

AMCHAM NEWS

American Chamber of Commerce in New Zealand

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TPP text released – what next?

After over five years of negotiations the 12 countries involved concluded negotiations on 5th October. AmCham congratulates NZ Trade Minister Tim Groser and his TPP counterparts for the successful conclusion of these negotiations. New Zealand is expecting to see gains of \$2.7 billion annually once TPP is fully implemented. http://www.tpp.mfat.govt.nz/assets/docs/TPP_factsheet_Overview.pdf

New Zealand released the text of the Trans-Pacific Partnership, on behalf of the 12 members of the TPP and in its capacity as Depository of the Agreement, on 5 November 2015. For copy of the text and the side instruments see <http://tpp.mfat.govt.nz/text>

As with all New Zealand FTAs, TPP must go through the Parliamentary treaty examination process. The final text of the agreement, together with a National Interest Analysis, will be presented to Parliament for examination by the Foreign Affairs, Defence and Trade Select Committee.

After that, the legislative changes required in order to implement TPP will go through normal Parliamentary procedures, including select committee scrutiny. The TPP agreement itself cannot be modified unilaterally by New Zealand, but there is some flexibility in the way various measures can be implemented through domestic legislation and regulation.

The Government will run a number of events on key TPP outcomes, including nation-wide roadshows following signature of the Agreement. These events will be aimed at ensuring businesses are able to prepare to take advantage of new opportunities presented by TPP's entry into force, and to provide information of interest to the wider public and other stakeholders (see the [Next Steps](#) page on this website for more information about the timing of entry into force). These events follow the extensive public consultations carried out during TPP negotiations.

AmCham NZ is already working with other TPP AmChams on a strategy to secure passage of the agreement through Congress. We will also be working with our members and industry groups to provide feedback to MFAT.

TPP is expected to come into force within two years, once countries have completed their domestic legislative procedures.

In the USA President Obama has formally notified Congress. In the US the next steps will allow for a period of careful and extensive review and consideration before TPP is signed by President Obama, and before Congress then votes on the agreement.

Here's what you can expect (source – The White House):

- 90 Days for Public and Congressional Review Prior to the President Signing the Agreement: While TPA requires the full text of the agreement to be publicly available for 60 days before the President signs the agreement, we have now taken the additional step of committing to have the text publicly available for longer than required—a full 90 days—before the President signs TPP.
- Additional Resource for Analysis and Review: Once the President signs TPP, the International Trade Commission (ITC) will conduct a comprehensive analysis of the potential economic impact of TPP that will also be made available to the public.
- Submitting Legislative Text: In advance of Congressional consideration, the Administration will submit draft legislative text to Congress that would implement the agreement, if passed by both houses of Congress. The legislative clock for consideration will not begin until the Administration sends final legislative text to Capitol Hill.

(Continued on page 2)

Index

Joint AmCham Aus/NZ Board Meeting	2
Welcome new US Consul	2
Trade & Business Reception - Wellington	2
Next stage US/NZ Relations	2
Visit by Uni. Washington	3
Americans biggest investors NZ Dairy land	3
TRADE & INVESTMENT	3
Commercial News USA	3
Trade Leads	3
Int'l. Buyer Program	3
Innovative Golf Product seeking US distributors	3
Heyrex Torus Amazon success	3
Gutter Whiskers US #1	4
SelectUSA Roadshow	4
Trade Mission to Hawaii	4
New Shipping Service	4
Free Range Cooks Debuts in USA	4
New HTY Studio in Hawaii	4
Success Stories with USA	5
EVENTS For your Diary	5
3 AmCham Members in Tin 100	6
EY Entrepreneur of Year 2015	6
Manukau Health Wins	6
Simcro Acquisition	7
Douglas Pharmacy Acquisitions	7
Eastland gets geothermal greenlight	7
SweeneyVesty Win	7
People on the Move	7
BUSINESS TRAVEL	8
EDUCATION/INTERNSHIP	9
GENERAL	9
American Football Southern Bowl	9
Tara Iti Golf Club	9
Commercial Property presentation in San Fran	9
TAXATION ISSUES	10
NZ & US Tax Update	10
LEGAL ISSUES	10
Immigration News	10
Building creative connections	11



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TPP - (Continued from page 1)

- Congressional Consideration: After legislation is submitted, per the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, the House of Representatives and the Senate each have a certain number of legislative days to consider the legislation in the committees of jurisdiction and on the floors of each chamber.
- Presidential Notification: If both houses of Congress pass the TPP implementation bill, the President then is empowered to sign the implementing legislation into law. The President will notify Congress in writing 30 days in advance of the agreement taking effect with respect to each of the 11 other TPP countries, once the President determines that each meets its obligations under TPP.

Historic joint AmCham Australia/NZ Board meeting held in Sydney

For the first time in at least 17 years the joint AmCham Australia and New Zealand boards of directors met in Sydney to discuss a number of economic and business issues including looking at options of closer working relationship on a number of key issues. We were delighted that US Ambassador to New Zealand Mark Gilbert and wife Nancy joined the NZ delegation on the trip.

AmCham Australia President and President of Boeing Australia & South Pacific, Maureen Dougherty, hosted a lunch where topics discussed included US NZ relations; the Australian and NZ economies; TPP; incentives and obstacles to foreign investment; the rise of China and the impact on both countries.

AmCham also arranged for Ambassador Gilbert to meet with several US companies with interests in New Zealand.

In the evening Geoff Culbert, President and CEO Australia & NZ of GE Capital hosted a reception for the NZ delegation to meet with a number of AmCham Australia members and US companies with operations in NZ.

NZ board greatly appreciated the support of AmCham Australia’s CEO Niels Marquardt and his team in arranging the programme. It is hoped that this can become an annual event alternating between countries.



Welcome to new US Consul Melanie Higgins



Ambassador Gilbert recently hosted a reception in Auckland for newly arrived US Consul General Melanie Higgins. Prior to this posting, she was Deputy Chief of Mission at the U.S. Embassy in Port Moresby, which is accredited to Papua New Guinea, Vanuatu, and Solomon Islands. She was Deputy Political Counselor at the U.S. Embassy in Jakarta, Indonesia from 2010 to 2013. Before that, she served as Acting Public Affairs Advisor in the State Department’s East Asian and Pacific Affairs Bureau. Ms. Higgins has also served as a Political Officer in Bosnia and Herzegovina, Australia and Cameroon, and has worked in the State Department’s Operations Center and as the Thailand Desk Officer.

AmCham looks forward to working with Melanie during her time in NZ



Ambassador Gilbert, Derek Syme, Geoff Culbert

Trade and business reception held in Wellington

The US Foreign Commercial Service along with SelectUSA hosted a reception in Wellington for AmCham and Wellington Chamber members involved in trade and investment from the USA.

Over the last year trade and investment volumes have increased significantly.

Mike Hearn, Ambassador Gilbert, John Milford



[The Next Stage in U.S.-New Zealand Relations](#), by Murray Hiebert, CSIS

The United States and New Zealand share a raft of common interests that underpin their relationship. The two are of a like mind on many priorities in the twenty-first century. These intersections result in cooperation on trade policy including in the Trans-Pacific Partnership, defense and security, climate policy, cybersecurity, human rights, and international development. One of the biggest challenges to U.S.-New Zealand relations going forward is the risk of complacency, of taking each other for granted... [Read more >>](#)

(Continued on page 3)



Supporting AmCham

Visit by University of Washington

A group of 22 students and tutors from the University of Washington recently visited NZ. Their course was entitled "Empowering Healthy Communities" and the students came from a wide range of disciplines - public health, landscape architecture, social work, and biology.

AmCham held a reception that was hosted by **AUT Business School** for the group to meet with members and Educators. Our thanks to Dr. Geoff Perry and Sarah Trotman.

Americans are biggest investors in NZ dairy land

United States investors were the largest investors in our dairy land during 2013-2014, analysis by KPMG has revealed.

In the report on Overseas Investment in New Zealand's Dairy Land, KPMG has analysed Foreign Direct Investment (FID) decisions by the Overseas Investment Office (OIO) for the 2013-2014 period.

It shows that the US was the largest investor in dairy land during that two-year period – accounting for 56% of the freehold hectares sold, and 26% of the consideration paid.

Justin Ensor, KPMG Deal Advisory Partner, says this highlights a common misconception about offshore investment in our dairy farms.

"There is a widespread perception that it's a thin market – comprised of Chinese and Hong Kong investors - who are buying New Zealand dairy land. In reality, though, the market has a broad base of investors."

China accounted for only one of the 24 transactions for dairy land approved by the Overseas Investment Office (OIO). That was the major acquisition of Synlait Farms, which accounted for 12.0% of hectares sold, and 21.3% of consideration paid.

Earlier this year, the Government rejected an \$88 million bid from Pure 100 Farm Ltd - a subsidiary of Chinese-owned Shanghai Pengxin – because the benefits to New Zealand were not "substantial and identifiable."

Key findings from Overseas Investment in New Zealand's Dairy Land:

- The US accounted for 55.9% total freehold hectares purchased by overseas investors in 2013/2014. This was followed by China (12.0%), and Sweden (6.1%); with the remaining investment comprised of 11 other countries.
- The United States accounted for 26.5% of consideration paid for dairy land, followed closely by China (21.3%).

Total disclosed consideration during the period was approximately \$297 million.

For an in-depth analysis, download a copy of the [Overseas Investment in NZ's Dairy Land](#)

TRADE, BUSINESS and INVESTMENT OPPORTUNITIES

Commercial News USA

The **Nov/Dec 2015** issue of Export USA, the official export promotion magazine of the U.S. Department of Commerce, is currently online at <http://exusa.thinkglobal.us/112015/>

Trade-Leads for Importing and Exporting

You are invited to register your company at America's new online trade leads matchmaking platform for importers and exporters. ThinkGlobal is the world's first B2B matchmaking platform to integrate multimedia, localization, virtual trade show technology, and social media. Just register online at [ThinkGlobal](#)

International Buyer Program – Trade Show Schedule 1 Jan to 31 Dec 2015

For details and support contact Janet Coulthart: janet.coulthart@trade.gov

Innovative golf product seeking US-based distribution partners.

Aeroe is seeking US-based OEM distribution partners for their GolfPod product. They are a Dunedin-based design innovation company that have developed the world's first hard-shell GolfBag/Travel bag combo. Aeroe wants to meet with US-based golf manufacturers, big-box retailers, auto companies and GolfBag and Travel luggage companies to sell the GolfPro product under their brands and through their sales network from late 2016, and they would like to offer the GolfPod OEM distribution opportunity to another 4-6 US companies.

www.aeroegolf.com

Heyrex Torus Amazon Success in the News

New Zealand's largest newspaper the New Zealand Herald has reported upon the success in the USA of the Heyrex Torus pet water bowl ...

[Read on »](#)

(Continued on page 4)

pullman
HOTELS AND RESORTS

AUCKLAND

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Gutter Whiskers USA #1 New Release, Again

The latest Gutter Whiskers product to be offered in the USA has been ranked the #1 Hot New Release in the gutter guards category ... [Read on »](#)

SelectUSA roadshow and Summit

Ambassador Mark Gilbert is leading a series of seminars on "SelectUSA" throughout NZ in November - Hamilton 16th, Auckland 17th, Christchurch 18th and Wellington 19th. The Ambassador will be joined by

Seth Isenberg, Senior Investment Specialist, SelectUSA, Washington D.C and a number of AmCham members specialising in Tax (PwC), immigration and law (Norris Legal), IP (EveredgeIP). There has been big interest in these events with the Auckland one sold out.

The 3rd SelectUSA Investment Summit is scheduled to be held in Washington DC on 19-21 June 2016. This date coincides with the annual APCAC Washington Doorknock. <http://selectusa.commerce.gov/2016-summit.html>

Trade Mission to the Honolulu Hospitality and Food Service Expo July 2016

The NZ Hawaii Business Connections are currently working with the manager of the Expo to offer free freight on all goods ordered from our members exhibiting at the 2016 show. What an opportunity for you to encourage trial and establish new customers in the lucrative Hawaii market.

They are taking bookings now for the 2016 Trade Mission. Email Robyn Bartram on robyn@nzhawaii.com to lodge your interest.

This trade mission will be an annual event and all members are invited to attend. Valued at over US\$12 billion annually, the Hawaii hospitality market is served by 70,000 hotel rooms and resort condominium rental and time share units and 3,000 restaurants and food service establishments. Honolulu, the Hawaii state capital and metropolitan centre, has a population of more than one million and the Hospitality & Food Service Expo attracts thousands of visitors keen to sample and ultimately buy our Kiwi products.

New Shipping Service to Benefit Regional Importers and Exporters

CentrePort is pleased to announce the addition of a new international container shipping service. Commencing in November, the 'Panama service' operated by CMA-CGM and Marfret will take central New Zealand goods directly to the Americas and Europe.

CentrePort Chief Executive Blair O'Keeffe says "the establishment of the call adds weight to Wellington's position as the port of choice for central New Zealand importers and exporters."

"The port has invested heavily to extend its reach into the central New Zealand hinterland. Our investments are focused on bringing the region closer to the world, by lowering cost and distance to market for local importers and exporters. This is being delivered through increased hub and transport services and additional shipping services."

The new service comes on the back of a 19% increase in the port's container trade over the last two years and is further good news for the region's importers and exporters, who need reliable and regular access to these major markets.

CentrePort has also announced plans to deepen the shipping channel in Wellington's harbour to accommodate bigger ships and ensure on-going direct access to international markets for central New Zealand importers and exporters.

Mr O'Keeffe said "CentrePort supports nearly \$2 billion a year of jobs and economic activity in the region and new services such as this will see that contribution grow in the future".

Annabel Langbein's The Free Range Cook: Simple Pleasures Debuts in USA

New Zealand's leading celebrity cook, Annabel Langbein, will make her American debut with the launch of new series The Free Range Cook: Simple Pleasures on PBS this fall. A cookbook showcasing the series' farm-fresh recipes against the stunning backdrop of the New Zealand wilderness will be introduced in October. [Read more](#)



New HTY Studio opens in Waimea, Hawaii

The fourth HTY Studio has opened in Hawaii at Waimea High School. Keu Iorangi, Assistant Director of Learning went to Waimea to help set up the Studio, along with Shane Cobb-Adams from Studio K in Kawaikini and John Corey, Hawaiian HTY Manager. A passionate group of students from the High School helped to build 6 computers for the Studio (see picture below). For many, this was their first time building a PC from scratch and all of the computers successfully booted up on the first push of the power button. The Studio has been operating for 2 months now and is going well.

SUCCESS STORIES WITH USA

American Special Vehicles brings RAM Pick-Ups to New Zealand

Skellerup expects profit growth of up to 19% on gains in US market

Genesis Energy to Trial Distributed Residential Energy Storage System With the Enphase Home Energy Solution

Kiwi tech firm recruits LA students to fast-track US expansion plans

NZ pet water bowl best selling on Amazon

Help fund Kiwi tech in the US

ikeGPS partners with hardware giants to drive US growth

Troubled Mako Networks bought by US partner

Orion Health awarded Defence Healthcare Contract

Kiwi SaaS firm targets \$25 billion "untapped" mobile market as US looms

Commerce Commission clears FedEx to acquire TNT

Government appoints Citi to banking services panels

Fiat Chrysler has best September sales since 20th century
Wellington startup Eight Wire selected for IBM SmartCamp

CNN buys NZ-made Altus drone for aerial new-gathering trial

Harmony secures \$200m funding line

Kiwi tech firm recruits LA students to fast-track US expansion plans

Peer-to-peer lender Harmony racks up \$100m in loans

NZX accredits US firm Straits Financial for dairy derivatives market

New Zealand Startup AREA360 Closes \$5.5 Million NZD in Series A Funding from Top US Technology Venture Group

Kiwi flight drink company gains over 60 American stores

Foley Family full-year operating profit more than doubles

Live Nation NZ, MHC cleared by OIO to buy Auckland's Vector Arena

Microsoft NZ boosts cloud clout with 10 new specialist roles

Richard Taylor to help bring Monkey King to US

EVENTS FOR YOUR DIARY

- 12th Nov CEO lunch, Auckland (invitation only)
- 16th Nov SelectUSA event in Hamilton
- 17th Nov SelectUSA event in Auckland, at PWC
- 18th Nov Ambassador Mark Gilbert lunch in Christchurch
- 18th Nov SelectUSA event in Christchurch
- 19th Nov SelectUSA event in Wellington, at PWC
- 23rd Nov Grant McPherson, CEO of Education New Zealand, Auckland
- 24th Nov Serious Golfers Tournament, Manukau, Auckland
- 25th Nov New & Sustaining Member reception
- 19th Feb Hawaiian Airlines Ambrose Golf Tournament, Auckland

MEMBER NEWS

New Members

Buddle Findlay, Auckland – **Neil Russ**, Partner – one of New Zealand's leading commercial and public law firms with offices in Auckland, Wellington and Christchurch. Neil Russ leads Buddle Findlay's tax practice. He specialises in corporate and international tax issues, as well as structured transactions. In addition to his tax expertise Neil has a multi-jurisdictional background in banking and capital markets transactions. Buddle Findlay recently won the 2013 Acquisition International M&A Awards for M&A Tax Structuring Firm of the Year - New Zealand, and Corporate Tax Firm of the Year - New Zealand. www.buddlefindlay.com

Caroline Stone Law, Auckland – **Caroline Stone** – providing legal assistance to those looking to work, live or employ someone in the United States, with a particular focus on temporary and permanent visas for the creative sector. Admitted to the bar in New Zealand in 1991, and the New York bar in 1996 where she resided for nearly 15 years. Licensed to practice law in New York, and am an active member of the American Immigration Lawyers Association. www.carostonelaw.co.nz

Creative Hype Ltd, Christchurch – **Clay Caird**, Director - pioneers of a new advertising tool taking sports stadiums around the globe by storm! We design, produce products and project-manages innovative promotional campaigns around the globe. Our clients are professional sports clubs and organisations who want to add value to their sponsor relationships. Even more than that, they want to engage and reward their fans - and Creative Hype delivers. We take care of everything, from in-house design and production to in-stadium activation - making sure everything is done right every step of the way. www.creative-hype.com

(Continued on page 7)

BUSINESS TRAVEL INSURANCE
FROM ACE acegroup.com/nz



MEMBER NEWS (Continued from page 5)

Cubic Defence New Zealand Ltd, Auckland – **Eric Stierna**, Site Manager/Director – Cubic is a leading provider of realistic combat training systems, secure communications and networking and highly specialized support services for military and security forces of the U.S. and allied nations. They develop, manufacture, and field a diverse range of systems, products, and technologies that are critical for combat readiness and national security. Our primary focus for creating these systems, products and technologies is to raise human performance and readiness, both individual and collective, by creating an effective, integrated learning and performance assessment experience. www.cubic.com

Geodis Wilson New Zealand Ltd, Auckland – Hugh Mackay, Managing Director - Supply Chain Operator ranking among the top companies in its field in Europe and the World. GEODIS, which is part of SNCF Logistics, which in turn is a business line of the SNCF Group, is the number one Transport and Logistics operator in France and ranked number four in Europe. The international reach includes a direct presence in 67 countries and a global network spanning over 120 countries. With its five Lines of Business (Supply Chain Optimization, Freight Forwarding, Contract Logistics, Distribution & Express and Road Transport), GEODIS manages its customers Supply Chain by providing end-to-end solutions enabled by our people, our infrastructure, processes and systems. Recently completed the acquisition of OHL (Ozburn-Hessey Logistics) based in Nashville, Tennessee (USA). www.geodiswilson.com

New Zealand Beer Ltd, Auckland – **Rebecca Stenbeck**, Director/Co-Founder – Herbal beer. Our beers are crafted by a New Zealand Herbalist and her beau out of her passion for herbs and his passion for beer, creating a unique beer experience. Using New Zealand barley and hops, and combined with carefully selected herbs for added aroma, flavour and bitterness, we've created a range of herby but hoppy beers which are delicious either on their own or matched with our recommended meal pairings. <http://newzealand-beer.com>

Stack Interiors, Auckland – **David Maurice**, Associate Business Development - Stack are specialists in the design and delivery of innovative business interiors. We offer an integrated package of design and management services which consistently ensures on time and on budget delivery of projects. Our multi-talented team brings a wealth of knowledge and experience to our clients, with a strong commitment to creating unique and functional business environments. We understand that design for business is far beyond what it looks like. We have in-depth knowledge of technology and workplace services infrastructure and we understand the deep links between brand, culture and the productive energy of any workplace environment. www.stack.co.nz

Synlait Milk Ltd, Rakaia – **Dr. John Penno**, Managing Director and CEO - Synlait is an innovative dairy processing company based in the heart of Canterbury, New Zealand. We combine expert farming, with state-of-the-art processing, to produce a range of nutritional milk products that provide genuine benefits for health and wellbeing. Synlait commenced production in 2008 and has quickly become a global competitor in the international milk powder market, and a vital part of the economic fabric of Canterbury, New Zealand. www.synlait.com

3 AmCham member companies in TIN 100 - EY Ten Companies to Watch 2015

Fisher & Paykel Healthcare, Cubic Defence NZ and Vista Group International

Jon Hooper, Partner, EY announced the EY Ten Companies to Watch and said, "This year's awarded companies grew revenues by 12.5% in the past financial year, compared with an average 7.3% for all TIN100 companies. The total revenue growth for these ten companies was an impressive \$378m. This is the highest dollar growth since 2009 and represents the third consecutive year of growth.

EY Entrepreneur of The Year 2015 Craig Hickson of Progressive Meats

At a prestigious 'yellow-carpet, black-tie' occasion at The Langham Auckland we were delighted to announce Craig as New Zealand's Entrepreneur Of The Year 2015. Craig will now represent New Zealand and compete against over 60 national winners for the coveted title of EY World Entrepreneur Of The Year™ in Monte Carlo in June 2016.

Congratulations to all our category winners who demonstrate innovation, determination and entrepreneurial spirit.

- ◇ **Craig Hickson**, [Progressive Meats](#): Products
- ◇ **John Wikstrom**, [Magic Memories](#): Services
- ◇ **Hamish Kennedy**, [Compac](#): Technology and emerging industries
- ◇ **Chris Heaslip and Eliot Crowther**, [Pushpay](#): Young
- ◇ **Wayne Wright**, [BestStart](#): Master

Manuka Health to Expand NZ's Natural Healthcare Reputation Globally/Wins 2015 NZVCA Deal of the Year

Leading food, wellbeing and natural healthcare company Manuka Health New Zealand Limited ("Manuka Health" or "the company") is pleased to announce the sale of the company to funds advised by Pacific Equity Partners (PEP) subject to Overseas Investment Office (OIO) approval.

The company was founded in 2006 in response to the growing demand for premium manuka honey and its wide application of health benefits including dietary supplements, gourmet foods, personal care and wound care products. The next phase for the business was to seek a

(Continued on page 7)



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MEMBER NEWS - Manukau Health (Continued from page 6)

partner with the experience and resources to assist the company in delivering on its global growth aspirations.

PEP has a wealth of experience investing in and growing consumer products businesses including Griffin's Foods, Tegel, Frucor and Peter's Ice Cream and has been working with New Zealand companies for nearly two decades.

The acquisition of Manuka Health by PEP allows the company to continue pursuing key growth regions including China, USA, Germany, Australia, New Zealand and Japan while still expanding its presence in over 40 other countries. The company is also aggressively pursuing growth through product category expansion across wound and personal care. [Read more](#)

Simcro Ltd acquires ISL Animal Health & NJ Phillips Pty

Simcro Limited, a leader in the global animal pharmaceutical delivery device industry, has acquired ISL Animal Health (Hamilton, NZ) and NJ Phillips PTY (Gosford, NSW, Australia) from Forlong & Maisey and the Maisey family of Hamilton, New Zealand. The agreement is effective from 1 September 2015.

Simcro Executive Chairman, Will Rouse, said, "After the Riverside Company became our majority shareholder in 2013, we began looking for opportunities to exponentially grow Simcro's international market strength. We've been in discussions with ISL Animal Health and NJ Phillips for quite some time. [Read more](#)

Douglas Pharmaceuticals strikes deal with Vital Foods

New Zealand's largest pharmaceutical manufacturer, Douglas Pharmaceuticals, has bought the Phloe® digestive health business in New Zealand, with an option for additional territories, from Auckland-based Vital Foods for an undisclosed sum.

Vital Foods CEO Justus Homburg was pleased to announce that the sale of the New Zealand Phloe® product line to Douglas Pharmaceuticals not only allows for the growth of Phloe® in New Zealand, but it also enables Vital Foods to focus more effectively on the international market for Phloe® products. [Read more](#)

Eastland Group gets green light for next geothermal power station

Eastland Group chief executive Matt Todd says the timing is right for development of its Te Ahi O Maui geothermal generation project near Kawerau.

Yesterday's formal approval of the project by Eastland Group's sole shareholder, the Eastland Community Trust, gives the company the green light for the next step of the project.

The project is a partnership with the Kawerau A8D Whenua Trust, owners of the land where the geothermal power plant will be built 2.3 kilometres north-east of the Kawerau township. It will be designed to generate approximately 20MW net of electricity. The plant has the potential to generate enough power to supply 20,000 homes with their annual electricity needs. [Read more](#)

SweeneyVesty wins Global Media Relations Campaign of the Year

SweeneyVesty has today scooped the Grand Prize for media relations campaign of the year, capping a stunning 2015 for the public relations firm, which has also won gold, four silver and bronze trophies in international competition, including a Silver Cannes Lion.

PR Daily, the US communications industry bible, awarded SweeneyVesty the Grand Prize and Best Media Relations Campaign under-\$50,000 for its Scoot Airlines PR campaign that wittily took the Mickey out of fellow budget airline Spirit, whose new corporate livery and branding bore more than a passing resemblance to Scoot's. See [Press Release](#) for full details

People on the move:

Acting Ambassador to the United States and Senior diplomat **Carl Worker** as New Zealand's new Ambassador for Counter Terrorism.

Ben King previously the Foreign Policy Adviser to the Department of the Prime Minister and Cabinet has been appointed as New Zealand's next Ambassador to Thailand.

Fonterra Co-operative Group has appointed **Judith Swales** as Managing Director Oceania based in Melbourne.

EverEdgeIP welcomes seven new team members to the group in the UK, US and New Zealand. [Read more](#)

Geoff Lawrie is leaving Cisco New Zealand with **Dave Wilson** appointed Country Manager

SLI Systems has appointed **Shaun Ryan** CIO and **Chris Brennan**, based in San Jose as CEO

Facebook has announced **Stephen Scheeler**, its current head of Retail and Automotive, is taking the reins of its Australia and New Zealand branch.

Accenture has boosted its commitment to the local market, hiring **Justin Gray** as the Country Managing Director of Accenture New Zealand.

David Powell has been appointed the University of Otago Enterprise Manager in Auckland

Robbert Rietbroek has been appointed the CEO of PepsiCo Australia/New Zealand

MONTHLY FOREIGN EXCHANGE RATES

As at 9am	09/10	09/11	
USD	0.6660	0.6507	↓
AUD	0.9182	0.9265	↑
EUR	0.5911	0.6061	↑
GBP	0.4340	0.4322	↓
CAD	0.8670	0.8660	↓

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BUSINESS TRAVEL & TRAVEL NEWS

News, views and information for Amcham business travellers from **Grant Bevin**, Managing Director Business World Travel.

Business World Travel is a member of GlobalStar Travel Management

Airlines

United Airlines will be returning to Auckland, launching a non-stop Auckland to San Francisco service from July 2016. The operation will initially be 3x weekly (Tue/Fri/Sun north bound) .with a useful departure time of 1320hrs with arrival into San Francisco at 0620hrs and offering direct connections within 1 hour 20mins to New York. Arrival in to New York is 1616hrs, just in time for cocktails. United will initially fly Boeing 787-8's, configured as Business with 36 seats, 70 Economy Plus and 183 Economy Class seats. The service moves to daily from December 2016.

United has announced an increase in their **Economy Class luggage allowance** to allow **2 pieces** at 23kg each. This is for flights from Australia and New Zealand after December 2015. Air New Zealand will be code-sharing on the United Airlines Auckland flight next year and so we strongly suggest they'll need to return to that 2 piece 23 kg allowance as well to be competitive with Hawaiian and United's allowance.

United's return to New Zealand will be welcomed by many New Zealanders who retained their **United Mileage Plus** membership, the airline's frequent flyer programme. Especially for the 1K Flyer Status Travellers, our view is that this still remains as one of the best frequent flyer programmes.

The former Trans World Airlines terminal at **John F. Kennedy International Airport** in New York will be converted into a 500-room hotel and retail space projected to open in late 2018. The TWA Flight Centre was built in 1962 and served as the airline's terminal until 2001, when it declared bankruptcy and stopped operating. The centre was too small for modern aircraft and couldn't accommodate enough passengers, making it unsuitable as an airline terminal. The now-vacant building was declared a national historic landmark in 2005.

Upcoming Trade Fairs

Registrations and bookings are now open for three key trade fairs:

- ◆ CES Consumer Electronics – Las Vegas – 06-09 January
- ◆ World of Concrete – Las Vegas - 02-05 February
- ◆ International Home + Housewares – Chicago – 05-08 March
- ◆ CES and WOC are partnered with the US Commercial Service and offer the International Buyer Programme. Ask us about this.

Holidays

Our Executive Leisure Team knows Hawaii well and one of our favourite offers is at the well located **Waikiki Parc in Waikiki**.

The Parc Sunrise Car Bonus programme includes a rental car, breakfast for two and parking included in the room rate.

You'll save on taxis as well because the car can be collected from the airport. The hotel is a contemporary four star property just 100 steps from the beach. Ask Tanya, Gay, Agota or your usual BWT Consultant to book you!

Silversea Cruises will move *Silver Cloud* to its luxury expedition fleet in November 2017. Destined mostly for polar waters, the elite 296-guest ship that launched the ultra-luxury cruise line will be converted into an ice-class ship during an extensive refurbishment scheduled to start in August 2017. As an expedition ship, the all-suite *Silver Cloud* will accommodate 260 guests and also sail on itineraries to non-polar regions. When sailing Arctic and Antarctic itineraries, the guest complement will be restricted to 200. The luxury expedition line currently has three all-suite expedition ships, *Silver Explorer*, *Silver Discoverer*, and *Silver Galapagos*. Collectively, they explore over 500 far-flung destinations, from Africa, Australia's Kimberley Coast, and the Russian Far East, to the Galápagos Islands, the British Isles, and the polar realms. Guests are enriched by an onboard programme of destination lectures, photo presentations, and daily recaps. Exploratory excursions are complimentary, and led by a team of experts, including marine biologists, ornithologists, geologists, botanists, historians, and anthropologists. The *Silver Cloud* will offer five dining options so any notions of the hardship sometimes related to intrepid exploration should be dismissed. The journeys will sell as soon as they are released so have Agota or your usual BWT Consultant book you soon as the cruise schedules are announced.

To book your first or next cruise speak to our cruise expert Agota Watt (awatt@bwt.co.nz or Tel. 04-470-6044).

Check out our website at www.bwt.co.nz

Reviewing your Corporate Travel? Call our Team:

Clare Gilbertson Business World Travel Wellington 04-470 6044 cgilbertson@bwt.co.nz

Grant Bevin Business World Travel Auckland 09-529 3700 gbevin@bwt.co.nz



EDUCATION AND INTERNSHIPS

Rebecca Dawson - completed her Bachelor of Communication Studies at Christchurch Polytechnic Institute of Technology in 2014 and is now living and working in New York City. She has landed a role with the Interactive Advertising Bureau in sales, adding to her skills in the broadcasting/advertising arena. On a daily basis she is dealing with companies such as Google, Fox, Time Warner and CBS (to name a few!), all based out of their office in the Flatiron District. She is looking forward to bringing her extensive knowledge back to NZ once her visa expires and seeing the opportunities this opens up for her.

Find out about the hundreds of other University/Polytechnic graduates we are sending over to the US by getting in touch with IEP New Zealand at info@iep.org.nz or call 0800 443 769.

Daniel Haverty - has recently obtained his Juris Doctor from Syracuse University College of Law and took the California BAR Exam. While studying in Syracuse he pursued the National Security and Counterterrorism Law curricular program and received an award for exemplary Pro Bono service for work assisting refugees. He developed an interest for international law and security during his education. He is currently in New Zealand on his second extended stay. He intends to return and seek employment here, either temporarily or permanently, preferably for an American company or agency. He is very passionate about the outdoors and am inspired by what New Zealand has to offer.

Daniel does not have a preference as to whether or not he practices law. He can offer a strong skill set of research, analysis, negotiation, attention to detail and having personal ties to New Zealand communities. He is open to a wide range of professional opportunities, such as: business, trade, tourism, strategic planning, law, human rights or preservation of native New Zealand wildlife to name a few.

Contact Daniel on havertydaniel@gmail.com

GENERAL

American Football Southern Bowl

5th March 2016 | Eden Park | Auckland – 12th March 2016 | Westpac Stadium | Wellington

In March 2015, American Football will be coming to New Zealand, kicking off a sporting and entertainment showdown that has never been seen before in the history of this passionate sporting nation.

The Southern Bowl will be an entertainment showdown on a scale never seen before in the history of sport in New Zealand so make sure you get your tickets to the biggest event of 2016.

Tickets are on Sale now from www.ticketek.co.nz Prices range from \$39 to \$129

For more information on the event please visit www.southernbowl.com

www.facebook.com/SouthernBowlNZ www.twitter.com/southernbowl

Legacy Partners are pleased to announce the opening of Tara Iti Golf Club. This private, members club is open from October 1. Perfectly timed for the New Zealand summer, New Zealand's newest golf course is now open.

- ◆ Private Members Golf Club
- ◆ Tom Doak designed links golf course
- ◆ Clubhouse, fitness centre and beach club
- ◆ 75 minute drive north from Auckland
- ◆ 15 minute helicopter flight from Auckland

[Click here](#) to read to Golf Digest | August 2015 article on Tara Iti.

[Click here](#) to register your interest in Tara Iti Golf Club.



TARA ITI
TEARAHI, NEW ZEALAND



Commercial Property Ownership in New Zealand Presentation in San Francisco

On Thursday evening 12th November @ 6.30pm, in conjunction with Lesley and Jim Tilley and KiaOra USA, Alan Hall is coming over from New Zealand to give a presentation discussing boutique commercial property ownership in New Zealand. Alan's company, DABS Consulting specialises in putting together syndicated partnerships of a small group of high net worth individuals to purchase and retain quality and well located commercial property with quality tenants and leases. The rental returns for projects to date after all expenses, are in excess of 8% per annum for the term of the leases which tend to be 8 – 10 years. The quality of the buildings gives the best possible chance of capital growth over time.

The presentation is at Delegats head office Misson St, San Francisco. Please contact Lesley, Lesley@kiaorausau.org to receive an invitation. DABS Consulting have a website www.dabsconsulting.nz that gives good background to DABS and gives examples of the buildings they have secured and the process round sourcing buildings and the ongoing management.

TAX ISSUES

NZ and US tax update

by Gina Wallace, Director, NZ US Tax Specialists Limited

In the last few months there has been a fundamental shift in the landscape of information exchange between countries.

New legislation has come into force in New Zealand, increasing information reporting with respect to property transactions, and a milestone has been reached in the United States - the date on which the exchange of information under FATCA commences: 30 September 2015.

We have observed these moves as measures in the fight to combat international tax evasion. In addition, the United States signed Competent Authority Arrangements with two countries, the United Kingdom and Australia. These were the first two countries to sign such agreements with the United States. New Zealand is to follow suit, as will undoubtedly dozens of other countries.

Strikingly, the IRS issued Notice 2015-66 on September 18 2015, relaxing the reporting requirements under FATCA for jurisdictions covered by a Model 1 Intergovernmental Agreement, including New Zealand.

Following are some of the announcements which have been made by the IRS and the Tax Policy division of the IRD.

IRS Announces Key Milestone in FATCA Implementation; U.S. Begins Reciprocal Automatic Exchange of Tax Information under Intergovernmental Agreements IR-2015-111, Oct. 2, 2015

WASHINGTON — The Internal Revenue Service today announced the exchange of financial account information with certain foreign tax administrations, meeting a key Sept. 30 milestone related to FATCA, the Foreign Account Tax Compliance Act.

To achieve this, the IRS successfully and timely developed the information system infrastructure, procedures, and data use and confidentiality safeguards to protect taxpayer data while facilitating reciprocal automatic exchange of tax information with certain foreign jurisdiction tax administrators as specified under the intergovernmental agreements (IGAs) implementing FATCA.

"Meeting the Sept. 30 deadline is a major milestone in IRS efforts to combat offshore tax evasion through FATCA and the intergovernmental agreements," said IRS Commissioner John Koskinen. "FATCA is an important tool against offshore tax evasion, and this is a significant step in the process. The IRS appreciates the assistance of our counterparts in other jurisdictions who have helped to make this possible."

IRS releases Revenue Procedure 2015-50

1 October 2015

The IRS has released Revenue Procedure 2015-50 (RP 2015-50) which updates a previous revenue procedure, 2014-64 (published in December 2014) with a list of additional countries with which the United States has determined it is appropriate to have an automatic exchange of information relationship.

RP 2015-50 adds 16 countries with which the United States has, in effect an income tax or convention or bilateral agreement relating to the exchange of information with other countries. The list of 16 countries includes New Zealand.

This relates only to bank deposit interest information collected on certain non-resident aliens under IRC Reg. 1.6049-8(a) and 1.6049-4(b)(5).

Under regs. 1.6049-8(a) and 1.6049-4(b)(5) payments of interest to residents of these countries must be reported to the IRS on Form 1042-S Foreign Person's U.S. Source Income Subject to Withholding.

To read the rest of this article please visit: www.nzustax/nz-and-us-tax-update-october-2015-.html

LEGAL ISSUES

Norris Legal Consulting – American Law Specialists

In partnership with the AmCham NZ, our objective is to provide AmCham NZ members with information on the complex US legal landscape, to promote US-NZ business relationships, and to assist NZ businesses expanding into the lucrative US markets. In our monthly column, we write about legal issues which we deal with in our representation of NZ businesses doing business in and with the US. However, we are also open to suggestions on topics about which members are interested in learning. So, please feel free to email us with your comments, questions and any suggested topics at info@nz-uslegal.co.nz.

RECENT US BUSINESS IMMIGRATION NEWS

Visa and immigration opportunities to the United States are somewhat limited for New Zealanders. Unlike as accorded to our Trans-Tasman counterpart, the United States has not extended treaty investment visas or specialty work visas to New Zealand. This leaves New Zealand entrepreneurs wishing to move their business to the United States somewhat limited as to their options. In general, New Zealand entrepreneurs must either qualify under the L visa category (which allows for the temporary transfer of an executive, manager, or specialized skill employee from a New Zealand business to its US affiliate) or under the EB-5 investment immigrant program. The EB-5 investment visa provides conditional permanent residence status for an individual who is investing \$1,000,000.00 USD (or \$500,000.00 USD in special cases) in a US business.

Of particular interest here is the reduced investment of \$500,000.00 USD for the EB-5 investment visa. Under current US law, an eligible New Zealander (or any eligible non-US citizen/ US Legal Permanent Resident) who invests in a business which is located in a "Targeted Employment Area" ("TEA") need only invest \$500,000.00 USD. A TEA is generally an area of high unemployment or a rural area. If the prospective immigrant does not want to actually operate the business investment (and therefore live in or near the TEA), the other option available would be to invest in a Regional Centre. A Regional Centre is essentially an investment entity which has been approved by the US Government to pool the funds of EB-5 investors to fund a project which satisfies the other requirements of the EB-5 investment visa. Under the Regional Centre model, the immigrant investor is only required to pay the \$500,000.00 USD plus a subscription fee (usually an additional

(Continued on page 11)

LEGAL ISSUES (Continued from page 10)

\$50,000 to \$60,000 USD). The Regional Centre does the rest of the work. The down side to the Regional Centre model is that there is potentially only a return of capital with very little to no profit. The Regional Centre does not employ the immigrant or provide any source of income. Further, under the Regional Centre model, there can generally be no return of capital to the EB-5 investor until the investor has successfully completed a conditional permanent residence period (which can be several years).

The EB-5 program has been under a lot of scrutiny by various interest groups and lobbying groups—some whom fall on the side of supporting it as it is, and others who believe that the program is too liberal and rife with abuses and fraud by unscrupulous investors. Revisions and draft changes have been proposed to the US Congress by both sides of the aisle for the EB-5 program with many hoping that the suggested changes would be implemented by the recent deadline for renewal of the program on 30 September 2015. No changes to the program were made by the deadline and Congress provided only a temporary extension of the program as it currently exists to 11 December 2015. Unsurprisingly, this is because there is difficulty in obtaining a consensus on the merits of the program and on what changes, if any, need to be made to the program.

The most contentious elements of the program being currently debated are the \$1,000,000 USD/\$500,000 USD investment thresholds and the Regional Centre program. US Senators Chuck Grassley (R-Iowa) and Patrick Leahy (D-Vermont) are proposing a bill which would raise the investment threshold to \$1,200,000 USD for regular investments and \$800,000 USD for TEAs and Regional Centres, and would provide additional oversight and hurdles for Regional Centre projects. This would likely cause a significant decrease in the number of Regional Centre projects available to potential foreign investors, and the increase of the investment threshold will push the EB-5 investment visa out of reach for many potential immigrants. This creates a great deal of uncertainty for those potential investors looking to file petitions prior to the resolution of this debate, uncertainty for those investors who have petitions pending and awaiting decisions, and uncertainty for those who have had their petitions accepted and are currently residing in the US and attempting to fulfil their conditional residence requirements before being granted Legal Permanent Resident status.

In other US business immigration news, the negotiating parties finally reached an agreement concerning the Trans Pacific Partnership ("TPP"). If approved, this could have a significant effect on business immigration rules in the US. In particular, the TPP contains a chapter on Cross-Border Trade in Services, which reportedly includes a Most Favoured Nation's clause. Some free trade agreement lawyers have made the argument that a Most Favoured Nation's clause could help New Zealand's argument to be given access to the E-2 and E-3 visas, as other members of the TPP (i.e., Australia, Brunei, Canada, Chile, Mexico, Japan, and Singapore) have access to such visas. However, our sources close to the US negotiators have indicated that the US purposefully left out the inclusion of E-2 and E-3 access. Under treaty interpretation standards, where there is a purposeful exclusion of a topic from a treaty that could have been included, this will eliminate the argument that the inclusion was implied under the most favoured nation clause. To take that out of lawyer speak, it means that if the negotiators wanted to provide E-2/E-3 access to New Zealand, they would have specifically written it into the treaty. This does not mean that all hope is lost for ever gaining these benefits. It just means that the New Zealand government and Kiwi trade groups will have to continue to lobby the US Congress to get a deal and should use the "most favoured nations" argument in that push (i.e., if everyone else in the TPP has it, so should we).

That being said, the TPP did not fail to provide some relief for business people trying to gain work visa access to the United States. The TPP has a chapter on the Temporary Entry of Business Persons, which could result in a streamlined process for getting L-1 visas granted. Such changes could significantly reduce the costs involved with investing in the US and with sending workers to the US on a temporary basis.

Overall, it's an exciting time for NZ-US relations. The recent conclusion of the TPP and the continuing immigration debate in the US Congress create some very interesting questions when it comes to US business visa and immigration issues.

- Zachary D. Norris, JD, LL.M. and Ada Echetebe, JD, LL.M.

*This article is for general informational purposes only and does not constitute legal advice, nor should it be construed as constituting any legal advice from Norris Legal Consulting, The Norris Law Firm or any of its affiliated lawyers. For specific analysis of your US legal issues, please contact the attorneys at Norris Legal Consulting at +64 (0)9-889-2602 or visit us on the web at <http://nz-uslegal.co.nz/>.

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Also don't forget your Membership gives you access to:

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CONNECT

AUCKLAND
Wed 18 November
8.00 – 9.30am

SIR PAUL REEVES BUILDING
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BUILDING CREATIVE CONNECTIONS

In a world that has moved from finite choice and limited control to infinite choice and total control, how can leaders, innovators, entrepreneurs, brands and organisations engage in a meaningful way with their customers? [Project Connect](#) is proud to present an exclusive breakfast inspiration briefing with Mark D'Arcy - VP and Chief Creative Officer, Facebook Creative Shop - followed by a Q&A moderated by Vincent Heeringa, Publisher of Idealog.

As technology and globalisation move at an unprecedented rate, and consumers, previously faced with scarcity and a lack of options, are now bombarded with the tyranny of abundance, Mark takes it all back to the people. To whom are you talking? What are you doing that matters to them? How can you move from a point of disruption to a point of discovery?

After two decades working as a writer and Chief Creative Officer in advertising and media, Mark joined Facebook in 2011. Mark has been widely recognised for his leadership in the creative industries and regularly speaks all around the world on the subject of creativity in social media, the transformation of marketing, the communication arts and the role and purpose of brands in society. Mark has served as a juror on numerous international awards shows including the CLIO Awards, LIA Awards, The International ANDY Awards and in 2013 served on the inaugural Innovations Lions jury at the Cannes Lions Awards.

Mark started his career in New Zealand, then New York, before relocating to London with his wife, daughter and two naughty dogs. He returned to NY in July 2015.

For more info and tickets go to
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