

*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](mailto:acoba@acoba.gov.uk)

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

February 2024

**BUSINESS APPOINTMENT APPLICATION: Lord Darren Mott OBE, former Government Whip in the House of Lords. Paid appointment with Oxford Cannabinoid Technology Holdings Plc.**

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 an appointment with Oxford Cannabinoid Technology Holdings Plc (OCT) as a Non Executive Director.
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 a former Government Whip in the House of Lords may offer OCT. 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 present

5. There is no known overlap with your time as a Government Whip in the House of Lords and OCT's work. You did not meet with OCT, nor make any decisions specific to OCT during your time in office. Therefore, the Committee<sup>1</sup> considered the risk that this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.
6. As a former minister, there are inherent risks associated with your access to privileged information and knowledge. However, the Cabinet Office confirmed there is no direct overlap with your role in government and it did not have any concerns regarding your access to information.
7. The Committee noted that OCT operates in a sector that is regulated by the government<sup>2</sup> and as such, government policy on this area may be of particular relevance to the company. There is a risk that your recent time in office, including your contacts and influence, could be seen to offer OCT unfair access to the government. The Committee noted the lack of any direct overlap with your time in office and that your proposed role would not involve any contact with the government.

#### The Committee's advice

8. The Committee did not consider this appointment raises any particular proprietary concerns under the government's Rules. The risks noted above in relation to your access to information, influence, and network of contacts, inherent to any commercial appointment, are appropriately mitigated by the standard conditions below. In particular, they prevent you from drawing on your privileged information and making improper use of your contacts and influence within government to the unfair advantage of OCT.
9. In accordance with the government's Business Appointment Rules, the Committee advises this role with **Oxford Cannabinoid Technology Holdings Plc** 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 office;
  - for two years from your last day in ministerial office, you should not become personally involved in lobbying the UK government or its arm's length bodies

---

<sup>1</sup> This application for advice was considered by Andrew Cumpsty; Sarah de Gay; Isabel Doverly; Hedley Finn OBE; Dawid Konotey-Ahulu CBE DL; The Baroness Jones of Whitchurch; The Rt Hon Lord Pickles; Michael Prescott; and Michael Weir.

<sup>2</sup> The production and distribution of medical cannabis products is regulated by the Medicines and Healthcare products Regulatory Agency (MHRA), an executive body sponsored by the Department of Health and Social Care.

on behalf of Oxford Cannabinoid Technology Holdings Plc (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial office to influence policy, secure business/funding or otherwise unfairly advantage Oxford Cannabinoid Technology Holdings Plc (including parent companies, subsidiaries, partners and clients); and

- for two years from your last day in ministerial office you should not undertake any work with Oxford Cannabinoid Technology Holdings Plc (including parent companies, subsidiaries, partners and clients) that involves providing advice 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 or its arm's length bodies.
10. The advice and the conditions under the government's Business Appointment Rules relate to an individual's previous role in government only; they are separate from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests<sup>3</sup>. You are reminded that as a Member of the House of Lords you are prevented from any paid lobbying under the House of Lords Code of Conduct. It is an applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.
11. By '*privileged information*' we mean official information to which a Minister 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 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.*" This Rule is separate and not a replacement for the Rules in the House.
13. You must inform us as soon as you take up this role, or if it is announced that you will do so. You must also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be

---

<sup>3</sup> Advice on your obligations under the Code can be sought from the House of Lords Commissioner for Standards.

necessary for you to make a fresh application.

14. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

The Rt Hon Lord Pickles

## **Annex - Material Information**

### The role

1. According to its website, OCT aims to harness the therapeutic power of cannabinoids - to create non-addictive, prescription medications through a regulated pathway. OCT has a range of drug compounds, including proprietary cannabinoid derivatives, phytocannabinoids and new chemical entities. It is listed on the London Stock Exchange.
2. You said in your paid, part-time role as Non Executive Director, your responsibilities will involve:
  - providing independent oversight and constructive challenge to the executive management;
  - contributing to strategic direction;
  - overseeing risk management and financial controls;
  - ensuring compliance with governance standards; and
  - engaging with stakeholders.
3. You confirmed that the stakeholders engaged with will mainly be shareholders, potential investors and companies in the sector and that the role will not have any contact with government.

### Dealings in office

4. You advised the Committee that you did not meet with OCT whilst in office. You said you did not have any involvement in policy, regulatory or commercial decisions that would have been specific to the company.

### Departmental Assessment

5. The Cabinet Office confirmed the details you provided and stated that:
  - you were not involved in policy or regulatory decisions specific to OCT;
  - you do not possess sensitive information specific to OCT;
  - it does not have concerns regarding the appointment; and
  - it recommended the standard conditions.