

From the Chairman



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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6 December 2012

Dear James,

You asked for the Committee's advice about accepting an appointment as the Director of Matheson & Co Ltd, after you leave the Government in January 2013. The appointment will include taking up directorships with Jardine Matheson Holdings, Hongkong Land, Mandarin Oriental and Dairy Farm, which, like Matheson & Co, are part of the Jardine Matheson Group.

The Committee noted that in your Commercial Secretary role you are involved in a broad range of policies that affect all UK companies. It noted that that you have had no direct official dealings with your prospective employer since becoming Commercial Secretary to the Treasury in May 2010 and that, while you and other ministers participate in Asia-focused business groups in which the Jardine Matheson Group also participates, your involvement has been limited to giving talks to associations within the UK and that you have not led any trade missions to the Far East. The Committee noted that, although you anticipate some limited involvement with the UK Government in your new role, this will not involve any lobbying for business from the UK Government or lobbying the UK Government on policy matters.

Our advice is that, on the understanding that you would not draw on any privileged information from your time in Government and that there are no changes in the circumstances of your application up to the date of your leaving office in January 2013, we see no reason why you should not take up the appointment as described, subject to the conditions that:

- for three months from your last day in office, your activities on behalf of your new employer are strictly limited to matters directly concerning the company's interests in Asia, and that you have no involvement in its UK business or operation;
- for 12 months from the same date, you should not provide advice to your new employer, or any subsidiary of the Jardine Matheson Group, on the terms of any bid or contract directly relating to HM Treasury; and

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- for two years from the same date, you should not become personally involved in lobbying the UK Government on behalf of your new employer or any subsidiary of the Jardine Matheson Group.

It might be helpful if I add that lobbying is defined in the Business Appointment Rules in the following way: "Lobbying in this context means that the former civil servant should not engage in communication with Government - including Ministers, special advisers and officials - with a view to influencing a Government decision or policy 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 appointment, 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 you propose to extend or otherwise change your role with Matheson & Co Ltd, as, depending on the circumstances, it may be necessary for you to seek fresh advice.

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

Yours ever,
Jan

Lord Lang of Monkton

The Rt. Hon The Lord Sassoon