

16 May 2024



10 APRIL 2024: OFFICIAL INFORMATION AND PRIVACY ACT REQUESTS

I refer to your letter dated 10 April 2024 which, among other things, requested information under the Official Information Act 1982 (OIA) and the Privacy Act 2020 (to the extent the requested information is your client's personal information). You have requested:


- a) *All documents relating to applications for funding from the NZ Film Commission including the NZSP Rebate for the Arden documentary, including all documents provided in support of the applications and all documents relating to the Commission's decision-making on these applications (first request).*
- b) *All documents relating to the Commission's response to [your client's] email of 12 March 2024 headed "Public Funding" and to the subsequent correspondence between [your client] and Ms Murray, including without limitation:*
 - (i) *Communications between the Commission and [the named person] (second request).*
 - (ii) *Documents relating to the dissemination of [your client's] emails or their contents to any other person either within or outside the Commission (third request).*
 - (iii) *Documents relating to steps taken by the Commission to investigate the matters raised by [your client] in [their] emails (fourth request).*

FIRST REQUEST: FUNDING (EQUITY AND REBATE)

Equity funding

As publicly announced NZFC approved Feature Film Production Investment (FFPI) of \$800,000 to *The Untitled PBK and JP Project* (formerly referred to as *Jacindamania*). Your client will be familiar with this type of FFPI equity investment and the basis on which NZFC may recoup its investment.

Information you have requested in relation to this FFPI funding decision is attached at **Appendix 1**. Certain commercially sensitive and personal information has been redacted under the following grounds of the OIA:

- 
- Section 9(2)(a): to protect the privacy of natural persons.
 - Section 9(2)(b)(ii): to protect information where the making available of that information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.
 - Section 9(2)(ba): to protect information that is the subject to an obligation of confidence where making the information available would be likely to prejudice the supply of similar information and it is in the public interest that such information should continue to be supplied.
 - Section 9(2)(g): to maintain the effective conduct of public affairs through the free and frank expression of opinions.
 - Section 9(2)(h): to maintain legal privilege.

Other information that is not within the scope of your request has also been redacted.

The record of a pre-application meeting, full budget, assessor's reports, estimates of financial success, distribution and marketing deals are withheld in their entirety under subsections 9(2)(b)(ii), 9(2)(ba), and 9(2)(g) of the OIA.

NZFC anticipates that the withholding of this commercially sensitive information will not surprise your client, who would likely object to NZFC releasing under the OIA similar information supplied to it by them (or one of their associated entities) in support of any applications by them for Rebate or equity funding.

New Zealand Screen Production Rebate Funding

New Zealand Screen Production Rebate is available only where a production meets the NZSPR qualifying criteria and a NZSPR Final Certificate has been applied for and granted. As your client will be aware, an application for a Final Certificate can only be made after a production has been completed. In other words, all NZFC Rebate funding decisions occur after production is completed.

No application for a NZSPR Final Certificate for *Untitled PBK and JP Project* has been received by NZFC. Your request for this category of information is refused under s 18(e) of the OIA (that the requested information does not exist).


SECOND REQUEST: COMMUNICATIONS WITH NAMED PERSON RELATING TO 'PUBLIC FUNDING' EMAIL

Information you have requested in relation to communications with the named person relating to your client's 12 March 2024 email is attached as **Appendix 2**.

Certain commercially sensitive information has been redacted under the following grounds of the OIA:

- Section 9(2)(b)(ii): to protect information where the making available of that information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.
- Section 9(2)(ba): to protect information that is the subject to an obligation of confidence where making the information available would be likely to prejudice the





supply of similar information and it is in the public interest that such information should continue to be supplied.

THIRD REQUEST: DISSEMINATION OF 12 MARCH 2024 'PUBLIC FUNDING' EMAIL

Documents relating to this aspect of your request are my email of 13 March 2024 to the specified person included in Appendix 2 (and previously provided to your client on 26 March 2024) and the further documents included in Appendix 3.

Redactions have been made for information that is outside the scope of your client's request and under:

- Section 9(2)(b)(ii): to protect information where the making available of that information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.
- Section 9(2)(ba): to protect information that is the subject to an obligation of confidence where making the information available would be likely to prejudice the supply of similar information and it is in the public interest that such information should continue to be supplied.
- Section 9(2)(g): to maintain the effective conduct of public affairs through the free and frank expression of opinions.
- Section 9(2)(h): to maintain legal professional privilege.



FOURTH REQUEST: INVESTIGATIVE STEPS

In order to investigate the serious allegations made by your client, it was necessary to assess commercially sensitive information relating to relevant productions. To avoid having to refuse your client's request in its entirety (by withholding all such commercially sensitive information that was inherent in the investigation) I am providing a summary of steps taken in accordance with s 16(1)(e) of the OIA.

As a first step, I provided the named person with a natural justice opportunity to comment on the allegations made against them. I received a substantive response from them on 20 March 2024 in which they rejected the allegations (and other perceived inaccuracies in your client's email). Their response has been included in Appendix 2.

In relation to the allegation of [REDACTED], my staff were asked to investigate. In relation to the [REDACTED], [REDACTED] provided the Cost Report, Trial Balance, General Ledger, List of Creditors and the Aged Payables List. In addition, copies of bank statements were requested and promptly provided. My staff were able to reconcile the accounting reports with the bank statements and verified the transactions. Based on those records, there was no evidence that supported your client's allegation [REDACTED].

In relation to the allegation [REDACTED], I commissioned a further independent review of the financials and budget for the relevant production. The reviewer was given access to all the commercially sensitive budget and financial information held by NZFC relating to the relevant production. That independent review did not identify any basis for me to conclude that your client's [REDACTED] allegation had substance.



Overall there is no evidence available to me to suggest that the allegations made by your client in their 12 March 2024 email are likely to be able to be substantiated and/or warrants NZFC resources being deployed to investigate further.

We will be publishing this letter (with content referring to the substance of your client's allegations and your client's personal information removed) with Appendix 1 on the NZFC website. Appendices 2 and 3 will not be made publicly available on the website, for obvious legal reasons arising out of the need to avoid further dissemination or republication of your client's potentially defamatory allegations.

As you will be aware, your client has the right, by way of complaint to the Ombudsman under section 28(3) of the OIA to seek an investigation and review of NZFC's response and to make a complaint to the Privacy Commissioner in respect of NZFC's responses relating to their personal information request.

Yours sincerely



Annie Murray
Chief Executive
New Zealand Film Commission



Appendix 1 - Feature Film Production Funding

A pre application meeting for the *Untitled PBK and JP Project* was held on 21 November 2023 at 12.45pm with Pietra Brett Kelly, Emma Slade, Micah Winiata, Justin Pemberton, Leanne Saunders (NZFC), Olivier Leroy (NZFC), Rosie Hole (NZFC) and Joel Rudolph (NZFC). The discussion held in this meeting is withheld under Section 9(2)(b)(ii) of the OIA.

Released under the Official Information Act

From: [Stella Inkpen](#)
To: [s9\(2\)\(a\)](#)
Cc: [Leanne Saunders](#); [Olivier Leroy](#); [Rosie Hole](#)
Subject: THE UNTITLED PBK AND JP PROJECT - Feature Film Production Investment Eligibility
Date: Friday, 1 December 2023 4:27:23 p.m.
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Kia ora Emma,

Thank you for submitting your project *The Untitled PBK and JP Project* for Feature Film Production Investment Funding.

We have undertaken eligibility checks, and we are happy to confirm the project is eligible and progressing into assessment stage.

Don't hesitate to be in touch if you have any questions or concerns.

Ngā mihi,

Stella Inkpen (She/Her) | Development & Production Team Administrator

New Zealand Film Commission | Te Tumu Whakaata Taonga

Level 3, 119 Ghuznee St, Wellington 6011 | PO Box 11546, Manners Street, Wellington 6142

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

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Please consider the environment before printing this e-mail.

From: Zoë Vaunois
To: Stella Inkpen; Bevin Linkhorn; Christina Andreef; Joel Rudolph; Johanna Smith; Karen Te O Kahurangi Waaka; Kathryn Graham; Leanne Saunders; Nkhaya Paulsen-More; Olivier Leroy; Rosie Hole; Bonnie Mahon; Katie Baker; Marion Heppner; Rochelle Cooney; Jasmin McSweeney; Amanda Heatley; Chris Payne
Cc: Annie Murray
Subject: RE: Feature Film Production Investment February Round of Applications
Date: Friday, 15 December 2023 2:08:45 p.m.
Attachments: [image001.png](#)
[image002.jpg](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.jpg](#)

Kia ora koutou

The LBA review of *Untitled PBK + JP Project* can be found in the Internal Assessment folder here:

[LBA board application review - Untitled PBK + JP Project.docx](#)

LBA Board application review withheld under s9(2)(h)

Please let me know if you have any questions.

Ngā mihi

Zoë

From: Stella Inkpen <stella.inkpen@nzfilm.co.nz>

Sent: Thursday, December 7, 2023 11:17 AM

To: Bevin Linkhorn <bevin.linkhorn@nzfilm.co.nz>; Christina Andreef <christina.andreef@nzfilm.co.nz>; Joel Rudolph <joel.rudolph@nzfilm.co.nz>; Johanna Smith <johanna.smith@nzfilm.co.nz>; Karen Te O Kahurangi Waaka <karen.waaka@nzfilm.co.nz>; Kathryn Graham <kathryn.graham@nzfilm.co.nz>; Leanne Saunders <leanne.saunders@nzfilm.co.nz>; Nkhaya Paulsen-More <nkhaya.paulsen-more@nzfilm.co.nz>; Olivier Leroy <olivier.leroy@nzfilm.co.nz>; Rosie Hole <rosie.hole@nzfilm.co.nz>; Stella Inkpen <stella.inkpen@nzfilm.co.nz>; Bonnie Mahon <bonnie.mahon@nzfilm.co.nz>; Katie Baker <katie.baker@nzfilm.co.nz>; Marion Heppner <marion.heppner@nzfilm.co.nz>; Rochelle Cooney <rochelle.cooney@nzfilm.co.nz>; Zoë Vaunois <zoe.vaunois@nzfilm.co.nz>; Jasmin McSweeney <jasmin.mcsweeney@nzfilm.co.nz>; Amanda Heatley <amanda.heatley@nzfilm.co.nz>; Chris Payne <chris.payne@nzfilm.co.nz>

Cc: Annie Murray <annie.murray@nzfilm.co.nz>

Subject: Feature Film Production Investment February Round of Applications

Kia ora koutou,

We received six feature film production investment applications at the recent FFPI deadline. One has since withdrawn and two have been deemed ineligible so there are three projects to assess.

Our Bullet Points hui is scheduled for **Monday 18 December** – please could we have all assessments by then.

Here are the links to the application folders & Bullet Point documents.

Out of scope

Out of scope

The Untitled PBK and JP Project | NZFC Ask: \$ 800,000

[Kleyn Grants](#)

[Screen Projects](#)

[Bullet Points Feb 2024 \[THE UNTITLED PBK AND JP PROJECT\].docx](#)

Ngā mihi,

Stella Inkpen (She/Her) | Development & Production Team Administrator

New Zealand Film Commission | Te Tumu Whakaata Taonga

Level 3, 119 Ghuznee St, Wellington 6011 | PO Box 11546, Manners Street, Wellington 6142

s9(2)(a)

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20 December 2023

Email: Emma Slade s9(2)(a)
Cc: Olivier Leroy

Tēnā koe Emma,

Re: THE UNTITLED PBK AND JP PROJECT – Production Financing Application

The upcoming filmmaker meeting is for the purpose of providing feedback and discussion on the issues raised in this letter. We will advise you on next steps including the likelihood of recommendation to the Board. We remind you we cannot accept any unsolicited documentation.

(NZFC G/L's) Is the documentary treatment production-ready?

s9(2)(b)(ii), s9(2)(ba)

(NZFC G/L's) Viable finance plan and recoupment schedule.

s9(2)(b)(ii), s9(2)(ba)

(NZFC G/L's) the Production budget must be achievable within the proposed methodology.

s9(2)(b)(ii), s9(2)(ba)

(NZFC G/L's) Audience engagement plan and market partners

s9(2)(b)(ii), s9(2)(ba)

Additional issues:

(NZFC G/L's) Details of the key personnel attached to the film.

s9(2)(b)(ii), s9(2)(ba)

(ToT): The producer must have all underlying rights necessary to make and exploit the film.

We note that the project previously received NZFC Boost slate funding (\$5,000) **Out of scope**

We have attached as an appendix, further issues noted. There will no doubt be other areas that will come up in the meeting and we are equally happy for you to bring your own questions and/or concerns to the discussion.

Looking forward to seeing you.

Ngā mihi,



Leanne Saunderson
Head of Development and Production

APPENDIX

s9(2)(b)(ii)

From: [Leanne Saunders](#)
To: [Jasmin McSweeney](#); [Olivier Leroy](#); [Rosie Hole](#); [Christina Andreef](#); [Joel Rudolph](#); [Chris Payne](#); [Marion Heppner](#); [Zoë Vaunois](#); [Amanda Heatley](#); [Johanna Smith](#); [Karen Te O Kahurangi Waaka](#); [Kathryn Graham](#); [Bonnie Mahon](#); [Annie Murray](#)
Subject: RE: Filmmaker Meeting Minutes - UNTITLED PBK & JP PROJECT
Date: Friday, 12 January 2024 4:38:55 p.m.
Attachments: [image001.jpg](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image009.png](#)
[image010.jpg](#)
[image011.png](#)
[image012.png](#)
[image002.jpg](#)
[image003.jpg](#)

Thanks Jas

We will leave you off the emails for upcoming round projects.

From: Jasmin McSweeney <jasmin.mcsweeney@nzfilm.co.nz>
Sent: Friday, January 12, 2024 4:11 PM
To: Olivier Leroy <olivier.leroy@nzfilm.co.nz>; Rosie Hole <rosie.hole@nzfilm.co.nz>; Christina Andreef <christina.andreef@nzfilm.co.nz>; Joel Rudolph <joel.rudolph@nzfilm.co.nz>; Chris Payne <chris.payne@nzfilm.co.nz>; Marion Heppner <marion.heppner@nzfilm.co.nz>; Zoë Vaunois <zoe.vaunois@nzfilm.co.nz>; Amanda Heatley <amanda.heatley@nzfilm.co.nz>; Johanna Smith <johanna.smith@nzfilm.co.nz>; Karen Te O Kahurangi Waaka <karen.waaka@nzfilm.co.nz>; Kathryn Graham <kathryn.graham@nzfilm.co.nz>; Bonnie Mahon <bonnie.mahon@nzfilm.co.nz>; Annie Murray <annie.murray@nzfilm.co.nz>
Cc: Leanne Saunders <leanne.saunders@nzfilm.co.nz>
Subject: RE: Filmmaker Meeting Minutes - UNTITLED PBK & JP PROJECT

FYI – I am not reviewing any of these applications or the filmmaker meeting minutes etc, as I don't think it is appropriate for me to do so. I depart the NZFC on Jan 26th and start my new role at Umbrella Ent as Head of Sales & Acquisitions (NZ) on Feb 5th.

Cheers

Jasmin McSweeney | Head of Marketing (she/her)

Te Tumu Whakaata Taonga | New Zealand Film Commission

Level 3 | 119 Ghuznee St, Wellington 6011 | PO Box 11546, Manners Street, Wellington 6142

s9(2)(a)

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From: Olivier Leroy <olivier.leroy@nzfilm.co.nz>
Sent: Friday, January 12, 2024 3:52 PM
To: Rosie Hole <rosie.hole@nzfilm.co.nz>; Christina Andreef <christina.andreef@nzfilm.co.nz>; Joel Rudolph <joel.rudolph@nzfilm.co.nz>; Chris Payne <chris.payne@nzfilm.co.nz>; Marion Heppner <marion.heppner@nzfilm.co.nz>; Zoë Vaunois <zoe.vaunois@nzfilm.co.nz>; Jasmin McSweeney <jasmin.mcsweeney@nzfilm.co.nz>; Amanda Heatley <amanda.heatley@nzfilm.co.nz>; Johanna Smith <johanna.smith@nzfilm.co.nz>; Karen Te O Kahurangi Waaka <karen.waaka@nzfilm.co.nz>; Kathryn Graham <kathryn.graham@nzfilm.co.nz>; Bonnie Mahon <bonnie.mahon@nzfilm.co.nz>; Annie Murray <annie.murray@nzfilm.co.nz>
Cc: Leanne Saunders <leanne.saunders@nzfilm.co.nz>
Subject: Filmmaker Meeting Minutes - UNTITLED PBK & JP PROJECT

Kia ora koutou,

Here is a link to the filmmaker meeting minutes for UNTITLED PBK & JP PROJECT: ☐
[Filmmaker Meeting Minutes \[THE UNTITLED PBK AND JP PROJECT\].pdf](#)

Out of Scope

Ngā mihi,

Olivier LEROY (he/him) / Investment Executive

New Zealand Film Commission | Te Tumu Whakaata Taonga

Level 3, 119 Ghuznee St, Wellington 6011 | PO Box 11546, Manners Street, Wellington 6142

s9(2)(a)

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From: Rosie Hole <rosie.hole@nzfilm.co.nz>
Sent: Thursday, January 11, 2024 2:05 PM
To: Christina Andreef <christina.andreef@nzfilm.co.nz>; Joel Rudolph <joel.rudolph@nzfilm.co.nz>; Chris Payne <chris.payne@nzfilm.co.nz>; Marion Heppner <marion.heppner@nzfilm.co.nz>; Zoë Vaunois <zoe.vaunois@nzfilm.co.nz>; Jasmin McSweeney <jasmin.mcsweeney@nzfilm.co.nz>; Amanda Heatley <amanda.heatley@nzfilm.co.nz>; Johanna Smith <johanna.smith@nzfilm.co.nz>; Karen Te O Kahurangi Waaka <karen.waaka@nzfilm.co.nz>; Kathryn Graham <kathryn.graham@nzfilm.co.nz>; Bonnie Mahon <bonnie.mahon@nzfilm.co.nz>; Annie Murray <annie.murray@nzfilm.co.nz>
Cc: Leanne Saunders <leanne.saunders@nzfilm.co.nz>; Olivier Leroy <olivier.leroy@nzfilm.co.nz>
Subject: Filmmaker Meeting Minutes - TENZING

Kia ora koutou,

Out of Scope

The other two meetings, for UNTITLED PBK & JP PROJECT and [redacted] are scheduled for Friday and Monday respectively so minutes for those will follow shortly after.

Ngā mihi,

Rosie Hole ([She/Her](#)) | Investment Executive

New Zealand Film Commission | Te Tumu Whakaata Taonga

Level 3, 119 Ghuznee St, Wellington 6011 | PO Box 11546, Manners Street, Wellington 6142

s9(2)(a)

[redacted]

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THE UNTITLED PBK AND JP PROJECT
DOCUMENTARY FEATURE
Production financing Application: FEBRUARY 2024

Producers	Emma Slade (Lead), Cynthia Wade (EP)	Genre	Documentary
Writer	Pietra BrettKelly, Justin Pemberton	Proposed start of principal photography	s9(2)(b)(ii), s9(2)(ba)
Director	Pietra BrettKelly, Justin Pemberton	Proposed date of NZ release	
Total proposed budget	\$3,200,000	Domestic Distributor	
NZFC finance request	\$ 800,000	Sales Agent	
NZFC finance to date	\$ 5,000 (Boost, Out of Scope)	Attached material	

CREATIVE OVERVIEW:

Full creative assessment in Appendix 1

Logline: A social excavation of the rise and fall of the young female leader, Jacinda Ardern, exploring how the mania that propelled her rise later collided with a backlash of hate, told through a bold mash-up of media, peer and personal archive.

- s9(2)(b)(ii), s9(2)(ba), s9(2)(g)
-
-
-

• s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

ORIGINAL FILMED MATERIAL

• s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

Is the film culturally significant?

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

Rautaki considerations N/A

DEVELOPMENT HISTORY:

Direct (NZFC FUND) Funding): No direct NZFC development funds. s9(2)(b)(ii)

Devolved: Notable business/slate market pathways

- \$5,000 awarded to this project in the 2023 Boost slate funding, Out of Scope

Does it have NZ content according to NZFC Act? (subject, intended locations, ownership, IP, financing, service providers etc)

- Yes.

International Relations

- Pietra Brett Kelly supported to attend Cannes 2023 via PITF, with this project as a slate project.
- Pietra Brett Kelly supported to attend Venice Gap-Financing Market 2023, with this project in official selection by VGFM.

KEY CREATIVES & CAST/TALENT:

Credits/bios for key creatives and cast/talent in Appendix 2

Meets criteria: YES

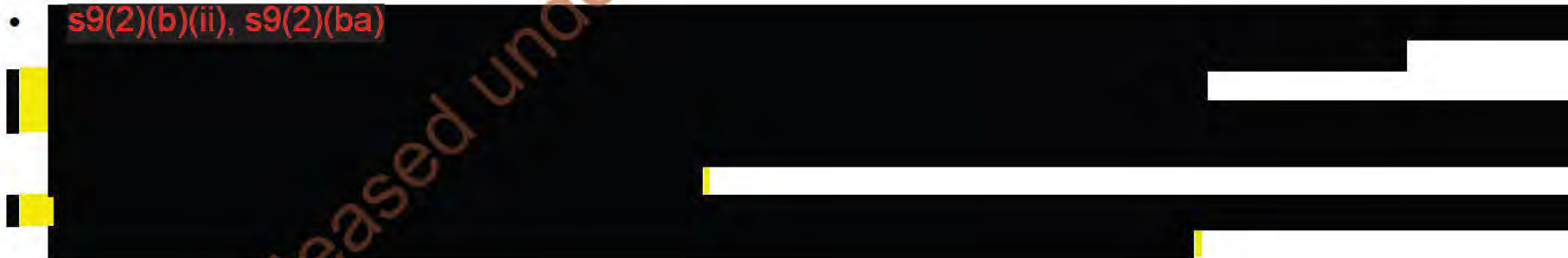
If YES, identify key successes:

- Director Pietra Brett Kelly: *Yellow is Forbidden, A Flickering Truth*
- Director Justin Pemberton: *Capital in the 21st Century, Chasing Great*
- Producer Emma Slade: *Mister Organ*
- Impact Producer: Anna Dean: *What We Do In The Shadows*

Key cast New Zealanders?: YES (see appendix)

CHAIN OF TITLES:

- s9(2)(b)(ii), s9(2)(ba)



FINANCE PLAN – RECOUPMENT STRUCTURE:

Full assessment and/or LBA review in *Appendix 3*

Source	Detail	Type	Amount	% Total	Confirmed	Position
Government Funding						
NZFC	Production Financing	Equity	\$ 800,000	25.0%	Pending	
NZFC Development	Boost Out of Scope)	Producer Equity	\$ 5,000	0.2%	Confirmed	
s9(2)(b)(ii), s9(2)(ba)	NZSPR (bonded)	Producer Equity	s9(2)(b)(ii), s9(2)(ba)			
	NZSPR (unbonded)	Producer Equity				
TOTAL Govt			\$			
Non-government funding						
s9(2)(b)(ii), s9(2)(ba)						
	TOTAL		\$ 3,200,000	100.0%		

Key risks:

• s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

AUDIENCE ENGAGEMENT PLAN:

Full market deal summaries (or LBA summary) in Appendix 4

Target Market	s9(2)(b)(ii), s9(2)(ba)		
Positioning			
Comps (NZFC assessment)			
Comps – provided by filmmakers			
ANZ Distribution		Projected Box Office NZ (supplied by producer)	

Int Sales Agent	s9(2)(b)(ii), s9(2)(ba)		
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Market risks and opportunities:

- [REDACTED]
- [REDACTED]
- [REDACTED]

SCHEDULE & BUDGET – RISKS:

Full budget and schedule grids in Appendix 5

Key risks budget:

H&S – NZFC expectations are met	s9(2)(b)(ii), s9(2)(ba)	
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Key risks Schedule:

Commence Close – min 4 wks from Board Meeting: 14 Mar 24	s9(2)(b)(ii), s9(2)(ba)	
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EXTERNAL ASSESSOR SUMMARIES

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)



[REDACTED]

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APPENDICES

APPENDIX 1

Creative Assessments

The NZFC is primarily interested in funding narrative feature films which are intended to be screened theatrically and are not less than 80 minutes in length.

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

APPENDIX 2

Above \$1 million, Producers and Directors will need a proven track-record in producing feature films, short films, high-end television drama and/or commercials.

For lower budget films, producers and directors may have less experience, but at least have a proven track-record in short films, television drama and/or commercials.

Creative Team

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

<u>Pietra BrettKelly – Director</u>	<i>Yellow is Forbidden (2018), A Flickering Truth (2015), Maori Boy Genius (2011)</i>
<u>Justin Pemberton – Director</u>	<i>Capital in the 21st Century (2019), I Spy (With My Five Eyes) (2016), Chasing Great (2016)</i>
<u>Emma Slade – Producer (Lead)</u>	<i>Bookworm (year), Uproar (2023), Mister Organ (2022), Nude Tuesday (2022), The Justice of Bunny King (2021)</i>
<u>Anna Dean – Impact Producer</u>	Unit publicist/marketing consultant <i>Kōkā</i> (2024) Impact producer <i>Muru</i> (2022), <i>The Climate Canary</i>

	Impact consultant <i>We Were Dangerous</i> , <i>The Moon is Upside Down</i> (2024), <i>Millie Lies Low</i> (2021)
No other Producers listed formally	

APPENDIX 3 – Financing documents:

Source	Detail	Type	Amount	% Total	Confirmed	Position
Government Funding						
NZFC	Production Financing	Equity	\$ 800,000	25.0%	Pending	
NZFC Development	Boost	Producer Equity	\$ 5,000	0.2%	Confirmed	
s9(2)(b)(ii), s9(2)(ba)	NZSPR (bonded)	Producer Equity	s9(2)(b)(ii), s9(2)(ba)			
)	NZSPR (unbonded)	Producer Equity				
TOTAL Govt						
Non-government funding						
s9(2)(b)(ii), s9(2)(ba)						
TOTAL Non-govt						
TOTAL			\$ 3,200,000	100.0%		

- NZSPR:

-

s9(2)(b)(ii), s9(2)(ba)

-

Released under the Official Information Act

•

[REDACTED]

•

[REDACTED]

Released under the Official Information Act

Released under the Official Information Act

Released under the Official Information Act

- [REDACTED]
- [REDACTED]
- [REDACTED]

APPENDIX 4 – Market partner deal summaries:

- [REDACTED]

- Official Information Act

BUDGET

Total Budget	3,200,000
s9(2)(b)(ii), s9(2)(ba)	

	Y/N	Notes for discussion
2)(ba) [REDACTED]		
Can reflect full NZFC y (All loans / grants in systems) down by individual grant? with waivers? Waiver letters? ucer Equity in Finance Plan?	Y	0201 Boost 2023 - Out of scope [REDACTED] - Market Materials

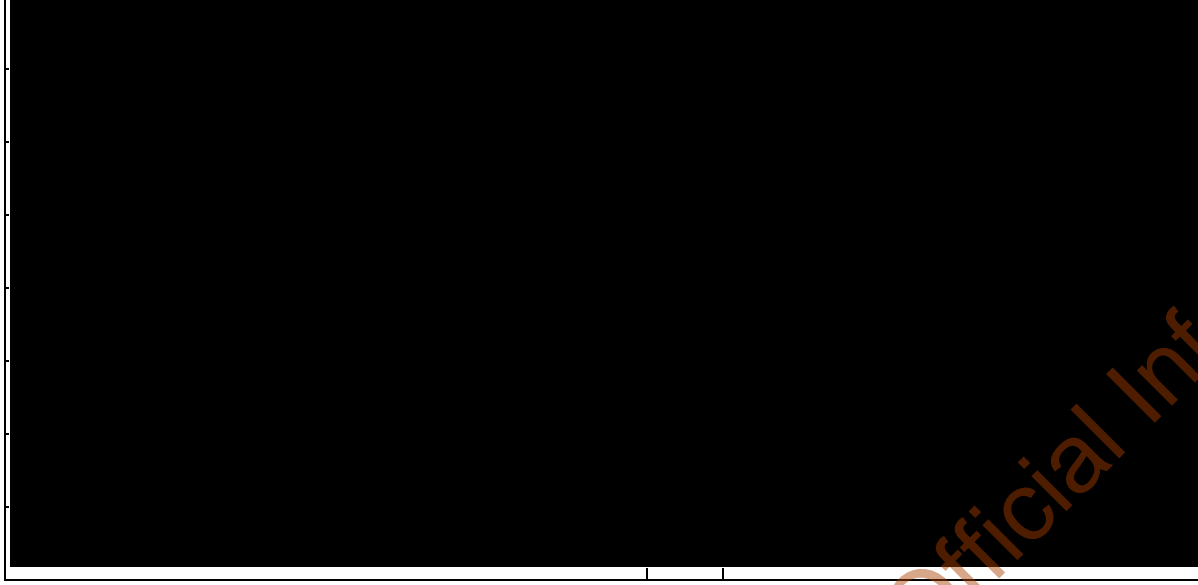
	Y/N	Notes for discussion
2)(ba) [REDACTED]		
Can reflect full NZFC y (All loans / grants in systems) down by individual grant? with waivers? Waiver letters? ucer Equity in Finance Plan?	Y	0201 Boost 2023 - Out of scope [REDACTED] - Market Materials

Overview

s9(2)(b)(ii), s9(2)(ba)

INVESTOR MATERIALS CHECKLIST

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Project: UNTITLED PBK AND JP PROJECT	Board round : FEB 2024
Status (Eligible / Ineligible): ELIGIBLE	Fiction/doco: DOCO

24 Hour Info Request

NZFC History / COI		Assigned to: MH / JR
Development investment to date	Yes	Reflected in budget and finance plan Boost \$5,000 Out of scope
Outstanding reports or deliverables	s9(2)(b)(ii)	

Creative Material	Assigned to: MH / JR
Viable script or treatment (first pass)	s9(2)(b)(ii)

Team including CoT		Assigned to: RH / OL / JI
Director and Producer relevant level of experience	s9(2)(b)(ii)	Emma Slade – Lead Producer Micah Winiata – Assoc Producer Cynthia Wade – EP Anna Dean – Impact Producer Pietra BrettKelly - Director Justin Pemberton - Director
Proposed key cast / documentary subjects		

Finance plan IS / NOT contingent on creative key talent	s9(2)(b)(ii)	
CoT documentation		

Finance Plan		Assigned to: RH / OL / JI
Viable finance plan	s9(2)(b)(ii)	
Recoupment structure fit for purpose		
NZSPG Provisional Certification - timeline		
Waiver request		
NZ Distribution letter		
Sales Agent Letter		
NZ Broadcaster		
Bond Letter		
Supporting Document from Int distributors		

Audience Engagement Plan		Assigned to: RH / OL / JI
Engagement plan - screens	s9(2)(b)(ii)	
Market partner sign off		

Budget and Schedule		Assigned to: RH / OL / JI
Budget matches finance plan	s9(2)(b)(ii)	
Viable production schedule		
Post-production quote		

Tahua – note any red flags from intro section here		Assigned to: MH / JR
		[Any notes]

**The Untitled PBK and JP Project****11.1**

For Approval

TV Content: Yes ☒ No ☐ If yes, which platform? TVNZ

COIs: Alastair Carruthers has an existing relationship with key subject Jacinda Ardern / s9(2)(b)(ii) Emma Sade is Lead Producer of *Bookworm*, a NZFC funded project with Ant Timpson; and is Lead Producer of *Uproar*, a NZFC funded project with Sandra Kailahi.

Producer/s	Emma Slade (Lead), Roxi Bull, Victoria Dabbs, Cynthia Wade (EP)	Genre	Documentary
Writer/s	Pietra Brett Kelly, Justin Pemberton	Proposed start of principal photography	s9(2)(b)(ii), s9(2)(ba)
Director	Pietra Brett Kelly, Justin Pemberton	Proposed date of NZ release	
Total proposed budget	\$3,200,000	Domestic Distributor	
NZFC finance request	\$ 800,000	Sales Agent	
NZFC finance to date	\$ 5,000 (Boost Out of scope)	Attached material s9(2)(b)(ii), s9(2)(ba)	
NZ content? (as per NZFC Act)	Yes		

1. **Logline:** A social excavation of the rise and fall of the young female leader, Jacinda Ardern, exploring how the mania that propelled her rise later collided with a backlash of hate, told through a bold mash-up of media, peer, and personal archive.

Executive summary

2. s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

3. [REDACTED]

Recommendation

IT IS RECOMMENDED THAT the Board APPROVE:

A: The NZFC making a conditional offer of equity investment of up to \$800,000 to *The Untitled PBK And JP Project* (the Film) in addition to previously committed NZFC development funding of \$5,000, subject to the NZFC's Terms of Trade, the New Zealand Film Commission Act 1978, Production Funding Guidelines, Te Rautaki Māori, and the following exceptional conditions:

1. [REDACTED] s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

B: Delegating authority to the Head of Development and Production, at their discretion, to waive any requirement(s) set out in the NZFC's Terms of Trade and Production Funding Guidelines, provided they are satisfied that there are exceptional and/or acceptable circumstances which warrant diverging from the requirement(s), in each instance.

Outcomes - these will be incorporated into the Conditional Offer Letter [REDACTED] s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

7. Activate high impact, authentic and culturally significant stories: [REDACTED]
8. Sustain and strengthen economic growth for our thriving film industry: [REDACTED]
9. Facilitate dynamic pathways for outstanding people, projects, and businesses: [REDACTED]

10. Maximise interest and audiences for New Zealand screen stories here and overseas:

11. Build and maintain stakeholder relationships to generate excellence in partnerships:

Creative Overview

Synopsis

12. From the application:

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

13. Note – NO SURPRISES BASIS: A

Project History

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

16. [REDACTED]

[REDACTED]

Creative

18. [REDACTED]
s9(2)(b)(ii), s9(2)(ba), s9(2)(g)
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

i [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b. Factors mitigating risks:

(i) [REDACTED] s9(2)(b)(ii), s9(2)(ba), s9(2)(g) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(v)

Chain of Title - Risks

23.

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

Creative Team

<u>Pietra Brett Kelly – Writer/Director</u>	<i>Yellow is Forbidden</i> (2018), <i>A Flickering Truth</i> (2015), <i>Māori Boy Genius</i> (2011)
<u>Justin Pemberton - Writer/Director</u>	<i>Capital in the 21st Century</i> (2019), <i>I Spy (With My Five Eyes)</i> (2016), <i>Chasing Great</i> (2016)
<u>Emma Slade – Producer (Lead)</u>	<i>Bookworm</i> (2024), <i>Uproar</i> (2023), <i>Mister Organ</i> (2022), <i>Nude Tuesday</i> (2022), <i>The Justice of Bunny King</i> (2021)
<u>Cynthia Wade – Executive Producer</u>	<i>Oscar- and Emmy-award winning documentary director - The Flagmaker</i> (2023), <i>Gutsy</i> (TV 2022)
<u>Anna Dean – Impact Producer</u>	Unit publicist/marketing consultant <i>Kōkā</i> (2024) Impact producer <i>Muru</i> (2022), <i>The Climate Canary</i> (TBC) Impact consultant <i>We Were Dangerous</i> (2024), <i>The Moon is Upside Down</i> (2024), <i>Millie Lies Low</i> (2021)

Key Cast/Talent

27.

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)


Budget and Schedule

Budget	above-the-line	below-the-line	Indirects	Contingency	Bond
\$3,200,000	s9(2)(b)(ii), s9(2)(ba)				

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

External Assessments

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)



[Redacted]

Market & Finance Overview

Target Market	s9(2)(b)(ii), s9(2)(ba) [Redacted]		
Positioning			
Comps - NZFC assessment			
Comps – provided by filmmakers			
ANZ Distribution			
[Redacted]	[Redacted]		
Int Sales Agent			
		Projected Box Office NZ	[Redacted]
		Asks / Takes [Redacted]	

Risks:

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)
[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Finance Plan & Recoupment:

Source	Detail	Type	Amount	% Total	Confirmed	Position
Government Funding						
NZFC	Production Financing	Equity	\$800,000	25.00%	Pending	s9(2)(b)(ii), s9(2)(ba)
NZFC Development	Boost	Producer Equity	\$5,000	0.20%	Confirmed	
s9(2)(b)(ii), s9(2)(ba)	NZSPR (bonded)	Producer Equity				
	NZSPR (unbonded)	Producer Equity				
TOTAL Govt						
Non-government funding						
s9(2)(b)(ii), s9(2)(ba)						
TOTAL Non-govt						
	TOTAL		\$3,200,000	100.00%		

Risks:

38.

s9(2)(b)(ii), s9(2)(ba), s9(2)(g)

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Minutes from NZFC Board Meeting 14 and 15 February 2024

THE UNTITLED PBK AND JP PROJECT

COI: A Carruthers has a personal relationship with key subject of the documentary Jacinda Ardern. s9(2)(b)(ii)

Noted: S Kailahi has a recent working relationship (*Uproar*) with Lead Producer, Emma Slade.

A Carruthers left the meeting for this discussion.

The Board discussed the risk factors associated with the project. The risk of an injunction from the documentary's subject Jacinda Ardern was deemed low. Filmmakers have also advised J Ardern's endorsement is not required, and they will not be seeking her assistance with publicity (i.e. Q&As).

The Board discussed the political risk. Mitigating factors are that J Ardern remains uninvolved and the focus of the documentary is on social media vitriol and extreme environment. T s9(2)(b)(ii), s9(2)(g)

A positive decision on the application will be published in the newsletter and a No Surprises notification will be sent to the Minister.

C Payne noted involvement in the project of Impact Producer Anna Dean, who has previously worked with the Green Party and Mayor of Wellington Justin Lester (Labour).

After discussion, the Board **RESOLVED** to **APPROVE**:

- A: The NZFC making a conditional offer of equity investment of up to \$800,000 to *The Untitled PBK And JP Project* (the Film) in addition to previously committed NZFC development funding of \$5,000, subject to the NZFC's Terms of Trade, the New Zealand Film Commission Act 1978, Production Funding Guidelines, Te Rautaki Māori, and the following exceptional conditions:

s9(2)(b)(ii)

- B: Delegating authority to the Head of Development and Production, at their discretion, to waive any requirement(s) set out in the NZFC's Terms of Trade and Production Funding Guidelines, provided they are satisfied that there are exceptional and/or acceptable circumstances which warrant diverging from the requirement(s), in each instance.

A Carruthers rejoined the meeting.