



Computer Misuse Act 1990

1990 CHAPTER 18

Jurisdiction

5 Significant links with domestic jurisdiction.

- (1) The following provisions of this section apply for the interpretation of section 4 above.
- (2) In relation to an offence under section 1, either of the following is a significant link with domestic jurisdiction—
 - (a) that the accused was in the home country concerned at the time when he did the act which caused the computer to perform the function; or
 - [^{F1}(b) that any computer containing any program or data to which the accused secured or intended to secure unauthorised access by doing that act was in the home country concerned at that time.]
 - [^{F1}(b) that any computer containing any program or data to which the accused by doing that act secured or intended to secure unauthorised access, or enabled or intended to enable unauthorised access to be secured, was in the home country concerned at that time.]
- (3) In relation to an offence under section 3, either of the following is a significant link with domestic jurisdiction—
 - (a) that the accused was in the home country concerned at the time when [^{F2}he did the unauthorised act (or caused it to be done)] ; or
 - [^{F3}(b) that the unauthorised act was done in relation to a computer in the home country concerned.]

Textual Amendments

- F1** S. 5(2)(b) (as second appearing) substituted (S.) (1.10.2007) by [Police and Justice Act 2006 \(c. 48\)](#), ss. 52, 53, [Sch. 14 para. 19\(2\)](#) (with s. 38(1)); S.S.I. 2007/434, [art. 2](#) (the substituting provision being repealed for E.W.N.I. (1.10.2008) by [2007 c. 27](#), ss. 61(5), 92, 94, [Sch. 14](#) (with [Sch. 13 para. 5](#)); S.I. 2008/2504, [art. 2\(a\)](#))

Status: Point in time view as at 01/10/2007. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Computer Misuse Act 1990, Section 5. (See end of Document for details)

- F2** Words in s. 5(3)(a) substituted (1.10.2007 for S. and 1.10.2008 otherwise) by Police and Justice Act 2006 (c. 48), ss. 52, 53, **Sch. 14 para. 19(3)(a)** (with s. 38(4)); S.S.I. 2007/434, **art. 2**; S.I. 2008/2503, **art. 2**
- F3** S. 5(3)(b) substituted (1.10.2007 for S. and 1.10.2008 otherwise) by Police and Justice Act 2006 (c. 48), ss. 52, 53, **Sch. 14 para. 19(3)(b)** (with s. 38(4)); S.S.I. 2007/434, **art. 2**; S.I. 2008/2503, **art. 2**

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