



Ministry of Defence

Our Ref: 20140815 - FOI2014/04093

E-mail address: [REDACTED]

Dear [REDACTED]

Thank you for your email dated 4 August 2014 requesting the following information:

"I make a request to be sent a copy of the latest Official Secrets Act form that is signed by Ministry of Defence employees."

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

Please see attached a blank copy of the Official Secret Acts and Confidentiality Declaration Form. This document is the property of Her Britannic Majesty's Government and is for Official use only within the Ministry of Defence.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours sincerely,

Defence Security

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Whitehall
London SW1A 2HB
United Kingdom

Telephone [MOD]: +44 (0)20 721 890000

E-mail: DBR-DefSy-Secretariatoffice@mod.uk

20 August 2014



OFFICIAL SECRETS ACTS AND CONFIDENTIALITY DECLARATION

(to be signed on appointment to, or on behalf of, the Ministry of Defence (including service in the Armed Forces) - Crown service; or, when otherwise in receipt of official information).

Introduction

The Official Secrets Acts (1911 - 1989) provide for the protection of official information* (whether protectively marked (classified) or not) which may have been entrusted to you by the Ministry of Defence. You remain subject to these Acts at all times both while in Crown service and after termination of such service. You are liable to prosecution and imprisonment if found to be in breach of the Acts (either in the UK or overseas).

You are further advised that under civil law you also have a Duty of Confidentiality to the Ministry of Defence and are bound by Crown copyright where it relates to official information. Where applicable, you are subject to the confidentiality and disclosure provisions of either the MOD Personnel Manual (for Civil Servants) or Queen's Regulations (for Service personnel). A breach of which can be a disciplinary offence.

This form draws your attention to your obligations which continue after termination of Crown service and are lifelong.

*Official Information can be (example only): oral, written (including documents or notes), electronic, mechanical, sketches, plans, models, books, pamphlets, articles, journals, log books, speeches, lectures, instructional material and photographs. It does not have to be protectively marked (classified) to be covered by this obligation/declaration.

Full Name (Block Capitals)

Obligations

I am aware of the Official Secrets Acts and that I am subject to them and that there are serious consequences if I am found to be in breach of them.

I understand that I have a Duty of Confidentiality to the Ministry of Defence and that I may be in breach of that duty and of Crown copyright if I disclose any official information without prior permission of the Ministry of Defence.

I understand that where I gain access to or am entrusted with official information, in whatever form and by whatever means, it is my duty to continue to protect that information.

I understand that I cannot retain official information, documents or other material, other than for the purpose of official duty. Any such items will be surrendered either on completion of my appointment or at the end of Crown Service unless I have lawful authority to retain that information.

Any official information gained by me which may be subject to the Official Secrets Acts, my Duty of Confidentiality, or Crown copyright, will not be disclosed to a third party (either in the UK or overseas) without prior permission of the Ministry of Defence(*). This includes commenting on other official information that may require protection.

Declaration

I have read MOD Form 134. I am fully aware of my obligations under the Official Secrets Acts, the Duty of Confidentiality, Crown copyright and where applicable, the MOD Personnel Manual or Queen's Regulations. I understand that I am liable to serious consequences, which, may include prosecution and imprisonment, if I am found to be in breach of these obligations (either in the UK or overseas). I understand that it applies to me at all times during and after completion of Crown service.

Signed..... Date.....

Surname..... Forename(s).....

(Block Letters) (Block Letters)

Rank/Grade..... Service/Staff Number.....

(if applicable) (if applicable)

(* Proposed publications etc should be directed to, or advice obtained from, the appropriate contact points specified in the latest Defence Instructions and Notices on contact with the Media and Communicating in Public)