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Amending Chapter 36 of the Penal Code of Taiwan on the Basis of the Study on the Cybercrime Convention

Tsung-Sheng Liao, Hsin-Han Cheng

Abstract

Computer crimes have become a new model of crimes and a new challenge for most countries over the world. In 2003, Taiwan enacted Chapter 36 of the Penal Code to deal with computer crimes. Although the new chapter avoided some application problems caused by treating electro-magnetic records as chattel and documents, the change of coping with computer crimes still raises other new problems. After exploring, this article argues that Taiwan could resolve those new problems by amending Chapter 36 of the Penal Code based on the comparison study of the Cybercrime Convention.

Keywords: Computer Crime, Cyber-crime, Cybercrime Convention, Misuse of Computer, Electro-magnetic Record