



# Cabinet Office

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

1 October 2021 – 30 September 2022

---

### Explanatory note

- 1 The table below is a summary of certain actions taken by Ministers during the period 1 October 2021 to 30 September 2022 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 Grant Robertson	Potential conflict, as Minister of Finance, between role as shareholder in NZ Post Limited and role in negotiating the purchase by the Crown of NZ Post's shares in Kiwi Group Holdings Limited (KGHL).	Portfolio	<p>Responsibility for the Minister of Finance's shareholding in NZ Post Limited regarding the sale of NZ Post's Shares in KGHL transferred to Hon Dr David Clark on 13 June 2022.</p> <p>Actions (1) and (2) put in place in respect of the negotiation and <u>sale</u> of NZ Post's shares in KGHL. Officials from the Treasury involved in the negotiation and <u>purchase</u> of NZ Post's shares in KGHL continued to report to Hon Robertson.</p>
Hon Grant Robertson	Potential conflict, as Minister of Finance, between role as shareholder/future shareholder (directly or indirectly) in Kiwi Group Holdings Limited and role in determining whether the sale of Kiwi Wealth Management Limited (a subsidiary company of KGHL) to an overseas person is contrary to New Zealand's interest under the Overseas Investment Act.	Portfolio	<p>Responsibilities as Minister of Finance for application of the national interest test under the Overseas Investment Act, in respect of the sale of Kiwi Group Holdings Limited's shares in Kiwi Wealth Management Limited, transferred to Hon Chris Hipkins on 24 August 2022.</p> <p>Actions (1) and (2) put in place.</p>

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Dr Megan Woods	Potential conflict between responsibility as Crown Shareholder in New Zealand Post Limited (as a result of an earlier transfer) for an appointment decision and a personal interest.	Personal	Responsibilities as a Crown Shareholder in New Zealand Post Limited regarding the relevant appointment decision transferred to Hon Kris Faafoi on 8 March 2022.  Actions (1) and (2) put in place.
Hon David Parker	Potential conflict between responsibility as Minister for the Environment to decide (with the Minister of Conversation) whether to refer the Hananui Aquaculture project to an expert consenting panel, and participation in role as Minister for Oceans and Fisheries in consultation process about whether the Hananui Aquaculture project should be referred to an expert consenting panel.	Portfolio	Responsibilities as Minister for the Environment for an application under the COVID-Recovery (Fast-Track Consenting) Act regarding the Hananui Aquaculture project transferred to Hon Stuart Nash on 19 December 2021.  Actions (1) and (2) put in place.
Hon Michael Wood	Potential conflict between responsibilities as Minister of Immigration and role as MP for Mt Roskill with respect to ministerial decisions that may affect constituents in his electorate.	Constituency	Responsibility for decisions as Minister of Immigration that would affect constituents in Mt Roskill electorate transferred to Hon Phil Twyford on 18 July 2022.  Actions (1)-(3) put in place.  Hon Wood's electorate office will refer immigration enquiries to a different local MP's office, or to Hon Twyford's Office directly.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Dr David Clark	Potential conflict between responsibilities (as Minister for State Owned Enterprises) as Crown Shareholder in Transpower Limited for an appointment decision and a personal interest.	Personal	Responsibilities as a Crown Shareholder in Transpower Limited relating to the relevant appointment process transferred to Hon Kiri Allan on 25 August 2022.  Actions (1) and (2) put in place.
Hon Dr David Clark	Potential conflict between shareholding responsibilities (as Minister for State Owned Enterprises) in a new Crown holding company established under the Public Finance Act 1989 (for the <u>purchase</u> of shares in Kiwi Group Holdings Limited) and role (as previously transferred by the Minister of Finance) as shareholder in NZ Post Limited for the <u>sale</u> of shares in KGHL.	Portfolio	Responsibility for the Minister of State Owned Enterprises' shareholding in the Public Finance Act company (established by the Crown as the vehicle for the purchase of shares in KGHL) for the purchase of NZ Post's shares in KGHL transferred to Hon David Parker on 15 June 2022.  Actions (1) and (2) put in place in respect of the negotiation and <u>purchase</u> of NZ Post's shares in KGHL. Officials from the Treasury involved in the negotiation and <u>sale</u> of NZ Post's shares in KGHL to continue to report directly to Hon Dr Clark.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Phil Twyford	Potential conflict between responsibilities as Associate Minister of Immigration and role as MP for Te Atatū with respect to ministerial decisions that may affect constituents in his electorate.	Constituency	<p>Responsibility for decisions as Associate Minister of Immigration that would affect constituents in Te Atatū electorate transferred to Hon Wood on 4 July 2022.</p> <p>Actions (1)-(3) put in place.</p> <p>Hon Twyford's electorate office will refer immigration enquiries to a different local MP's office, or to Hon Wood's Office directly.</p>