

# **An Investigation of the Adequacy of Tanzania's Criminal Law in Determining Jurisdiction over Cybercrime Cases in Tanzania**

**Mainland**

**By**

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## **ABSTRACT**

Jurisdiction is one of the fundamental aspects in ensuring that justice is well dispensed. Traditionally, there are well settled principles used to determine jurisdiction, although their applicability to cybercrimes has been questionable. Determining jurisdiction in as far as cybercrimes are concerned, therefore, has been a difficult task. Due to the nature of these crimes, the topic has generated wide discussions.

This study sought to analyse and discuss various laws that are used in determining criminal jurisdiction in Tanzania, by comparing laws from other jurisdictions, with a view to assess whether they adequately solve the jurisdictional dilemma in cybercrime cases. The study was qualitative in approach and it involved documentary review and field research as methods of obtaining data. Purposive sampling was used to obtain the relevant respondents, and data collected was analyzed through a quick impressionist summary.

The results of the study have revealed that in Tanzania, existing criminal laws and traditional jurisdictional principles may not apply in cybercrimes. Furthermore, even though the law on cybercrime has been enacted, the same cannot completely solve the jurisdictional dilemma that exists because of some deficiencies in the law itself, and the transnational nature of cybercrimes. As it has been evidenced from other States, despite such States having in place laws on cybercrime, they still face hardships in determining jurisdiction over cybercrime cases. Thus, it is recommended that the Cybercrimes Act which has just been enacted, be amended to rectify the defects it contains.

**Keywords:** *Criminal Law, Cybercrime, Tanzania, Law*