



# Cabinet Office

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

1 October 2013 – 30 September 2014

15 April 2015

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### Explanatory note

The table below is a summary of actions taken by Ministers during the period 1 October 2013 to 30 September 2014 in order to manage actual or potential conflicts of interest. It includes transfers of responsibility to other Ministers and arrangements not to receive official papers. (A transfer of responsibility may also include an arrangement not to receive papers.)

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.

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. The table only includes new arrangements put in place in the period 1 October 2013 to 30 September 2014, and is not a full summary of all transfers of responsibility and arrangements not to receive papers that have been made or are currently in place.

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, whanau 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

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 Prime Minister and the 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.

Further information on the management of ministerial conflicts of interest is set out at paragraphs 2.56-2.77 of the Cabinet Manual 2008, available at [www.cabinetmanual.cabinetoffice.govt.nz](http://www.cabinetmanual.cabinetoffice.govt.nz).

| <b>Minister's name</b>       | <b>Matter at issue</b>   | <b>Nature of conflict</b> | <b>Action taken</b>  |
|------------------------------|--|---------------------------|--|
| Hon Bill English             | Responsibility as Minister of Finance for shareholdings in Crown Fibre Holdings Ltd and Chorus Ltd, in light of assessment by the Crown of whether Chorus can meet its ultra-fast broadband and rural broadband initiative build commitments | Portfolio                 | Responsibility for shareholding in Chorus Ltd transferred to Hon Dr Jonathan Coleman   |
| Hon Gerry Brownlee           | Responsibility as Minister for Canterbury Earthquake Recovery for public health and safety in Christchurch, and as Minister for EQC for the Earthquake Recovery programme (subject of a WorkSafe investigation concerning asbestos)          | Portfolio                 | Responsibility as Minister for Canterbury Earthquake Recovery for all matters relating to asbestos exposure, handling and disposal transferred to Hon Tony Ryall |
| Hon Gerry Brownlee           | Responsibility as Minister of Transport for the Civil Aviation Authority, which is conducting an investigation into possible breaches of aviation rules at Christchurch Airport on 24 July 2014  | Personal                  | Responsibility for the CAA until investigation completed transferred to Hon Michael Woodhouse  |
| Hon Gerry Brownlee           | Responsibility as Minister for EQC for all matters relating to the EQC and asbestos issues   | Personal                  | Responsibility transferred to Hon Dr Jonathan Coleman  |
| Hon Paula Bennett            | Potential decisions about an organisation receiving Crown funding  | Personal                  | Responsibility transferred to Hon Chester Borrows  |
| Hon Christopher Finlayson QC | Treaty negotiations in respect of particular iwi   | Personal                  | Responsibility transferred to Hon Michael Woodhouse  |

| <b>Minister's name</b>       | <b>Matter at issue</b>  | <b>Nature of conflict</b> | <b>Action taken</b>   |
|------------------------------|---|---------------------------|---|
| Hon Christopher Finlayson QC | Responsibility as Minister for Arts, Culture and Heritage in respect of a particular project  | Personal                  | Responsibility transferred to Hon Michael Woodhouse                                       |
| Hon Murray McCully           | Responsibility for chairing PACDAC (the Public Advisory Committee on Disarmament and Arms Control), which advises the Minister of Foreign Affairs on disarmament and arms control matters             | Portfolio                 | Responsibility for chairing PACDAC transferred to Hon Chester Borrows                     |
| Hon Michael Woodhouse        | Responsibility as Associate Minister of Transport for day-to-day oversight of the Transport Accident Investigation Commission   | Personal                  | Responsibility in respect of a particular investigation transferred to Hon Gerry Brownlee |
| Hon Todd McClay              | Decisions as Minister of Revenue in respect of a taxation matter  | Pecuniary                 | Responsibility transferred to Hon Bill English  |
| Hon Craig Foss               | Potential trade remedies decisions as Minister of Commerce involving a particular company   | Constituency              | Responsibility transferred to Hon Amy Adams   |
| Hon Peter Dunne              | Responsibility as Minister of Internal Affairs for certain decisions under the Citizenship Act 1977, Passports Act 1992 and Gambling Act 2003 in respect of Ohariu constituents and other individuals | Constituency / personal   | Responsibility transferred to Hon Amy Adams   |

| <b>Minister's name</b> | <b>Matter at issue</b>   | <b>Nature of conflict</b> | <b>Action taken</b>                          |
|------------------------|--|---------------------------|--|
| Hon Chris Tremain      | Responsibility as Minister for Local Government in respect of a proposal for the reorganisation of local government in Hawke's Bay | Constituency              | Responsibility transferred to Hon Amy Adams  |
| Hon Maurice Williamson | Responsibility as Minister for Land Information for disposing of surplus school properties in the Pakuranga electorate             | Constituency              | Responsibility transferred to Hon Nathan Guy |
| Hon Chester Borrows    | Responsibility as Minister for Courts in respect of a particular matter relating to the High Court in Whanganui                    | Constituency              | Responsibility transferred to Hon Tony Ryall |