



# Computer Misuse Act 1990

## 1990 CHAPTER 18

### *Computer misuse offences*

#### **3 Unauthorised modification of computer material**

- (1) A person is guilty of an offence if—
  - (a) he does any act which causes an unauthorised modification of the contents of any computer; and
  - (b) at the time when he does the act he has the requisite intent and the requisite knowledge.
- (2) For the purposes of subsection (1)(b) above the requisite intent is an intent to cause a modification of the contents of any computer and by so doing—
  - (a) to impair the operation of any computer;
  - (b) to prevent or hinder access to any program or data held in any computer; or
  - (c) to impair the operation of any such program or the reliability of any such data.
- (3) The intent need not be directed at—
  - (a) any particular computer;
  - (b) any particular program or data or a program or data of any particular kind; or
  - (c) any particular modification or a modification of any particular kind.
- (4) For the purposes of subsection (1)(b) above the requisite knowledge is knowledge that any modification he intends to cause is unauthorised.
- (5) It is immaterial for the purposes of this section whether an unauthorised modification or any intended effect of it of a kind mentioned in subsection (2) above is, or is intended to be, permanent or merely temporary.
- (6) For the purposes of the Criminal Damage Act 1971 a modification of the contents of a computer shall not be regarded as damaging any computer or computer storage medium unless its effect on that computer or computer storage medium impairs its physical condition.
- (7) A person guilty of an offence under this section shall be liable—

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*Status: This is the original version (as it was originally enacted).*

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- (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both; and
- (b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine or to both.