



Cabinet Office

Proactive release of information about management of ministerial conflicts of interest

1 October 2015 – 30 September 2016

Explanatory note

- 1 The table below is a summary of actions taken by Ministers during the period 1 October 2015 to 30 September 2016 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 2.70 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. The table only includes new arrangements put in place in the period 1 October 2015 to 30 September 2016, 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.
- 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, 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
- 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, the transferor will declare his/her interest and withdraw from the meeting.

- 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 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.
- 8 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.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Paula Bennett	Potential conflict between role as Associate Minister of Finance deciding applications under s 24(1)(a) of the Overseas Investment Act 2005 in relation to transactions regarding Housing New Zealand Corporation Assets, and role as Minister for Social Housing.	Portfolio	Responsibilities as Associate Minister of Finance to make all decisions under s 24(1)(a) of the Overseas Investment Act on whether or not to grant consent to an overseas investment transaction relating to HNZC assets transferred to Hon Steven Joyce on 7 April 2016. Actions (1) – (4) put in place.
Hon Simon Bridges	Potential conflict regarding Mr Bridges' responsibilities as Minister of Energy and Resources.	Personal	Responsibility as Minister of Energy and Resources for any decisions that relate to the matter at issue transferred to Hon Steven Joyce on 26 September 2016. Actions (1) – (4) put in place.
Hon Nick Smith	Conflict between responsibility as Minister for the Environment for determining an application for financial assistance from the Environmental Legal Assistance Fund funding by Three Kings United Group in relation to the appeals lodged against the Three Kings quarry redevelopment, and role as Minister for the Environment as a party to the proceedings.	Portfolio	Responsibility for all matters relating to the Environmental Legal Assistance Fund application transferred to Hon Christopher Finlayson on 8 June 2016. Actions (1) – (4) put in place.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Judith Collins	Potential conflict between role as patron of the Papakura Community Crimewatch Patrol and responsibility as Minister of Police for decisions that may have a direct impact on Community Patrols New Zealand, who determine funding for community patrol groups, including Papakura Community Crimewatch Patrol.	Constituency	Responsibility as Minister of Police for decisions having a direct impact on Community Patrols New Zealand transferred to Hon Simon Bridges on 9 June 2016. Actions (1) – (4) put in place.
Hon Michael Woodhouse	Potential conflict between role as Minister for Workplace Relations and Safety and a personal connection in relation to an investigation being undertaken by WorkSafe.	Personal	No ministerial responsibility. WorkSafe acts independently in their decision-making on investigations. However, for the removal of doubt, the Minister agreed not to receive any information regarding this investigation. Arrangement put in place on 14 June 2016.
Hon Louise Upston	Potential conflict between Ms Upston's role as Minister for Land Information and her role as MP for Taupō. Ms Upston has previously advocated on behalf of constituents in relation to a right of way around the margin of the Lake Taupō. That right of way is now the subject of work by Te Puni Kōkiri and Land Information New Zealand.	Constituency	Responsibility as Minister for Land Information for all matters relating to the right of way issue transferred to Hon Michael Woodhouse on 3 August 2016. Actions (1) – (4) put in place.