# CHAPTER 74.

An Act to enable the Board of Trade to guarantee part of the expenses of a British Empire Exhibition.

[23rd December 1920.]

WHEREAS it is proposed to hold in London in the year nineteen hundred and twenty-three or such earlier date as may be possible a British Empire Exhibition (in this Act referred to as "the exhibition"):

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to guarantee expenses.

**1.** The Board of Trade may undertake, on such terms and conditions as they think fit and as the Treasury may approve, to guarantee, up to an amount not exceeding one hundred thousand pounds, any loss which may result from the holding of the exhibition, and any sums required for the fulfilment of such guarantee shall be paid out of moneys provided by Parliament:

Provided that it shall be made a condition of any such guarantee that the exhibition shall be conducted by an executive committee and a general manager approved by the Board, and that the executive committee shall furnish to the Board such information in relation to the exhibition at such time and in such manner as the Board may require.

Short title.

**2.** This Act may be cited as the British Empire Exhibition (Guarantee) Act, 1920.

---

# CHAPTER 75.

An Act to amend the Official Secrets Act, 1911.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Unauthorised use of uniforms; falsification of reports, forgery.

**1.** If any person for the purpose of gaining admission, or of assisting any other person to gain admission, to a prohibited place, within the meaning of the Official Secrets Act, 1911 (hereinafter referred to as "the principal Act"), or for any other

purpose prejudicial to the safety or interests of the State within the meaning of the said Act—

Personation, and false documents. 1 & 2 Geo. 5. c. 28.

(*a*) uses or wears, without lawful authority, any naval, military, air-force, police, or other official uniform, or any uniform so nearly resembling the same as to be calculated to deceive, or falsely represents himself to be a person who is or has been entitled to use or wear any such uniform; or

(*b*) orally, or in writing in any declaration or application, or in any document signed by hi or on his behalf, knowingly makes or connives at the making of any false statement or any omission; or

(*c*) forges, alters, or tampers with any passport or any naval, military, air-force, police, or official pass, permit, certificate, licence, or other document of a similar character (hereinafter in this section referred to as an official document), or uses or has in his possession any such forged, altered, or irregular official document; or

(*d*) personates, or falsely represents himself to be a person holding, or in the employment of a person holding office under His Majesty, or to be or not to be a person to whom an official document or secret official code word or pass word has been duly issued or communicated, or with intent to obtain an official document, secret official code word or pass word, whether for himself or any other person, knowingly makes any false statement; or

(*e*) uses, or has in his possession or under his control, without the authority of the Government Department or the authority concerned, any die, seal, or stamp of or belonging to, or used, made or provided by any Government Department, or by any diplomatic, naval, military, or air force authority appointed by or acting under the authority of His Majesty, or any die, seal or stamp so nearly resembling any such die, seal or stamp as to be calculated to deceive, or counterfeits any such die, seal or stamp, or uses, or has in his possession, or under his control, any such counterfeited die, seal or stamp;

he shall be guilty of a misdemeanour.

(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 a police constable; 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.

(3) In the case of any prosecution under this section involving the proof of a purpose prejudicial to the safety or interests of the State, subsection (2) of section one of the principal Act shall apply in like manner as it applies to prosecutions under that section.

Communications with foreign agents to be evidence of commission of certain offences.

2.—(1) In any proceedings against a person for an offence under section one of the principal Act, the fact that he has been in communication with, or attempted to communicate with, a foreign agent, whether within or without the United Kingdom, shall be evidence that he has, for a purpose prejudicial to the safety or interests of the State, obtained or attempted to obtain information which is calculated to be or might be or is intended to be directly or indirectly useful to an enemy.

(2) For the purpose of this section, but without prejudice to the generality of the foregoing provision—

(*a*) A person shall, unless he proves the contrary, be deemed to have been in communication with a foreign agent if—

(i) He has, either within or without the United Kingdom, visited the address of a foreign agent or consorted or associated with a foreign agent; or

(ii) Either, within or without the United Kingdom, the name or address of, or any other information regarding a foreign agent has been found in his possession, or has been supplied by him to any other person, or has been obtained by him from any other person:

(*b*) The expression "foreign agent" includes any person who is or has been or is reasonably suspected of being or having been employed by a foreign power either directly or indirectly for the purpose of committing an act, either within or without the United Kingdom, prejudicial to the safety or interests of the State, or who has or is reasonably suspected of having, either

within or without the United Kingdom, committed, or attempted to commit, such an act in the interests of a foreign power :

(*c*) Any address, whether within or without the United Kingdom, reasonably suspected of being an address used for the receipt of communications intended for a foreign agent, or any address at which a foreign agent resides, or to which he resorts for the purpose of giving or receiving communications, or at which he carries on any business, shall be deemed to be the address of a foreign agent, and communications addressed to such an address to be communications with a foreign agent.

Interfering with officers of the police or members of His Majesty's forces.

**3.** No person in the vicinity of any prohibited place shall obstruct, knowingly mislead or otherwise interfere with or impede, the chief officer or a superintendent or other officer of police, or any member of His Majesty's forces engaged on guard, sentry, patrol, or other similar duty in relation to the prohibited place, and, if any person acts in contravention of, or fails to comply with, this provision, he shall be guilty of a misdemeanour.

Power to require the production of telegrams.

**4.**—(1) Where it appears to a Secretary of State that such a course is expedient in the public interest, he may, by warrant under his hand, require any person who owns or controls any telegraphic cable or wire, or any apparatus for wireless telegraphy, used for the sending or receipt of telegrams to or from any place out of the United Kingdom, to produce to him, or to any person named in the warrant, the originals and transcripts, either of all telegrams, or of telegrams of any specified class or description, or of telegrams sent from or addressed to any specified person or place, sent or received to or from any place out of the United Kingdom by means of any such cable, wire, or apparatus, and all other papers relating to any such telegram as aforesaid.

(2) Any person who, on being required to produce any such original or transcript or paper as aforesaid, refuses or neglects to do so shall be guilty of an offence under this Act, and shall, for each offence, be liable on conviction under the Summary Jurisdiction Acts to imprisonment with or without hard labour for a term not exceeding three months, or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.

(3) In this section the expression " telegram " shall have the same meaning as in the Telegraph Act, 1869, and the expression " wireless telegraphy " shall have the same meaning as in the Wireless Telegraphy Act, 1904.

32 & 33 Vict. c. 73. 4 Edw. 7. c. 24.

Registration and regulation of persons carrying on the business of receiving postal packets.

**5.**—(1) Every person who carries on, whether alone or in conjunction with any other business, the business of receiving for reward letters, telegrams, or other postal packets for delivery or forwarding to the persons for whom they are intended, shall as soon as may be send to the chief officer of police for the

district, for registration by him, notice of the fact together with the address or addresses where the business is carried on, and the chief officer of police shall keep a register of the names and addresses of such persons, and shall, if required by any person who sends such a notice, furnish him on payment of a fee of one shilling with a certificate of registration, and every person so registered shall from time to time furnish to the chief officer of police notice of any change of address or new address at which the business is carried on, and such other information as may be necessary for maintaining the correctness of the particulars entered in the register.

(2) Every person who carries on such a business as aforesaid shall cause to be entered in a book kept for the purpose the following particulars—

(*a*) the name and address of every person for whom any postal packet is received, or who has requested that postal packets received may be delivered or forwarded to him;

(*b*) any instructions that may have been received as to the delivery or forwarding of postal packets;

(*c*) in the case of every postal packet received, the place from which the postal packet comes, and the date of posting (as shown by the post-mark) and the date of receipt, and the name and address of the sender if shown on the outside of the packet, and, in the case of a registered packet, the date and office of registration and the number of the registered packet;

(*d*) in the case of every postal packet delivered, the date of delivery and the name and address of the person to whom it is delivered;

(*e*) in the case of every postal packet forwarded, the name and address to which and the date on which it is forwarded;

and shall not deliver a letter to any person until that person has signed a receipt for the same in such book as aforesaid, nor, if that person is not the person to whom the postal packet is addressed, unless there is left with him instructions signed by the last-mentioned person as to the delivery thereof, and shall not forward any postal packet to another address unless there is left with him written instructions to that effect signed by the addressee.

(3) The books so kept and all postal packets received by a person carrying on any such business, and any instruction as to the delivery or forwarding of postal packets received by any such person, shall be kept at all reasonable times open to inspection by any police constable.

(4) If any person contravenes or fails to comply with any of the provisions of this section, or furnishes any false information or makes any false entry, he shall be guilty of an

offence under this Act, and shall, for each offence, be liable on conviction under the Summary Jurisdiction Acts to imprisonment with or without hard labour for a term not exceeding one month, or to a fine not exceeding ten pounds, or to both such imprisonment and fine.

(5) Nothing in this section shall apply to postal packets addressed to any office where any newspaper or periodical is published, being postal packets in reply to advertisements appearing in such newspaper or periodical.

(6) Nothing in this section shall be construed as rendering legal anything which would be in contravention of the exclusive privilege of the Postmaster General under the Post Office Acts, 1908 to 1920, or the Telegraph Acts, 1863 to 1920.

Duty of giving information as to commission of offences.

**6.** It shall be the duty of every person to give on demand to a chief officer of police, or to a superintendent or other officer of police not below the rank of inspector appointed by a chief officer for the purpose, or to any member of His Majesty's forces engaged on guard, sentry, patrol, or other similar duty, any information in his power relating to an offence or suspected offence under the principal Act or this Act, and, if so required, and upon tender of his reasonable expenses, to attend at such reasonable time and place as may be specified for the purpose of furnishing such information, and, if any person fails to give any such information or to attend as aforesaid, he shall be guilty of a misdemeanour.

Attempts, incitements, &c.

**7.** Any person who attempts to commit any offence under the principal Act or this Act, or solicits or incites or endeavours to persuade another person to commit an offence, or aids or abets and does any act preparatory to the commission of an offence under the principal Act or this Act, shall be guilty of a felony or a misdemeanour or a summary offence according as the offence in question is a felony, a misdemeanour or a summary offence, and on conviction shall be liable to the same punishment, and to be proceeded against in the same manner, as if he had committed the offence.

Provisions as to trial and punishment of offences.

**8.**—(1) Any person who is guilty of a felony under the principal Act or this Act shall be liable to penal servitude for a term of not less than three years and not exceeding fourteen years.

(2) Any person who is guilty of a misdemeanour under the principal Act or this Act shall be liable on conviction on indictment to imprisonment, with or without hard labour, for a term not exceeding two years, or, on conviction under the Summary Jurisdiction Acts, to imprisonment, with or without hard labour, for a term not exceeding three months or to a fine not exceeding fifty pounds, or both such imprisonment and fine:

Provided that no misdemeanour under the principal Act or this Act shall be dealt with summarily except with the consent of the Attorney General.

(3) For the purposes of the trial of a person for an offence under the principal Act or this Act, the offence shall be deemed to have been committed either at the place in which the same actually was committed, or at any place in the United Kingdom in which the offender may be found.

(4) In addition and without prejudice to any powers which a court may possess to order the exclusion of the public from any proceedings if, in the course of proceedings before a court against any person for an offence under the principal Act or this Act or the proceedings on appeal, or in the course of the trial of a person for felony or misdemeanour under the principal Act or this Act, application is made by the prosecution, on the ground that the publication of any evidence to be given or of any statement to be made in the course of the proceedings would be prejudicial to the national safety, that all or any portion of the public shall be excluded during any part of the hearing, the court may make an order to that effect, but the passing of sentence shall in any case take place in public.

(5) Where the person guilty of an offence under the principal Act or this Act is a company or corporation, every director and officer of the company or corporation shall be guilty of the like offence unless he proves that the act or omission constituting the offence took place without his knowledge or consent.

Amendments of principal Act in relation to munitions of war.

**9.** The principal Act shall have effect as though—

(1) After paragraph (*a*) of subsection (1) of section two the following paragraph were inserted:

"(*aa*) 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;"

and after the said subsection (1) the following subsection were inserted:

"(1A) 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;" and

(2) In section twelve, after the definition of "sketch," the following definition were inserted:

"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."

**10.** The amendments specified in the second column of the First Schedule to this Act (which relate to minor details) shall be made in the provisions of the principal Act specified in the first column of that schedule. Minor amendments of principal Act.

**11.**—(1) This Act may be cited as the Official Secrets Act, 1920, and shall be construed as one with the principal Act, and the principal Act and this Act may be cited together as the Official Secrets Acts, 1911 and 1920. Short title, construction, and repeal.

Provided that—

(*a*) this Act shall not apply to any of the following Dominions, that is to say, the Dominion of Canada, the Commonwealth of Australia (which for this purpose shall be deemed to include Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, Newfoundland, and India; and

(*b*) nothing in the principal Act shall be construed as preventing an offence under this Act which is to be tried summarily being tried in Scotland by the sheriff.

(2) The provisions of the principal Act mentioned in the Second Schedule to this Act are hereby repealed.

(3) For the purposes of this Act, the expression "chief officer of police,"—

(*a*) with respect to any place in England other than the city of London, has the meaning assigned to it by the Police Act, 1890; 53 & 54 Vict. c. 45.

(*b*) with respect to the city of London, means the Commissioner of the City Police;

(*c*) with respect to Scotland, has the meaning assigned to it by the Police (Scotland) Act, 1890; and 53 & 54 Vict. c. 67.

(*d*) with respect to Ireland, means, in the police district of Dublin metropolis, either of the Commissioners of Police for that district, and elsewhere the district inspector of the Royal Irish Constabulary.

## SCHEDULES.

### FIRST SCHEDULE. Section 10.

MINOR AMENDMENTS OF PRINCIPAL ACT.

| Enactment. | Nature of Amendment. |
|---|---|
| s. 1 (1) (*a*) - | After the word "approaches" there shall be inserted the words "inspects, passes over." |
| s. 1 (1) (*c*) - | After the word "obtains" there shall be inserted the words "collects, records, or publishes," and after the words "any other person" there shall be inserted the words "any secret official code word, or pass word, or." |

| Enactment. | Nature of Amendment. |
|---|---|
| s. 1 (2) - | After the words " in such a place " there shall be inserted the words " or any secret official code word or pass word."<br>After the word " obtained," in both places where it occurs, there shall be inserted the words " collected, recorded, published." |
| s. 2 (1) - | After the words " possession or control " there shall be inserted the words " any secret official code word, or pass word, or."<br>After the words " which he has obtained " there shall be inserted the words " or to which he has had access."<br>After the words " communicates the " there shall be inserted the words " code word, pass word."<br>After the words " his duty to retain it " there shall be inserted the words " or fails to comply with all directions " issued by lawful authority with regard to the return or " disposal thereof."<br>After paragraph (*b*) there shall be inserted the following paragraph :—<br>" or (*c*) 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." |
| s. 2 (2) - | Before the word " sketch " where that word first occurs, there shall be inserted the words " secret official code word, or pass word, or."<br>Before the word " sketch " in other places where it occurs, there shall be inserted the words " code word, pass word." |
| s. 3 - - | For paragraph (*a*) the following paragraph shall be substituted :—<br>" Any work of defence, arsenal, naval or air force establishment or station, factory, dockyard, mine, mine-field, camp, ship, or aircraft belonging to or occupied by or on behalf of His Majesty, or any telegraph, telephone, wireless or signal station, or office so belonging or occupied, and any place belonging to or occupied by or on behalf of His Majesty and used for the purpose of building, repairing, making, or storing any munitions of war, or any sketches, plans, models, or documents relating thereto, or for the purpose of getting any metals, oil, or minerals of use in time of war."<br>In paragraphs (*b*) and (*d*) for the words " ship, arms, or other materials or instruments of use in time of war," in both places where they occur, there shall be substituted the words " munitions of war," and for the word " plans," in both places where it occurs, there shall be substituted the words " sketches, models, plans."<br>In paragraph (*b*) after the word " repaired " there shall be inserted the word " gotten."<br>In paragraph (*c*) after the words " any place belonging to " there shall be inserted the words " or used for the purposes of."<br>In paragraphs (*c*) and (*d*) for the words " by a Secretary of State " in both places where those words occur, there shall be substituted the words " by order of a Secretary of State." |

| Enactment. | Nature of Amendment. |
|---|---|
| s. 7 - - | For the words "wilfully refuses" there shall be substituted the words "wilfully omits or refuses." |
| s. 12 - - | After the words "like or superior rank" there shall be inserted the words "and any person upon whom the "powers of a superintendent of police are for the purpose "of this Act conferred by a Secretary of State." |

## SECOND SCHEDULE.

Section 11.

PROVISIONS OF PRINCIPAL ACT REPEALED.

In subsection (1) of section one the words "and shall be liable "to penal servitude for any term not less than three years and not "exceeding seven years."

Subsection (3) of section two.

Section four.

In section seven the words "and liable to imprisonment with or "without hard labour for a term not exceeding one year, or to a fine, "or to both imprisonment and a fine."

# CHAPTER 76.

An Act to amend the Corn Production Act, 1917, and the Enactments relating to Agricultural Holdings.

[23rd December 1920.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

## PART I.

AMENDMENT OF THE CORN PRODUCTION ACT, 1917.

Continuance of Corn Production Act, 1917. 7 & 8 Geo. 5. c. 46.

**1.**—(1) Subject as hereinafter provided, the provisions of the Act of 1917 shall continue in force until Parliament otherwise determines:

Provided that it shall be lawful for His Majesty, on an Address presented to him by both Houses of Parliament praying that the Act of 1917 shall cease to be in force, by Order in Council to declare that that Act shall cease to be in force on the