

*From the Chair*



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

G/8 Ground Floor, 1 Horse Guards Road, London SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

August 2015

You asked for the Committee's advice about taking up appointments with Environmental Defense Fund Ltd, Powerhive Inc and Equinox Energy Capital Ltd having left Government in July 2014.

Environmental Defense Fund Ltd (EDF)

You will be a non executive director and trustee of the new European arm of EDF, one of the largest "green" NGOs in North America. The role will be for 1 day per month and will be unpaid. You stated that whilst in office you would have met, in the course of visits to the US, members of EDF as part of wider stakeholder engagement with leading US voices on climate change. You are not aware of any relationship, either contractual or non contractual between EDF and your former departments.

Powerhive Inc

You will join as an Advisory Board member and have an offer of paid, part-time employment for 1 day per month. You will be giving support and strategic advice, especially on expansion into new markets, particularly in sub Saharan rural Africa. You stated that during your last two years in office you did not have any official dealings with Powerhive, or its parent company or clients or with competitors. You are not aware of any relationship, either contractual or non contractual between Powerhive and your former departments. You told us that this is a very young company looking to expand and seeking a global view as it develops its ambitious growth strategy.

**Members:**

Mark Addison, Sir Alex Allan KCB, Baroness Browning (Chair),  
Lord German OBE, Mary Jo Jacobi, Rt Hon Baroness Liddell of Coatdyke,  
Sir Hugh Stevenson, General the Lord Walker of Aldringham GCB CMG CBE

Equinox Energy Capital Ltd

You will join Equinox as a partner. This role will be paid and will be for 3 days per month. You will advise and assist with strategy with respect to developing clean energy projects in Africa, specifically starting with Sierra Leone and Ghana, countries that you never visited as a Minister. Equinox may invest in South America if the opportunity arises. You stated that, during your last two years in office you did not have any official dealings with Equinox or its parent company or clients, nor with competitors. You are not aware of any relationship, either contractual or non contractual between Equinox and your former departments. You told us that while you will certainly have met other private equity firms, you are not aware of any investing specifically in Ghana or Sierra Leone.

The Committee also considered the views of your former departments.

The Committee has noted again that these appointments are related to the area for which you had ministerial responsibility and believes that this may give rise to negative perceptions of these appointments.

However, taking into account all the circumstances, we see no reason why you should not accept these appointments subject to the following conditions:

- you should not draw on [disclose or use for the benefit of yourself or the organisations or persons to which this advice refers] any privileged information available to you as a minister from your time in Government and
- for two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of your new employers, their parent companies, their subsidiaries or their clients.

By 'privileged information' we mean official information to which a minister has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Civil Service Code or otherwise.

It might be helpful if I add that the Business Appointment Rules explain that the restriction on lobbying means that the former Ministers "should not engage in communication with Government - including Ministers, special advisers and officials - with a view to influencing a Government decision or policy [including applications for awards or grants] in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted".

I should be grateful if you would inform us as soon as you take up the appointments, or if it is announced that you will do so, either by returning the enclosed form or by emailing the office at the above address. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced. This could lead to a false assumption being made about whether you had complied with the Ministerial Code. Similarly, I should be grateful if you would inform us if

**Members:**

Mark Addison, Sir Alex Allan KCB, Baroness Browning (Chair),  
Lord German OBE, Mary Jo Jacobi, Rt Hon Baroness Liddell of Coatdyke,  
Sir Hugh Stevenson, General the Lord Walker of Aldringham GCB CMG CBE

*From the Chair*

you propose to extend or otherwise change your roles with EDF, Powerhive Inc or Equinox Energy Capital Ltd as, depending on the circumstances, it may be necessary for you to seek fresh advice.

Once the appointments have been publicly announced or taken up, we will publish this letter on the Committee's website and include the main details of the applications, together with the Advisory Committee's advice, in the regularly updated consolidated list on our website and in the next annual report.

Baroness Browning

The Rt Hon Gregory Barker

**Members:**

Mark Addison, Sir Alex Allan KCB, Baroness Browning (Chair),  
Lord German OBE, Mary Jo Jacobi, Rt Hon Baroness Liddell of Coatdyke,  
Sir Hugh Stevenson, General the Lord Walker of Aldringham GCB CMG CBE