

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You asked for the Committee's advice about becoming Chair of a new think-tank you are forming called the Red Tape Initiative (RTI).

The Committee noted that purpose of the RTI is to identify opportunities for repealing aspects of EU law in a post-Brexit world. The RTI's proposals will be published for public debate and promoted on a non-partisan basis within Parliament. The aim is for the RTI to be launched in January 2017 and for you to become Chair at that time. The RTI will complete its work by the end of the Parliament in 2020. Your role as Chair will be to have general oversight of the work of the paid staff of the RTI and to meet with a wide range of business people and politicians to identify deregulatory measures. The role will be unpaid.

When considering your application the Committee took into account that the intention is to secure all funding needed to establish the RTI and for it to operate for three years before the RTI is formed, thereby avoiding any need to seek funds from any quarter once it has begun its programme of activity. The RTI will be comprised of a small paid staff; an advisory board (including members of all three principle UK-wide parties); a legal panel and ad hoc industrial panels.

The Committee noted that you intend to present the recommendations for deregulation identified by the RTI to Ministers and Parliamentarians and that you expect to have discussions with officials about the feasibility of particular potential deregulatory measures identified by the RTI.

When considering your application, the Committee took into account that your former Department has no concerns about the appointment. It was also mindful that, by the time you become Chair, nearly six months would have passed since you left Ministerial office.

Taking into account these factors, in accordance with the Government's Business Appointment Rules, the Committee advises the appointment be subject to the following conditions:

- You should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you as a Minister;
- For two years from your last day in Ministerial office, you should not become personally involved in lobbying the UK Government on behalf of the Red Tape Initiative (RTI). This is not intended to prevent you from submitting recommendations to Government pursuant to your role as Chairman and having discussions with officials about the feasibility of particular potential deregulatory measures identified by the RTI. However, the Committee would expect you to refrain from making use, directly or indirectly, of privileged access derived from your role as a Minister to influence Government policy on behalf of the RTI. The Committee also notes that with regard to your activities in Parliament you are subject to other rules.

The Business Appointment Rules explain that the restriction on lobbying means that 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 employment with the RTI, 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 that 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.

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.

The Baroness Browning

The Rt Hon Sir Oliver Letwin MP