

EXTRACTS FROM THE OFFICIAL SECRETS (JERSEY) LAW, 1952.

Article 1 of the Law provides as follows:-

"Any reference to a place belonging to Her Majesty includes a place belonging to the public of the Island, or to any department of the Government of the United Kingdom or of any British possession, whether the place is or is not actually vested in Her Majesty ;

Expressions referring to communicating or receiving include any communicating or receiving, whether in whole or in part, and whether the sketch, plan, model, article, note, document or information itself or the substance, effect or description thereof only, be communicated or received ; expressions referring to obtaining or retaining any sketch, plan, model, article, note or document, include the copying or causing to be copied the whole or any part of any sketch, plan, model, article, note or document ; and expressions referring to the communication of any sketch, plan, model, article, note or document include the transfer or transmission of the sketch, plan, model, article, note or document ;

The expression "document" includes part of a document ;

The expression "misdemeanour" means a "délit" ;

The expression "model" includes design, pattern and specimen ;

The expression "sketch" includes any photograph or other mode of representing any place or thing ;

The expression "munitions of war" includes the whole or any part of any ship, submarine, aircraft, tank or similar engine, arms and ammunition, torpedo or mine, intended or adapted for use in war, and any other article, material or device, whether actual or proposed, intended for such use ;

The expression "office under Her Majesty" includes any office or employment under the States or in or under any department of the Government of the United Kingdom or of any British possession ;

The expression "offence under this Law" includes any act, omission or other thing which is punishable under this Law."

Article 4 of the Law provides as follows:-

"(1) If any person having in his possession or control any secret official code word, or pass word, or any sketch, plan, model, article, note, document or information which relates to or is used in a prohibited place or anything in such a place, or which has been made or obtained in contravention of this Law, or which has been entrusted in confidence to him by any person holding office under Her Majesty, or which he has obtained or to which he has had access owing to his position as a person who holds or has held office under Her Majesty, or as a person who holds or has held a contract made on behalf of Her Majesty, or as a person who is or has been employed under a person who holds or has held such an office or contract,-

- (a) communicates the code word, pass word, sketch, plan, model, article, note, document, or information to any person, other than a person to whom he is authorised to communicate it, or a person to whom it is in the interests of the State his duty to communicate it ; or
- (b) uses the information in his possession for the benefit of any foreign power or in any other manner prejudicial to the safety or interests of the State ; or
- (c) retains the sketch, plan, model, article, note, or document in his possession or control when he has no right to retain it or when it is contrary to his duty to retain it or fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof ; or
- (d) fails to take reasonable care of, or so conducts himself as to endanger the safety of the sketch, plan, model, article, note, document, secret official code or pass word or information :

that person shall be guilty of a misdemeanour.

(2) If any person having in his possession or control any sketch, plan, model, article, note, document, or information which relates to munitions of war, communicates it directly or indirectly to any foreign power, or in any other manner prejudicial to the safety or interests of the State, that person shall be guilty of a misdemeanour.

(3) If any person receives any secret official code word, or pass word, or sketch, plan, model, article, note, document, or information, knowing, or having reasonable ground to believe, at the time when he receives it, that the code word, pass word, sketch, plan, model, article, note, document, or information is communicated to him in contravention of this Law, he shall be guilty of a misdemeanour, unless he proves that the communication to him of the code word, pass word, sketch, plan, model, article, note, document, or information was contrary to his desire".

Article 10 (2) of the Law provides as follows:-

"(2) If any person-

- (a) retains for any purpose prejudicial to the safety or interests of the State any official document, whether or not completed or issued for use, when he has no right to retain it, or when it is contrary to his duty to retain it, or fails to comply with any directions issued by any Government Department or any person authorised by such department with regard to the return or disposal thereof ; or
- (b) allows any other person to have possession of any official document issued for his use alone, or communicates any secret official code word or pass word so issued, or, without lawful authority or excuse, has in his possession any official document or secret official code word or pass word issued for the use of some person other than himself, or on obtaining possession of any official document by finding or otherwise, neglects or fails to restore it to the person or authority by whom or for whose use it was issued, or to an officer of police, whether honorary or paid ; or
- (c) without lawful authority or excuse, manufactures or sells, or has in his possession for sale any such die, seal or stamp as aforesaid he shall be guilty of a misdemeanour."

EXTRACTS FROM THE CIVIL SERVICE TERMS AND CONDITIONS OF SERVICE AGREEMENT:

3.2 Official Communication

No officer shall, without the delegated authority from the Employer or Administering Authority, make public in any newspaper or periodical or otherwise any official communication or information which may have come to his knowledge in his official capacity. Any officer infringing 3.2 above shall be liable to dismissal.

3.8 Private Conduct

An officer shall avoid, in relation to his private affairs, conduct which might give ground for suspicion of abuse of trust or of wrongful disclosure of official information.

OFFICIAL SECRETS (JERSEY) LAW, 1952.

DECLARATION.

Declaration to be signed by civil servants and, where desirable, by non-civil servants on first being given access to secret information.

My attention has been drawn to the provisions of the Official Secrets (Jersey) Law, 1952, and of the **CIVIL SERVICE TERMS AND CONDITIONS OF SERVICE AGREEMENT** which are set out on the back of this document. I am fully aware of the serious consequences which may follow any breach of those provisions, and I understand that these restrictions on the disclosure of information apply not only during the period of my appointment but also after my appointment has ceased.

Signed.....

Print Name.....

Date.....