



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Air Chief Marshal Sir Mike Wigston KCB CBE, former Chief of the Air Staff at the Ministry of Defence. Paid appointment with Caeli Nova.

1. Air Chief Marshal (ACM) Sir Mike sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Crown Servants (the Rules) on his proposed role with Caeli Nova as a Senior Advisor.
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 ACM Sir Mike made during his time in office, alongside the information and influence he may offer Caeli Nova. 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 Rules¹ set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants 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 risk presented

5. Caeli Nova is a Switzerland and UK based company that makes products using its patented breathing technology for different uses, including aerospace. Its main product improves emergency oxygen systems on commercial and military

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

passenger planes. ACM Sir Mike wishes to join the company to advise on global developments in aerospace, helping them craft their business strategy and growth plan.

6. There is a possible overlap between ACM Sir Mike's responsibilities at the MOD and this work, because the company seeks to operate in the defence sector. There is no relationship between Caeli Nova and the Ministry of Defence (MOD). The MOD noted it is unlikely to, even in the future, and is more likely to work with industry partners as part of the supply chain.
7. ACM Sir Mike did not meet with the company, nor did he make any decisions specific to the company during his time in service. The Committee² therefore considered the risk this appointment could be reasonably perceived as a reward for decisions made, or actions taken, in office is low.
8. As former Chief of the Air Staff, ACM Sir Mike will have had access to sensitive information around the UK's defence requirements and capabilities. Given the span of that information and his proximity to decisions and other senior decision makers at the heart of government, there is a risk he could offer the company an unfair advantage as a result.
9. The Committee agreed with the MOD that there are mitigating factors that help reduce, if not remove, the risks associated with his access to information and insight:
 - this is a general risk associated with his wide ranging and influential role at the heart of defence in government. There is nothing specific the MOD is aware of that might offer an unfair advantage to Caeli Nova;
 - the MOD confirmed that ACM Sir Mike ceased having access to sensitive information from June 2023. This provides a gap of over 18 months between his last having access to privileged insight and information and taking up this work.
10. ACM Sir Mike would also have amassed a wide range of contacts during his time in office, in the UK government and beyond. This could be seen to offer Caeli Nova unfair access to business opportunities as it grows its presence across Europe. ACM Sir Mike could offer unfair access and influence within the UK government. The Committee agreed that given its work, any potential contact with UK government or the MOD would risk being seen as lobbying.

² This application for advice was considered by Isabel Doverty; Sarah de Gay, Hedley Finn OBE; Dawid Konotey-Ahulu CBE DL; The Rt Hon Lord Pickles; Michael Prescott; Mike Weir; and The Baroness Thornton. Andrew Cumpsty was recused.

The risk is limited given the company operates in other sectors/countries and he was explicit the role will not be UK government facing.

The Committee's advice

11. The Committee considered that ACM Sir Mike's role in the MOD presents real and perceived risks associated with his access to information, though limited. This is most likely to arise in relation to the company's business, or potential business in the UK defence sector. The Committee has therefore imposed a condition which prevents him from advising on UK defence - which is in keeping with the role as he describes it.
12. There remains a significant risk that he could offer the company unfair access and influence should Caeli Nova look to work with the UK MOD as it grows. The Committee agreed with the MOD's suggestion to impose a condition which prevents him from advising on the UK defence sector to mitigate this risk, this includes advising that he must have no direct engagement with the UK government on Caeli Nova's behalf.
13. The Committee advises, under the government's Business Appointment Rules, that ACM Sir Mike's role with **Caeli Nova** should be subject to the following conditions:
 - he should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service;
 - for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government, MOD or NATO allied militaries or their arm's length bodies on behalf of Caeli Nova (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or ministerial contacts to influence policy, secure business/funding or otherwise unfairly advantage Caeli Nova (including parent companies, subsidiaries, partners and clients);
 - for two years from his last day in Crown service, he should not become personally involved in lobbying contacts he has developed during his time in office and in other governments and organisations for the purpose of securing business or investment opportunities for Caeli Nova (including parent companies, subsidiaries and partners);
 - for two years from his last day in Crown service, he should not provide

advice to Caeli Nova (including parent companies, subsidiaries or partners) on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK government, the MOD or NATO allied militaries or their arm's length bodies; and

- for two years from his last day in Crown service, he should not advise Caeli Nova (including parent companies, subsidiaries or partners) or its clients on the UK defence market; and he must not directly engage with the UK government, the MOD or NATO allied militaries or their arm's length bodies on Caeli Nova's behalf (including parent companies, subsidiaries, partners and clients).

14. The advice and the conditions under the government's Business Appointment Rules relate to an applicant'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' Interests³. 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.
15. 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.
16. 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*'.
17. ACM Sir Mike must inform us as soon as he takes up employment with this organisation, or if it is announced that he will do so, by emailing the office at the above address. He must also inform us if he proposes to extend or otherwise change the nature of his role as, depending on the circumstances, it may be necessary for him to make a fresh application.

³ 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

18. 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.

Yours sincerely

Madeleine Crowther
Committee Secretariat

Annex – material information

The role

1. Caeli Nova is a Switzerland and UK based company that makes products using its patented breathing technology for different uses, including aerospace. Its main product improves emergency oxygen systems on commercial and military passenger planes.
2. ACM Sir Mike wishes to take up a part-time, paid role with Caeli Nova as a Senior Advisor. ACM Sir Mike said that his role will be to advise the leadership team on global developments in aerospace, helping them craft their business strategy and growth plan. He said the company has a European focus, starting in Switzerland.
3. ACM Sir Mike said that he will not lobby government or the UK MOD, nor will he use the military network that he gained in office.

Dealings in office

4. ACM Sir Mike said he was not responsible for any specific policy or regulatory areas as Chief of the Air Staff. He said that his role was operational, overseeing the delivery of defence policy and priorities to meet the Chief of Defence Staff's objectives. ACM Sir Mike said that the MOD does not have a relationship with Caeli Nova and he did not meet with the company whilst in office.

Departmental assessment

5. The MOD confirmed that it has no known relationship with Caeli Nova, nor did ACM Sir Mike meet with the company whilst in office.
6. The MOD stated ACM Sir Mike had the highest levels of influence across UK and international governments on all matters related to defence and security, but he had no direct involvement in any of the MOD's relationships with similar companies and organisations operating in the same area of capability.
7. The MOD noted ACM Sir Mike has influence at the highest levels of UK and overseas governments, and in the UK defence market, by virtue of his role. It recommended suitable restrictions be put in place on this appointment to

mitigate the risk of perception that his proposed employer could gain undue advantage through use of such contacts.

8. It recommended conditions preventing:

- use of privileged information
- lobbying of the UK government on behalf of Caeli Nova
- making improper use of contacts on behalf of Caeli Nova, gained in post outside of the MOD and government in the UK and overseas
- involvement in bids and contracts on behalf of Caeli Nova with the MOD or the UK government.