



Proactive Release

This proactive release includes the report by the Secretary of the Cabinet following the review of Hon Stuart Nash's ministerial communications with donors and the communications and documentation considered as part of the review.

Information Withheld

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the Act). Where this is the case, the relevant section of the Act that would apply has been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

- section 9(2)(a), to protect the privacy of individuals; and
- section 9(2)(b)(ii) - to protect the commercial position of the person who supplied the information or who is the subject of the information

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Communications with Troy Bowker

Date	Relevant communication (text messages in full)	Source
15 November 2017	Troy Bowker (TB) to Hon Stuart Nash (SN)	Gmail
23 July 2018	SN to SN Office Staff attaching various text messages	Gmail
18 August 2018	TB to SN	Gmail
19 October 2018	TB to SN	Gmail
1 November 2018	TB to SN	Gmail
6 February 2019	TB to SN	Gmail
17 September 2019	Emails between TB and SN	Gmail
16 October 2019	TB to SN	Gmail
13 April 2020	TB to SN	Gmail and Parliamentary
27 May 2020	TB messages SN and Clayton Mitchell: “I can support the email Stu sent through”.	Text message
8 June 2020	Emails between TB, Greg Loveridge and SN (email chain – containing emails of 2 and 5 June 2020)	Parliamentary
13 June 2020	Emails between TB, Greg Loveridge and SN (email chain – containing emails of 2, 5, 8 and 12 June 2020)	Parliamentary
19 February 2021	TB to SN	Gmail

From: [Troy Bowker](#)
To: [Stuart Nash](#); [Stuart Nash \(stuart.nash@parliament.govt.nz\)](mailto:stuart.nash@parliament.govt.nz)
Subject: CV
Date: Wednesday, 15 November 2017 10:14:43 am
Attachments: [CV.docx](#)

Stu

CV attached.

Appreciate you putting me forward.

Cheers

From: [Stuart Nash](#)
To: catherine.pantling@parliament.govt.nz
Subject: Screenshot 2018-07-23 at 4.49.44 PM
Date: Monday, 23 July 2018 4:50:03 pm
Attachments: [Image-1.jpg](#)
[Untitled attachment_00038.txt](#)



Troy



s9(2)(a)

s9(2)(a)

My strong view is that we get police to pay holly and have him seconded to the project. Better to then free up your money to deliver excellence across the programme than spent \$\$ on admin and salaries.

Cool

How do we make this happen ?

Should Med and Look Deal



Text Message



From: [Stuart Nash](#)
To: catherine.pantling@parliament.govt.nz
Subject: Screenshot 2018-07-23 at 4.50.30 PM
Date: Monday, 23 July 2018 4:50:55 pm
Attachments: [Image-1.jpg](#)
[Untitled attachment_00044.txt](#)



Troy



Sun, 17 Jun, 9:45 AM

Stu

Non ministerial communication

Good to see you last night and chat about the blue light /police charity Ned and I are doing

Non ministerial communication

Re blue light: I will see if I can sort out Holly. It is a fantastic investment in our community mate. Well done!! Cheers Stu



Text Message



From: [Stuart Nash](#)
To: catherine.pantling@parliament.govt.nz
Subject: Screenshot 2018-07-23 at 4.50.30 PM
Date: Monday, 23 July 2018 4:50:55 pm
Attachments: [Image-1.jpg](#)
[Untitled attachment_00044.txt](#)



Troy



Re blue light: I will see if I can sort out Holly. It is a fantastic investment in our community mate. Well done!! Cheers Stu

Sun, 17 Jun, 12:42 PM

Non ministerial communication

I think the ceo of blue light Rod Bell only needs an extra \$25k to get Holy across to them to coordinate the program OR he could be seconded from the Police to Blue Light on normal police pay

We are committed to give \$55k per year for 5 years so total \$275k.



Text Message



Out of Scope

----- Forwarded message -----

From: Troy Bowker s9(2)(a)
Date: Sat, 18 Aug 2018 at 18:33
Subject: Fwd: Hine Toa National Programme
To: Stu Nash s9(2)(a)

Sent from my iPhone

Begin forwarded message:

From: "KAIRUA, Holiday (Holly)" <Holiday.Kairua@police.govt.nz>
Date: 18 July 2018 at 2:00:21 PM NZST
To: Andrew Kelly s9(2)(a), Troy Bowker s9(2)(a)
Cc: Rod Bell s9(2)(a)
Subject: Hine Toa National Programme

Afternoon gents, hope all is well, especially for you Troy (go the Caines), Things have been on a go slow mode here as per usual. They have had my Business Case to be seconded to the National Blue Light Office for the new role for 10 weeks and it is sitting in an Inspectors in-tray. Any assistance from Stuart Nash will probably spark them into action as I am afraid they are hoping this will just go away.

Any help would be greatly appreciated so I Rod and I can start seeing other Blue Light Branches so we can start planning to run some programmes there.

Regards, Holly



Mr Hol .M.B KAIRUA

Team Leader/Project Manager | Youth Development & Projects | New Zealand Police
s9(2)(a) Extn: s9(2) | s9(2)(a) or s9(2)(a)
| holiday.kairua@police.govt.nz | 7 Buscomb Avenue, Henderson | PO Box 21 162, Auckland 0650 | www.police.govt.nz

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Stuart Nash

From: [Andrew Kelly](#)
To: [Stu Nash Email](#)
Subject: Fwd: Hine Toa National Programme
Date: Wednesday, 14 November 2018 10:32:06 am

FYI

Begin forwarded message:

From: "KAIRUA, Holiday (Holly)" <Holiday.Kairua@police.govt.nz>
Date: 14 November 2018 at 10:30:46 AM NZDT
To: Andrew Kelly s9(2)(a)
Cc: Troy Bowker s9(2)(a)
Subject: RE: Hine Toa National Programme

Morning gents, I hope all is well in the your worlds of business? It is with great sadness to inform you both that I am leaving the Police s9(2)(a)

I guess the catalyst was how the Police dragged their heals on our Hine Toa National proposal as too with the National Blue Light, which was such a shame as this could have benefited so many young people. s9(2)(a)

I am assisting Waitakere Blue Light with organising the next January's Tama Toa before I leave and I am sure someone will contact Caniwi before Christmas.

It has been more than a pleasure working alongside Caniwi Trust and more so with you Ned and appreciate your constant support Troy also.

Please do not hesitate to contact me if you are ever in Rarotonga. My contact details there will be s9(2)(a) and s9(2)(a) mobile s9(2)(a)

Regards, Holly



Mr Hol .M.B KAIRUA

Team Leader/Project Manager | Youth Development & Projects | New Zealand Police

☎ s9(2)(a) Extn: s9(2) | 📞 s9(2)(a) or s9(2)(a)

| 📧 holiday.kairua@police.govt.nz | 7 Buscomb Avenue, Henderson | PO Box 21 162, Auckland 0650 | www.police.govt.nz

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From: Andrew Kelly [[mailto:s9\(2\)\(a\)](mailto:s9(2)(a)@police.govt.nz)]

Sent: Thursday, 19 July 2018 4:14 p.m.

To: KAIRUA, Holiday (Holly) <Holiday.Kairua@police.govt.nz>

Cc: Troy Bowker s9(2)(a) Rod Bell s9(2)(a)

Subject: Re: Hine Toa National Programme

Hi Holly,

Thanks for the heads up

I'll follow up

N

Sent from my iPhone

On 18/07/2018, at 2:00 PM, KAIRUA, Holiday (Holly) <Holiday.Kairua@police.govt.nz> wrote:

Afternoon gents, hope all is well, especially for you Troy (go the Caines), Things have been on a go slow mode here as per usual. They have had my Business Case to be seconded to the National Blue Light Office for the new role for 10 weeks and it is sitting in an Inspectors in-tray. Any assistance from Stuart Nash will probably spark them into action as I am afraid they are hoping this will just go away.

Any help would be greatly appreciated so I Rod and I can start seeing other Blue Light Branches so we can start planning to run some programmes there.

Regards, Holly

<image001.jpg>

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From: [Troy Bowker](#)
To: [Stu Nash](#)
Subject: Fwd: LEGISLATE CAPITAL GAINS TAX BEFORE ELECTION OR RISK "MISCHIEF", CULLEN SAYS
Date: Friday, 19 October 2018 10:49:01 pm
Attachments: [image001.png](#)

You seen this ??

Sent from my iPhone

Begin forwarded message:

From: s9(2)(a)
Date: 19 October 2018 at 11:18:05 AM NZDT
To: Troy Bowker, s9(2)(a), s9(2)(a), s9(2)(a)
Subject: LEGISLATE CAPITAL GAINS TAX BEFORE ELECTION OR RISK 'MISCHIEF', CULLEN SAYS

LEGISLATE CAPITAL GAINS TAX BEFORE ELECTION OR RISK 'MISCHIEF', CULLEN SAYS

Thursday 18th October 2018

[Text too small?](#)

Passing new capital gains tax legislation into law before the 2020 election is important to reduce the potential for political "mischief", the chair of the Tax Working Group says.

"It's important the legislation is passed before the election," said former Labour Finance Minister Michael Cullen.

"If you leave room for doubt about what it does, you leave room for mischief," he told the Chartered Accountants of Australia and New Zealand annual tax conference, in Auckland. "The more gaps there, the more mischief there is likely to be and can come in this area."

The working group issued an interim report last month before a round of public consultation. It will deliver a final report to ministers next February.

While the government has promised no such tax reform will be implemented before the 2020 election, legislation allowing it to take effect at a later date can be passed before election day for later implementation if a Labour-led government is returned.

The 2011, 2014 and 2017 elections were all characterised by a variety of Labour Party strategies promoting a shift in the balance between tax on income and tax on capital gains, all of which were successfully attacked by the National Party.

In 2017, Labour promised to study the issue and go to the polls with concrete proposals that the voting public would be asked to endorse.

Cullen said the New Zealand debate over capital gains tax was affected by "a culture of peculiarity over broadly-based tax on capital income". In contrast, taxes on capital gains were an accepted feature of many other countries' tax systems.

The local debate was also hampered by the wrongly created impression that capital gains are not taxed now, when some are.

Discussing the introduction of a capital gains tax, when it already exists in a limited form, was "a very bad impression to give".

"It makes it look entirely new rather than shifting the boundaries", Cullen said.

It was also important to reassure people that a wider net for capital gains tax would not capture increases in value that have already occurred.

"It's a prospective tax, not retrospective. I can tell most of my fellow elderly limpers at the golf club that by and large they're going to be OK because they've already accumulated most of their assets," he said, delivering the speech despite a bout of chronic back pain.

He also warned against seeking tax system purity over reforms that still needed to be able to gain public support.

"No one ever got elected promising a capital gains tax in New

Zealand," he said. "That's quite a big ask. If you've been too nit-picking and pure about being comprehensive ... you really are at the point of the perfect being the enemy of the good and I think there has to be some reality injected into the discussion."

While there was much political "mischief and danger" yet to be had, he hoped the issue could be dealt with reasonably comprehensively and in a way that would settle the matter for a generation to come.

Cullen expressed concern that restructuring at the Inland Revenue Department left the tax gatherer with insufficient resources to implement major tax system changes. A phased implementation may be necessary since accounting firms and taxpayers would not gear up for change until they knew the outcome of the 2020 election, he said.

(BusinessDesk)

s9(2)(a)

CANIWI CAPITAL PARTNERS

Level 16, 2 Hunter Street, PO Box 1172, Wellington 6140, New Zealand

m: s9(2)(a) | t: s9(2)(a) | f s9(2)(a)

s9(2)(a) | www.caniwicapital.com

caniwi capital partners
INVESTMENT AND ADVISORY GROUP

From: [Troy Bowker](#)
To: s9(2)(a)
Cc: [Stu Nash](#); s9(2)(a)
Subject: One of the comments today..I didn't write it !
Date: Thursday, 1 November 2018 5:39:37 pm

After all, if the "bach tax" doesn't have a dog's show, why even include it in the report? - Perhaps there is a failure to understand how this type of politics works. The 're-distributors' have an 'aspirant' position - to introduce a 'deemed rate of return' on the Kiwi bach. Yet this is understood to be highly risky. So they 'fly a kite' to gauge the measure of public reaction. If public disquiet appears too robust then they will tactically (but probably temporarily) retreat. I would suggest that whoever wrote the original article, warning of the possibility of a bach tax, has rather more political smarts than those who don't seem to understand that New Zealand is now firmly ensconced in a 'Blair era' with all that that infers.

Sent from my iPhone

From: [Troy Bowker](#)
To: Warwick.Morehu@police.govt.nz
Cc: [Stu Nash](#)
Subject: Waihaha Bay
Date: Wednesday, 6 February 2019 10:32:50 am

Warwick

The response from Mr Rameka is not addressing the complaint I have made with you. My complaint once again is: Iwi asking people to leave the public beach in front of Waihaha Bay.

I made that complaint to your station as soon as it happened in early January. I made it again to you on the phone.

I appreciate we have public access to 25 metres from the lake edge . So why are they kicking Pakeha off the beach ?

It's your job to uphold the law not mine. I'm simply asking you to do that.

Could you please respond with what action you will take to ensure the Kinloch residents that they will not be confronted by Maori demanding they leave a public beach or asking for money .

You know exactly what my complaint is so not sure why you aren't taking action.

Regards

Troy Bowker

Sent from my iPhone

From: [Stuart Nash](#)
To: [Troy Bowker](#)
Cc: [Andrew Kelly](#) s9(2)(a)
Subject: Re: Tama Toa 2019 Evacuation/ Hine Toa 2020 funding
Date: Tuesday, 17 September 2019 8:30:41 pm

Okay. All good.
Cheers
Stu

Stuart Nash
s9(2)(a)

> On 17/09/2019, at 6:19 PM, Troy Bowker s9(2)(a) wrote:

>

> Thanks s9(2)(a)

>

> Send a polite email back saying the Trust has other commitments.

>

> Note - I've copied in Stu.

>

> Stu - we are pulling out as the police have consistently reneged on any form of public acknowledgement or thanks to the Caniwi Trust. We've tried !

>

>

> Sent from my iPhone

>

>> On 17/09/2019, at 4:37 PM, s9(2)(a) wrote:

>>

>> Kia ora

>>

>> Is the trust keen to support the Hine Toa Programme in 2020?

>> No \$value yet. From past history that will come through in about November.

>>

>>

>> Nāku noa na | Kind regards

>> s9(2)(a)

>>

>> From: MELI, Francis [<mailto:Francis.MELI@police.govt.nz>]

>> Sent: Tuesday, 17 September 2019 4:23 PM

>> To: s9(2)(a)

>> Cc: BROADLEY, Susan

>> Subject: Tama Toa 2019 Evacuation/ Hine Toa 2020 funding

>>

>> Hi s9(2)

>>)()

>> First of all, we would like to extend our thanks and appreciation to the Caniwi Capital Trust and all its members for the many years of ongoing support they have provided. The programme has proven to be a success, with our young victims being able to rebuild their self-esteem. This could not have been possible without the help of the Trust.

>>

>> I'm not sure if you are aware, Holly Kairua whom I was involved with in the coordinating of the programme has resigned from the Police. I am now the main contact and have taken over the planning for both the Tama Toa and Hine Toa Camps.

>>

>> I am currently in the process of organising the Hine Toa camp for January 13th – 17th 2020 for 12 young girls whom are victims of family harm to experience positive character building. We look forward in hearing from you with regards to Hine Toa programme 2020.

>>

>> I have cc'd Susan BROADLEY who is my new Sargent.

>>

>> Kind regards

>> Francis

>>

>>

>> [cid:image001.gif@01D3B553.F2828770]

>> Mr Francis MELI

>> Child Case Manager | Youth Development & Projects | New Zealand Police

>> s9(2)(a) | s9(2)(a) | francis.meli@police.govt.nz<<mailto:gregory.norton@police.govt.nz>> | 7

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www.police.govt.nz<<http://www.police.govt.nz/>>

>> Safer Communities Together

>> [cid:image002.gif@01D3B553.F2828770]

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>> [cid:image003.gif@01D3B553.F2828770]

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>> [cid:image004.gif@01D3B553.F2828770]

>> NZ Police on YouTube<<https://www.youtube.com/user/policenz>>

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>> =====

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>> <image001.gif>

>> <image002.gif>

>> <image003.gif>

>> <image004.gif>

>> <Evaluation Tama Toa January 2019.pdf>

From: [Troy Bowker](#)
To: Hon Stuart Nash
Cc: [Peter Marshall](#)
Subject: Ammo /Duck shooting
Date: Wednesday, 16 October 2019 9:13:29 am

Stu ,

Cc'ing a shooting mate , Pete Marshall (a good man).

He and a group of other duck shooters are concerned that certain types of ammo that are used a lot in duck shooting is now illegal following an order in council you recently made.

It appears this may have been unintentional.

Pete - can you send Stu a quick email or copy him on that letter ?

Regards

Troy

Sent from my iPhone

From: [Troy Bowker](#)
To: Hon Stuart Nash
Subject: Fwd: An idea to kick start NZ
Date: Monday, 13 April 2020 5:24:26 pm

FYI see below emails

Sent from my iPhone

Begin forwarded message:

From: Troy Bowker s9(2)(a)
Date: 13 April 2020 at 1:14:49 PM NZST
To: s9(2)(a) @nzme.co.nz>
Subject: Re: An idea to kick start NZ

Hi s9(2)(a)

I've been in contact with a number of foreign ultra high net worths who I've worked with over the years (when I was global head of Asset finance at HSBC) to test this idea.

I've also spoken to a few other rich listers and my good friend , s9(2)(a)

They all agree, if done properly , this is an excellent idea.

I was on John Key's international fund working group in 2010 and I've also been quite active with opinion pieces over the last couple of years (CGT etc).

I would be very happy to put my name publicly to this idea and offer to help design and sell the scheme.

The basic concept is :

1. Squash the virus completely.
2. Announce to the world we are free of the virus but it's come at a great cost economically .
3. Announce we are creating a scheme whereby the first 2000 people who comply with the criteria can relocate to NZ with their immediate family.
4. The criteria is : (I) proven good character and track record of successful investing .
(ii) \$50m of capital (equity not debt) invested in productive NZ based assets that employ people in NZ.
(iii) capital to be invested within a year of arriving otherwise the visa is cancelled. All quarantined on arrival
(iv) if the person follows through and complies and has stays for 5 years and proves their worth , they get a NZ passport .

Policy outcomes:

2000 people investing \$50m is \$100bn.

That essentially pays for the huge black hole in our GDP, mass unemployment and significant negative social outcomes .

I'm sure s9(2)(a) will give you a quote and I will as well (all of the above can be quoted).

Happy to help with writing this in any way I can .

The most likely alternative of not bringing in huge foreign capital to invest in productive NZ assets is our government leveraging NZ to the hilt with public debt /GDP exceeding 60% , devaluing our currency and higher taxes for years to come to pay off the debt. The highest public debt /GDP ratio was 55% in 1992 4 years after the 1987 crash.

My view is we are looking at much higher debt levels unless we come up with a smart intelligent plan to pay for this.

Happy to talk on s9(2)(a)

Troy

Sent from my iPhone

On 13/04/2020, at 8:34 AM, s9(2)(a) @nzme.co.nz> wrote:

That's an excellent proposal. Thanks Troy.

I will come back to you on this tomorrow.

Best Regards, s9(2)(a)

s9(2)(a)
EDITORIAL DIRECTOR - BUSINESS
NZME

D: s9(2)(a) | M: s9(2)(a)
E: s9(2)(a)

From: Troy Bowker s9(2)(a)
Sent: Sunday, April 12, 2020 4:41 PM
To: s9(2)(a) @nzme.co.nz>
Subject: An idea to kick start NZ
s9(2)(a)

Here's an idea I would be pushing hard to introduce.

On the assumption we come out of lock down and we can say the virus is pretty much dead in NZ, then I think NZ has a massive international marketing opportunity. This is a once in a lifetime marketing opportunity to bring some of best brains and capital to NZ (think GFC on steroids).

Every ultra high net worth person in the world will want a NZ citizenship/passport. We will not only be seen as a stable, smart western democracy but we will be free of CV 19 unlike anywhere else.

To make the most of this we should immediately introduce a new visa

category. Any foreigner of good character who commits to invest \$50m in NZ businesses that employs people and / or buys commercial property will be given a 10 year right to reside here and an opportunity to gain a passport once they prove their value.

We should get hundreds of applicants which will bring in billions of new investment capital .

Of course they will all need to be quarantined on arrival but that's no huge sacrifice.

Regards
Troy

Sent from my iPhone

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From: [Greg Loveridge](#)
To: [Troy Bowker](#); Hon Stuart Nash
Subject: Re: SME Lease relief proposal V1.docx
Date: Monday, 8 June 2020 5:09:41 pm

Stuart,

I agree with Troy, the level of uncertainty about this now will cause considerable delays and uncertainty. Under your proposal focused on levels 3 and 4 we would have moved this week to make rebates, but now I suspect we will need to be arbitration with most tenants as they will be seeking rent rebates for 6 months from the date of the bill. Your proposal would have had a much greater immediate economic impact and have greatly lessened the tension between all the parties.

The fact that each of the parties' financial capabilities have to be taken into account will no doubt also lead to court cases. We would certainly not feel we should give a rental rebate to the Norman family who are richer than Sam who is a half owner of the particular building they tenant. We would need to know the value of all their holdings, trusts, residential property etc. I can't see that the arbitrator would be in a position to make judgements on this.

I note to the Cabinet paper only mentions eligibility for the wage subsidy as a factor in assessing whether a party is eligible for the arbitration subsidy, not as a determinant of whether they should be eligible for us to pay them...

Good luck over the next few months

cheers

From: Troy Bowker [s9\(2\)\(a\)](#)
Date: Friday, 5 June 2020 at 4:21 PM
To: Hon Stuart Nash
Cc: Greg Loveridge [s9\(2\)\(a\)](#)
Subject: Re: SME Lease relief proposal V1.docx

Thanks Stu

I know you are being totally upfront with us and it's much appreciated.

I feel very let down by Winston and Shane and I'm both surprised and annoyed that he would have supported the "20 staff per site" change as well the fact that the rent relief period is not actually specified as level 4 and 3 in the final cabinet paper.

So we could in theory end up arguing with tenants in arbitration who claim they've suffered through level down 2 and 1 as well!

Whereas clause 27.5 gives a much clearer outcome as it only applies for the period of shut out of premises.

The 20 staff per site opens up huge numbers of nationwide chains with less than 20 at each site - many or very large businesses and much bigger than some of the small landlords effected.

I think Winston and Shane either didn't understand the full impact. It makes no sense to me the fact that they delayed it pushed back on it for 4 weeks only to cave in and give it away completely at cabinet on Wednesday.

It will cost them.

Cheers

Troy

Sent from my iPhone

On 5/06/2020, at 4:08 PM, **Hon Stuart Nash** wrote:

Greg, Troy,

I am as annoyed (and surprised) about the final outcome of the 'commercial rent relief package' as you are.

I am sending you this document as this is the one I sent to Clayton Mitchell on Tuesday morning for his caucus to discuss and decide on – and the deal that I thought we had across the line (and the one I believe we could have done if it had been 100% supported by NZ first)

I should have argued much harder for this when I saw that things were changing; but without the support I thought I had, it would have been incredibly difficult.

Andrew Little was always extremely keen on arbitration (even though I had got Parker across the line on the 50:50 proposal).

Re the '20 employees per site' clause: I lost this argument around the cabinet table when it was suggested by David Parker and supported by Winston and Shane (even though I pointed out that it would include, for example, Rebel Sport in Napier) versus the fifty employee number.

Thanks

Stuart

From: Hon Stuart Nash

Sent: Tuesday, 2 June 2020 9:27 AM

To: Clayton Mitchell <Clayton.Mitchell@parliament.govt.nz>

Subject: SME Lease relief proposal V1.docx

Importance: High

From: [Troy Bowker](#)
To: [Greg Loveridge](#)
Cc: Hon Stuart Nash
Subject: Re: SME Lease relief proposal V1.docx
Date: Saturday, 13 June 2020 9:55:59 am

The other thing I've just picked up on is commercial Landlords cannot kick tenants out or enforce their rights until December.

So now Tenants can pay no rent and force arbitration and we can't end any leases .

So we are guaranteed to lose a lot of money if a tenant wants to go to arbitration and have no recourse to get new tenants in .

I cannot see how you can ignore prior arrangements already completed or arrangements put in place under clause 27.5.

These are completely irrelevant under the draft legislation so the tenants get to double dip !

Sent from my iPhone

On 12/06/2020, at 5:34 PM, Troy Bowker [s9\(2\)\(a\)](#) wrote:

The draft legislation is out for comments.

It's far worse than I expected . It's nothing like the cabinet paper !

Here are some of the worst parts :

1. If you've already come to a deal with your tenants that isn't taken into account unless it's solely a rent relief deal and includes a period after June 4

So all deals done for example that a tenant gets full rent relief for 3 months in exchange for a longer lease don't count for anything- the tenant can have another go now.

2. The "affected period " is 6 months from June 4 to December 4th. Meaning tenants can potentially get 6 months rent relief.

3. The possible outcomes explicitly reference a full rent reduction to zero - not 50% max

4. If you have clause 27.5 and you've already used it - again that counts for nothing - the tenant gets another crack at free rent from June 4 to December 4.

5. Tenants have to show "material " income reduction which could include a covid 19 reason but isn't expressly required to show it's a covid 19 reason

6. Large tenants with more than 20 employees at a single location can have a crack at arbitration with landlords who have less than 20 employees.

This makes absolutely no sense.

7. The overseas owned provision isn't clear and doesn't seem to work.

Sent from my iPhone

On 8/06/2020, at 5:09 PM, Greg Loveridge
s9(2)(a) wrote:

Stuart,

I agree with Troy, the level of uncertainty about this now will cause considerable delays and uncertainty. Under your proposal focused on levels 3 and 4 we would have moved this week to make rebates, but now I suspect we will need to be arbitration with most tenants as they will be seeking rent rebates for 6 months from the date of the bill. Your proposal would have had a much greater immediate economic impact and have greatly lessened the tension between all the parties.

The fact that each of the parties financial capabilities have to be taken into account will no doubt also lead to court cases. We would certainly not feel we should give a rental rebate to the Norman family who are richer than Sam who is a half owner the particular building they tenant. We would need to know the value of all their holdings, trusts, residential property etc. I can't see that the arbitrator would be in a position to make judgements on this.

I note to the Cabinet paper only mentions eligibility for the wage subsidy as a factor in assessing whether a party is eligible for the arbitration subsidy, not as a determinant of whether they should be legible for us to pay them...

Good luck over the next few months

cheers

From: Troy Bowker s9(2)(a)

Date: Friday, 5 June 2020 at 4:21 PM

To: Hon Stuart Nash

Cc: Greg Loveridge s9(2)(a)

Subject: Re: SME Lease relief proposal V1.docx

Thanks Stu

I know you are being totally upfront with us and it's much appreciated.

I feel very let down by Winston and Shane and I'm both surprised and annoyed that he would have supported the "20 staff per site " change as well the fact that the rent relief period is not actually specified as level 4 and 3 in the final cabinet paper.

So we could in theory end up arguing with tenants in arbitration who claim they've suffered through level down 2 and 1 as well !

Whereas clause 27.5 gives a much clearer outcome as it only applies for the period of shut out of premises.

The 20 staff per site opens up huge numbers of nationwide chains with less than 20 at each site - many or very large businesses and much bigger than some of the small landlords effected.

I think Winston and Shane either didn't understand the full impact . It makes no sense to me the fact that they delayed it pushed back on it for 4 weeks only to cave in and give it away completely at cabinet on Wednesday .

It will cost them.

Cheers

Troy

Sent from my iPhone

On 5/06/2020, at 4:08 PM, san
Hon Stuart Nash wrote:

Greg, Troy,

I am as annoyed (and surprised) about the final outcome of the 'commercial rent relief package' as you are.

I am sending you this document as this is the one I sent to Clayton Mitchell on Tuesday morning for his caucus to discuss and decide on – and the deal that I thought we had across the line (and the one I believe we could have done if it had been 100% supported by NZ first)

I should have argued much harder for this when I saw that things were changing; but without the support I thought I had, it would have been incredibly difficult.

Andrew Little was always extremely keen on arbitration (even though I had got Parker across the line on th 50:50 proposal).

Re the '20 employees per site' clause: I lost this argument around the cabinet table when it was suggested by David Parker and supported by Winston and Shane (even though I pointed out that it would include, for example, Rebel Sport in Napier) versus the fifty employee number.

Thanks

Stuart

From: Hon Stuart Nash

Sent: Tuesday, 2 June 2020 9:27 AM

To: Clayton Mitchell

<Clayton.Mitchell@parliament.govt.nz>

Subject: SME Lease relief proposal V1.docx

Importance: High

From: [Troy Bowker](#)
To: [Stuart Nash](#)
Subject: Fwd: YPO Event 26 March 2021
Date: Friday, 19 February 2021 2:36:15 pm
Attachments: [image001.png](#)
[image002.png](#)

Stu

See below amended schedule with you as the key note speaker .

I've emailed Anna at your office with this.

Could you close the loop with her so that she confirms and it's in your diary ?

Much appreciated.

Troy

Sent from my iPhone

Begin forwarded message:

From: Troy Bowker [s9\(2\)\(a\)](#)
Date: 19 February 2021 at 2:33:00 PM NZDT
To: Anna Weir <Anna.Weir@parliament.govt.nz>
Subject: RE: YPO Event 26 March 2021

Afternoon Anna,

On the basis of the amended schedule with Hon Nash as the key note speaker, could you please confirm his attendance at this event on March 26th?

Regards

Troy

From: [s9\(2\)\(a\)](#)
Sent: Friday, February 19, 2021 2:21 PM
To: Anna Weir
Cc: Troy Bowker
Subject: RE: YPO Event 26 March 2021

Kia ora Troy

Further to your email below attached is the amended plan for the YPO Event in Auckland 26th March 2021 of which Hon Stuart Nash is the keynote speaker.

Ngā mihi nui | Kind regards

[s9\(2\)\(a\)](#)

From: Anna Weir [mailto:Anna.Weir@parliament.govt.nz]
Sent: Thursday, 18 February 2021 2:02 PM
To: s9(2)(a)
Subject: FW: YPO Event 23 March 2021

Hi s9(2)(a)

Thank you for your email to Hon Nash, I am writing to let you know that the Minister sends his sincere regrets but is unable to attend as he has meetings in Napier on this date.

We look forward to receiving other invites from Caniwai, unfortunately the time pressures are such on this occasion.

Kind regards

Anna Weir

Private Secretary (Executive Support) to Hon Stuart Nash

Minister For Economic and Regional Development, Forestry, Small Business and Tourism

MP for Napier

5.3L Parliament Buildings

Private Bag 18041 | Parliament Buildings | Wellington

anna.weir@parliament.govt.nz



From: s9(2)(a)
Sent: Tuesday, 1 December 2020 1:34 PM
To: Hon Stuart Nash <Stuart.Nash@parliament.govt.nz>
Subject: FW: YPO Event 23 March 2021

Apologies – amendment to my previous email - the correct date is 26 March

Ngā mihi nui | Kind regards

s9(

From: s9(2)(a)
Sent: Tuesday, 1 December 2020 1:29 PM
To: stuart.nash@parliament.govt.nz
Cc: Troy Bowker
Subject: YPO Event 23 March 2021

Kia ora Stuart

Please find attached an invitation to attend and relevant information for the YPO Event in Auckland 23 March 2021.

Ngā mihi nui | Kind regards

s9(2)(a)

Office Manager | Executive Assistant to Troy Bowker , Executive Chairman

caniwi capital
INVESTMENT GROUP

Harbour Tower | Level 16 | 2 Hunter Street | Wellington 6011 | PO Box 1172 | Wellington 6140
s9(2)(a) | s9(2)(a) | www.caniwicapital.com
