CABINET OFFICE

13 August 2026

[redacted]

Ref: OIA-2026/27-0064

Tēnā koe [redacted]

**Official Information Act request: Ministerial conduct**

Thank you for your Official Information Act (the Act) request received on 25 July 2026. You requested:

> *I seek information regarding the constitutional, legal, and administrative responsibility for the conduct of Ministers of the Crown.*
>
> *Specifically, I request:*
>
> *1. Which person, office, or organisation holds responsibility for ensuring that Ministers comply with the expected standards of ministerial conduct.*
>
> *2. Whether the Prime Minister has responsibility for the conduct of Ministers, and if so:*
> *- the nature and extent of that responsibility;*
> *- the legal, constitutional, or conventional basis for that responsibility.*
>
> *3. If the Prime Minister is not responsible for a Minister's conduct, who is responsible instead.*
>
> *4. Any legislation, Cabinet Manual provisions, Cabinet Office guidance, constitutional conventions, policies, or other official documents that describe:*
> *- responsibility for Ministerial conduct;*
> *- accountability for Ministerial behaviour;*
> *- the process for addressing alleged breaches of Ministerial standards.*
>
> *5. In relation to statements that Ministers are "not the Prime Minister's responsibility", please provide any official advice, policy, constitutional guidance, or legal basis supporting that position, if such information exists.*
>
> *If any part of this request is more closely connected with another Minister or agency, please transfer that part of the request in accordance with section 14 of the Official Information Act.*
>
> *I would prefer to receive the information electronically.“”*

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**Response to your request**

I have interpreted your request as being for information at a general level (i.e. general guidance/information on these points, rather than advice or material in relation to specific incidents or Ministers).

Information about ministerial conduct is primarily found in the Cabinet Manual, which is publicly available. See in particular Chapter 2, paragraphs 2.55-2.56. To the extent your request is answered by the Cabinet Manual, it is refused under section 18(d) of the Act.

At paragraph 2.56, the Cabinet Manual notes that ultimately, all Ministers are accountable to the Prime Minister for their behaviour. It is for the Prime Minister to determine whether he or she has confidence in a Minister, and what action should be taken (if any) where a Minister falls short of the expected standard of conduct.

The Prime Minister alone has the right to advise the Governor-General to appoint, dismiss or accept the resignation of Ministers (Cabinet Manual para 2.6(a)).

In addition to the Cabinet Manual guidance, the Cabinet Office holds versions of a memorandum of advice for Prime Ministers about ministerial conduct. That advice was provided to the Prime Minister as part of the Cabinet Office's briefing to the incoming Prime Minister in 2023. A small portion of that advice has been released, see this link at page 21: Response to Official Information Act request OIA-2023/24-0444: Information provided to incoming Ministers - March 2024 - Cabinet Office; Department of the Prime Minister and Cabinet. The remainder of the advice, and other previous versions of the same document, is withheld in accordance with sections 9(2)(f)(iv) and 9(2)(g)(i) of the Act.

I am not aware of statements that Ministers are "not the Prime Minister's responsibility".

In making my decision, in accordance with section 9(1) of the Act I have considered whether the public interest in disclosure outweighs the need to withhold the information, and I have concluded that it does not.

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Nāku noa, nā



Rachel Hayward
**Secretary of the Cabinet**