

AMCHAM NEWS

American Chamber of Commerce in New Zealand

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April 2014

New award added to AmCham Awards – the Eric & Kathy Hertz Award for Citizen Diplomacy

Entries open for US-NZ success & innovation awards

The American Chamber of Commerce is delighted to announce the launch of the 2014 AmCham – DHL Express Success & Innovation Awards, held in conjunction with Hawaiian Airlines. The awards celebrate business achievement between New Zealand and the United States.

AmCham is also delighted to announce the launch a new award sponsored by 3M New Zealand which will be called the Eric & Kathy Hertz Award for Citizen Diplomacy in memory of our special friends who died so tragically a year ago. This award will be presented annually to a person, group of people or organization who have made significant contributions to strengthening the bonds between the people of Aotearoa and the United States. The contributions can be made in any field that complements the deep political and economic ties between these two great nations including education, science, research, culture, arts and sports.

"The annual Success & Innovation Awards provide an opportunity to showcase those companies that have demonstrated imagination, innovation and entrepreneurship, as well as honour and celebrate their achievements."

Awards categories are:

Exporter of the Year to the USA - with export revenues to the USA up to NZ \$500,000

Exporter of the Year to the USA - revenues from NZ \$501,000 to NZ \$5 million and

Exporter of the Year to the USA - revenues over NZ \$5 million

Importer of the Year from the USA

Investor of the Year for NZ companies investing in the US or US companies investing in NZ

The Eric & Kathy Hertz Award for Citizen Diplomacy

A Supreme Award winner is selected from winners of each of these awards. AmCham also makes an award to the AmCham Supporter of the Year.

The winners of the importer and exporter awards receive a return economy Class ticket on Hawaiian Airlines from Auckland to either, Honolulu, Maui, The Big Island, Kauai, Los Angeles, Las Vegas, San Diego, Seattle, San Francisco, San Jose, Oakland, Portland, Phoenix, Sacramento or New York.

Award winners will be announced at a gala dinner at the Pullman Hotel Auckland on 7th August.

Previous winners of the Supreme Award have included ZESPRI International, Peace Software, Airways Corporation, HumanWare, Tenon, Orion Systems International, Zeacom, Specialist Marine Interiors, Fonterra and Christchurch Engine Centre, Buckley Systems, Vista Entertainment and Greenshell New Zealand.

In addition to AmCham, DHL Express and Hawaiian Airlines, the awards are supported by: ASB Bank, Baldwins, Fonterra Co-operative, Prescient Marketing & Communications, 3M New Zealand and the Pullman Hotel Auckland. Media Partner: The Business

For details and application from see: [AmCham-DHL Express Success & Innovation Awards](#)

TRADE

[Froman testifies before Ways And Means on Trade Agenda](#)

Ambassador Michael Froman United States Trade Representative testified before the House Committee on Ways and Means in early April.

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TRADE (Continued from page 1)

House Ways and Means Committee Ranking Member Sander Levin (D-MI) urged his colleagues to focus on TPP negotiations in their questions to U.S. Trade Representative Michael Froman instead of a pending Trade Promotion Authority (TPA) bill, citing what he said were the large number of challenging issues with TPP and the deficiencies in the TPA bill.

[Opening Statement of Ranking Member Sander Levin at Full Committee Hearing with U.S. Trade Representative Michael Froman](#)

Ambassador Froman said in reference to TPP "In 2014, we will work to conclude negotiations on the TPP agreement. TPP is currently being negotiated among 12 countries in the fastest growing region in the world representing nearly 40 percent of global GDP and a third of global trade.

"We are working to ensure that the final agreement will provide comprehensive market opening for goods and services; strong and enforceable labor and environmental standards; innovative commitments on intellectual property rights; groundbreaking new rules designed to ensure fair competition between State-owned enterprises and private companies; and for the first time, obligations that will address the issues of the digital economy. We are also working to complete parallel negotiations with Japan to address longstanding issues related to autos, insurance, and other non-tariff measures".

Inside Trade reported that TPP countries are planning to hold their next negotiating meeting with all 12 participants in conjunction with a May gathering of Asia-Pacific Economic Cooperation (APEC) economic ministers in China, meaning they will not hold any group meetings during the month of April,

Differences Remain Over TPP As Japan, Australia Clinch Pact

On April 10, Ambassador Froman concluded a three-day visit to Tokyo to address outstanding agricultural and automotive issues in the TPP. No breakthroughs were reported, with Froman stating: "Our teams arrived expecting that the talks would be tough, and our expectations have been met. We've made some progress over the last two days, but there are still considerable differences in our positions on key issues." President Obama will visit Japan on April 24-25 as part of planned [trip to Asia](#).

Earlier in the week, Australian Prime Minister Tony Abbott, who was in Tokyo for a State Visit, and Prime Minister Shinzo Abe concluded the [Japan-Australia Economic Partnership Agreement](#). The agreement, negotiations for which were launched in 2007, was not successful in achieving comprehensive market access across agriculture and has been widely criticized by agricultural and industry groups in Australia and the United States. Tariffs on beef and dairy were only partially lowered and included phase out periods of 18 years. Chamber Vice President for Asia Tami Overby [stated publicly](#) that the U.S. business and agriculture communities do not view this agreement as a standard for ambition in the TPP

[Australia strikes free trade deal with Japan, beef and horticultural industries secure major concessions](#)

[Australia-Japan Trade Agreement: A "Dud Deal"](#) by Tami Overby - Australian and Japanese officials earlier this week concluded seven years of negotiations toward a bilateral free-trade pact. The news comes as negotiations for the Trans-Pacific Partnership (TPP) enter what could be their final stage. It's a pity they set the bar so low.

Inside Trade reports that a bipartisan group of 63 House Members, including 10 From Ways & Means, have signed a letter asking U.S. Trade Representative Michael Froman and Agriculture Secretary Tom Vilsack, not to make a Trans-Pacific Partnership (TPP) deal with Japan unless it eliminates tariff and non-tariff agricultural barriers.

A senior Obama administration official has all but ruled out the possibility that this week's meeting between President Obama and Japanese Prime Minister Shinzo Abe in Tokyo will produce a breakthrough in the bilateral negotiations on agriculture and autos under the Trans-Pacific Partnership.

[US Chamber on President's trip to Japan - Will They or Won't They? The Stakes for the President's Trade Talks in Asia](#)

The Chamber, U.S. Japan Business Council, Keidanren and the Japan-U.S. Business Council have released a [joint statement](#) urging Japan and the U.S. to conclude a high standard and comprehensive TPP agreement. The statement is significant because it represents the first time a Japanese business group has directed the Government to live up to the commitments it has **already made** as a TPP member. It states:

For Japan, it is essential to meet the commitment made to the United States and other TPP members upon admission into the TPP in April 2013 to subject all goods to negotiation, including agricultural products, with the goal of eliminating tariff and non-tariff barriers on all.

[U.S. Chamber @USChamber](#)

RELEASE: Joint statement on [#TPP](#) - <http://uscham.com/1eUCb7a>



Supporting AmCham

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[Mike Moore @NZAmbassadorUS 9h](#)

[@USChamber](#) stresses the importance of [#TPP](#) ahead of President Obama's Asian visit <http://uscham.com/1hQe8qN>

[Lawmakers Worried About Fate of Pacific Trade Pact - House Members Who Oversee Trade Policy Say Trans-Pacific Partnership Talks at Fragile Stage](#)

Experts rebut TP claims – Medicines New Zealand

Two well known experts have rejected recent claims that the proposed Trans Pacific Partnership Agreement (TPPA) could undermine New Zealand's PHARMAC and threaten access to affordable medicines in New Zealand.

In a recent article published by Elsevier online Journal, Health Policy, TGA staffer Dr Ruth Lopert and Dr Deborah Gleeson of La Trobe University and Pappaarangi Reid of the University of Auckland said the US Government was using trade agreements to constrain government funded pharmaceutical reimbursement programs such as New Zealand's PHARMAC.

In a just published response, Michael Wonder of Wonder Drug Consulting and Associate Professor Richard Milne of the University of Auckland rebut the claims saying PHARMAC has a strong track record in constraining public expenditure on new medicines but a poor track record in providing the public with timely access to them.

As evidence of PHARMAC's limitations, Wonder and Milne highlight their own study that identified a significant gap between Australia and New Zealand when it comes to access to new medicines.

They also say the authors' suggestion that a leaked draft chapter of the TPPA was evidence the agreement would undermine patient access to affordable medicines in New Zealand is not supported by the text.

AmCham Australia is running seminars in Sydney 15th May & Melbourne 16th May under the banner “The Trans Pacific Partnership – Why we need it and what we need to do to get it”

Featuring:

- Steve Sargent, Chief Executive Officer, General Electric Australia & New Zealand;
- Andrew Stoler, Former Executive Director of the Institute for International Trade, University of Adelaide; and
- Bruce Wolpe, Former Senior Staff, US House of Representatives, and Senior Advisor to Prime Minister Julia Gillard - *discussing the political challenges TPP faces on Capitol Hill*
- For details see [Sydney](#) & [Melbourne](#)

Why Trade is a Big Deal for Small Business

More than 300,000 U.S. companies are exporters. Of this total, 98% are small and mid-sized companies.

Wyden, Hatch Discuss TPA before April Recess

In separate speeches this week, Senate Finance Committee Chairman Ron Wyden (D-OR) and Ranking Member Orrin Hatch (R-UT) addressed their priorities for the trade agenda, including Trade Promotion Authority (TPA). In [remarks](#) before the American Apparel and Footwear Association on April 9, Chairman Wyden outlined his broader vision for trade policy. Calling for a revised form of TPA he dubbed "smart track," Wyden said: "A 'smart track' will hold trade negotiators more accountable to the Congress, more accountable to the American people and help ensure that trade agreements respond to the concerns of our people and their priorities, and not just the special interest groups... It'll include procedures to get high-standard agreements through the Congress and procedures that enable the Congress to right the ship if trade negotiators get off course."

In [remarks](#) before the Center for Strategic and International Studies (CSIS) the day before, Senator Hatch said: "We need the President's active engagement and support. We need total political commitment from this administration to advancing TPA this year. Without it, we simply will not succeed. It's not too late. I believe the bipartisan bill we introduced to renew TPA would gain strong support in the Senate Finance Committee if it were to be taken up today. I also believe the bill would gain strong bipartisan support in the Senate as a whole, if it were allowed to come to a fair vote."

The US Chamber continues its work to build support for TPA in collaboration with the [Trade Benefits America coalition](#), a broad-based group of U.S. business and agricultural associations and companies seeking renewal of TPA. Of note, dozens of state and local chambers of commerce in recent weeks have weighed in with their congressional delegations in support of TPA.

U.S. Chamber Request for Input on Environmental Goods Agreement

The Office of the U.S. Trade Representative on March 21 [notified](#) Congress of the administration's intention to enter into negotiations for a

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World Trade Organization Environmental Goods Agreement (EGA). The Office of the U.S. Trade Representative, on behalf of the Trade Policy Staff Committee (TPSC), issued a Federal Register [notice](#) today requesting public comments regarding U.S. interests and priorities with respect to this initiative. **The U.S. Chamber is hereby requesting input from its members for such comments by Wednesday, April 30.**

As background, a group of 14 WTO Members (Australia, Canada, China, Costa Rica, the European Union, Hong Kong, Japan, Korea, New Zealand, Norway, Singapore, Switzerland, Chinese Taipei, and the United States) accounting for 86% of global trade in environmental goods [announced](#) on January 24 their interest in negotiating an agreement to eliminate tariffs on environmental goods. Examples of such goods include a variety of turbines used for the generation of electricity; catalytic converters; and products to control air pollution and treat wastewater.

The negotiations for the EGA are open to all WTO Members that are prepared to eliminate tariffs on a set of environmental goods, building on the [list](#) of 54 environmental goods endorsed by APEC Leaders in 2012. Some WTO Members charge tariffs as high as 35% on some of these products. This list of products is the starting point for establishing the scope of the proposed agreement, and USTR seeks comments on additional products that could be included in the negotiations.

Per the Federal Register notice, the Chamber hereby requests written input from member companies and associations "on all relevant matters, and, in particular, on the following: (1) Products that the United States should seek to include under the EGA, including a detailed description of the specific product, and as appropriate, the 6-digit (or 8-digit or 10-digit, where applicable) Harmonized System tariff classification number; (2) environmental uses and benefits of the products being proposed for inclusion; (3) U.S. trading partners that are significant producers or consumers of environmental goods; and (4) how best to ensure that such an agreement remains relevant into the future."

NEWS**US Pacific Commander visits New Zealand**

Defence Minister Jonathan Coleman will meet with Admiral Samuel Locklear Commander of US Pacific Command on Monday.

"I am looking forward to meeting with Admiral Locklear to discuss our bilateral defence relationship and key security issues facing the Asia-Pacific region. The US Pacific Command is a major contributor to defence and security within our region," says Dr Coleman.

"New Zealand's defence relationship with the US is in great shape. We have steadily increased our engagement and joint activities since the signing of the Washington Declaration in 2012.

"The NZDF is looking forward to participating in RIMPAC, the world's largest maritime exercise in Hawaii later this year, and Exercise Pacific Partnership, the annual humanitarian assistance mission in the Asia-Pacific region."

Admiral Locklear is visiting New Zealand for the first time as part of a wider visit to the region.

[US Commander: US/New Zealand relationship best in thirty years. NZ well qualified for UN Security Council seat](#)**PwC welcomes progress on FATCA agreement with US Treasury**

The US Treasury today announced it has reached an 'agreement in substance' with New Zealand on the terms of an inter-government agreement (IGA) for the implementation of the Foreign Account Tax Compliance Act (FATCA) rules. This will provide greater certainty to New Zealand financial institutions preparing for the rules going live on 1 July 2014.

The US introduced the FATCA rules in 2010, yet they will come into effect in stages from 1 July 2014. The rules require global financial institutions to report to the US IRS about details of their US customers. The aim is to reduce tax evasion by US citizens investing outside of the US and failing to declare the investments and the income from those investments.

Financial institutions that fail to adhere to the rules can have 30% of transactions associated with US financial instruments and other financial institutions withheld and paid over to the US IRS.

The US Treasury has been negotiating with a number of countries on IGAs, which establish a co-operative basis for implementing FATCA. In October 2012, the New Zealand and US Governments announced they were negotiating an IGA.

Implementing FATCA under an IGA reduces compliance costs for New Zealand financial institutions by simplifying the reporting process and allowing them to report to and make arrangements directly with the NZ IRD rather than the US IRS. It also generally eliminates the prospect of 30% of payments being withheld, which would be a major business risk.

Given the large number of countries seeking to enter into an IGA, it is taking some time for the agreements to be concluded. To date, 26 countries have agreed an IGA, but a large number of countries are still in negotiations, including New Zealand. The delay has created uncertainty for New Zealand financial institutions as the registration process for FATCA differs between IGA and non-IGA

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countries. Institutions faced the prospect of having to implement FATCA systems and processes by 1 July this year without certainty that they would be implementing under an IGA and local New Zealand laws rather than US laws.

The US Treasury announced today that 19 countries, including New Zealand, will be treated as having entered into an IGA for the purposes of applying the rules until the end of this year, when it is expected the IGAs will have been concluded. More countries are expected to be added to this list.

PwC Partner Mark Russell says, "The announcement allows New Zealand financial institutions to go ahead with registering for FATCA. Most financial institutions have been deferring registration until the IGA is finalised. However the deadline for registration is looming and organisations want to get on with the process.

"There is also benefit from registering before 5 May which is the cut-off date for being included on an initial list published by the IRS of qualifying institutions. This should make it significantly easier to establish an organisation's FATCA status when dealing with other financial institutions because they can simply look up the list," concludes Mr Russell.

New Zealand, United States Sign Criminal Information-Sharing Agreement

New Zealand and the United States signed an Agreement on enhancing cooperation in preventing and combating crime today.

The Agreement – which was signed by New Zealand Ambassador Mike Moore, and United States Assistant Secretary of Homeland Security Alan Bersin and Deputy Assistant Attorney-General Bruce Swartz – will enhance New Zealand's security against cross-border criminal activities, particularly terrorism and organised crime.

The Agreement provides for New Zealand and the United States to exchange, in specific cases, fingerprint data on a 'match/no match' basis. If there is a match, then additional information may be exchanged in accordance with each country's domestic laws. Fingerprint queries will be able to be made under the Agreement in relation to offences with a maximum penalty of more than one year of imprisonment or a more serious penalty.

"This Agreement will make it easier for us to prevent individuals with criminal records in the United States from seeking sanctuary in New Zealand," Ambassador Moore said.

"New Zealand is committed to law enforcement cooperation with the United States in accordance with our national laws and privacy standards – and we are pleased that this Agreement will enable our respective law enforcement and border agencies to share information contained in our criminal and immigration databases," Ambassador Moore said. The Agreement ensures the protection of privacy by incorporating privacy and data security protections.

Since 2008, the United States has sought to sign information-sharing Agreements on combating and preventing crime with members of its Visa Waiver Program. New Zealand is joining 36 other countries which have concluded such Agreements.

The Agreement will be subject to a Treaty examination process by the New Zealand Parliament, during which it will be open to public scrutiny and debate.

[Joint US-NZ Fulbright scholarship announcement.](#)

US Secretary of Education Arne Duncan and New Zealand Minister of Education Hekia Parata today announced the establishment of the Fulbright Distinguished Teaching Awards Programme.

The programme provides selected New Zealand and American teachers the opportunity to spend three-to-five months experiencing the other country's education system. [\[find out more\]](#) [\[view photos of US Secretary of Education Arne Duncan's NZ visit\]](#)

[U.S. kiwi expert awarded NZ's highest accolade.](#)

U.S. Embassy Chargé d'Affaires Marie Damour congratulates Smithsonian National Zoo senior bird keeper Kathleen Brader for today becoming an Honorary Member of the New Zealand Order of Merit.

Ms Brader received the honour for her kiwi-conservation efforts at the Smithsonian National Zoo in Washington DC. During her 25 years at the zoo she has successfully hatched and raised six kiwi, created a kiwi education campaign, chaired the Species Survival Program and written numerous publications on protecting the endangered bird. [\[read more/view photos\]](#)

Daniel Homsey, from Neighborhood Empowerment Networks on community resilience

Daniel Homsey, Director of the San Francisco [Neighborhood Empowerment Network](#) (NEN), was recently in New Zealand participating as a speaker at Massey University's Joint Center for Disaster Research summer school series about his [resilience](#) work in San Francisco.

During his week in New Zealand, Daniel met with a wide range of thought leaders in Wellington and Christchurch to share his knowledge

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about strong resilient communities and disaster recovery. While in Christchurch he took away lessons learned from the devastating earthquake – lessons that will help advance the resilience methodology at a global level and help mitigate a growing list of threats to our most vulnerable populations during times of crisis.

Over the last three years Wellington Regional Emergency Management (WREMO) and the City and County of San Francisco have worked collaboratively on one of the most important goals of our time, how to empower communities to not only survive, but to recover as communities from all types of disasters. The working group is led by Dan Neely of WREMO and Daniel Homsey from NEN.

Find out more by watching this short studio interview here: blog.nz.usembassy.gov.

Izon Opens Office in San Diego

Izon is pleased to announce the opening of a sales & technical support office in San Diego, California.

San Diego is a hub for biotech research and development. With more than 430 biotech firms, it is the second largest life science cluster in the US. The San Diego office adds to Izon's US headquarters in Boston, improving the ability to provide coverage and support to customers on the West Coast.

For further details contact Subhash Kalluri (757-304-2120)

American Citizens Abroad Global Foundation Announces Symposium on U.S. Tax Reform

American Citizens Abroad Global Foundation has announced its first educational program aimed at debating issues of great importance to the community of Americans resident abroad. This inaugural symposium, entitled “**21st Century Taxation of Americans Abroad: Citizenship-based taxation vs. Residence-based taxation**”, will be held on Friday, May 2, 2014 in Toronto, Canada. This strategic location was chosen as Canada hosts an estimated one million resident Americans, the single largest community of the 7.6 million Americans abroad.

“We are very excited about the launch of our new educational program,” said ACA Foundation Board Member Charles Bruce. “There is a major need to have an informed debate on US taxation of Americans living and working overseas. Congress needs to learn about the community of Americans abroad, their contribution to the United States and the very unique situations they face within the framework of American tax law.”

Full program details and information for registering are available at www.acaglobalfoundation.org.

SUCCESS STORIES WITH USA

[US tech company buys NZ software developer](#)

[LanzaTech moves jobs Stateside](#)

[Aviat's Kiwi R&D increase paying off](#)

[Random Films prepares to boost creative industries](#)

[Wellington startuo lands to asist Facebook in San Francisco](#)

[Global partnership for MBIE funded research](#)

[Hertz Wins to Supply Car Rental Services to NZ Government](#)

[New Zealand Post Increases the value of mail with Pitney Bowes technology](#)

[IBM to invest \\$10m in building NZ cloud capability](#)

[Vend raises \\$US20 million in deal that sees Peter Thiel's Valar, Square Peg holding 20% of shares](#)

[Startup Wipster finds international success after SXSW](#)

[Guru's kudos for Kiwi firm](#)

[Wellington Drive Technologies partner with US manufacturer](#)

[LanzaTech raises a further \\$60m](#)

[US solar power firm to expand in NZ](#)

TRADE, BUSINESS and INVESTMENT OPPORTUNITIES

Commercial News USA

The May/June issue of Export USA, the official export promotion magazine of the U.S. Department of Commerce, is currently online at <http://www.thinkglobal.us/exportusa/052014/>

Trade-Leads for Importing and Exporting

You are invited to register you 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 2014

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

['Healthy' vending firm looking for franchisor](#)

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TRADE & INVESTMENT (Continued from page 6)

From NZTE

Homework: North America

NSI Chief Executive Alfred Gordon has spent nearly two decades helping companies navigate the complexities of procurement, legislative and regulatory issues in the US state and local government market. Here, he shares his best practice tips. [Watch](#)

Primary research for market entry

Bob Foster, director of the Global Access Programme at UCLA Anderson School of Management in California, explains why primary research is a must-have for NZ companies and breaks some misconceptions about the US market. [Watch](#)

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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

Air Canada is set to introduce Wi-fi on all its North American services. The airline has been testing the feature on two Airbus 319's and after this test phase they are now launching on all US-Canada flights.

Trade Fairs - If you want to improve your business with the US, widen your contact base there, check on the competition or keep abreast of your industry's developments then you have to attend one of our **US Trade Fairs**. These major industry events also attract significant numbers of international exhibitors and visitors, so you'll see the best of the US and International markets. Our **BWT-Trade Fairs International** team also represents the 'Housing' or accommodation banks for these key events. Contact one of our experienced team now to book your travel to big opportunities.

InfoComm International	June	Las Vegas	Audio visual etc
International Franchise Expo	June	New York	Franchising
Fancy Food Show	June	New York	Food
MAGIC Marketplace	August	Las Vegas	Apparel
Woodworking Machinery & Furniture	August	Atlanta	Machinery/Furniture
WEFTEC	September	New Orleans	Water Environment
International PACK EXPO	November	Chicago	Packaging/Printing
Greater NY Dental Meeting	November	New York	Dental
POWER-GEN International	December	Orlando	Power generation

These key events also feature the **US International Buyer Program** whereby our registered New Zealand Visitors can apply to receive preferential services. Ask Grant Bevin for details.

Hawaiian Airlines has some fare reductions with this new seat sale which finishes 24 April. Travel dates are scattered through the balance of the year. There are plenty of airfare seat sales on this week to Hawaii. **Hawaiian Airlines** is offering their **Anniversary Seat Sale to Honolulu, the Hawaiian Islands and onto the US mainland**. Auckland to Honolulu is available from \$1050 return (add taxes of around \$120). Add \$100 for flights onto Maui or any other of Hawaiian's Island destinations. The West Coast US mainland destinations of Hawaiian are available \$1400 return (includes Las Vegas, Los Angeles, Phoenix, Portland, San Diego, Seattle, SFO, San Jose, Oakland and Sacramento; add applicable taxes).

For those wanting a break on their next US business trip or if it's family time, head to the Kennedy Space Centre Visitor Complex where a new tour has just been launched. The **KSC Up-Close Explorer Tour** is guided by space experts and gives you an insiders perspective of the US Space Programme.

Aloha Down Under

A record sized delegation from Hawai'i will be in Auckland for the Aloha Down Under seminars on May 5. Agents will have the opportunity to meet with 26 different tourism experts incorporating activities, accommodation, transportation and island visitor bureaus.

US Inbound Tourism up 10%

According to Statistics New Zealand US inbound tourism was up 10.8% for the year ended 31 January 2014 with just over 200,000 Americans coming to NZ. Of this 20,192 came on business (up 5.1%, and 6,016 for education (-2.1%), 3,472 for conferences (-21.4%).

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

Reviewing your Corporate Travel? Call our Team:

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**BUSINESS
WORLD TRAVEL**



TRADE & INVESTMENT (Continued from page 7)

Connecting with retail customers

Aura Oslapas, former Senior Vice President and Chief Design Officer of US electronic retailer Best Buy, discusses the big shifts in retail and offers insights into how retailers can maintain an emotional connection with customers in an increasingly fragmented retail world. [Watch](#)

How to create a culture of innovation

Fear, comments Jeanne Liedtka, is the biggest impediment to innovation in organisations. The Professor at the University of Virginia's Darden School of Business explains why this fear is very real and offers advice on how to overcome it. [Watch](#)

From ExportX

[90% of US Online Shoppers Choose Free Delivery](#)

Unsure how much to charge for delivery for orders to the USA through your website? You shouldn't be. It's a no-brainer. Charge zero. Free delivery is essential to compete for the dollar of the American online shopper. ExportX research shows that 90% of items sold online in the USA are dispatched with free delivery.

[NZ Sock Co. Expands US Range](#)

The NZ Sock Co. has expanded its range merino socks available in the USA with ExportX. Three styles of Merino-TEC sock are stocked in the USA; the Performance Quarter for discreet comfort, the Active Trekking for technical support of the feet in outdoor activities, and the feature-packed full-length Ski Sock for skiers and snowboarders.

[Why 95% of Shoppers Will Never Buy From Your Website](#)

Is it time to abandon an e-commerce strategy based on selling your products through your own webstore? In the big markets it's the online shopping marketplaces that increasingly dominate e-commerce, controlling a bigger and bigger proportion of e-commerce.

AmCham South China 2014 White Paper on the business environment in China

AmCham South China have recently release their 2014 White Paper on the business environment in China. [To download a copy click here.](#)

MEMBER NEWS

New Members

D'Arcy Polychrome Ltd, Auckland – **Rachel Lacy**, CEO – the company has developed a range of innovative technologies that are being used by companies and individuals alike to provide easily differentiated colour solutions. Our drikolor technology produces dry, easily dispersible, polychromatic colour granules, specifically formulated for different types of building materials, to guarantee consistent and accurate tinting, either on site or at point of sale. www.drikolor.com

F5 Networks, Auckland - **Matt Taylor**, Account Manager - F5 helps organizations seamlessly scale cloud, data center, and software defined networking (SDN) deployments to successfully deliver applications to anyone, anywhere, at any time. F5 solutions broaden the reach of IT through an open, extensible framework and a rich partner ecosystem of leading technology and data center orchestration vendors. This approach lets customers pursue the infrastructure model that best fits their needs over time. The world's largest businesses, service providers, government entities, and consumer brands rely on F5 to stay ahead of cloud, security, and mobility trends. www.f5.com

Grow Wellington, Wellington – **Gerard Quinn**, CEO – economic development agency existing to accelerate economic growth in the Wellington region and make it more internationally competitive. Our focus is on building business capability and growing sector scale along with attracting business, investment, talent and students to the region. We are the delivery agency for the [Wellington Regional Strategy](#). Boosting innovation, developing our workforce and working towards building strong ecosystems underpins all of Grow Wellington's activities. We are targeted in our approach, working with businesses with the desire to export, innovate and grow. www.growwellington.co.nz

Martin Aircraft Company Ltd, Christchurch – **Peter Coker**, CEO - maker of the innovative Martin Jetpack. With its patented technology the Martin Jetpack is poised to alter the dynamics of aviation. Initially designed as a personal Jetpack for individuals in the leisure market, the technology is being recognised for its applications across a broad range of different sectors. Established originally as a research and development company, Martin Aircraft Company is now being positioned to enter the commercial market. As the company launches its first Technical Product, research and development will continue to identify additional customer requirements and integrate these into subsequent product models. www.martinjetpack.com

PPG Industries New Zealand Ltd, Auckland – **Pat Cannon**, General Manager/Director - a global manufacturer of paints, coatings, optical products, specialty materials, glass and fiber glass, and a Fortune 200 company with headquarters in Pittsburgh and operations in nearly 70 countries around the world. PPG's plant in Auckland is NZ's only industrial paint manufacturing plant. It is equipped with Research and Development, Quality Control and Colour Laboratories and primarily manufactures products for the General Industrial and Coil markets. The facility also manufacture Packaging, Protective and Marine Coatings. www.ppg.com

Professional Public Relations NZ Ltd, Auckland – **Sally Haysom, Chairman** - For over 40 years we have assisted local, national and international businesses meet their communications goals. From media relations to content marketing, digital PR, social media, issues and

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crisis management, and more, PPR offers a full-service agency. With offices across seven Australian and New Zealand cities, and offices in New York, San Francisco, Austin, Washington D.C., London, Paris, and Cologne and Mexico City opening soon. www.ppr.co.nz

Simcro Ltd, Hamilton – **Nigel Hazelwood**, CFO – Company was founded in 1993 to service the growing demand from major international pharmaceutical groups for reliable and innovative solutions in the delivery of farm animal drugs. The company has grown its R&D capability four fold, making a significant commitment to the changing demands of animal husbandry and best practice in the treatment of animals, now including innovations in companion animals. That commitment has also led to Simcro piloting its first drug delivery project in human health and winning a number of prestigious awards. www.simcro.com

F5 Expands its Support Centre Operations to Auckland

F5 Networks (NASDAQ: FFIV) today announced the opening of a new Support Centre in Auckland. The move has expanded F5's technical support operations globally, and added to the company's robust 'Follow the Sun' process to provide premier customer service to its fast-growing customer base across Asia Pacific.

F5's new Support Centre is ideally located to enhance the transition between Support Centres in the North American time zone and centres located in Singapore and China, to provide localised support for Australian and New Zealand customers. The decision for launching the new Support Centre is backed by strong demand for F5's Application Delivery Networking solutions and services, coupled with a growing partner ecosystem in Asia Pacific.

"F5 has witnessed substantial growth in Asia Pacific over the past year, and an important element of our strategy is to enhance the way we serve our partners and customers in the region," said Ian Barkley, Senior Director of Service Delivery at F5 Networks. "We believe that the establishment of a new Support Centre will be critical to our partners and key in being closer to our customers in terms of geography and time zones. By offering the convenience of multi-language and regional support, F5 can be more responsive to ensuring the satisfaction and success of our customers."

The new Auckland-based centre is F5's fifth and newest Support Centre in Asia Pacific and Japan, which include Singapore, Beijing, Shanghai and Tokyo, in addition to five other support centres across the globe. Locally based engineers, who have undergone a rigorous training program at F5's headquarters in Seattle, will staff the Support Centre.

"In a global marketplace, our number-one priority is our customers, and ensuring they have access to technical support 24x7. It gives us great pride to be able to support our growing customer base wherever they are in the world. We look forward to continuing our efforts in supporting our customers throughout the year ahead and beyond," commented Tony Bill, Managing Director in Australia and New Zealand at F5 Networks.



Hon. Steven Joyce visits R&D Lab to learn the latest in Smart Motor Technology

On Tuesday, 1 April 2014, the Honorable [Steven Joyce](#), New Zealand's Minister of Economic Development, Science and Innovation, paid a visit to Auckland based [Teknatool International Group](#) (Teknatool).

The global manufacturing exporter Teknatool, known for the well-established NOVA woodworking brand and intelligent [Digital Variable Reluctance](#) (DVR) motor technology with a subsidiary in the United States, has qualified as one of the few recipients, selected as beneficiaries of the [Callaghan Innovation](#) Fund. Joyce's visit served to follow up on Teknatool's previous experiences with the Callaghan Fund as well as [Better by Design](#), and [New Zealand Trade and Enterprise](#), all of which focus on furthering New Zealand's businesses to export globally. Teknatool seized the opportunity to demonstrate latest developments and Research and Development (R&D) progress. Star of the demonstration was Teknatool's recent innovation in the field of wood and metal working – the DVR Drill Press.

This Drill Press is powered by Teknatool's proprietary DVR Smart Motor. its the first of its kind in the world - and provides numerous operational, safety and energy efficiency benefits.

Teknatool is working on a number of DVR projects in wider fields, and the Drill Press is the 5th DVR product to be commeciaslied to date. See www.dvrsmartmotor.com for more information on the technology.

To read more on Mr Joyces visit, see [Steven Joyce Visit to Teknatool Article](#)

New alignment for NZ US Council and NZIBF

The New Zealand United States Council and New Zealand International Business Forum (NZIBF) have moved to strengthen their cooperation to maximise their impact.

Both organisations have an interest in the strongest possible relationship between New Zealand and the United States, NZ US Council Chairman Rt Hon James Bolger and NZIBF Chairman Sir Graeme Harrison said today.

"The United States is a vital relationship for New Zealand from all points of view - politically, economically, culturally and environmentally. The relationship is stronger now than at any other time, thanks in part to the role played by the NZ US Council and US NZ Partnership Forum in recent years. Complex relationships require continuous attention – we have to keep working on it and the NZ US Council will continue to play a very important role in this regard," Mr Bolger said.

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The NZ US Council will continue to expand its programme in support of the relationship. NZIBF will lend its support of the NZ US Council through funding and appointment of some of the Council's directors.

NZIBF will also step up its advocacy of the Trans Pacific Partnership (TPP) on behalf of business as part of its core mandate of working to expand New Zealand's international business opportunities.

"The big picture is that TPP is a pathway to wider trade and economic liberalisation in the Asia Pacific region. There are currently 12 economies involved in the TPP negotiations and others in the wings. As TPP draws to a close it is important that we encourage all negotiating partners to ensure we achieve the high quality agreement the leaders signed up to in Honolulu," said Sir Graeme.

As part of the changes announced today NZ US Council Executive Director Stephen Jacobi will step down from his role at the Council on 31 March but will continue as Executive Director of NZIBF.

"Stephen has made an enormous contribution to the NZ US relationship in the period since his appointment in late 2005." Mr Bolger said. "We are glad that, as one of our foremost proponents of international trade, Stephen's services will continue to be well utilised by NZIBF."

A new Executive Director for NZ US Council will be appointed shortly. In the meantime the current Associate Director, Suse Reynolds, will fulfil the role of Acting Executive Director until an announcement is made.

Changes at US NZ Council

On April 2, 2014, Ambassador Paul Cleveland announced a reorganization of the US|NZ Council, as approved by the Council Board of Directors on March 21st. In a letter to the Chairman of the NZUS Council, Rt. Hon. Jim Bolger, Ambassador Cleveland stated the US|NZ Council would create a new, streamlined Board of Directors along with an Advisory Board composed of distinguished individuals with backgrounds and interests in the U.S. - New Zealand relationship. These changes come as the NZUS Council recently announced similar changes in its composition and future direction. The U.S. - New Zealand relationship is better than it has ever been and with this reorganization, the US|NZ Council will continue and expand its role as an independent voice dedicated to strengthening ties between the two countries. Working together with our partners and supporters, we look forward to a most productive future.

For more details, please review the [US|NZ Council April 2 letter](#) and the [NZUS Council March 19 letter](#). If you have any questions, please feel free to contact Ms. Allie Dodd or Mr. Keith Morrison at Van Scoyoc Consulting. Bill Maroni has stepped down as President.

People on the move

Steve Campbell has retired from **Air New Zealand** with **Erika Brum**, taking over as National Accounts Manager - The Americas in Los Angeles

Medicines New Zealand has appointed **Melissa McGregor (Pfizer)** and **Paul Smith (MSD)** to their board.

Kensington Swann has appointed 3 new partners – **Ish Fraser (Wgtn)**, **Nicky McIndoe (Wgtn)** and **Nicole Xanthopol (AK)**

Cigna New Zealand has appointed **Lance Walker** as Chief Executive.

FOR YOUR DIARY

28 th April	Cameron Gawley, digital strategist and Co-founder and CEO of Buzzshift USA, Auckland
7 th May	Political & pre budget Economic Update with Matthew Hooton & Nick Tuffley, Auckland
14 th May	Auckland CEO lunch (invite only)
22 nd May	Business Model Innovation seminar presented by Matt Tice, MD Asia-Pacific, Palladium Group, Auckland
10 th June	TPP update with Trade Minister Tim Groser in conjunction with Canada NZ Business Assoc, Auckland
12 th June	AGM reception, Auckland (invite only)
18 th June	Auckland CEO lunch (invite only)
25 th June	An audience with 2013 EY Entrepreneur of the Year, Rod Drury, CEO, Xero, Auckland
7 th August	2014 AmCham-DHL Express Success & Innovation Awards Dinner, Auckland

EY develops new *Exceptional NZ* app to profile NZ entrepreneurs

On June 25 AmCham is hosting a function with Rod Drury, who will have just returned from representing New Zealand at the EY World Entrepreneur Of The Year™ awards in Monte Carlo.

Rod, NZ's most prominent serial entrepreneur surpassed all expectations in 2013 and Xero's value continues to grow. Just days before being named EY Entrepreneur Of The Year™ 2013 NZ, Rod announced Xero had raised a further US\$180m in capital from US investors, including venture capital firm Matrix Partners, and Facebook billionaire/PayPal founder Peter Thiel, providing a significant endorsement to the business

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NEW APP (Continued from page 10)

and effectively underwriting Xero's global growth strategy.

The Entrepreneur Of The Year programme recognises and celebrates exceptional entrepreneurs and for the first time, EY's *Exceptional* magazine, has captured the inspiring stories of New Zealand's finest entrepreneurs in digital format. With plenty of additional video content, share with your business networks and friends in NZ, USA, Australia and UK.

Download the *Exceptional NZ* app to your iPad for FREE from the App Store

Nominations for the 2014 Entrepreneur Of The Year programme are now open, so if you know a 'thriving' entrepreneur, please nominate them by contacting jamie.maxwell@nz.ey.com, or by visiting ey.com/nz/eoy and completing the registration of interest form. If you nominate a candidate that becomes a finalist in the programme EY will provide you with two tickets to the prestigious awards evening in October.

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All members should have received their passwords so please go online and make sure your information is correct so that other members can get see who you are and what you do. www.amcham.co.nz

US NZ CONNECTIONS IN NEW ZEALAND

Kiwi Expat Association – www.keanewzealand.com

Wanganui New Zealand American Association donnarush@clear.net.nz

American Club – Auckland <http://www.americanclub.org.nz/>

American Women's Network – Wellington www.awn.co.nz

American Women's Club – Auckland www.awcauckland.com

American Club of Christchurch – www.american-club-chch.org

NZ/American Association, Wellington www.nzaa.org.nz

Kiwi Club of New York Inc - www.kiwiclubny.org

AmCham Role of Honour

Founding Members:

3M New Zealand, Air New Zealand, ANZ Bank, Fonterra Co-Operative Group Ltd, IBM New Zealand.

25 Year + members:

Ace Insurance Ltd, DHL Express (New Zealand) Ltd, Eagle Technology Ltd, Hesketh Henry, Kensington Swan, KPMG, The Langham Hotel, Dun & Bradstreet (New Zealand) Ltd, Ernst & Young Ltd, Federal Express Pacific Inc, Wallenius Wilhelmsen Logistics AS.

Marketing Opportunities for Members

For more details - phone 09 309 9140

Members have the opportunity of:

- ◆ Platforming your visiting CEOs by having them speak to AmCham
- ◆ Sponsoring an events including the Annual Success & Innovation Awards Dinner
- ◆ Sponsoring a professional speaker / Launching products/service through AmCham
- ◆ Hosting of Forums / Sustaining Member Events or Committee meetings
- ◆ Use us for your Event management / Advertising in our monthly newsletter
- ◆ Direct mail or fax marketing to members

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

- ◆ Key advisors on tax, immigration, setting up a company and doing business in the USA
- ◆ Possible sources of equity.
- ◆ A network of several thousand companies who are trading with the USA
- ◆ The U.S. Chamber of Commerce which is the world's largest business federation representing 3 million businesses with over 8,000 Chambers of Commerce throughout the USA.
- ◆ 112 AmChams in 99 countries including 27 in the Asia-Pacific region.
- ◆ Free global membership to Regus Plc's 1,000+ serviced offices worldwide, including over 400 in the USA.
- ◆ Discounted costs & special rates for remitting foreign exchange through AFEX - Associated Foreign Exchange Pty Ltd

LEGAL ISSUES

Norris Legal Consulting is honored to have been invited to contribute to the American Chamber of Commerce New Zealand's monthly newsletter. In partnership with the Chamber, our objective is to provide Chamber members with information on the complex US legal landscape, which might assist in US-NZ business relationships, and to assist NZ businesses expanding into the lucrative US markets. We will 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.

US Employment Issues – Part 2 – The Independent Contractor*

In our Auckland practice we have the privilege of working with many New Zealand clients that are expanding their businesses into the United States. Often times these clients enter into contractual relationships with American distributors or sales agents/marketing representatives rather than sending one of their own employees to the US to work. Such an arrangement is usually entered into to avoid problems such as immigration issues, direct employment costs and expenses, taxation concerns, as well as management and control concerns among many others. Prior to entering into business arrangements of any sort with US individuals or business entities, NZ businesses must exercise extreme caution and proper due diligence.

It is easy to believe that a simple agreement providing an outline of the parties' obligations to each other is all one needs in these situations. However, in order to convey legally binding *independent contractor* status in the United States and in the individual State with jurisdiction over the contract, one must be careful regarding the specific wording of the contracts. Improper and/or imprecise contractual language can result in an individual being classified as an employee rather than an independent contractor, thereby exposing the NZ party to liabilities. Examples of the liabilities that could result from improperly and/or imprecisely worded Independent Contractor Agreements include being liable for the contractor's (now classified as an employee) actions and/or omissions and for payment of US payroll taxes and employment benefits.

Where an NZ business is employing an individual to act on its behalf in the US, unless that individual is treated as an independent contractor (as documented in the contractual language used) the individual could be reclassified as an employee. Generally, under US law, an independent contract must include specific language that demonstrates the following:

- That the NZ Company does not control. This is determined by looking at whether the NZ Company instructs:
 - When and where to do the work;
 - What tools or equipment to use;
 - What workers to hire or to assist with the work;
 - Where to purchase supplies and services;
 - What work must be performed by a specified individual; and
 - What order or sequence to follow in doing the work.
- That the NZ Company does not specifically train to perform a service in a particular manner (the independent contractor ordinarily uses their own methods).
- Who controls their own financial matters related to the contract. Thus, the NZ company should avoid:
 - Reimbursing the worker for all business expenses;
 - Prohibiting the worker from investing in their own facilities or working for other clients;
 - Paying the worker a salary. Payment should be structured on a flat-fee basis such as lump sums on agreed-upon dates, or that are contingent on the occurrence of events or mile markers agreed upon in the Independent Contractor Agreement, or on an hourly or commission basis;
 - Insulating the worker from making a profit or loss by providing the worker with a workplace, tools, materials, equipment, supplies and other business costs.
- That does not receive employee benefits from the NZ Company.
- That is responsible for the payment of all taxes related to any compensation or payment arising out of the Independent Contractor Agreement.

(These are general requirements only and vary depending on specific circumstances and the state in which the contract will be based).

The above-stated required characteristics of an independent contractor must be reflected in the language of the Independent Contractor Agreement. If exacting control is required by the NZ Company over the worker, then advice should be obtained on whether independent contractor status is actually available under the circumstances. Careful legal drafting techniques should be used which consider both US federal and state specific law for any Independent Contractor Agreement.

**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/>*



You are invited to our Innovation Heroes evening!

Join us for wine and canapés and hear from some of New Zealand's top innovators and entrepreneurs about their inspiring journey to build great kiwi businesses and talent.

Listen to the stories of some of our most inspirational New Zealanders; **Rod Snodgrass**, **Penelope Barr-Sellers** and **Shona Grundy** and hear from the supreme winner of the 2013 New Zealand Innovators Awards - **David Darling**, CEO Pacific Edge Ltd.

These are **OUR INNOVATORS**; some have built amazing kiwi businesses, some are nurturers of our young talent connecting them to international opportunities. And others are leaders and advocates within their own organisations for innovation.

This is your chance to mix and mingle with the people who have a dedicated passion and talent for innovation and business growth.

AUCKLAND: 8 MAY

WELLINGTON: MAY 22

CHRISTCHURCH: MAY 15

REGISTER NOW

Early bird now open \$38+GST Hurry places are limited.

or call 0800 2 INNOVATE (0800 2 46668).

The Project

The Project: Digital Disruption Converge | Connect | Create

When: Wed 30 Apr – Thurs 01 May 2014

Where: AUT University, Auckland [Sir Paul Reeves Building](#), Mayoral Drive, Auckland

Special early bird price for AMCham members, @ \$389
a 35% discount from full conference rate. **YOU MUST** enter Promo Code --- Amcham1

Buy a ticket: <http://www.eventfinder.co.nz/2014/the-project-connecting-the-dots/auckland>

(Tickets are limited)*Only 50 tickets at this special price until April 24th. The standard conference ticket price is \$599.

Founding partners: AUT, US Embassy and Social Media NZ.

Corporate Partners: MediaWorks, Mi9 Y&R NZ and others TBA soon

Assn. Partners: AmCham, KEA, The NZ Innovation Council and others TBA **Media Partner:** IdeaLog

The Project: Digital Disruption is an action-packed two-day event, attendees will hear from over 30 international and local speakers on how digital disruption is changing the way we live and work and learn how organizations are leveraging the opportunities created by digital disruption to transform their businesses. The unique structure allows for exploration of topics on a conceptual, inspirational and practical level, and brings together innovators and world-class minds from the Pacific Rim and further afield — some blazing with huge ideas and others who have already made their ideas real.

Whatever your industry or interest, *The Project: Digital Disruption* offers a rare chance to learn from successes – and failures – and together try to make sense of the ever-shifting and constantly-evolving digital world.

At the same time *The Project* will provide a platform for diverse people and networks to converge and catalyze something new and different.

The Project: Digital Disruption is your chance to be at the forefront of digital change.

More than 30 international and local speakers, including:

[The Honorable Amy Adams](#) (NZ) Minister for Communications & IT & Environment

[Macon Phillips](#) (USA) Coordinator, US Bureau of Intl. Information Programs; Former Special Assistant to President Obama as Director of Digital Strategy

[Dr. Jeff Cole](#) (USA) Director, Center for the Digital Future; Founder, World Internet Project

[Anna Rooke](#) (AUS) CEO of QUT Creative Enterprise Australia; Curator, Creative3

