

From the Chair



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>

November 2023

BUSINESS APPOINTMENT APPLICATION: Lord Gerry Grimstone, former Minister for Investment at the Department for International Trade (DIT) and Department for Business, Energy and Industrial Strategies (BEIS). Paid appointment with Gemcorp Capital Management Limited (Gemcorp).

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for former ministers (the Rules) on taking up a role with Gemcorp as a Chairman.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during your time in office, alongside the information and influence you may offer Gemcorp. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment - it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the Rules.
4. The Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament, are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's consideration of the risks presented

5. The Committee¹ noted you did not meet with nor make any decisions specific to Gemcorp whilst in office. Therefore, the risk this appointment could reasonably be perceived as a reward for decisions or actions taken in office is low.
6. The Department for Business and Trade (DBT)² noted that as the former Minister for Investment, you had routine contact with London-based investment firms. As the former Minister for Investment you may have access to general sensitive information which could benefit a range of organisations, including Gemcorp. The risks are limited given:
 - a. your role was about using agreed UK government policy to encourage UK inward investment
 - b. 11 months have now passed since you left your ministerial position and had access to information
 - c. DBT does not consider you have access to privileged information that could offer an unfair advantage to Gemcorp; and
 - d. It is significant you are returning to the financial services sector, your career before joining government.
7. As Minister for Investment, you will have gained contacts as a result of your time within the UK government and with private companies. As such there is a risk your network and influence gained in office might be used to assist Gemcorp unfairly. It is also relevant that you had experience in the financial sector prior to joining government - therefore the Committee recognises your potential connections to the financial sector were not gained solely during your time in public office.

The Committee's advice

8. The Committee determined the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear you cannot make use of any privileged access to information, contacts or influence gained from your time in ministerial office to the unfair advantage of Gemcorp.
9. The Committee advises, under the government's Business Appointment Rules, that your role with **Gemcorp Capital Management Limited** should 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 from your time in ministerial service;
 - for two years from your last day in ministerial service, you should not

¹ This application for advice was considered by Jonathan Baume; Sarah de Gay; Isabel Doverty; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir and Lord Larry Whitty. Andrew Cumpsty was unavailable.

² Your role as Minister for Investment spanned the Department for International Trade and the Department for Business, Energy and Industrial Strategies. Following the recent Machinery of Government Changes, this now sits with the Department for Business and Trade.

become personally involved in lobbying the UK government or any of its arm's length bodies on behalf of Gemcorp Capital Management Limited (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage Gemcorp Capital Management Limited (including parent companies, subsidiaries, partners and clients);

- for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you have developed during your time in office and in other governments and organisations for the purpose of securing business for Gemcorp Capital Management Limited (including parent companies, subsidiaries and partners); and
- for two years from your last day in ministerial office, you should not provide advice to Gemcorp Capital Management Limited on the terms of, or with regard to the subject matter of, a bid with, or contract relating directly to the work of the UK government.

10. The advice and the conditions under the government's Business Appointment Rules relate to your previous roles in government only; they are separate to rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists or the Parliamentary Commissioner for Standards. It is your personal responsibility to understand any other rules and regulations you may be subject to in parallel with this Committee's advice.
11. 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.
12. 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*'.
13. You must inform us as soon as you take up employment with this organisation, or if it is announced that you will do so, and we will publish this letter on our website. You must inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application and where appropriate, refer to it in the relevant annual report.

Annex - Material Information

The role

1. You stated Gemcorp is a leading emerging markets alternative asset manager. Its portfolios are focussed with unique credit and strategic equity investments principally in Africa. Its website states it is an FCA regulated asset manager and Gemcorp is an '*emerging Markets Asset Manager focussed on investing in high quality growth opportunities in emerging markets*'. Gemcorp Capital Management Limited is a subsidiary of Gemcorp Capital Holdings.
2. You stated your role as Chairman is paid, part time (1 day per week). As Chairman, you said the role would involve:
 - to chair the Board, oversee performance and ensure compliance with all relevant regulatory requirements;
 - to support the development of the company's investment and capital-raising strategies;
 - to help drive an institutional culture throughout the firm;
 - to assist in the development of Gemcorp's business activities in the emerging markets in which it operates; and
 - no contact with government.
3. You stated the offer arose out of conversations with the Chairman of Gemcorp Capital Holdings, in early 2023.
4. You stated you have nearly 40 years of directly relevant experience working in financial services including chairing one of the UK's largest asset managers.

Dealings in office

5. You advised the Committee that had possible occasional contact with Gemcorp at conferences, roundtables, or meetings but nothing material to your appointment. You stated did not have any involvement in policy, regulatory or commercial decisions that would have been specific to the company.

Departmental Assessment

6. DBT confirmed the details you provided and added that:
 - you made no decisions relating to Gemcorp;
 - it does not have a departmental relationship with Gemcorp;
 - as Minister for Investment, you often met with London based investment firms, but did not note any specific contact with Gemcorp;
 - you did not have access to sensitive information specific to Gemcorp; and

- it did not have concerns regarding the appointment and recommended the standard conditions.