



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: acoba@acoba.gov.uk

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

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**BUSINESS APPOINTMENT APPLICATION:
SIR BERNARD GRAY**

The Committee has been asked to advise on an application from Sir Bernard Gray. He would like to take up a new role with the New Scientist as Executive Chairman.

Sir Bernard was Chief of Defence Material (CDM) in Defence Equipment & Support (DE&S) at the Ministry of Defence (MoD) between 3 January 2011 and 30 November 2015. His last day in Crown service was 31 December 2015. As CDM Sir Bernard ran the MoD's procurement organisation responsible for the vast majority of spend on new equipment and supporting existing equipment.

New Scientist is a weekly international science magazine, based in London, which covers current developments, news, reviews and commentary on science and technology. Sir Bernard was part of a consortium that successfully purchased New Scientist from RELX. The Consortium includes Sir Bernard and Richard Lenane, who between them will personally own and control a majority share in the the New Scientist. Sir Bernard proposes to work 2 days a week employed by the New Scientist as Executive Chairman. In this role, he would oversee the commercial and strategic success of the business.

The Committee noted that Mr Lenane is the Managing Partner of Exponent Private Equity, a private equity investment firm Sir Bernard has had dealings with since 2005 - including through the non-executive director post he held at Immediate Media throughout his tenure as CDM.

The Committee noted that Sir Bernard and the MOD have confirmed he had no meetings or contractual dealings with New Scientist during his last two years of Crown service. Whilst Sir Bernard has a longstanding relationship with Mr Lenane and Exponent Private Equity, this is not related to his time in post at the MOD.

The MOD raised no concerns with the appointment and the Committee noted that it is more closely related to his career prior to his time at the MOD as CDM.

The Prime Minister accepted the Committee's advice that, in accordance with the Government's Business Appointment Rules, the appointment should be subject to the following conditions:

- he should not draw on (disclose or use for the benefit of himself or the organisations to which this advice refers) any privileged information available to him from his time in Crown service; and
- for two years from his last day in service, he should not become personally involved in lobbying the UK Government on behalf of the New Scientist Ltd, or its partners.

By 'privileged information' we mean official information to which a Minister or Crown servant 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 or otherwise.

The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a Government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office."

I should be grateful if you would ensure that we are informed as soon as Sir Bernard takes up this work, or if it is announced that he 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 he had complied with the rules.

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

Catrina Marshall
Committee Secretariat