

AMCHAM NEWS

American Chamber of Commerce in New Zealand

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Volume 15 Issue 1

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February 2016

TPP signed, now for ratification

We circulated our media release to members following the signing of TPP. In case you missed it see: [AmCham New Zealand Applauds the Signing of the Trans-Pacific Partnership](#)

AmCham members had the opportunity of hear Ambassador Michael Froman, US Trade Representative, talking about global trade and TPP following the signing. The US Administration aims to introduce TPP legislation at the earliest opportunity however many commentators in the USA expect this may be delayed until a 'lame duck' session after the US elections in November.

Stuff did a great piece - The TPPA was officially signed in Auckland - so what happens next?

All 12 states have to ratify it within two years. If that does not happen then at least 6 of them must sign up - representing at least 85 per cent of the nations' combined GDP - effectively meaning the United States and Japan must be two of them.

In New Zealand the ball will start rolling next week, when the TPPA text and a national interest assessment are tabled in Parliament and referred to the foreign affairs, defence and trade a select committee. It will hold an extended consideration, with legislation expected before the House about mid-year, passing finally into law in late 2016 or early 2017.

The enabling legislation to bring it into effect, through a "Trans-Pacific Partnership Agreement Bill", will require amendments to:

- Dairy Industry Restructuring Act 2001, - Tariff Act 1988, - Customs and Excise Act 1996, - Hazardous Substances and New Organisms Act 1996, - Wine Act 2003, - Overseas Investment Act 2005, - Copyright Act 1994, - Trade Marks Act 2002, - Patents Act 2013, - Agricultural Compounds and Veterinary Medicines Act 1997

Source: Stuff.co.nz

TPP Roadshow in NZ

The NZ Government has announced the dates for roadshows for interested members of the public to learn more about this important trade agreement, and to assist businesses identify and plan for new export opportunities when TPP comes into force.

Registrations are now open for the first four roadshows at www.tpp.mfat.govt.nz/events:

• **Auckland, 7 March** • **Christchurch, 11 March** • **Dunedin, 14 March** • **Wellington, 18 March**

Roadshows will be also held in following months in Hamilton, Napier, Nelson, New Plymouth, Palmerston North, Tauranga, and Whangarei.

In Auckland the programme is:

9.30am - 12.25pm Overview of TPP. 1.30pm - 5.00pm Afternoon technical workshops

Informal Lunch Session - 12.45pm - 1.25pm - Workshop 1 - Better exporting: understanding FTA's

Session 1 - 1.30pm-2.25pm Workshop 2 - Outcomes for services exports and investment or Workshop 3 - Outcomes for goods exports

Session 2 - 2.35pm-3.30pm Workshop 4 - IP and the digital economy or Workshop 5 - Technical outcomes for goods

Session 3 - 4.00pm-5.00pm Workshop 6 - Government procurement or Workshop 7 - Primary industry outcomes

We encourage you to attend these briefings.



Mike Hearn (AmCham) Derek Syme (Citibank), Ambassador Michael Froman (USTR), Barbara Weisel (USTR), Matt Matthews (Dept of State)

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Ambassador Tim Groser presents credentials to President Obama

United States President Barack Obama has formally welcomed Tim Groser as New Zealand's Ambassador to the United States. In a ceremony at the White House, former Trade Minister Groser presented his credentials to the President in the Oval Office.

AmCham's President & Executive Director recently met with Ambassador Groser on his pre-posting briefings to discuss a broad range of areas including TPP ratification in the USA.

(Photo Pete Souza)



President Obama to visit NZ?

A senior United States official has confirmed President Barack Obama will try to visit New Zealand later this year -- possibly in June during the annual New Zealand-U.S. strategic dialogue. Deputy Assistant Secretary of State for Australia, New Zealand and the Pacific Islands Matt Matthews said the President would visit "schedule permitting". Obama would be only the third U.S. President to visit if he makes the trip.

Video of Deputy Assistant Secretary Matt Matthews [Read and hear more](#)

Source: Stuff.co.nz

United States Begins Implementation of Changes to the Visa Waiver Program

The United States today began implementing changes under the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015 (the Act). U.S. Customs and Border Protection (CBP) welcomes more than a million passengers arriving to the United States every day and is committed to facilitating legitimate travel while maintaining the highest standards of security and border protection. Under the Act, travellers in the following categories are no longer eligible to travel or be admitted to the United States under the Visa Waiver Program (VWP):

- **Nationals of VWP countries who have traveled to or been present in Iran, Iraq, Sudan, or Syria on or after March 1, 2011 (with limited exceptions for travel for diplomatic or military purposes in the service of a VWP country).**
- **Nationals of VWP countries who are also nationals of Iran, Iraq, Sudan, or Syria.**

These individuals will still be able to apply for a visa using the regular immigration process at US embassies or consulates. For those who need a U.S. visa for urgent business, medical, or humanitarian travel to the United States, U.S. embassies and consulates stand ready to process applications on an expedited basis.

Beginning January 21, 2016, travellers who currently have valid Electronic System for Travel Authorizations (ESTAs) and who have previously indicated holding dual nationality with one of the four countries listed above on their ESTA applications will have their current ESTAs revoked.

Under the new law, the Secretary of Homeland Security may waive these restrictions if he determines that such a waiver is in the law enforcement or national security interests of the United States. Such waivers will be granted only on a case-by-case basis. As a general matter, categories of travelers who may be eligible for a waiver include:

- Individuals who traveled to Iran, Iraq, Sudan or Syria on behalf of international organizations, regional organizations, and sub-national governments on official duty;
- Individuals who travelled to Iran, Iraq, Sudan or Syria on behalf of a humanitarian NGO on official duty;
- Individuals who travelled to Iran, Iraq, Sudan or Syria as a journalist for reporting purposes;
- Individuals who travelled to Iran for legitimate business-related purposes following the conclusion of the Joint Comprehensive Plan of Action (July 14, 2015); and
- Individuals who have travelled to Iraq for legitimate business-related purposes.

Again, whether ESTA applicants will receive a waiver will be determined on a case-by-case basis, consistent with the terms of the law. In addition, we will continue to explore whether and how the waivers can be used for dual nationals of Iraq, Syria, Iran and Sudan.

Any traveler who receives notification that they are no longer eligible to travel under the VWP are still eligible to travel to the United States with a valid non-immigrant visa issued by a U.S. embassy or consulate. Such travellers will be required to appear for an interview and obtain a visa in their passports at a U.S. embassy or consulate before traveling to the United States.

The new law does not ban travel to the United States, or admission into the United States, and the great majority of VWP travellers will not be affected by the legislation.

An updated ESTA application with additional questions is scheduled to be released in late February 2016 to address exceptions for diplomatic- and military-related travel provided for in the Act.

Information on visa applications can be found at www.travel.state.gov Current ESTA holders are encouraged to check their ESTA status prior to travel on CBP's website at www.esta.cbp.dhs.gov



Supporting AmCham

2016 APCAC Business Conference in Beijing on April 13-15.

AmCham China are putting together a great program with the aim of bringing together over 300 business, policy, diplomatic, government, and media leaders for two days of important and incisive discussion on China's Asia Pacific engagement and its implications for American business.

Challenges and opportunities affecting US business in East Asia, the future of Asia as a financial hub, China's regional engagement and One Belt, One Road initiative, and the regional trading environment are just some of the important themes and issues that will be examined on April 14. April 15 will be a deep-dive into more China-specific issues including leveraging central versus local government relations, China's economic outlook and the 13th Five-Year Plan, and China's economic slowdown.

The launch of AmCham China's 18th Annual White Paper on American Business, a 'Meet your Embassy' reception, and a gala dinner to celebrate AmCham China's 25th anniversary are just some of the exciting special events planned during the conference.

[Click HERE](#) for more information about the APCAC Conference.

TRADE, BUSINESS and INVESTMENT OPPORTUNITIES

Commercial News USA

The **March/April 2016** issue of Export USA, the official export promotion magazine of the U.S. Department of Commerce, is currently online at <http://exusa.think.global/032016/032016.php>

International Buyer Program – Trade Show Schedule 1 Jan to 31 Dec 2016 –

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

Inside Revolution offering branding for the US market

We are interested in building a campaign that would promote New Zealand in the U.S. Given the conclusion of the TPP negotiations, we believe there is a unique opportunity to enhance New Zealand's brand in the American market now. We envision a campaign that would be heavily digital and data-driven, and that would showcase New Zealand's many attractions for an American audience— including its cultural heritage, natural beauty, and its position as a leading business and investment center.

We believe we can help New Zealand in the following areas:

1. **Designing a Digital Campaign:** While traditional branding campaigns use billboards, we design and implement digital strategies for clients that can target influential stakeholders with tailored messages. We can reach more people-- in a more targeted way-- at a fraction of the cost.
2. **Organizing Events and In-Person Exchanges:** We believe in linking our digital campaigns with tailored, on-the-ground interactions. For New Zealand, this could include organizing exchanges with tech leaders, the entertainment community, the media, and niche areas like the fashion or culinary communities.

We are looking to contact potentially interested parties in the Government of New Zealand, including the Tourism Ministry and Prime Minister's office, as well as with New Zealand's business community, including business associations and leading national brands.

Ari Ratner, Founder and CEO, Inside Revolution Email: ari@insiderev.com

Could a NZ company win the World Cup?

To all movers and shakers from/operating in New Zealand! We've got great news: our 3rd Annual World Cup Tech Challenge is open for early applications! We'd love to have your help reaching out to the awesome startups in your entrepreneurial communities—applications are considered on a roll-in basis, so this is a great time for companies from all over the world to send theirs in. Plus, we've got brand-new categories this year—we're excited to meet startups working in FinTech, AgTech, IoT, AI/Robotics, BioTech, and VR/AR.

Apply now to compete for the coveted World Cup title and the attention of investors at our 3rd Annual World Cup Tech Challenge. We are looking for pre-global stage startups in the industries; IoT, AI/Robotics, FinTech, AgTech, BioTech, AR/VR who have launched their products and are now ready for a global launch. [APPLY NOW](#)

From NZTE

Fast growing sectors in the United States

For many companies, the United States is most definitely the land of opportunity. NZTE works closely with over 400 New Zealand businesses who regard this region as their primary growth market and numerous others are also in-market, actively integrating into the US ecosystem. Adam Bennett, NZTE Trade Commissioner North America offers some valuable insights. [Read more](#)

TRADE & INVESTMENT NEWS (Continued on page 4)

BUSINESS TRAVEL INSURANCE
FROM ACE acegroup.com/nz



TRADE & INVESTMENT NEWS (Continued from page 3)

Annabel Langbein wins Best Home Chef at the prestigious Taste Awards in the United States & hit on US TV.



It's been a huge few days for me here in America. First I was invited to share some recipes from my TV series The Free Range Cook: Simple Pleasures on the top-rating Today show last Thursday.

Two segments, one with anchor Matt Lauer and one with co-hosts Kathie Lee Gifford and Hoda Kotb – broadcast live to a viewership of millions! To see the videos, find out what went on behind the scenes and get all the recipes see my blog.

Then just last night I walked the red carpet at a glitzy awards ceremony in San Francisco and was astonished and over the moon to hear my name announced as the winner of the People's Choice Award for Best Home Chef in a Series! What a thrill!! on NBC's popular morning programme The



Today Show. [Read more](#)

New Zealand trending at CES 2016

For a few days in early January, Las Vegas becomes the centre of the technology universe with the Consumer Electronics Show (CES). This year the event drew massive crowds, with around 175,000 people converging to see the latest in innovative devices, gadgets, software and services.

It's hard to stand out among the almost 4,000 exhibitors, but this year's keynote speech featured a demonstration of wearable technology from New Zealand company StretchSense and a number of other Kiwi companies were also flying the flag, including Parrot Analytics, Performance Lab, Syrp and MeMini.

From ExportX

[First USA Sales for Melora](#)

American online shoppers have been placing their first orders for Melora UMF manuka honey products. The Melora UMF manuka honey range includes UMF ... [Read on »](#)

[Fernwood Tree Ferns Amazon Exclusive](#)

Fernwood Products is a manufacturer of native New Zealand tree fern products for reptile terrariums and orchid growers. With over 25 years experience in international ... [Read on »](#)

[Wild Cape Rated #1 New Manuka Honey](#)

Wild Cape UMF manuka honey has been rated the #1 new honey in the USA by Amazon.com. Wild Cape UMF 15+ and UMF ... [Read on »](#)

Trade Mission to Honolulu, Hawaii, booked for July 2016

NZ Hawaii Business Connections is pleased to advise that we will be taking a group of New Zealand exporters to the Hawaii Lodging, Hospitality and Food Service Expo, on 13 and 14 July 2016. This expo is a business and industry trade event. Our group will represent everything good that New Zealand has to offer the US in terms of food, beverages, products and services. We are delighted to be once again returning to Hawaii, after our successful trade mission in 2015. NZ Hawaii Business Connections consultant, Joe Lopez, based in Hawaii will lead the trade mission and manage the set up of the NZ Hawaii exhibition stand of which our exporters/members will be part of while you are in Honolulu. Our consultants in New Zealand can arrange all freight of goods to Hawaii for the exhibition and to fill orders as a result of the exhibition. It couldn't be easier for you.

For costs and more information, ring Robyn Bartram on +64 4 293 6369 or 0274 908 644. Email robyn@nzhawaii.com

NZBIO'S 2016 Agricultural Biotech Symposium, Palmerston North, 5th April 2016

Join NZBIO and enjoy an exceptional line-up of internationally renowned keynotes and technical sessions focused on innovative agribiotechnologies.

In a market dominated by multinational powerhouses, New Zealand plays a vital role in developing new biotechnologies for addressing evolving consumer needs and the challenges of climate change, producer profitability and food availability.

Places are limited [Register NOW!](#) Find out more details and register for the event [here](#)

(Continued on page 5)

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HOTELS AND RESORTS

AUCKLAND

Supporting
AmCham

TRADE & INVESTMENT NEWS (Continued from page 4)

BIO US 2016

There is always a large contingent of kiwi's representing great NZ biotech companies at BIO, so I expect most of you are already aware that this year's BIO will be held in San Francisco, 6-9 June ([more details](#)). We are working hard to ensure those traveling are well supported and look forward to seeing you there. In the meantime, we have secured a special registration rate for all our members. There is no commitment at this stage, all you need to do is register your interest in attending by completing the form [here](#).

Promotional opportunity in the USA

This is an opportunity that might appeal to companies looking for promotional opportunities in the USA - to coalesce behind a young up and coming Kiwi who has just been signed to a team that is participating in the USF 2000 series which is a feeder to the Indi Motor racing series which is huge in America.

James Munro is the first ever Kiwi to be invited to race in the USF 2000 series and Pelfrey racing team are extremely excited to have secured James for their team.

The USF 2000 series is a feeder to the Indi Motor racing series which is huge in America. James signed the deal with Pelfrey last week.

Pelfrey want to create (due to this being the first time a Kiwi has ever been in this series) a "Team New Zealand" brand around James and his car.

The media exposure is significant in the USA for this series and an ideal opportunity to brand New Zealand companies in this format. For more info contact: Grant Edmundson, email: grant@baboom.com

SUCCESS STORIES WITH USA

[Gravity4 acquires as2one's Australia and NZ divisions](#)

[All Blacks partner with Gatorade and join global elite](#)

[Blis gets key 'letter of no objection' from US FDA](#)

[NZVIF invests \\$11m in new Silicon Valley-style VC micro fund](#)

[Bumper 2016 in store as VMob's American Dream becomes reality](#)

[NZ animal drug company open in US](#)

[Parking Sence arrives at the Galleria Towers in Dallas](#)

[Family-owned Hawke's Bay wineries tackle US and China markets](#)

[Raygun software business expands into United States but HQ stays in Wellington](#)

[16 airlines take off with Unisys solutions in multi-million dollar NZ deal](#)

TRAVEL NEWS

Brand USA has set a target of 360,000 visitors from New Zealand in 2016, an increase of about 60,000 on this year's total.

Speaking at a trade update and Christmas function at Little Easy Pub, Ponsonby in Auckland, Ollie Philpot, director Australia and New Zealand Brand USA said the growth was achievable considering the extra airline capacity entering the market, the already achieved growth rates in the last two years, ongoing marketing campaigns and the huge interest from USA suppliers who will be taking part in next year's Visit USA mission to Australia and New Zealand.

Wayne Mitcham, account manager NZ for the USA, says there will also be another trade 'mega-famil' next year, building on the success of the 2015 event. 'That will be launched early 2016, stand by for details.'

Hawaiian Airlines in New Zealand

Russ Williss Country Director, New Zealand for Hawaiian Airlines advises that they have recently restructured their business presence in New Zealand, moving to an in-house commercial sales model.

This business transformation will see an increased HA sales team presence on the ground in New Zealand.

From Monday, 1st February 2016, Hawaiian Airlines Trade assistance, Reservations & Ticketing facilitation will be serviced from our new combined New Zealand & Australian support team.

"I would also like to take this opportunity to introduce you to your HA New Zealand Sales team:

Nicholas Dew, Sales & Distribution Specialist;

Lindsey Morgan, National Account Executive Retail & Wholesale;

Mischa Knox, Business Development Executive - MICE, Cruise & Niche Markets"

(Continued on page 7)

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

2016 is underway with plenty of seat sale action from various airlines to a number of US destinations. **Air New Zealand, Qantas and Hawaiian** all have limited life seat sales on right now. We're your quickest and most intuitive search engine so form a bond with one of our experienced travel consultants now!

From 10 May **Air New Zealand** will be using their Boeing 787-9 Dreamliner on the Auckland to **Honolulu** route, replacing the older Boeing 767.

Following **Finnair** as the launch airline for the new **Airbus A350**, **Qatar Airways** has followed with a large order (currently 7 in the fleet). This latest aircraft from **Airbus** is positioned as a mid-sized long distance aircraft and Qatar celebrates its new aircraft by inaugurating flights between Doha and New York JFK and Boston. The **A350** is reputedly greener, quieter and wider than the similarly sized Boeing 787 Dreamliner. BWT has been on-board the A350 test aircraft and it was a pleasure to see such a spacious interior, a sense gained from the high ceiling and cabin width. **Singapore Airlines** has quite a number on order, as has **Cathay Pacific** which will be using the next-gen aircraft on the **Hong Kong to Auckland** route later this year.

Although not specifically US-related travel news, current route news will improve the options for New Zealand Business Travellers. In the news is the new **Singapore Airlines flight Wellington to Singapore (via Canberra)**, **China Southern** has commenced non-stop services **Guangzhou to Christchurch**, **Emirates** will launch a **non-stop Auckland to Dubai** Boeing 777 service which will be the longest flight available until **Emirates** starts their Dubai to Panama City service a month later. **Air Asia X** returns to New Zealand, this time between **Auckland and Kuala Lumpur via Gold Coast**. **Air New Zealand's Houston and Buenos Aires** flights are underway as is **JetStar's** flights **Auckland to New Plymouth / Nelson**. For Amcham members June brings in **American Airlines** and **United** flights which will bring much needed competition to the US. Whilst most airlines fly to New Zealand for the inbound tourist business during that season, New Zealand business travellers need to support these new services particularly in the off-season if a sustainable and competitive dynamic in the market is important to you. Furthermore an 'open skies' corporate travel policy often brings far greater savings than locking in to a single airline deal. Ask one of our expert Account Managers Marie or Megan about this.

New

Upcoming Trade Fairs

You won't succeed from the TPP by sitting in your office in NZ! Get on the phone to one of our expert team of Travel Consultants and we'll get you to one of the key US Trade Shows. Benchmark your products or services against the competition, make contacts, do deals! Registrations and bookings are open for these key trade shows. BWT has special access to accommodation allotments.

13-16.02.16	Toy Fair – American International Toy Fair, New York	25.02.-3.04.16	New York international Motor Show New York
21-24.02.16	The Rental Show Atlanta	16.-21.04.16	HPMKT – High Point Market- Furnishings & Interiors High Point NC
25.-28.02.16	Los Angeles Boat Show Los Angeles	02.-05.05.16	IEEE Power Transmission & Distribution Dallas
05.-08.03.16	International Home & Housewares Show Chicago	15.-18.05.16	NSS National Stationery Show New York

Hotels & Holidays

This month we have two **Amcham Member Specials** from our **Virtuoso Hotel Programme, this time in San Francisco**. Virtuoso is the pre-eminent US-based Luxury Travel Network and Business World Travel is an elected member for New Zealand. Both our Business and Private Leisure Clients love the value **BWT and Virtuoso** deliver!

Campton Palace Hotel - brilliantly located on Stockton Street in the Union Square neighbourhood

Fairmont San Francisco – iconic San Francisco on Mason Street at Nob Hill

For the same 'best available rate' you'll source from most places, BWT Travellers will benefit from our Virtuoso amenities programme at **Campton Palace and Fairmont San Francisco**:

\$100 USD Equivalent Food & Beverage Credit	Early check in and late check-out (subject to availability – ideal if flying at night to NZ!)
Upgrade on arrival, subject to availability	Complimentary wi-fi (Fairmont)
Complimentary breakfast for two	

Our BWT Travel Consultants have the details about our **Virtuoso** amenities programme at hotels across the US. Take a look at our options for hotels, cruises, US sporting events and tours at www.virtuoso.com.

(Continued on page 7)

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



BUSINESS TRAVEL (Continued from page 6)

American College Football comes Down Under in August 16 when the **University of California** plays the **University of Hawaii** in Sydney. We'll have packages available in early 2016 for the big match on Saturday 27 August, ANZ Stadium.

The **Metropolitan Museum of Art** in New York expands its gallery space dedicated to modern and contemporary art with the opening of **The Met Breuer** on 18th March. Originally designed by Bauhaus architect Marcel Breuer in 1963 as a home for the Whitney Museum of American Art, **The Met Breuer** will set the tone with ambitious inaugural exhibitions—*Unfinished: Thoughts Left Visible*, which explores works from the Renaissance to the present. The Met Breuer is a 9 minute walk from The Met.

Whilst in **NY** and on an art vent, over the past 30 years, New York's Metropolitan Transportation Authority (**MTA**) has commissioned an impressive collection of public art in its underground galleries (aka subway stations). Rather than rushing past them, join a licensed guide for this three-hour, multi-stop tour of more than a dozen mosaics, sculptures and other pieces in Manhattan and Brooklyn. Your usual Travel Consultant at BWT will arrange this for you.

TRAVEL NEWS (Continued from page 5)

Mission Promotes Houston as Travel and Business Destination in New Zealand, Western Australia

Officials with Houston Airports recently led an air service development mission to promote travel, tourism and business opportunities between Houston and Auckland, New Zealand and Perth, Australia.

The Houston Airport System, the Greater Houston Convention and Visitor's Bureau and the State of Texas Tourism department sent representatives to the Asia-Pacific region to meet with business leaders, government officials, tourism groups, media and other key stakeholders. Discussions were based around new economic and tourism opportunities that exist between Houston and the two destinations due to new nonstop air service offered by Air New Zealand to Auckland. [Read more.](#)

EVENTS FOR YOUR DIARY

- 19th Feb** Hawaiian Airlines Ambrose Golf Tournament, Auckland
- 10th March** Annual Wellington reception for members and government officials.
- 11th March** CEO lunch, Wellington (invitation only)
- 17th March** CEO lunch, Auckland (invitation only)
- 8th April** CEO lunch, Auckland (invitation only)

MONTHLY FOREIGN EXCHANGE RATES

As at 9am	18/01	18/02
USD	0.6425	0.6625 ↑
AUD	0.9395	0.9239 ↓
EUR	0.5875	0.5940 ↑
GBP	0.4505	0.4635 ↑
CAD	0.9385	0.9080 ↓



Stay informed, speak to the experts
Contact: doug.warren@hifx.co.nz

MEMBER NEWS

Passing of Tim Francis, former NZ Ambassador to US

AmCham was saddened to hear of the passing of Tim Francis, the former NZ representative to the UN and NZ Ambassador to the USA (1988-1992). Our condolences to the Francis family.

Congratulations to

David Walker, MFAT's Chief Trade Negotiator, ONZM award in the – reward for all the long hours, planning, stunning leadership and intense negotiation of inter alia the TPPA and China FTAs.

Paul Adams, CEO of EveredgeIP was the winner of the NZ Institute of Directors 2015 Emerging Director Award.

President Obama appoints David Huebner to the panel of arbitrators of the International Centre for the Settlement of Investment Disputes

David Huebner is a Partner in the International Arbitration and International Public Law practices at Arnold & Porter LLP. Previously, Mr. Huebner served as U.S. Ambassador to New Zealand and the Independent State of Samoa from 2009 to 2014. From 2005 to 2009, he worked in both the Shanghai and Los Angeles offices of Sheppard Mullin Richter & Hampton LLP, and was the founding Managing Partner of the Shanghai office. Earlier in his career, Mr. Huebner held a number of legal roles from 1986 to 2005 and served as a Special Assistant in the Office of Koji Kakizawa, a member of the Japanese Diet (parliament), from 1984 to 1985. Mr. Huebner received an A.B. from Princeton University and a J.D. from Yale University.

James & Wells launch service to assist Kiwi F&B businesses leverage new food standards regulations

With the deadline looming for food and beverage businesses to comply with new standards regulating nutrition and health claims, national intellectual property (IP) specialists James & Wells have introduced a new service line to ensure Kiwis make the most of the opportunities the change presents. [Read more.](#)



Supporting



MEMBER NEWS (Continued from page 7)

ACE and Chubb are now one.

ACE Limited recently completed the acquisition of the Chubb Corporation, creating a global insurance leader operating in 54 countries under the renowned Chubb name.

ACE Insurance Limited in New Zealand is now a Chubb company. We will be commencing our rebranding process and renaming the legal entity in due course, but in the meantime it is business as usual.

The new Chubb is defined by our two companies' shared values. At our core, both ACE and Chubb are underwriters - we share a passion for the art and science of underwriting and finding a way to write the best coverage. Second, we both believe in providing excellent service to our policyholders and our agent and broker partners. This is an area where Chubb is particularly strong, especially with its outstanding claims and engineering services organisation. Third is the discipline we bring to manage and execute with excellence - the famous ACE can-do attitude of getting things done for you with urgency. Together, these three truths - superior underwriting, superior service and superior execution - form the basis for what we believe is superior insurance craftsmanship.

As the world's largest publicly traded P&C company and the leading professional lines insurer globally, the new Chubb is an organization with exceptional product capabilities - from traditional commercial property and general casualty, to a broad range of specialty lines including A&H products and one of the largest E&S portfolios in the industry, as well as a full range of personal lines coverages - from standard and specialty lines to products and services developed specifically for high net worth individuals and families. The new Chubb also has the balance sheet strength and financial security of an AA rating from S&P you and your clients expect and deserve from a global leader. www.new.chubb.com

Heyrex, Wellington start-up markets wearable technology to global vets – raising capital

Heyrex has received great media coverage on the national news in New Zealand on TVOne <https://www.tvnz.co.nz/one-news/new-zealand/a-fitbit-for-dogs-now-it-exists?ref=emailfriend>

As well as in Exporter Magazine. <http://exportermagazine.co.nz/news/wellington-start-markets-wearable-technology-global-vets>

Heyrex is a pioneering New Zealand data and technology company that has commercialised a wearable technology for the global veterinary industry capable of managing diet, exercise, monitoring treatment and identifying the potential early signs of illness. Heyrex has also developed a market leading auto-replenishing water bowl with health supplement dispensing capabilities. Both products are currently making major waves in the pet industry.

[View offer](#)

Lead investors in the current round are Midwest Veterinary Services, a leading contract research organisation in the USA, and Dr Tony Puglisi, BS MS DVM DACVS Diplomate ACVS, a board certified US Veterinary Surgeon.

Auckland Airport celebrates 50 years.

Today, 29 January 2016, Auckland Airport celebrates the 50th anniversary of its official opening. Adrian Littlewood, Auckland Airport's chief executive, says, "50 years is a long time and an important milestone worthy of celebration."

"On the 29th January 1966, there was a three day air pageant to commemorate the official opening of Auckland Airport, attended by more than 100,000 Aucklanders or 20% of our city's residents. The airport's official opening marked the start of the international jet age for New Zealanders – with new destinations and faster and bigger aircraft. However, the opening was not without its own challenges – it had taken almost 25 years and countless studies, reviews, funding debates and much political discussion before a decision was made to locate New Zealand's international airport in Mangere. For a period options for a new airport even considered the Orakei foreshore, Devonport, Glenn Innes and even Brown's Island in the Waitemata Harbour." [Read more.](#)

New Members

Beca Ltd, Auckland – **Matthew Ensor**, Business Director for Beca's Advisory Services which includes our professional services for asset performance, business performance, technology and Big Data analytics, along with our transport planning, operations and intelligent transport systems business. In addition to a strategic business growth focus within Beca, one of the largest employee-owned professional services consultancies in the Asia Pacific with substantial Asia Pacific footprint approaching 3,000 employees in 19 offices across the world. www.beac.com

CloudTax Ltd, Wellington – **Stuart Clouden**, Tax Director - CloudTax provide a low-cost alternative to the 'big four' accounting firms in the provision of tax compliance and consulting solutions. With a network of experts across the globe we can assist in meeting your tax obligations. Interpreting the interaction of the tax laws of two (sometimes more) countries to your own personal situation is what we do well. www.cloudtax.co.nz

FuZean Ltd, Auckland – **Tony Naidu**, Managing Director – business advisory services offering a range of different services, including developing business and marketing plans, marketing and sales consulting, professional development, mentoring. In order for us to know how we can help you the most, we start out by finding out more about your personal and business goals. Once we know more about you we can share with you our thoughts on how we could help you achieve your goals. www.fuzean.com

Sleepdrops International Ltd, Auckland – **Kirsten Taylor**, President - Naturopathy, Medical Herbalism and Nutrition. We have many years clinical experience and in helping people achieve their health goals. Insomnia or sleep disturbance or lack of sleep is a growing epidemic and

(Continued on page 9)

NEW MEMBERS (Continued from page 8)

Kirsten Taylor and her team are dedicated to supporting everybody get to sleep and stay asleep. There are now over 80 recognised medical conditions known as sleep disorders. Many of these sleep disorders can be ameliorated by using natural products to bring about homeostasis or balance in the body. Looking at entering the US market. www.sleepdrops.com

People on the move:

Frances Bengé has left Pfizer and has been appointed CEO of Cure Kids.

Noel Mcnamara has moved to role with HSBC with **Chris Russell** appointed as CEO of HSBC New Zealand.

DLA Piper has appointed insurance and litigation expert **Caroline Laband** as a partner.

Dougal Tylee has recently joined PwC Deal's division as a Director in their Wellington Corporate Finance team

Air New Zealand has appointed **Jodie King** to the Executive position of Chief People Officer

Changes at Fletcher Building with **Matt Crockett** the new lead at Building Products, **Francisco Irazusta** will head the international division (Laminex, Formica and Roof Tiles), Distribution, including building materials, plumbing supplies and steel distribution, will continue to be run by **Dean Fradgley** while Residential and Land Development will be headed by **Steve Evans**. Construction will continue to be run by **Graham Darlow** and incorporate the new Higgins contracting business. In addition, **Lee Finney** has been appointed to a new role of chief transformation officer to focus on speeding up growth and cost reduction initiatives.

Manuka Health has appointed **John Kippenberger** as CEO with **Kerry Paul** appointed as Director of Business Development.

Beef + Lamb has appointed **Sam McIvor** as CEO taking over from **Scott Champion**.

Corey Marshall of Canuckiwi has been appointed NZ and Australia rep for TravelNevada.

Mike Shaw APR has been appointed Communications Manager at The New Zealand Institute for Plant & Food Research Ltd

EDUCATION & INTERNSHIPS**Seeking support for funding Winternz to Silicon Valley**

New Zealand produces some of the brightest and most determined talent in the world, capable of competing on an international stage. Our information technology graduates especially are of a high pedigree, and while the IT sector is quickly growing in New Zealand, graduates are looking abroad for the best opportunities and experiences they can find.

For this reason, connecting with the IT industry overseas is extremely important. Many of the most innovative and exciting opportunities are based in the Silicon Valley, long renowned for its reputation as the home of IT innovation.

[Winternz](#) provides the essential bridge between this swiftly developing talent pool and the technological hub that is the Silicon Valley. The program was founded and is led by KEA World Class New Zealander Winner Craig Elliot and is supported by Nuwanthie Samarakone and the New Zealand ICE Team.

The Winternz programme has a strong supply of innovative and capable New Zealand talent, and seeks further opportunities to enable these talented individuals to succeed in the Silicon Valley and bring their valuable experience back to New Zealand. We are currently looking for organisations in the U.S. who have opportunities available for interns and graduates. If you are interested in giving bright New Zealanders an amazing opportunity and have connections in the Silicon Valley, get in touch with Nuwanthie at nuwanthie@theicebase.com.

Intern NZ - Internship Programme seeking businesses

I am writing from Intern NZ regarding the possibility of hosting a final year tertiary student, or postgraduate for unpaid work experience.

The internship candidates are either seeking work experience as a course requirement or to upskill in their chosen industry.

A CV, cover letter and interview are always part of the process for you to determine their suitability for any role you may be able to offer.

Internships are in all industry areas and we see applications for a wide range of disciplines.

Most are offering to work full time for at least 8 weeks to several months.

The internships are unpaid, and all the candidates are seeking is meaningful work experience.

Further details can be found here: [INTERNSHIP PROGRAMME DESCRIPTION](#) and the form to request an intern is here: [INTERN REQUEST FORM](#) Angela Alania, Marketing Coordinator

Mini MBA – Lean Business Growth

Businesses that successfully implement Lean increase their profit at the same time as making their business simpler to manage. This means a successful lean implementation will give you both MORE TIME and MORE MONEY.

(Continued on page 10)

(Continued from page 9)

If you want to SUCCESSFULLY implement Lean, you need to learn from the WORLD'S BEST. Mini MBA Ltd has partnered with globally recognised experts to develop and deliver this unique Lean Training experience:

- Elliott Weiss, University of Virginia Darden School of Business (Currently ranked No. 2 university in the world in the Economist 2015 rankings)
- Darl Kolb, University of Auckland (No. 1 ranked university in New Zealand)

Our experts know the theory and the 'real world' application – you get to draw on their extensive knowledge to help make you an expert.

This course is ideally suited to business leaders and senior managers across all industries who want to improve their business performance and make their business easier to operate.

Set in idyllic Fiji, make some time to work on your business and take it to the next level. Spaces are limited so contact us to Register now!
<http://minimba.ac.nz/>

VOTING IN 2016 U.S. ELECTIONS

Your vote counts! Did you know that many U.S. elections for house and senate have been decided by a margin smaller than the number of ballots cast by absentee voters? All states are required to count every absentee ballot as long as it is valid and reaches local election officials by the absentee ballot receipt deadline.

Follow a few simple steps to make sure that you can vote in the 2016 U.S. elections:

1. **Request Your Ballot:** Complete a new [Federal Post Card Application \(FPCA\)](#). *You must complete a new FPCA after January 1, 2016 to ensure you receive your ballot for the 2016 elections.* The completion of the FPCA allows you to request absentee ballots for all **elections for federal offices (President, U.S. Senate, and U.S. House of Representatives)** including primaries and special elections during the calendar year in which it is submitted. The [FPCA](#) is accepted by all local election officials in all U.S. states and territories.

You can complete the FPCA **online** at [FVAP.gov](#). The online voting assistant will ask you questions specific to your state. We encourage you to ask your local election officials to deliver your blank ballots to you electronically (by email, internet download, or fax, depending on your state). Include your email address on your FPCA to take advantage of the electronic ballot delivery option. Return the FPCA per the instructions on the website. FVAP.gov will tell you if your state allows the [FPCA](#) to be returned electronically or if you must submit a paper copy with original signature. If you must return a paper version, please see below for mailing options.

2. **Receive and Complete Your Ballot:** States are required to send out ballots 45 days before a regular election for federal office and states generally send out ballots at least 30 days before primary elections. For most states, you can confirm your [registration and ballot delivery online](#).
3. **Return Your Completed Ballot:** Some states allow you to return your completed ballot electronically and others do not. If your state requires you to return paper voting forms or ballots to local election officials, you can do so free of charge at the nearest U.S. embassy or consulate. Place your ballots in postage paid return envelopes or in envelopes bearing sufficient domestic U.S. postage, and address them to the relevant local election officials.

If you would like your forms/ballots to be forwarded back to the US by the Consulate, please send them to: **US Consulate General, Private Bag 92022, Auckland 1142 attn: Voting Officer.** The Consulate will be sending weekly packages to the Department of State for disbursement to individual States; please be advised this will take 10 days.

If it's more convenient for you, you can also return your FPCA or ballot to your local election officials via international mail or professional courier service at your own expense.

Researching the Candidates and Issues: Online Resources. Check out the [FVAP links page](#) for helpful resources that will aid your research of candidates and issues. Non-partisan information about candidates, their voting records, and their positions on issues are widely available and easy to obtain on-line. You can also read national and hometown newspapers on-line, or search the internet to locate articles and information. For information about election dates and deadlines, subscribe to FVAP's Voting Alerts (vote@fvap.gov). FVAP also shares Voting Alerts via [Facebook](#) and [Twitter](#).

Learn more at the Federal Voting Assistance Program's (FVAP) website, [FVAP.gov](#). If you have any questions about registering to vote overseas, please contact the US Citizen Services section at the Consulate General, Auckland on 09-303-3724 ext: 2800, or at Voteauckland@state.gov

Remember, your vote counts!



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.

MYTH-BUSTING THE TPPA

The signing of the TPPA by the trade ministers of the 12 Pacific-rim countries was a momentous occasion. Along with it came a very large demonstration of protestors in Auckland Central and a large amount of misinformation regarding the benefits and detractions of the Agreement. While a thorough and robust parliamentary debate over the merits of the Agreement is certainly called for prior to its ratification by the New Zealand Government, this debate cannot go forward in good faith if a vast amount of the public believes half-truths and misrepresentations regarding the Agreement. We would like to dispel a few of those here.

Claim No. 1 – New Zealand legislation can be changed by foreign corporations.

This first false claim is an overt anti-corporate misrepresentation of the Investor State Dispute Chapter of the TPPA. The claim asserts that a foreign corporation can sue the New Zealand government if it does not like legislation in place and obtain a binding order from an arbitration panel for the New Zealand Government to change its legislation. However, this is simply not the case.

The TPPA grants foreign investors (including New Zealand businesses making investments in other treaty countries) a remedy of being able to initiate an international arbitration against a government if that government directly or indirectly expropriates their investment, discriminates against foreign investors, or does not provide fair and equitable treatment and full protection and security to foreign investors. In Plain-English, if the government wrongfully takes your investment, makes a law after the fact which destroys the investment, or discriminates against foreign investors, the foreign investor has the right to compensation.

In short, the only thing that an arbitration panel can do is make an award order. It cannot force a government to overturn a law. Neither can it declare a law illegal or unconstitutional. Foreign corporations will not be able to challenge laws; they will only be able to be compensated for lost investments if a law change prevents an investment operation which was legal at the time it made its investment.

Claim No. 2 – New Zealand will not be able to enact new laws that protect health, safety, and/or the environment.

This false claim takes a very academic and theoretical argument, and then claims it is the only possible outcome. For instance, it argues that if the Government sells gas exploration rights to a foreign oil company who wants to produce the gas through fracking, and then after the investment has been made the Government decides to ban fracking, then the foreign oil company could sue for the devaluation of the investment. Another example given is that a tobacco company could sue the New Zealand Government for making laws which restrict smoking or the sale of cigarettes. A final example we have heard is that a foreign beverage company could sue the Government if the Government decided to disallow the sale of soft drinks in state funded primary schools.

These claims ignore the text of the Treaty. The TPPA states that “nothing in this Chapter shall be construed to prevent a Party from adopting, maintaining, or enforcing any measure otherwise consistent with this Chapter that it considers appropriate to ensure that investment activity in its territory is undertaken in a manner sensitive to environmental, health or other regulatory objectives.” Further, the Agreement states that “non-discriminatory regulatory actions by a Party that are designed and applied to protect legitimate public welfare objectives, such as public health, safety and the environment, do not constitute indirect expropriations, except in rare circumstances.”

Almost immediately, we can see that a non-discriminatory law (i.e., one that is not aimed at a particular investor or that treats foreign investors and residents the same) which bans fracking, bans smoking, or limits unhealthy food options at public school is not going to immediately result in a successful investor arbitration against the Government without overcoming the strong protective language stated above. While a poorly written law could end up violating an investor’s rights, that would be a worst case scenario. The more reasonable outcome is that as long as the New Zealand Government does not enact discriminatory laws which are aimed at destroying a particular investor’s investment, and ensures the health, safety, and environmental laws have a good faith basis in scientific fact and are narrowly tailored to protect the health, safety or environmental interest at issue, then there will be no basis for an arbitration under the TPPA.

Claim No. 3 – The treaty favors American companies

We have repeatedly heard claims that the US Government is simply ensuring that US companies are given advantages by being able to sue the New Zealand Government for enacting laws to protect health, safety, and the environment. This claim ignores logic in that it fails to acknowledge that the US Government is under the exact same standard as the New Zealand Government. In other words, the US Government is also liable to being sued by foreign corporations for the exact same thing the New Zealand Government could be sued for. The fact of the matter is that a multi-national company making an investment in the United States has the right to initiate arbitration against the United States for an expropriation if it occurs.

Another hole in this argument is the failure to acknowledge that a foreign investor who has made an investment in New Zealand which is then expropriated by the Government already has a limited right in certain circumstances to seek redress for the taking from the New Zealand Government. It is a “fundamental common law principle that property will not be expropriated without full compensation.” (Legislation Advisory Committee, 2011). It is a long standing common law principle that the New Zealand Government cannot simply take someone’s property, nor can it in all cases change the law so that it destroys contractual rights without there being some sort of just compensation process. In short, the dispute resolution procedure the TPPA detractors so fear is already partially enshrined in New Zealand law.

Myth Busting the TPPA (Continued from page 11)

Conclusion

Does the TPPA have issues? Of course. Is it a perfect agreement? Certainly not. And these issues and imperfections should be discussed, but only the issues which are not rooted in paranoia and fear-mongering.

The facts are clear. New Zealand is already irreversibly involved in global trade. Most businesses here are involved in the global supply chain somehow, whether that be through the use of imported foreign goods in their business, or by the actual exportation of goods or services. Further, foreign investors are already present in legion in New Zealand. Since this is the case, it is a very good idea to set the rules in a uniform manner across the trade zone, as is done in the TPPA.

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

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Nemidon Limited is a biotech company that specializes in researching the properties of seaweeds for their unique medical and cosmetic uses for both human and animal markets. We invest years of research into ensuring our products meet the highest standards for retail and medical use. We are not yet a global household name because our primary focus has been research, development and building our credibility with specialized markets such as health professionals, but we are now ready to grow.

Nemidon Gels are world-first, patented products that have been scientifically proven to provide relief to people help prevent infection, those suffering from dry skin, joint and muscle discomfort.

Now selling to Hospitals, Diabetics, Podiatrists, Occupational Health, Leading sports people, Physiotherapists, Chiropractors, Osteopaths and retail outlets.

Nemidon has begun to sell into the USA, UK and Australia and are looking to raise \$300,000 - 400,000 to assist with marketing Nemidon and to make it a household name **to read more enrol below.**



"The most used gel by all practitioners working with the professional golfers playing in the British Open".

Dr Dale Richardson July 2014
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