



CABINET OFFICE

11 March 2024

James Webb
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Ref: OIA OIA-2023/24-0556

Tēnā koe James Webb

Official Information Act request: Minister Reti's conflict of interest

Thank you for your Official Information Act request received on 20 February 2024. You requested:

“Has Cabinet Office provided advice to the Prime Minister regarding the Conflict of Interests (real or perceived) of Minister Shane Reti? If so, please provide the format, number of pieces of advice and date(s) of this advice.

Has Cabinet Office supported Shane Reti with identifying and/or managing conflicts of interest? If so, please provide a summary of each conflict and the actions taken to mitigate each conflict.

Has Shane Reti advised a conflict of interest at a Cabinet Meeting and/or Cabinet Committee? If so, please provide which date(s) this was recorded.”

The Cabinet Office, on behalf of the Prime Minister, supports Ministers in identifying and managing conflicts of interest that may arise in relation to their portfolios or other ministerial responsibilities. The Cabinet Office met with all Ministers following their appointment, including Hon Dr Reti, for a confidential discussion about their interests, in line with standard practice and the guidance in the Cabinet Manual.

Successive Ombudsmen have long held the view that Cabinet Office advice to Ministers is inherently confidential. It is in the public interest that the Cabinet Office can obtain and assess information about conflicts of interest and provide advice to Ministers on how to resolve them. Ministers are encouraged to seek advice from the Secretary of the Cabinet on a confidential basis. Details regarding conflicts of interest are not generally disclosed, in order to ensure the confidentiality of Cabinet proceedings, to maintain the effective conduct of public affairs and in some cases to protect personal privacy.

It is also important to the constitutional convention of Cabinet collective responsibility and to the effective conduct of public affairs that Cabinet discussions are confidential. For those reasons, Ombudsmen have also previously found that Cabinet discussions are inherently confidential.

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DEPARTMENT OF THE PRIME MINISTER AND CABINET

Te Tari o te Pirimia me te Komiti Matua

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The Cabinet Office holds material that falls within scope of your request. Having considered your request and the information held, I am withholding this information under the following sections of the Act:

- section 9(2)(a), to protect the privacy of natural persons;
- section 9(2)(ba)(ii), to protect information which is subject to an obligation of confidence, where the making available of the information would damage the public interest;
- section 9(2)(f)(ii), to maintain the constitutional conventions for the time being which protect collective and individual ministerial responsibility;
- section 9(2)(f)(iv), to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and
- section 9(2)(g)(i), to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers or officials in the course of their duty.

In making my decision, in accordance with section 9(1) of the Act I have considered whether the public interest in disclosure outweighs the need to withhold the information, and I have concluded that it does not.

Every year the Cabinet Office proactively releases some information about the management of ministerial conflicts in accordance with an agreement with the Office of the Ombudsman. This information covers transfers of responsibility and arrangements not to receive papers. These annual releases are published on the Department of the Prime Minister and Cabinet's website at: [Annual Ministers' interests releases | Department of the Prime Minister and Cabinet \(DPMC\)](#)

Information about certain financial and other interests of MPs (including Ministers) is published on an annual basis in the Register of Pecuniary and Other Specified Interests of Members of Parliament, available at: [Members' financial interests - New Zealand Parliament \(www.parliament.nz\)](#)

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

This response will be published on the Department of the Prime Minister and Cabinet's website during our regular publication cycle. Typically, information is released monthly, or as otherwise determined. Your personal information including name and contact details will be removed for publication.

Nāku noa, nā



Rachel Hayward
Secretary of the Cabinet

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