

From the Chair



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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You recently asked for the Committee's advice on accepting contracts for part time, paid work to contribute regular articles to national and local newspapers on current affairs, politics and sport.

When considering your application, the Committee noted that the first of these contracts is to supply articles for the Press and Journal; [REDACTED] and the National (Newsquest), [REDACTED]

[REDACTED] The contract, which is being drawn up by your legal adviser, states that 'you are not an employee, agent or partner of the publisher or any of its group and have no claim to be considered as such an employee, worker, agent or partner, whether by virtue of this agreement or otherwise.'

The Committee noted that the Permanent Secretary in the Scottish Government had no concerns about this appointment.

The Committee sees no reason why you should not accept these contracts with the named newspaper organisations, subject to the following conditions:

- you should not draw on any privileged information available to you from your time in Government; and
- for two years from your last day in ministerial office you should not become personally involved in lobbying the Scottish Government on behalf of your new client.

From the Chair

It might be helpful if I add that lobbying is defined in the Business Appointment Rules in the following way: "Lobbying in this context means that the former Minister should not engage in communication with Government – including Ministers, special advisers and officials – with a view to influencing a Government decision or policy in relation to their own interests, or the interests of the organisation by which they are employed, or to whom they are contracted".

For two years from your last day in ministerial office you must seek confirmation from the Committee directly that any additional contract (i.e. one that is not specified above) is permissible before taking it up. If, after enquiry, the Committee takes the view that a contract is, or may be, substantially different you will be expected to submit a fresh application.

I should be grateful if you would inform us as soon as you take up this role or, if earlier, when it is announced that you will do so, either by returning the enclosed form or by emailing the office at the above address. We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced. This could lead to a false assumption being made about whether you had complied with the Scottish Ministerial Code.

Once each contract listed has been publicly announced or taken up, we will include the main details, together with the Advisory Committee's advice on it and the date on which it was taken up, in both the regularly updated consolidated list on our website and in our annual report.

Baroness Browning

Rt. Hon. Alex Salmond MSP