

Seamus Fitzpatrick (Transport)

From: Transport Agency Governance
Sent: Monday 24 June 2024 12:14
To: Seamus Fitzpatrick (Transport)
Cc: Olive Walsh (Transport)
Subject: COI - daa CEO

Further to our recent engagement re Kenny Jacobs, daa CEO having shares in 12 airlines is a conflict of interest (Col), we would offer the following advice to Airports Division.

The important thing to note is that this is a matter for Mr. Jacobs and the Board of daa to manage potential Col's of Mr. Jacob or any other Board member, not the Department. Having not seen the specific query or question being asked, Agency Governance have concerns about the proposed Airports response as this is taking ownership of a statement the Chair made at a JOC rather than facts the Department knows. It is also not up to the Department to manage the situation unless the Minister has concerns and that process is called out under Sections 34 and 35 of the Air Navigation and Transport (amendment) Act 1988, which outlines the steps to be taken for disclosure of interests and the involvement of the Minister if necessary.

It is up to the Department to ensure the Company and Board have the correct policies and procedures in place and would advise that the response should outline what those processes are and what is expected of both the Board and Mr Jabos in this scenario. It is the Board who ensures that a Col is handled within the procedures laid down in all the relevant documentation including the Company's code of conduct.

If the standard letter of appointment to a Board was used then there is reference there to Col. Mr. Jacobs contract of employment also outlines processes under the Ethics act see below, so this in keeping with the Act and the internal code of conduct should have a clear process to be followed in keeping with guidelines outlined in section 5 of the Code of Practice.

18. ETHICS IN PUBLIC OFFICE

18.1 This position is a designated position of employment for the pu Act 1995 and Standards in Public Office Act 2001, which, inter furnish annually a statement of personal registrable interests

Trust this is of assistance and if you have any further queries, please let us know.

Kind Regards

Kay

Kay Killian
Agency Governance Unit, Governance Division