

to a foreign state any information, document, sketch, plan, model or knowledge obtained or taken by him, or entrusted to him as aforesaid, or communicates the same to any agent of a foreign state, is guilty of an indictable offence and liable to imprisonment for life. 55-56 V., c. 29, s. 77.

Not triable at quarter sessions, section 583. No prosecution without consent of Attorney-General, section 592. Section 847 is made to apply, though through error. "Having in possession" defined section 5.

#### 86. COMMUNICATING INFORMATION ACQUIRED IN OFFICE.

—Every one who, by means of his holding or having held an office under His Majesty, has lawfully or unlawfully either obtained possession of or control over any document, sketch, plan or model, or acquired any information, and at any time corruptly, or contrary to his official duty, communicates or attempts to communicate such document, sketch, plan, model or information to any person to whom the same ought not, in the interests of the state, or otherwise in the public interest, to be then communicated, is guilty of an indictable offence and liable,—

- (a) PENALTY—if the communication was made, or attempted to be made, to a foreign state, to imprisonment for life; and,
- (b) IDEM—in any other case, to imprisonment for one year, or to a fine not exceeding one hundred dollars, or to both imprisonment and fine.

2. APPLICATION OF SECTION.—This section shall apply to a person holding a contract with His Majesty, or with any department of the Government of the United Kingdom, or of the Government of Canada, or of any province, or with the holder of any office under His Majesty as such holder, where such contract involves an obligation of secrecy, and to any person employed by any person or body of persons holding such a contract who is under a like obligation of secrecy, as if the person holding the contract, and the person so employed, were respectively holders of an office under His Majesty. 55-56 V., c. 29, s. 78.

See *R. v. Sandoval*, Warb. Lead. Cas. 43.