



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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Dermot Nolan
Chief Executive
Ofgem
9 Millbank
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19 May 2014

Dear Mr Nolan

BUSINESS APPOINTMENT APPLICATION: HANNAH NIXON

The Committee has been asked to consider an application from Hannah Nixon, Senior Partner at Ofgem. She is seeking permission for a full-time, paid appointment as Managing Director of the Payment Systems Regulator at the Financial Conduct Authority (FCA).

When considering this application, the Committee noted that Ofgem may engage, from time to time with the FCA as a fellow regulator. The Committee also noted that Ms Nixon has also had some contact with the FCA which she describes as very occasional contact with the FCA's Chief Economist to share best practice and foster links between Ofgem and the FCA. She has also declared one meeting in 2009 with FSA (as was staff to inform work at Ofgem).

However, the Committee took into account that Ms Nixon's proposed role was advertised and she was the successful candidate.

The Committee took into account that Ms Nixon is likely to have ongoing governmental contact, but not for commercial or lobbying purposes. Ms Nixon has not had access to any information about related policy or commercially sensitive information and has not had contractual dealings with the FCA and was not responsible for anyone who did.

The Committee also took into consideration the views of Ofgem that there was no perceived conflict in this role.

The Prime Minister accepted the Committee's recommendation that the application be approved subject to the conditions that:

- Ms Nixon should not draw on privileged information available to her as a Crown servant;
- for two years from her last day of service, Ms Nixon should not be directly involved in work connected to her previous responsibilities at Ofgem; and
- for two years from her last day of service, Ms Nixon should not become personally involved in lobbying UK Government on behalf of her new employer or its clients.

The Business Appointment Rules define lobbying 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 could ensure that we are informed as soon as Ms Nixon takes up the appointment, or if it is announced that she will do so (I enclose a form for this purpose). 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, and this could lead to a false assumption being made about whether she had complied with the rules.

Similarly, I should be grateful if you would inform us if she proposes to extend or otherwise change her role with the FCA, as, depending on the circumstances, it may be necessary for her to make a fresh application.

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 sincerely

Carrie Aitken

Carrie Aitken
Committee Secretariat