



CR Art. 22

Breach of Official Duty and Misuse of Confidential Information

TITLE 03 — OFFENCES AGAINST THE STATE AND PUBLIC ORDER · CHAPTER 03 — OFFENCES AGAINST PUBLIC ORDER

- 1 Any public officer who wilfully or through gross negligence breaches the duties of office, causing or creating a material risk of harm to the State or to any person, commits an offence.
 - 2 Any public officer who, without authorisation, discloses confidential State information to any person not entitled to receive it commits an offence.
 - a. For the purposes of this paragraph, "confidential State information" means any information classified as confidential, restricted, or otherwise not intended for public disclosure by law, regulation, or lawful direction of a competent authority.
 - 3 Any public officer who uses confidential information obtained through the exercise of their office for personal gain or for the benefit of any third party commits an offence.
 - 4 For the purposes of this Article, "public officer" has the meaning given in [Article 2\(1\)\(h\)](#).
 - 5 **Classification.**
 - a. An offence under this Article is a **serious** offence.
 - b. Where the offence results in substantial harm to the State, to the administration of justice, or to any person, the offence is a **grave** offence.
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6 Sanctions.

- a. For a serious offence under this Article, the offender is liable to the following sanctions:
 - a. A fine of \$5,000 to \$50,000, in accordance with [Article 12](#).
 - b. Public censure in accordance with [Article 10](#).
 - c. Revocation of office, appointment, or mandate held by the offender.
- b. For a grave offence under this Article, the offender is liable to the following sanctions:
 - a. A fine of \$50,000 to \$500,000, in accordance with [Article 12](#).
 - b. Public censure in accordance with [Article 10](#).
 - c. Revocation of office, appointment, or mandate held by the offender.

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