

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: The Rt. Hon. Sir Andrew Mitchell MP, former Deputy Foreign Secretary and Minister of State for Development and Africa. Paid appointment with Africa50.

1. You sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for Former Ministers (the Rules) on taking up a role as Senior Advisor with Africa50.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions taken and decisions you made during your time in office, alongside the information and influence you may offer Africa50. 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 former ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers 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. Africa50 is an investment bank/platform for infrastructure in Africa. It focuses on medium to large-scale national and regional projects that have a

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.

development impact and offer risk-adjusted returns to investors. In particular, it prioritises investment in the power, transport, ICT, gas, healthcare, fintech and educational sectors. Its shareholders are thirty-two African countries, the African Development Bank (AfDB), Central Bank of West African States, Bank Al-Maghrib and the Public Investment Cooperation (PIC).

6. As Minister of State for Development and Africa, you had contact with the Chair of Africa50's Board of Directors, though not on matters specific to Africa50 - and rather in his capacity as the President of AfDB. You were involved in approving the Concept Note for The Alliance for Green Infrastructure (AGIA) fund, which was launched by AfDB and co-founded by the African Union Commission, AfDB and Africa50. The Committee² did not consider your involvement in approving the Concept Note to raise a reasonable risk of reward in relation to your role with Africa50, as the business case and final decision to allocate funds were made by the current government in December 2024 – five months after you left office. The first round of funding for the project development of AGIA managed by Africa50 is currently being considered.
7. You were recused from funding discussions and decisions relating to the AfDB given you had been working with the AfDB prior to returning to government in October 2022. This is relevant given the close working relationship between AfDB and Africa50 - and therefore such decisions could have indirectly benefited Africa50. In the circumstances, the risk this role could reasonably be perceived as a reward for decisions made, or actions taken in office, is limited.
8. There is an overlap between your responsibilities in office and the work of Africa50. You had oversight over Africa, the UK's international development strategy overseas development aid³, British investment partnerships and international finance. The Committee recognised that any organisation with an interest in international development and related financing could be considered to gain from your insights. The risk of any unfair advantage conferred is limited because:
 - i. the FCDO confirmed you did not have access to privileged information specific to Africa50 and your access to information was limited as a result of your recusal from funding matters related to the AfDB that could have indirectly benefited Africa50; and
 - ii. in light of the change in government and decisions made since you left office, the FCDO considered that the information you have access to is no longer up to date and has either significantly moved on or been announced:

² This application for advice was considered by Hedley Finn OBE; Isabel Doerty; Dawid Konotey-Ahulu CBE DL; Michael Prescott; and The Baroness Thornton. Sarah de Gay was unavailable.

³ The Official Development Assistance (ODA) is government aid that promotes and specifically targets the economic development and welfare of developing countries.

- a. the business case for the allocation of funds to the AGIA (co-founded and part-managed by Africa50) was finalised five months after you left office; and
 - b. a reduction in government aid for overseas development and policy relevant to that has recently been announced and further, it has been 11 months since you were last in office and had access to privileged information and insight.
9. As with any former minister, there are risks associated with your contacts and influence within government. In particular, Africa50 has a significant interest in influencing how the UK spends its funds on overseas aid and it may be seen to gain unfair access to the UK government or influence over funding decisions as a result of this appointment. The Committee considered it significant that there is an established relationship and policy/framework between Africa50 and the UK government to make such decisions. Further, you confirmed your role as Senior Advisor excludes lobbying of government, in accordance with the lobbying ban that applies to all former ministers for two years after leaving office. You also said you would have no contact with the UK government in this role.
10. Your role will include driving capital mobilisation and direct engagement with existing and potential investors and funding partners of Africa50. This raises a potential risk that contacts you made as a direct result of your role as Minister of State for Development and Africa, in foreign governments and/ or the private sector, might be used to gain investment/ funding for Africa50 and projects it is involved in.

The Committee's advice

11. While there is a clear overlap with your time in office and this work, the risks in relation to your decision making and access to information in office are limited as set out above. The risks identified can be appropriately mitigated by the conditions below. These make it clear that you cannot make use of privileged information, contacts or influence gained from your time in ministerial office to the unfair advantage of Africa50.
12. In accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Africa50** 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 on behalf of Africa50 (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 Africa50 (including parent companies, subsidiaries, partners and clients);
 - for two years from your last day in ministerial office, you should not provide advice to Africa50 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; and
 - 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 ministerial office in external governments and organisations for the purpose of securing funding/ investment for Africa50 (including parent companies, subsidiaries, partners and clients).
13. 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.⁴ You are reminded that as a Member of Parliament you have a separate ban on paid lobbying under the Parliamentary 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.
14. 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 Ministerial Code or otherwise.
15. The Business Appointment Rules explain that the restriction on lobbying means that you 'should not engage in communication with government (ministers, civil servants, including special advisers, and other relevant officials/public office

⁴ 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 your 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.

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’.

16. You must inform us as soon as you take up employment with this organisation, or if it is announced that you will do so. Please 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.
17. 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.

Isabel Doverly

**Interim Chair
ACOBA**

Annex – Material information

The organisation

1. Africa50 is an investment platform/ bank for infrastructure in Africa. It was established in 2012 as a delivery vehicle spearheaded by the African Development Bank (AfDB) in response to the Declaration on the Programme for Infrastructure Development in Africa to accelerate infrastructure delivery in the African continent as part of the Africa Union’s Agenda 2063.
2. It is owned by 32 African shareholder countries, the African Development Bank (AfDB), Central Bank of West African States, Bank Al-Maghrib and the Public Investment Cooperation (PIC). It focuses on medium to large-scale national and regional projects that have a development impact and offer risk-adjusted returns to investors. In particular, it prioritises investment in the power, transport, Information Communication Technology, gas, healthcare, fintech and educational sectors.
3. Alongside being a shareholder, AfDB also plays a role in the strategic direction and operations of Africa50. It also partners/ invests in initiatives and projects with Africa50, such as The Alliance for Green Infrastructure (AGIA) – though both entities maintain distinct identities and functions. You previously sought advice from ACOBA to join AfDB as a Senior Advisor⁵, for whom you were

⁵ [ACOBA Advice - Andrew Mitchell, Senior Advisor, African Development Bank](#)

previously the UK Governor and a member of its governing body, the Board of Governors. The UK government is a shareholder of AfDB and one of its largest donors via AfDB's Development Fund.

The role

4. You said that you have been offered a paid, part-time appointment with Africa50. In your role as Senior Advisor, you stated that you will give advice to the CEO of Africa50, Alain Ebobissé, and engage with external stakeholders. In particular, you stated that you will provide support for:
 - capital mobilisation (including The Alliance for Green Infrastructure fund);
 - fund marketing and investor outreach;
 - coordination with fund teams and investor relations;
 - identification and engagement of funding partners;
5. You have confirmed that you would have no contact with or lobbying of government and that the role is primarily focussed in Africa.

Dealings in office

6. As Minister of State for Development and Africa, you were responsible for UK policy towards and priorities for the AfDB, but were recused from funding/spending decisions related to AfDB and its Development Fund. This was as a result of your former role with AfDB prior to returning to ministerial office in October 2022.
7. You stated that you had no involvement in policy development or any funding-related decisions specific to Africa50. ACOBA noted that you approved the Concept Note concerning UK government involvement/ funding for the AGIA, which is managed by both the AfDB and Africa50, with the latter leading the project development pillar of the fund.
8. You confirmed that you did not have any direct contact with Africa50 during your time as minister, having only met the Chair of Africa50's Board of Directors in his capacity as President of AfDB. You also said that you did not have any access to privileged information.

Departmental assessment

9. The FCDO confirmed the above information and provided the following information:
 - There is a relationship between FCDO and Africa50 – the department is providing funding to the Africa50 managed project development pillar of the AGIA.

- You did not make any funding or specific policy decisions that would have materially benefited Africa50.
- At the annual AfDB meeting held in May 2024, you confirmed that the UK government could contribute up to £35m to the AGIA. This was later publicly announced by the-then Prime Minister, Rishi Sunak, at the June 2024 G7 Leadership Summit.⁶
- The business case for AGIA and the allocation of UK funds was finalised by the current government in December 2024 - five months after you left office, and the current tranche of funding is only now being considered.
- As set out above, you were recused from making any funding-related decisions concerning AfDB replenishment that could have indirectly affected/ benefited Africa50. This is relevant given both organisations co-invest and collaborate on various projects and initiatives (such as the AGIA).
- It does not consider you possess sensitive information that would confer an unfair advantage to Africa50, in light of the change in government and decisions made by the current government. This includes a significant shift in approach given the reduction to Official Development Assistance, therefore reducing the currency of your information.
- The department recommended the standard conditions.

⁶ [Funding commitments show UK as force for global good at G7 Leader Summit - GOV.UK](https://www.gov.uk/government/news/funding-commitments-show-uk-as-force-for-global-good-at-g7-leader-summit)