

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>

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BUSINESS APPOINTMENT APPLICATION: Paul Scully MP, former Parliamentary Under Secretary of State (Minister for Technology and the Digital Economy) at the Department for Science, Innovation and Technology and previously, Parliamentary Under Secretary of State at the Department for Culture, Media and Sport. Paid appointment with DeepGreenX Group Inc.

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Ministers (the Rules) seeking advice on taking up a paid role as Advisory Board Member at DeepGreenX Group Inc (DeepGreenX).
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 DeepGreenX. 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. There is a general overlap between your responsibilities in ministerial office and the AI/tech nature of the company. You did not meet with DeepGreenX during your time as a minister, nor did you make any decisions specific to the company whilst in office. Therefore, the Committee¹ considered the risk this appointment could reasonably be perceived as a reward for decisions made or actions taken in office is low.
6. The department for Science, Innovation and Technology (DSIT) said you had access to privileged information about policy development on tech/digital regulation and AI. As DeepGreenX operates in the tech/green energy sector, some of this information may offer an unfair advantage to the company. These risks are limited, given:
 - DSIT is not aware of any specific information that would offer DeepGreenX an unfair advantage;
 - it has been 15 months since you left office, and a change of government; and
 - DSIT's view is that the information you had access to is no longer sufficiently up to date to offer an unfair advantage, and the information you had access to is likely to be in the public domain or now irrelevant.
7. As Minister for Tech and the Digital Economy, you will have gained contacts within the digital landscape. As such, there is a risk your network and influence gained in office might be seen as offering unfair opportunities for new business/investment.

The Committee's advice

8. The Committee determined that the risks identified in this application can be appropriately mitigated by the conditions below. These make it clear that you cannot make use of your access to privileged information, contacts or influence gained from your time in ministerial office to the unfair advantage of DeepGreenX.
9. Taking these factors into account, in accordance with the government's Business Appointment Rules, the Committee's advice is that this appointment with **DeepGreenX Group Inc** 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;

¹ This application for advice was considered by Hedley Finn OBE; Sarah de Gay; Dawid Konotey-Ahulu CBE, The Rt Hon Lord Pickles; Michael Prescott; The Baroness Thornton; and Michael Weir. Andrew Cumpsty was recused and Isabel Doverty was absent.

- 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 on behalf of DeepGreenX Group Inc (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage DeepGreenX Group Inc (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in ministerial office you should not undertake any work with DeepGreenX Group Inc (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; and
 - for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you developed during your time in office in other governments and organisations for the purpose of securing business/investment for DeepGreenX Group Inc (including parent companies, subsidiaries and partners).
10. The advice and the conditions under the government's Business Appointment Rules relate to your 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.² 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 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*

² All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

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 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 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. DeepGreenX Group Inc (DeepGreenX) describes itself as an ‘AI-driven infrastructure company focusing on green energy, computing power, and digital finance’. DeepGreenX acquires companies operating in the green-energy sector, and uses its AI platform to identify and implement methods of reducing the company’s carbon footprint; in turn, creating an excess of ‘carbon credits’ – representing a reduction in carbon dioxide or greenhouse gases produced by the company. DeepGreenX then sells and trades the excess ‘carbon credits’ on global carbon trading platforms to other companies who produce an excess of emissions.
2. In your paid, part-time role as Advisory Board Member, you stated you will:
 - support on governance;
 - support on business growth;
 - support on strategy;
 - support on fundraising – mainly international and internal;
 - support on communications; and
 - have no contact with government.

Dealings in office

3. You said you did not meet with DeepGreenX during your time in office. You said you did not have involvement in any policy, commercial or regulatory decisions, nor had access to sensitive information specific to DeepGreenX.

Departmental Assessment

4. DSIT said that as Parliamentary Under Secretary of State, you did not make any policy or regulatory decisions that directly affected DeepGreenX, but that you made decisions that may be relevant to the sector DeepGreenX operates in.
5. DSIT said that you had access to privileged information about tech, digital regulation and AI policy, but did not consider this to offer an unfair advantage to DXG – the information you had access to is now likely to be irrelevant/in the public domain given the time elapsed since you left office and the change of government.
6. DSIT recommended the standard conditions.