



CABINET OFFICE

18 March 2024



Ref: OIA-2023/24-0635

Tēnā koe [REDACTED]

Official Information Act request: Records pertaining to Ministerial conflicts of interest in relation to tobacco industry

Thank you for your Official Information Act request received on 6 March 2024. You requested:

I would like to make a request under the Official Information Act for copies of all records (including but not limited to letters, emails and minutes from meetings), pertaining to Ministerial conflicts of interest in relation to the tobacco industry for the period 2017 – 2024.”

The Cabinet Office, on behalf of the Prime Minister, supports Ministers in identifying and managing conflicts of interest that may arise in relation to their portfolios or other ministerial responsibilities.

Successive Ombudsmen have long held the view that Cabinet Office advice to Ministers is inherently confidential. It is in the public interest that the Cabinet Office can obtain and assess information about conflicts of interest and provide advice to Ministers on how to resolve them. Ministers are encouraged to seek advice from the Secretary of the Cabinet on a confidential basis. Details regarding conflicts of interest are not generally disclosed, to ensure the confidentiality of Cabinet proceedings, to maintain the effective conduct of public affairs and in some cases to protect personal privacy.

The Cabinet Office holds material that falls within the scope of your request. Having considered your request and the information held, I am withholding this information under the following sections of the Act:

- section 9(2)(a), to protect the privacy of natural persons;
- section 9(2)(ba)(ii), to protect information which is subject to an obligation of confidence, where the making available of the information would damage the public interest;
- section 9(2)(f)(iv), to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and

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DEPARTMENT OF THE PRIME MINISTER AND CABINET

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- section 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers or officials in the course of their duty.

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.

Every year the Cabinet Office proactively releases some information about the management of ministerial conflicts in accordance with an agreement with the Office of the Ombudsman. This information covers transfers of responsibility and arrangements not to receive papers. These annual releases are published on the Department of the Prime Minister and Cabinet's website at: [Annual Ministers' interests releases | Department of the Prime Minister and Cabinet \(DPMC\)](#)

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