



Cabinet Office

Proactive release of information about management of ministerial conflicts of interest

1 October 2022 – 30 September 2023

Explanatory note

- 1 The table below is a summary of certain actions taken by Ministers during the period 1 October 2022 to 30 September 2023 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 2.76 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 2.59-2.83 of the Cabinet Manual 2023, available at www.dpmc.govt.nz/cabinet-manual.

Minister's name	Matter at issue	Nature of conflict	Action taken
Rt Hon Jacinda Ardern	Potential conflict between previous personal involvement with the St James Theatre Auckland (including advocating for funding) and decision-making responsibility in respect of an application for funding for St James Theatre from the Emerging Priorities Fund.	Personal	Responsibility for decision-making in relation to the proposal to access the Emerging Priorities Fund in respect of the St James Theatre transferred to Hon Robertson on 26 October 2022. Actions (1) to (4) put in place.
Hon Carmel Sepuloni	Potential conflict between role as Minister for Social Development and Employment for an appointment decision, and a personal interest.	Personal	Responsibility for the appointment process transferred to Hon Radhakrishnan on 16 March 2023. Actions (1) to (4) put in place.
Hon Grant Robertson	Potential conflict between decision-making responsibilities (as Minister of Finance) for decisions under Part 3 of the Overseas Investment Act 2005 relating to a company, and role as shareholding Minister in NZ Growth Capital Partners.	Portfolio	Responsibility for the relevant decisions under the Overseas Investment Act 2005 transferred to Hon Dr Woods on 21 November 2022. Actions (1) and (2) put in place.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Grant Robertson	Potential conflict between role as Minister of Finance and role as shareholder in Genesis Energy, in respect of a national interest assessment under the Overseas Investment Act relating to a proposed investment by Genesis.	Portfolio	Responsibilities as Minister of Finance to carry out the national interest assessment under the Overseas Investment Act relating to the proposed investment by Genesis transferred to Hon Parker on 13 September 2023. Actions (1) and (2) put in place.
Hon Willie Jackson	Potential conflict between responsibility as Minister for Māori Development for appointment decisions, and a personal interest.	Personal	Responsibility for the appointment processes transferred to Hon Mahuta on 19 June 2023. Actions (1) to (4) put in place
Hon Andrew Little	Potential conflict between role as Minister of Defence and functions as Minister for Treaty of Waitangi Negotiations in the context of negotiations with the Mōkai Pātea Waitangi Claims Trust about defence lands.	Portfolio	Responsibilities as Minister for Treaty of Waitangi Negotiations for functions relating to defence land in the context of negotiations with the Mōkai Pātea Waitangi Claims Trust transferred to Hon Andersen on 13 March 2023. Actions (1) and (2) put in place.
Hon David Parker	Potential conflict between responsibilities as Attorney-General under section 7 of the Bill of Rights Act 1990 in respect of the Natural and Built Environments Bill, the Spatial Planning Bill, and any related Bills (the Bills) and involvement in developing the Bills as Minister for the Environment.	Portfolio	Hon Andrew Little appointed as acting Attorney-General for the purpose of carrying out the Attorney-General's function under section 7 of the New Zealand Bill of Rights Act 1990 in respect of the Bills, on 26 October 2022 (and published in the Gazette on 28 October 2022).
Hon David Parker	Potential conflict between decision-making responsibilities (as Minister for the Environment) under the Resource Management Act and a personal interest.	Personal	Relevant responsibilities as Minister for the Environment under the Resource Management Act transferred to Hon Phil Twyford on 7 November 2022. Actions (1) and (2) put in place.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon David Parker	Potential conflict between responsibilities as Attorney-General under section 7 of the Bill of Rights Act 1990 in respect of the Taxation Principles Reporting Bill, and involvement in developing the Bill as Minister of Revenue.	Portfolio	Hon Allan appointed as acting Attorney-General for the purpose of carrying out the Attorney-General's function under section 7 of the New Zealand Bill of Rights Act 1990 in respect of the Taxation Principles Reporting Bill, on 9 May 2023 (and published in the Gazette on 10 May 2023).
Hon David Parker	Potential conflict between responsibility as Minister for the Environment for an appointment decision, and a personal interest.	Personal	Responsibility for the appointment process transferred to Hon Henare on 1 May 2023. Actions (1) to (4) put in place.
Hon Peeni Henare	Potential conflict between responsibilities as Minister of Tourism, and role as trustee of the Waitangi National Trust Board.	Personal	Responsibilities as Minister of Tourism for decisions relating directly to the Waitangi National Trust Estate transferred to Hon Davis on 3 May 2023. Actions (1) to (4) put in place.
Hon Nanaia Mahuta	Potential conflict between role as chair of PACDAC (as Minister of Disarmament and Arms Control), and role as Minister of Foreign Affairs to receive advice from PACDAC.	Portfolio	Responsibility for chairing PACDAC transferred to Hon Sepuloni on 13 March 2023. Actions (1) and (2) put in place.
Hon Ginny Andersen	Potential conflict between responsibilities as Minister of Police and Minister of Justice.	Portfolio	Responsibilities as Minister of Justice for claims for compensation for wrongful conviction and detention, requests for the exercise of the Royal prerogative of mercy, and appointments to and monitoring of the Independent Police Conduct Authority, Criminal Cases Review Commission, and Human Rights Commission transferred to Hon Dr Russell on 3 August 2023. Actions (1) and (2) put in place.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Barbara Edmonds	Potential conflict between role as settlor of the Cyclone Gabrielle Appeal Trust (the Trust), and role as Minister for Internal Affairs for making decisions about the Trust's application to the Lottery Minister's Discretionary Fund.	Portfolio	Responsibilities as Minister of Internal Affairs for making a decision in relation to the Trust's application to the Minister of Internal Affairs' Discretionary Fund transferred to Hon Dr Webb on 22 May 2023. Actions (1) and (2) put in place.
Hon Barbara Edmonds	Potential conflict arising from role as Minister of Internal Affairs in relation to citizenship decisions about either close associates or constituents from the Mana electorate.	Personal / Constituency	Responsibilities as Minister of Internal Affairs for decisions on citizenship, where the applicant is a constituent of the Mana electorate or a close associate of Hon Edmonds, transferred to Hon Dr Webb on 22 May 2023. Actions (1) and (2) put in place.
Hon Barbara Edmonds	Potential conflict arising from role as Minister of Internal Affairs in relation to decisions on applications from the Lottery Minister's Discretionary Fund (the Fund), where applicants are either constituents of the Mana electorate, or close associates of Hon Edmonds.	Personal / Constituency	Responsibilities as Minister of Internal Affairs for decisions on applications for grants from the Fund, where the applicant is a constituent of the Mana electorate or a close associate of Hon Edmonds, transferred to Hon Dr Webb on 19 June 2023. Actions (1) and (2) put in place.
Hon Kiri Allan	Potential conflict between responsibilities as Minister of Justice relating to the Race Relations Commissioner, and the fact that Hon Allan received donations from that person to her 2020 election campaign.	Pecuniary	Responsibility for matters relating to the Race Relations Commissioner transferred to Hon Dr Russell on 1 May 2023. Actions (1) to (4) put in place.
Hon Kiri Allan	Potential conflict between responsibility as Minister of Justice for an appointment decision, and a personal interest.	Personal	Responsibility for appointment process transferred to Hon Dr Russell on 7 June 2023. Actions (1) to (4) put in place.

Minister's name	Matter at issue	Nature of conflict	Action taken
Hon Michael Wood	Potential conflict between responsibilities as Minister of Immigration and role as MP for Mt Roskill.	Constituency	Responsibilities as Minister of Immigration for decisions relating to individual constituents (or groups of constituents) in the Mt Roskill Electorate transferred to Hon Brooking on 19 June 2023. Actions (1) to (3) put in place.