



# Cabinet Office

## Proactive release of information about management of ministerial conflicts of interest

1 October 2020 – 30 September 2021

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### Explanatory note

- 1 The table below is a summary of certain actions taken by Ministers during the period 1 October 2020 to 30 September 2021 in order to manage actual or potential conflicts of interest. It includes transfers of responsibility to other Ministers and standing arrangements not to receive Cabinet papers. Other steps for managing conflicts of interest set out at paragraph 2.74 of the Cabinet Manual (such as declarations of interest, and ad hoc or short-term arrangements not to receive papers) are not included.
- 2 The Office of the Ombudsman has reviewed this summary and confirmed that it is consistent with the more detailed record held by the Cabinet Office.
- 3 The actions listed in the table are standing arrangements, and may cover multiple instances when responsibility was exercised by another Minister or papers were not received. It is also possible that there have been no such instances, because the particular issue has not arisen in practice.
- 4 The nature of each actual or potential conflict of interest is described using the following categories:
  - *Pecuniary*: relating to a Minister's personal financial interests such as assets, debts and gifts;
  - *Personal*: relating to a Minister's non-financial personal interests, such as family, whānau or close associates, former employment and business activities, and (in certain limited circumstances) current and past involvement with specific organisations;
  - *Portfolio*: relating to different aspects of a Minister's official responsibilities;
  - *Constituency*: relating to a Minister's role as a Member of Parliament.
- 5 The following actions commonly occur as a consequence of a transfer:
  - (1) officials report directly to the transferee in relation to the specified matter(s);
  - (2) any information relating to the specified matter(s) received by the transferor's office is referred to the transferee;
  - (3) the transferor does not receive Cabinet papers or other official papers or reports on the specified matter(s); and

(4) if the specified matter(s) is/are discussed at Cabinet (or other relevant meetings), the transferor will declare his/her interest and withdraw from the meeting (or seek the agreement of colleagues to continue to take part).

- 6 These actions are referred to below as “action (1)”, “action (2)” etc.
- 7 The annual proactive release of information about the management of ministerial conflicts of interest (covering transfers of responsibility and arrangements not to receive papers) was agreed by the then Prime Minister and the former Chief Ombudsman in 2012. The release is intended to provide public assurance that systems are in place to manage conflicts of interest effectively, while protecting the privacy of individuals, the confidentiality of Cabinet discussions, and the confidentiality of correspondence between the Cabinet Office and the Prime Minister and other Ministers about actual or potential conflicts of interest.
- 8 Further information on the management of ministerial conflicts of interest is set out at paragraphs 2.59-2.81 of the Cabinet Manual 2017, available at [www.dPMC.govt.nz/cabinet-manual](http://www.dPMC.govt.nz/cabinet-manual).

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Phil Twyford	Potential conflict between responsibility as Associate Minister of Immigration and role as MP for Te Atatū.	Constituency	<p>Responsibility for decisions as Associate Minister for Immigration that would affect constituents in Te Atatū transferred to Hon Kris Faafoi on 7 December 2020.</p> <p>Actions (1) – (3) put in place.</p> <p>Electorate office will refer immigration enquiries to another, local, MP's office or to Hon Faafoi's Office directly.</p>
Hon Grant Robertson	Potential conflict, as Minister of Finance, between role as the Crown shareholder in Air New Zealand Limited and responsibility for providing the Finance portfolio perspective on aviation policy and regulation.	Portfolio	<p>Responsibilities as Minister of Finance in relation to aviation policy and regulation transferred to Hon David Parker on 10 December 2020.</p> <p>As a consequence of the transfer: Treasury will report to Mr Parker directly on aviation policy; Mr Parker, and other Ministers with aviation regulatory interests, will bring aviation policy and regulatory issues to Cabinet without any input from Mr Robertson; Mr Robertson will bring to Cabinet any ownership issues relating to Air New Zealand; if a matter arises at Cabinet which conflicts with Mr Robertson's responsibility for the Crown shareholding in Air New Zealand to the extent it is inappropriate for him to stay, he will declare an interest and withdraw.</p>

<b>Minister's name</b>	<b>Matter at issue</b>	<b>Nature of conflict</b>	<b>Action taken</b>
Hon Grant Robertson	Potential conflict, as Minister of Finance, between roles as Crown shareholder in Air New Zealand Limited and responsibility for exercising powers under section 44 of the National Provident Fund Restructuring Act 1990, including in relation to the employer contribution rate for the Aircrew Superannuation Scheme.	Portfolio	Responsibility for exercising powers under section 44 of the National Provident Fund Restructuring Act 1990 insofar as that responsibility relates to the employer contribution rate for the Aircrew Superannuation Scheme transferred to Hon Dr Megan Woods on 10 December 2020.  Actions (1) to (4) put in place.
Hon Nanaia Mahuta	Potential conflict between responsibility as the Minister of Local Government for appointments to the Māori Advisory Group to Taumata Arowai and a whānau interest.	Personal	Responsibility as the Minister for Local Government for appointments to the Māori Advisory Group to Taumata Arowai transferred to Hon Kelvin Davis on 24 February 2021.  Actions (1) to (4) put in place.  Transfer brought to an end on 28 June 2021.
Hon Dr David Clark	Potential conflict between responsibilities as Minister for State Owned Enterprises with respect to the Crown Shareholding in New Zealand Post Ltd and the Minister's responsibilities under the Digital Economy and Communications portfolio.	Portfolio	Responsibilities as Minister for State Owned Enterprises regarding the Crown shareholding in New Zealand Post Ltd transferred to Hon Dr Megan Woods on 24 March 2021.  Actions (1) and (2) put in place.

<b>Minister's name</b>	<b>Matter at issue</b>	<b>Nature of conflict</b>	<b>Action taken</b>
Hon Chris Hipkins	Potential conflict between a decision as Minister for the Public Service and the interest of a whānau member.	Personal	Responsibility as Minister for the Public Service for agreeing to increase fees for an organisation transferred to Hon Grant Robertson on 2 June 2021.  Actions (1), (2) and (4) put in place.
Hon Kiri Allan	Potential conflict of interest between her functions and responsibilities as Minister of Conservation or delegated responsibilities as Assoc. Minister for the Environment regarding a particular Treaty settlement and a personal interest relating to a close associate.	Personal	Functions, duties and powers within her responsibilities as Minister for Conservation and Associate Minister for the Environment relating to a particular Treaty settlement transferred to Hon Nanaia Mahuta on 20 July 2021.  Actions (1) to (4) put in place.
Hon Priyanca Radhakrishnan	Potential perceived conflict between Minister's former role working for Shakti Community Council and role as Associate Minister for Social Development and Employment, with responsibility for all matters relating to family and sexual violence, and a MSD initiated review of Shakti Community Council.	Personal	Hon Sepuloni resumed responsibility, as Minister for Social Development and Employment, for all matters associated with the Shakti Community Council from 23 August 2021.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Grant Robertson	Potential conflict between the Minister's responsibilities as Minister for Racing and Minister for Sport and Recreation regarding decisions to make regulations under the Racing Industry Act 2020.	Portfolio	<p>Responsibility as Minister for Racing associated with decisions regarding regulations made under s 128(1)(c) of the Racing Industry Act 2020 transferred to Hon Dr Woods on 22 September 2021.</p> <p>Action (1) put in place. Hon Dr Woods will bring any regulations to Cabinet and Cabinet Committees without input from Hon Robertson, other than in his role as Minister of Sport and Recreation (such as statutory consultation as required by s 128(2) of the Act).</p>