or are using the services of an internet access service provider to access
9 the DECLARED online location.

10 (2) This Clause also applies where-

11 (a) the owner or operator of a DECLARED online location did not
12 comply with a requirement mentioned in Clause 27(3)(f) that is specified in the
13 DECLARATION concerned; and

14 (b) the Law Enforcement Department is satisfied that after the date
15 the DECLARATION came into effect, one or more end users in Nigeria have
16 used or are using the services of an internet access service provider to access
17 the DECLARED online location.

18 (3) The Law Enforcement Department may direct the NCC to order
19 the internet access service provider to take reasonable steps to disable access
20 by end users in Nigeria to the DECLARED online location (called in this
21 Clause an access blocking order), and the NCC must give the internet access
22 service provider an access blocking order.

23 (4) An internet access service provider that fails to comply with an
24 access blocking order shall be guilty of an offence and shall be liable on
25 conviction to a fine not exceeding Million for each day during any part of
26 which that order is not fully complied with, up to a total of N10 Million.

27 (4) No civil or criminal liability is incurred by an internet access
28 service provider or an officer, employee or agent of such provider, for
29 anything done or omitted to be done with reasonable care and in good faith in
30 complying with an access blocking order.

1 29.--(1) This Clause applies where-

2 (a) paid content included on a DECLARED online location is
3 transmitted in Nigeria after a prescribed period starting on the date the
4 DECLARATION concerned came into effect;

Order to internet
intermediary to
disable access
to declared online
location

5 (b) the Law Enforcement Department is satisfied that after the date
6 the DECLARATION came into effect, one or more end users in Nigeria
7 have used or are using the services of an internet intermediary to access the
8 DECLARED online location; and

9 (c) the internet intermediary has control over access by end users in
10 any place to the DECLARED online location.

11 (2) This Clause also applies where:

12 (a) the owner or operator of a DECLARED online location did not
13 comply with a requirement that is specified in the DECLARATION
14 concerned;

15 (b) the Law Enforcement Department is satisfied that after the date
16 the DECLARATION came into effect, one or more end users in Nigeria
17 have used or are using the services of an internet intermediary to access the
18 DECLARED online location; and

19 (c) the internet intermediary has control over access by end users
20 in any place to the DECLARED online location.

21 (4) The Law Enforcement Department may direct the Competent
22 Authority to order the internet intermediary to disable access by end users in
23 Nigeria to the DECLARED online location, and the Competent Authority
24 must give the internet intermediary such order.

25 (5) An order of the Competent Authority under sub Clause (3) may
26 be issued to a person whether the person is in or outside Nigeria, and may
27 require the person to do an act in or outside Nigeria.

28 (6) An internet intermediary that fails to comply with an order of
29 the Competent Authority under sub Clause (3) whether in or outside Nigeria,
30 shall be guilty of an offence and shall be liable on conviction to a fine not

1 exceeding N1Million for each day during any part of which that order is not
2 fully complied with, up to a total of N10 Million.

3 (7) No civil or criminal liability is incurred by an internet
4 intermediary or an officer, employee or agent of such intermediary, for
5 anything done or omitted to be done with reasonable care and in good faith in
6 complying with an order under sub Clause (3).

Appeals to
High Court

7 **30.-(1)** The following persons may appeal to the high court against a
8 **DECLARATION:**

9 (a) the owner or operator of the DECLARED online location; (b) any
10 person with editorial control over the online location.

11 (2) No appeal may be made to the High Court by any person unless
12 the person has first applied to the Law Enforcement Department to vary or
13 cancel the DECLARATION and the Law Enforcement Department refused the
14 application whether in whole or in part.

15 (3) An appeal may only be made to the High Court within such
16 period as may be prescribed by Rules of Court.

17 (5) the high court must hear and determine any such appeal and may
18 either confirm the DECLARATION or set it aside.

19 (6) the high court may only set aside a DECLARATION on the
20 ground that, at the time of making the DECLARATION, the condition
21 specified was not satisfied.

22 (7) A DECLARATION that is the subject of an appeal remains in
23 effect despite the appeal, and only ceases to have effect if it is set aside by the
24 High Court or the Court of Appeal on appeal from the High Court, or if it
25 expires or is cancelled.

26 (8) There is such further right of appeal from a decision of the High
27 Court under this Clause as exists in the case of a decision made by that Court in
28 the exercise of its original civil jurisdiction.

29 (9) Rules of Court may provide for the manner in which and the time
30 within which an appeal under sub Clause (1) may be made.

1 31.-(1) A person who, whether in or outside Nigeria, solicits, Deriving benefit
2 receives or agrees to receive any financial or other material benefit as an Declared Online
3 inducement or reward for operating a DECLARED online location shall be Location
4 guilty of an offence and shall be liable on conviction:

5 (a) in the case of an individual, to a fine not exceeding N300,000 or
6 to imprisonment for a term not exceeding 3 years or to both; or

7 (b) In any other case, to a fine not exceeding N5 Million.

8 (2) Without limiting the generality of the expression, a person
9 receives financial or other material benefit as an inducement or reward for
10 the operation of an online location if the person receives from another:

11 (a) any consideration for the sale of advertising space on the online
12 location; or

13 (b) any consideration for access to any part of the online location.

14 (3) Where a court convicts any person of an offence under sub
15 Clause (1), the court must, in addition to imposing on that person the
16 punishment in that sub Clause, order the person to pay as a penalty, within
17 the time specified by the court, a sum equal to the amount of any financial or
18 other material benefit received or the amount that in the court's opinion is the
19 value of that financial or other material benefit, and any such penalty is
20 recoverable as a fine.

21 (4) Sub Clause (3) does not apply if the court determines that the
22 value of the financial or other material benefit cannot be assessed.

23 (5) In this Clause, a person is not taken to operate an online location
24 if the person does so merely as part of providing an internet intermediary
25 service or incidentally to such provision.

26 32.-(1) A service provider must take reasonable steps (both in and
27 Outside Nigeria) to ensure that after a prescribed period starting on the date
28 the DECLARATION comes into effect, any paid content that it include or
29 causes to be included on a DECLARED online location is not transmitted in
30 Nigeria on the DECLARED online location.

Certain persons
must not transmit
in Nigeria paid
content on Declared
Online Locations,
etc.

1 (2) A digital advertising intermediary must take reasonable steps
2 (both in and outside Nigeria) to ensure that, after a prescribed period starting on
3 the date the DECLARATION comes into effect, any paid content that it
4 includes or causes to be included on a DECLARED online location is not
5 transmitted in Nigeria on the DECLARED online location.

6 (3) A prescribed digital advertising intermediary or prescribed
7 internet intermediary must take reasonable steps (both in and outside Nigeria)
8 to ensure that, after a prescribed period starting on the date the
9 DECLARATION comes into effect, it does not, when acting as a digital
10 advertising intermediary or an internet intermediary, facilitate the transmission
11 in Nigeria of any paid content that gives publicity to, or otherwise promotes, a
12 DECLARED online location.

13 (4) A person who contravenes sub Clause (1), (2) or (3) shall be guilty
14 of an offence and shall be liable on conviction:

15 (a) in the case of an individual, to a fine not exceeding N200,000 or to
16 imprisonment for a term not exceeding 12 months or to both; or

17 (b) in any other case, to a fine not exceeding N5 Million

18 (5) In any proceeding for an offence under sub Clause (1), (2) or (3), it
19 is a defence for the accused to prove that the accused did not know and had no
20 reason to believe that the online location was a DECLARED online location.

21 (6) In any proceeding for an offence under sub Clause (1), (2) or (3), it
22 is; not a defense for the accused to show that:

23 (a) the accused did the act in question at the Regulation of another
24 person; or

25 (b) the paid content was transmitted in Nigeria by its inclusion on any
26 online location through an automatic process without the accused choosing
27 where the paid content is transmitted, except as an automatic response to the
28 request of a person.

Prohibition on
providing financial
support to Declared
Online Locations

29 33.-(1) A person must not, whether in or outside Nigeria, expend or
30 apply any property knowing or having reason to believe that the expenditure or

1 application supports, helps or promotes the transmission of false declaration
2 of fact in Nigeria on a Declared Online Location.

3 (2) Sub Clause (1) does not apply to a service provider or a digital
4 advertising intermediary which gives any consideration for the purpose of
5 transmitting any paid content in Nigeria on the declared online location.

6 (3) A person who contravenes sub Clause (1) shall be guilty of an
7 offence and shall be liable on conviction:

8 (a) in the case of an individual, to a fine not exceeding N300,000 or
9 to imprisonment for a term not exceeding 3 years or to both; or

10 (b) in any other case, to a fine not exceeding N10 Million

11 (4) In this Clause, "property" means money and all other property,
12 movable or immovable, including things in action and other intangible or
13 incorporeal property.

14 34. The Law Enforcement Department may make Regulation
15 necessary or convenient to be prescribed for carrying out or giving effect to
16 this Act.

Regulation

17 35. In this Act, unless the context otherwise requires-

Interpretation

18 "Law Enforcement Department" means a The Nigeria Police Force;

19 "bot" means a computer program made or altered for the purpose of running
20 automated tasks;

21 "computing resource service" means a service that provides the use of any
22 computer hardware or software to enhance the processing capability or
23 storage capacity of a computer;

24 "coordinated inauthentic behaviour" means any coordinated activity carried
25 out using 2 or more online accounts, in order to mislead end users in Nigeria
26 of any internet intermediary service as to any matter, but excludes any
27 activity carried out using online accounts-

28 (a) that are controlled by the same person; and

29 (b) none of which is an inauthentic online account or is controlled
30 by a bot;

- 1 Correction Regulation" means a Regulation issued under Clause 7;
- 2 "DECLARATION" means a DECLARATION made under Clause 27;
- 3 "DECLARED online location" means an online location that is the subject of a
- 4 DECLARATION that is in effect;
- 5 "digital advertising intermediary" means any person who, in the ordinary
- 6 course of business, facilitates the transmission of paid content in any place by
- 7 acting as the link or part of the link between-
- 8 (a) the owners or operators of online locations; and
- 9 (b) advertisers and service providers, by means of an internet based
- 10 service;

11 *Examples*

- 12 Examples of digital advertising intermediaries are persons who provide any of
- 13 the following by means of an internet based service:
- 14 (a) advertising exchange;
- 15 (b) demand side platform;
- 16 (c) supply side platform.
- 17 "Disabling Regulation" means a Regulation issued under Clause 18;
- 18 "General Correction Regulation" means a Regulation issued under Clause 19;
- 19 "NCC" means the Nigerian Communications Commission established by the
- 20 Nigerian Communications Commission Act 2003;
- 21 "inauthentic online account" means an online account that is controlled by a
- 22 person other than the person represented (whether by its user profile, unique
- 23 identifier or other information) as its holder, and the representation is made for
- 24 the purpose of misleading end users in Nigeria of any internet intermediary
- 25 service as to the holder's identity;
- 26 "internet intermediary" means a person who provides any internet
- 27 intermediary service;
- 28 "internet intermediary service" means-
- 29 (a) a service that allows end users to access materials originating from
- 30 third parties on or through the internet;

1 (b) a service of transmitting such materials to end users on or
2 through the internet; or

3 (c) a service of displaying, to an end user who uses the service to
4 make an online search, an index of search results, each of which links that
5 end user to content hosted or stored at a location which is separate from the
6 location of the index of search results, but excludes any act done for the
7 purpose of, or that is incidental to, the provision of;

8 (d) a service of giving the public access to the internet; or

9 (e) a computing resource service;

10 *Examples*

11 Examples of internet intermediary services are-

12 (a) social networking services;

13 (b) search engine services;

14 (c) content aggregation services;

15 (d) internet based messaging services; and

16 (e) video sharing services.

17 "material" means anything that consists of or contains a DECLARATION;

18 *Examples*

19 Examples of a material are a message, a post, an article, a speech, a picture, a
20 video recording and a sound recording.

21 "MMS" means a system that enables the transmission, through a mobile
22 network, of multimedia messages;

23 "online account" means an account created with an internet intermediary for
24 the use of an internet intermediary service;

25 "online location" means any website, web page, chat room or forum, or any
26 other thing that is hosted on a computer;

27 "paid content" means any DECLARATION that is transmit in any place for
28 consideration;

29 "Part 3 Regulation" means a Correction Regulation or a Stop Transmission
30 Regulation;

1 "Part 4 Regulation" means a Targeted Correction Regulation, a Disabling
2 Regulation or a General Correction Regulation;

3 "prescribed digital advertising intermediary" means a digital advertising
4 intermediary, or a class of digital advertising intermediaries, prescribed by
5 Regulation made under Clause 62;

6 "prescribed internet intermediary" means an internet intermediary, or a class of
7 internet intermediaries;

8 "Remedial Order" means an order made under Clause 21;

9 "service provider" means any person (other than a digital advertising
10 intermediary) who, in the ordinary course of business, provides advisory or
11 other services relating to the transmission of paid content in any place;

12 "SMS" means a system that enables the transmission, through a mobile
13 network, of text messages;

14 "DECLARATION" means any word (including abbreviation and initial),
15 number, image (moving or otherwise), sound, symbol or other representation,
16 or a combination of any of these;

17 "Stop Transmission Regulation" means a Regulation issued under Clause 8;

18 "Targeted Correction Regulation" means a Regulation issued under Clause 17

19 "teletransmission service" means any transmission emission or reception of
20 signs, signal, writing, images, sounds or intelligence of any nature wire radio
21 visual or other electro-magnetic systems

22 (2) In this Act-

23 (a) a DECLARATION of fact is a DECLARATION which a
24 reasonable person seeing, hearing or otherwise perceiving it would consider to
25 be a representation of fact; and

26 (b) a DECLARATION is false if it is false or misleading, whether
27 wholly or in part, and whether on its own or in the context in which it appears.

28 (3) In this Act, a person has editorial control over an online location if
29 the person is able to decide one or both of the following:

30 (a) whether any DECLARATION may be included or excluded on the

1 online location;

2 (b) where to place any DECLARATION on the online location.

3 *Meaning of "transmit"*

4 3.-(1) In this Act other than in Part 2, a DECLARATION or
5 material is transmitted in Nigeria if it is made available to one or more end
6 users in Nigeria on or through the internet.

7 (2) In Part 2, a DECLARATION is transmitted in Nigeria if it is
8 made available to one or more end users in Nigeria on or through-

9 (a) the internet; or

10 (b) MMS or SMS.

11 (3) A reference in this Act to transmitting a DECLARATION or
12 material in Nigeria includes causing its transmission (within the meaning of
13 sub Clause (1) or (2), as the case may be) in Nigeria.

14 *Meaning of "Public Interest"*

15 4. For the purposes of this Act and without limiting the generality
16 of the expression, it is in the public interest to do anything if the doing of that
17 thing is necessary or expedient-

18 (a) in the interest of the security of Nigeria or any part of Nigeria;

19 (b) to protect public health or public finances, or to secure public
20 safety or public tranquility;

21 (c) in the interest of friendly relations of Nigeria with other
22 countries;

23 (d) to prevent any influence of the outcome of a general election to
24 any Office;

25 (e) to prevent incitement of feelings of enmity, hatred or ill will
26 between different groups of persons; or

27 (f) to prevent a diminution of public confidence in the performance
28 of any duty or function of, or in the exercise of any power by the
29 Government.

Short title

- 1 **36.** This Bill may be cited as the Protection from Internet Falsehoods,
2 **Manipulations and Other Related Matters Bill, 2019.**

EXPLANATORY MEMORANDUM

This Bill seeks to prevent Falsehoods and Manipulations in Internet transmission and correspondences in Nigeria. To suppress falsehoods and manipulations and counter the effects of such communications and transmissions and to sanction offenders with a view to encouraging and enhancing transparency by Social Media Platforms using the internet correspondences.