



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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Ref: 1617/84M

April 2017

Rt Hon Sir Hugo Swire MP

The Committee has now considered your application for advice in relation to Eaglesham Investments Ltd. This is a company that you have created with the intention of investing - concentrating mainly on developing renewable energy projects.

The Committee noted your former department confirmed that that as Secretary of State at the FCO, you had responsibility for Economic Diplomacy and that you did not have responsibility for renewable energy while in office. Further the Committee took into account the FCO's confirmation they are unaware of any particular involvement you had with the sector whilst in office; and they had checked with the renewable energy team at DIT - who also raised no issues of concern in relation to this application. The Committee also took into consideration that your role is unlikely to involve any contact with Government and that nine months has passed since your last day in office.

The Committee also noted that you wish for the company to handle other business opportunities that may emerge. Therefore, having considered the individual circumstances of this application, in accordance with the Government's Business Appointment Rules, the Committee advises the appointment be subject to the following conditions:

- that you should not draw on (disclose or use for the benefit of yourself or the organisation to which this advice refers) any privileged information available to you from your time in Ministerial Office; and
- for two years from your last day in service, you should not become personally involved in lobbying the UK Government on behalf of Eaglesham Investments Ltd or make use, directly or indirectly, of your contacts in Government and/or Crown service to influence policy or secure business on behalf of Eaglesham Investments Ltd or its partners; and
- you should make a further application to the Committee in the event that the nature of the business Eaglesham Investments Ltd proposes to take on should change, including where it is not related to renewable energy projects.

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, the Civil Service Code or otherwise.

As you know, 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 inform us as soon as you take up this role employment, 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 Rules and 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

Rt Hon Sir Hugo Swire MP