

# **The Prime Minister's Business Advisory Council: Terms of Reference**

## The Business Advisory Council's purpose

The Coalition Government is committed to building a productive, sustainable and inclusive economy, improving the wellbeing of New Zealanders. It recognises that the business community are important partners in this challenge.

The purpose of the Council is to:

- provide high-level free and frank advice to the Prime Minister on policies that directly affect business
- harness the expertise of the private sector to inform government policy, and
- build closer relationships between government and business.

The Council is expected to meet three times a year with the Prime Minister and her representatives.

In addition to being a source of advice, the Council will also provide a forum through which the business community can co-ordinate leadership and action on some of the most important issues facing New Zealand.

The Prime Minister and the Council will work together to develop a work programme for the Council. The work programme will include specific assignments or investigations, and Council members will be encouraged to reach out to their peers in the domestic and international business community to assist in preparing advice.

In setting the work programme, the focus will be on identifying opportunities and challenges:

- that will help grow the economy and lift productivity and living standards
- that Kiwis care about, and where change will make a difference to their daily lives
- where real common ground can be found between business and government
- that are at the core of NZ's long-term prosperity and social, environmental and economic sustainability
- where business has a credible voice and can offer significant insight

The Council's work programme will complement the work the Government is already doing with the Small Business Council, and business and union representative groups through the Tripartite Forum. It will do this by focusing on macro level economic strategy, and providing active leadership on the Government's economic agenda.

## Membership

The Council will consist of up to 15 diverse leaders representing New Zealand businesses of different sizes, sectors and geographic locations, with the aim of bringing together a group that understands the challenges facing business across the whole economy. The Prime Minister and the Chair, working together, will identify potential members to participate.

Members are appointed for their ability to think strategically about the economic and business environment, and as such are expected to take a broad view beyond their specific sector interests.

### Conditions of appointment

Appointments to the Council will be made by the Prime Minister for a term of two years. The Chair and members can be added or removed at the discretion of the Prime Minister. A member may resign from the group by informing the Prime Minister and Chair in writing.

The positions are not remunerated, with Council members expected to meet the costs of their own time.

The Terms of Reference may be reviewed periodically by the Prime Minister in consultation with the Chair and the Council.

### *Media and public forums*

The Chair will speak on behalf of the Council for any official communication, unless agreed otherwise by the Chair and advised to the Prime Minister's office (PMO). The Chair will ensure that the Prime Minister is advised ahead of any official communications.

Members will likely participate in various business and community forums, and may be asked in such situations to make informal comment about the work of the Council. When speaking about the Council, members are expected to limit their comments to information already in the public domain, or to any agreed key messages. Unless undertaking an official communication, members must refrain from representing the Council's views, or being perceived as doing so.

It is recognised that Council members will hold other roles, and may make public statements freely, including about Government policy, in those capacities.

### *Confidentiality and information*

Council members should assume that all information presented to the group, whether written or in oral form, is confidential and may not be made public, unless otherwise advised.

If there is a desire to share information broadly, for example, to support Council members in reaching out to their peers in the domestic and international business community to assist in preparing advice, the Chair (with the support of the Secretariat) will seek agreement from those who supplied the information.

The Council is subject to the Official Information Act and Public Records Act (along with other legislation). Decisions on the release of information under the Official Information Act will be made by the secretariat in consultation with the Chair and Office of the Prime Minister.

### Expectations of the Chair and Secretariat

The Chair is responsible (with assistance from the secretariat) for convening the Council, organising the agenda, and ensuring the smooth and effective operation of the Council.

The Chair will be responsible for ensuring appropriate management of specific conflicts of interest that may arise for members in relation to the work or recommendations of the Council. This expectation applies where the conflict of interest goes beyond the inherent conflict that exists for each member in providing advice on the business environment, in which they each have a personal interest.

Support for the Council's operations will be provided primarily by the Ministry of Business, Innovation and Employment (MBIE). This support will include general meeting and secretarial

support, and some limited support for research and report writing. The Chief Executives of MBIE and the Department of Prime Minister and Cabinet will be key contacts for the Chair and may attend Council meetings as observers. They will help to ensure that the Council has appropriate access to information and support from across the broader public sector, adequate support from the secretariat, and act as a key link between the Council, public sector and Ministers.