



CABINET OFFICE

21 June 2012

By email

Alex Harris
fyi-request-248-17880d93@requests.fyi.org.nz

Dear Mr Harris

Information request – procedures for Ministers’ retaining gifts

Our reference: CAB-16-2012

- 1 On 23 May 2012 this office received an enquiry from you about the processes for managing Ministers’ gifts. While I am not sure that your request constitutes a request under the Official Information Act 1982, I am responding in the timeframes established by the Act.
- 2 As you note in your letter, if a Minister wishes to retain a gift valued at \$500 or more after leaving office then they need to obtain the Prime Minister’s permission to do so. Your letter you quoted paragraph 2.79 of the Cabinet Manual and then asked three questions, the answers to which follow below.

In what form are section 2.79 authorisations to retain gifts typically given? Written or verbal?

- 3 Permission is usually sought by:
 - 3.1 Ministers providing the Cabinet Office with the details of gifts they wish to retain, after which the Cabinet Office conveys the Ministers’ request to the Prime Minister; or
 - 3.2 Ministers contacting the Prime Minister directly.

Are any records kept of such authorisations? If so, what information is typically recorded?

- 4 Various documents might constitute permission to retain gifts, including:
 - 4.1 memoranda from the Cabinet Office to the Prime Minister detailing the gifts that Ministers want to retain;
 - 4.2 correspondence between the Cabinet Office and Ministers about whether the Prime Minister granted permission for the retention of gifts;
 - 4.3 correspondence between Ministers and the Prime Minister seeking to retain gifts; and/or

4.4 letters from the Prime Minister to Ministers granting permission to retain gifts.

Are there any delegations in place to allow others to authorise the retention of gifts on behalf of the Prime Minister?

5 No, although if necessary an Acting Prime Minister could authorise the retention of a gift. You might be interested to know that in 1999 and 2008, when the parties leading the government changed, the outgoing Prime Minister approved the retention of her Ministers' gifts (and her own gifts) and informed the incoming Prime Minister of her decisions.

Yours sincerely



Rebecca Kitteridge
Secretary of the Cabinet