



New Zealand  
FILM COMMISSION



Te Tumu Whakaata Taonga

19 August 2024

[REDACTED]

[REDACTED]

[REDACTED]

### 23 JULY 2024: OFFICIAL INFORMATION ACT REQUEST

In your email dated 23 July 2024 you requested the following information under the Official Information Act 1982 (OIA):

1. *I am urgently seeking, under the terms of the above Act, all internal and external correspondence, documents, and other material that the NZ Film Commission holds in relation to the US TV reality series Race to Survive: New Zealand.*

*Correspondence includes but is not limited to memoranda, emails, and social media platform messages (including Facebook Messenger and WhatsApp messages).*

*My request includes documents in relation to any SPR application involving the show.*

*My request also includes any documents in relation to any NZFC help or assistance offered to the show's producers.*

*My request also includes all messages and emails about my (and any other) media request in relation to the show.*

Information in relation to your request is attached at **Appendix 1**. Certain information has been redacted or withheld in full where one of the withholding grounds under the OIA applies, in which case the specific ground is noted by the redaction.

We will be publishing this letter (with your personal information removed) and **Appendix 1** on the NZFC website.

Please be aware that you have the right, by way of complaint to an Ombudsman under section 28(3) of the OIA to seek an investigation and review of our response.

Yours sincerely

*Tayla Hancock*

Tayla Hancock  
Senior Advisor, Policy and Performance  
New Zealand Film Commission

**From:** [Philippa Mossman](#)  
**To:** [Leah Macmillan](#)  
**Cc:** [Jane Simons](#); [Jacqui Wood](#); [Mel Read](#); [Tom Kelly](#); [Catherine Bates](#)  
**Subject:** RE: new registration coming  
**Date:** Tuesday, 12 September 2023 4:56:29 p.m.  
**Attachments:** [image001.jpg](#)  
[image003.jpg](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.jpg](#)  
[image010.jpg](#)  
[image011.jpg](#)  
[image012.jpg](#)

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Thanks Leah. The QNZPE is bigger than we'd thought as an estimate, happy to see that.

Philippa Mossman  
NZFC

s9(2)(a)

---

**From:** Leah Macmillan <leah.macmillan@nzfilm.co.nz>  
**Sent:** Tuesday, September 12, 2023 4:51 PM  
**To:** Philippa Mossman <philippa.mossman@nzfilm.co.nz>  
**Cc:** Jane Simons <jane.simons@nzfilm.co.nz>; Jacqui Wood <jacqui.wood@nzfilm.co.nz>; Mel Read <mel.read@nzfilm.co.nz>; Tom Kelly <tom.kelly@nzfilm.co.nz>; Catherine Bates <catherine.bates@nzfilm.co.nz>  
**Subject:** RE: new registration coming

Sure thing.

QNZPE: s9(2)(b)(ii)

Start of Principal Photography: **9 Oct 2023**

Completion of Principal photography: **24 Nov 23**

Completion of production: **6 July 24**

Estimated total crew: **118 (excl Producers, Post & US based)**

Estimated NZ crew: **90**

Kindly,

**Leah Macmillan | Incentives Coordinator**

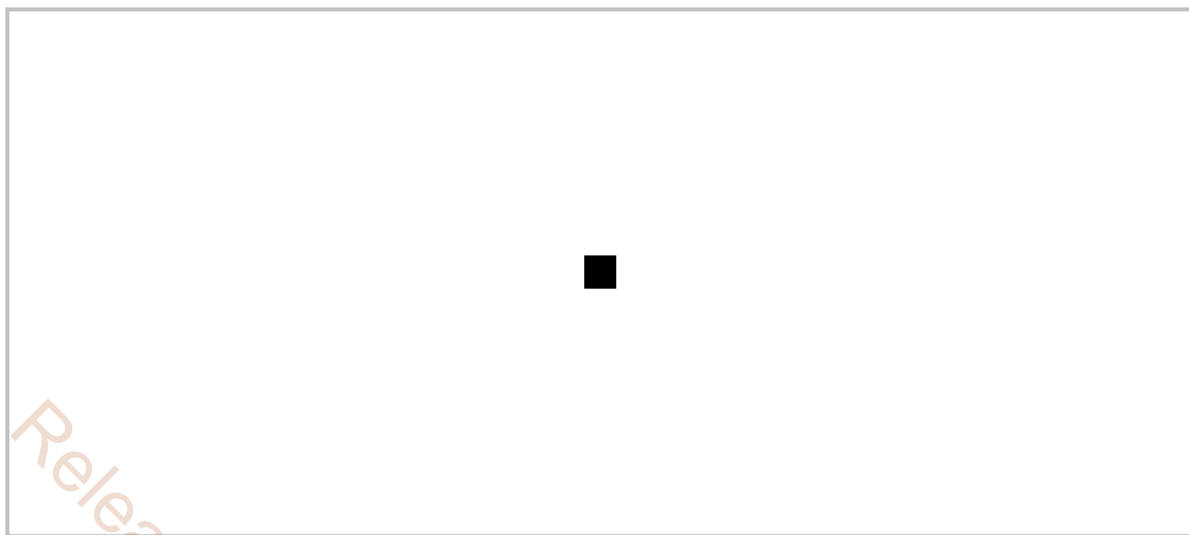
New Zealand Film Commission | Te Tumu Whakaata Taonga

Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland 1010

**M:** s9(2)(a)

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**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>

**Sent:** Tuesday, September 12, 2023 4:39 PM

**To:** Leah Macmillan <[leah.macmillan@nzfilm.co.nz](mailto:leah.macmillan@nzfilm.co.nz)>

**Cc:** Jane Simons <[jane.simons@nzfilm.co.nz](mailto:jane.simons@nzfilm.co.nz)>; Jacqui Wood <[jacqui.wood@nzfilm.co.nz](mailto:jacqui.wood@nzfilm.co.nz)>; Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)>; Tom Kelly <[tom.kelly@nzfilm.co.nz](mailto:tom.kelly@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>

**Subject:** Re: new registration coming

Thanks Leah, great!

If you could confirm the est budget and the production dates provided please. And the crew numbers!

P

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---

**From:** Leah Macmillan <[leah.macmillan@nzfilm.co.nz](mailto:leah.macmillan@nzfilm.co.nz)>

**Sent:** Tuesday, September 12, 2023 4:36:39 PM

**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>

**Cc:** Jane Simons <[jane.simons@nzfilm.co.nz](mailto:jane.simons@nzfilm.co.nz)>; Jacqui Wood <[jacqui.wood@nzfilm.co.nz](mailto:jacqui.wood@nzfilm.co.nz)>; Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)>; Tom Kelly <[tom.kelly@nzfilm.co.nz](mailto:tom.kelly@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>

**Subject:** RE: new registration coming

Hi Philippa,

Just letting you know we have received the registration for *Race to Survive: Season 2*.

Kindly,

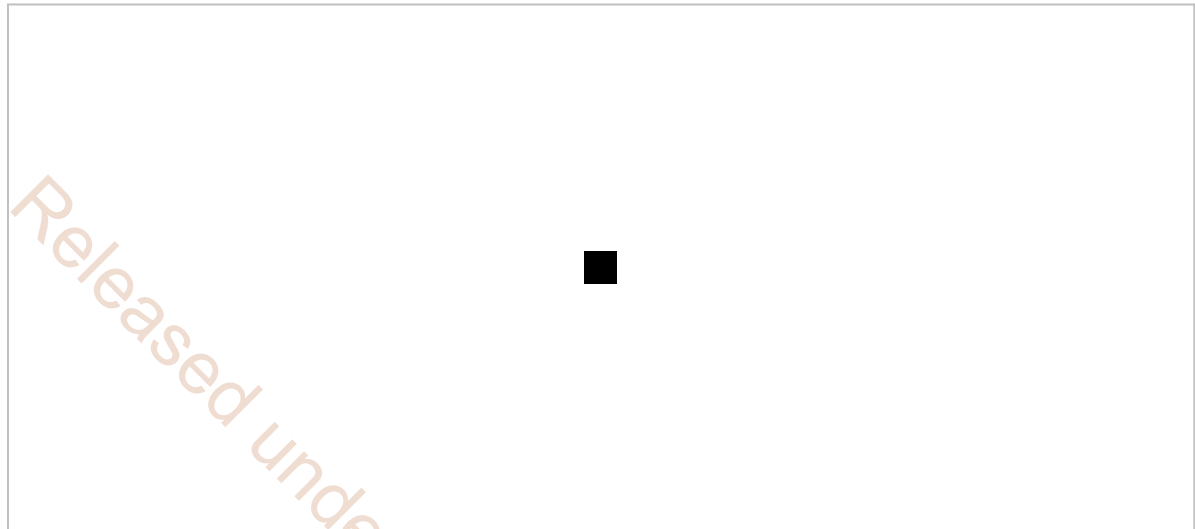
**Leah Macmillan | Incentives Coordinator**

New Zealand Film Commission | Te Tumu Whakaata Taonga

Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland 1010

M: s9(2)(a)

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**From:** Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)>

**Sent:** Tuesday, September 12, 2023 2:06 PM

**To:** Leah Macmillan <[leah.macmillan@nzfilm.co.nz](mailto:leah.macmillan@nzfilm.co.nz)>

**Subject:** FW: new registration coming

Hiya – can you make a note to let the attractions team know when this registration comes in?  
Thx

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>

**Sent:** Friday, September 8, 2023 9:17 AM

**To:** Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)>; Tom Kelly <[tom.kelly@nzfilm.co.nz](mailto:tom.kelly@nzfilm.co.nz)>

**Cc:** Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>; Jacqui Wood <[jacqui.wood@nzfilm.co.nz](mailto:jacqui.wood@nzfilm.co.nz)>

**Subject:** new registration coming

Hi Mel and Tom

Quick mention that you can expect a new SPR registration soon, before early Oct at any rate as this is when filming starts.

- SPV is RTS Aotearoa Ltd. (US production entity is Original Productions, a Fremantle company)
- *Race to Survive s2*
- spend est NZ\$ s9(2)(b)(ii)
- est 100+ NZ crew

S1 was shot in Alaska <https://tv.apple.com/us/show/race-to-survive-alaska/umc.cmc.6hhegnm8mcacwnxfalzclqomh>

If you wouldn't mind letting us know when it's in, that would be brill.

Philippa

Philippa Mossman | Head of International Attraction (she/her)

**New Zealand Film Commission | Te Tumu Whakaata Taonga**

Upper Ground Floor, Kauri Timber Building, 29 Graham Street, Auckland 1010

PO Box 11546, Manners Street, Wellington 6142

s9(2)(a)

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**From:** [Janine Dickins](#)  
**To:** [Mel Read](#)  
**Cc:** [Leah Macmillan](#); [Tom Kelly](#); [Kiriana Burke](#); [Gregory Vanger](#); [Amanda Pain](#); [Amy Yates](#)  
**Subject:** Registration: Race to Survive Season 2  
**Date:** Tuesday, 12 September 2023 4:07:46 p.m.  
**Attachments:** [Race to Survive S2 Registration.docx](#)

---

Kia ora Mel,

I've attached the Registration form for Race to Survive: Aotearoa: a US reality show being serviced by Pango Productions.

Please let me or Kiriana Burke know if you have any questions.

Ngā mihi  
Janine

s9(2)(a)

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## Registration Form:

### New Zealand Screen Production Grant - International Productions & PDV

**PLEASE NOTE:** This form **must** be submitted within the relevant timeframe as per **Clause 26** of the Criteria. Productions that do not register within the relevant timeframe **will not be eligible** for the NZSPG.

This registration form should be read in conjunction with the [NZSPG Criteria for International Productions dated 1 July 2017 \(Updated 2019\)](#). Capitalised terms used in this application form have the definitions set out in Appendix 1 of the criteria. Applicants who wish to apply for a New Zealand Grant should complete the [registration form for New Zealand Productions](#) and **not** this form. Please send the completed form to [nzspg@nzfilm.co.nz](mailto:nzspg@nzfilm.co.nz).

Applicants must inform the NZFC in writing as soon as practicable if, after submitting this registration form, the estimated QNZPE for the production changes by NZ\$10 million or more.

Section 1	Applicant Information
Full name of applicant entity (registered name, if known): <b>RTS AOTEAROA LIMITED</b>	
US Company: <b>Original Productions</b>	
Contact person: <b>Kiriana Burke</b> Role of contact person: <b>Financial Executive</b>	Business phone: <b>N/A</b> Mobile phone: <b>s9(2)(a)</b> Email: <b>s9(2)(a)</b>
Date registration form submitted: <b>12 September 2023</b>	
Section 2	Production Information
Title of Production: <b>RACE TO SURVIVE: AOTEAROA</b>	
Working title(s): <b>RACE TO SURVIVE: SEASON 2</b>	
Type of production (i.e., feature film, television or other non-feature film): <b>Television Reality Series</b>	
Producer(s): <b>Jeff Conroy and others</b>	
Director(s): <b>Various US</b>	
Writer(s): <b>N/A</b>	
<b>QNZPE</b>	
Estimated Qualifying New Zealand Production Expenditure: <b>s9(2)(b)(ii)</b>	
<b>Estimated Dates</b>	
<b>INTERNATIONAL GRANT</b>	
Date of first day of official pre-production: <b>26 June 2023</b>	
Date of commencement of Principal Photography in New Zealand: <b>09 October 2023</b>	
Date of completion of Principal Photography in New Zealand: <b>24 November 2023</b>	
Date of Completion of production: <b>06 July 2024</b>	
Estimated Total Crew: <b>118 (excl Producers, Post &amp; US based)</b> <i>Estimated New Zealand Crew (if known): 90</i>	
Estimated Total Cast: <b>US Contestants x 20</b> <i>Estimated New Zealand Cast (if known): 0 NZ Contestants</i>	

**From:** [Leah Macmillan](#)  
**To:** s9(2)(a)  
**Cc:** [Janine](#); [Mel Read](#); [Tom Kelly](#)  
**Subject:** Acknowledgment of Registration - Race to Survive: Season 2  
**Date:** Wednesday, 13 September 2023 11:21:17 a.m.  
**Attachments:** [Acknowledgement of Registration - Race to Survive Aotearoa - 13th Sep 2023.pdf](#)  
[image001.jpg](#)  
[image002.jpg](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Kia ora Kiriana,

Please see attached the acknowledgement of Registration for *Race to Survive: Season 2*.

Kindly,

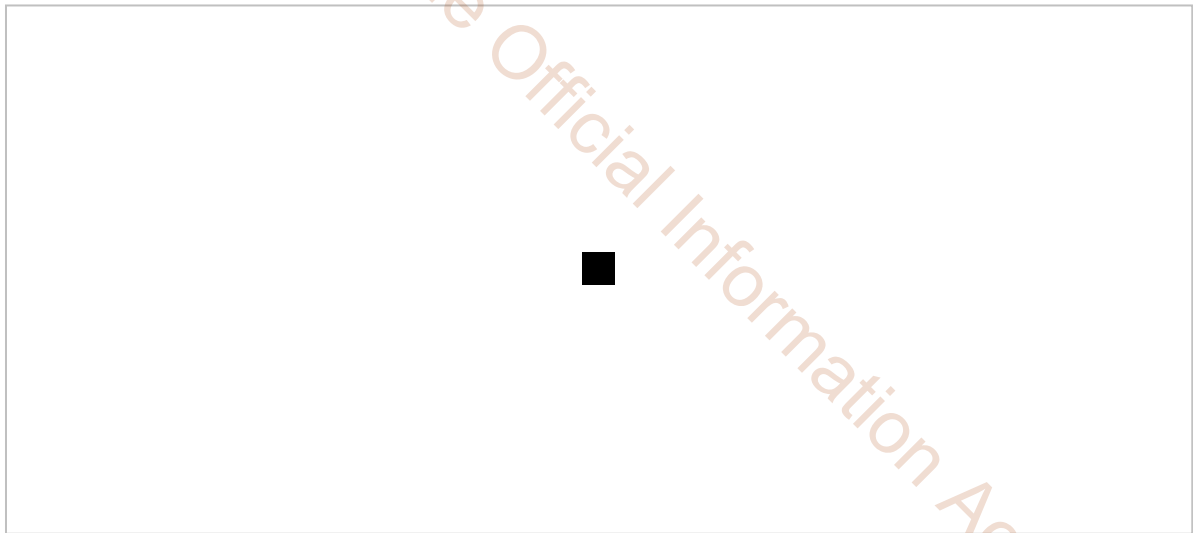
**Leah Macmillan | Incentives Coordinator**

New Zealand Film Commission | Te Tumu Whakaata Taonga

Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland 1010

**M:** s9(2)(a)

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**From:** [Leah Macmillan](#)  
**To:** [Catherine Bates](#)  
**Cc:** [Alex Colton](#); [Heidi van der Watt](#); [Film Desk](#)  
**Subject:** Acknowledgment of Registration - Race to Survive: Season 2  
**Date:** Wednesday, 13 September 2023 11:31:06 a.m.  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[Acknowledgement of Registration - Race to Survive Aotearoa - 13th Sep 2023.pdf](#)

---

Kia ora Catherine,

Please see attached the acknowledgement of Registration for *Race to Survive: Season 2*.

Kindly,

**Leah Macmillan | Incentives Coordinator**

New Zealand Film Commission | Te Tumu Whakaata Taonga

Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland 1010

**M:** [s9\(2\)\(a\)](#)

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13<sup>th</sup> September 2023  
RTS Aotearoa Limited

Attn: Kiriana Burke  
By email: s9(2)(a)

New Zealand  
FILM COMMISSION



Dear Kiriana,

## NEW ZEALAND SCREEN PRODUCTION GRANT – INTERNATIONAL PRODUCTIONS

The New Zealand Film Commission (NZFC) acknowledges receipt of your registration for the New Zealand Screen Production Grant in respect of *Race to Survive: Aotearoa* on 13<sup>th</sup> September 2023 under clause 26(a) of the Criteria dated 1 July 2017 (Updated 2019). We note you have estimated the Qualifying New Zealand Production Expenditure (QNZPE) is s9(2)(b)(ii). This acknowledgement allows you to submit a Final application in respect of this production.

Final applications must be submitted within six months after completion of the production. Final applications must include an independent auditor's report from one of the following approved auditors:

- Ernst & Young
- Grant Thornton
- KPMG
- PricewaterhouseCoopers

Please be aware that acknowledgement of registration is non-binding and does not give any guarantee the production will be awarded either a Provisional Certificate or a Final Certificate.

As a condition of your registration, you must inform the NZFC in writing, as soon as practicable, if the estimated QNZPE for a production changes by NZ\$10 million or more.

On a quarterly basis following registration or application for a Provisional Certificate, we and/or the Ministry of Business, Innovation and Employment (MBIE) may request information from the applicant about the amount of estimated QNZPE incurred to date and forecast QNZPE to Complete. This is to enable the government to ensure forecasting of the grant expenditure is accurate and current.

Please note that all applicants must provide an on-screen end credit and logo in the completed production. Applicants are also required to provide promotional materials to the NZFC in accordance with the Promotional Materials Schedule available on the NZFC website. Please see clause 35 of the criteria for further details. The current NZFC logo can be obtained by contacting [nzspr@nzfilm.co.nz](mailto:nzspr@nzfilm.co.nz).

Yours sincerely,

Mel Read  
Incentives Executive

CC: Heidi van der Watt & Alex Colton, Ministry of Business, Innovation and Employment; Vince Costa, Inland Revenue Department; Catherine Bates, Head of Incentives - NZFC

**From:** [Janine Dickins](#)  
**To:** [Tom Kelly](#); [Mel Read](#); [Leah Macmillan](#)  
**Subject:** Re: International Reality Series (Race to Survive) Contestant question  
**Date:** Thursday, 28 September 2023 2:04:51 p.m.  
**Attachments:** [image001.jpg](#)  
[image002.png](#)  
[image003.jpg](#)

---

Great thanks - Janine

---

**From:** Tom Kelly <tom.kelly@nzfilm.co.nz>  
**Date:** Thursday, 28 September 2023 at 1:43 pm  
**To:** janine **s9(2)(a)** Mel Read <mel.read@nzfilm.co.nz>, Leah Macmillan <leah.macmillan@nzfilm.co.nz>  
**Subject:** RE: International Reality Series (Race to Survive) Contestant question

Hi Janine

Sorry, yes, contestants are cast.

Ngā mihi,

Tom

Tom Kelly | Incentives Executive | [he / him](#)  
**New Zealand Film Commission | Te Tumu Whakaata Taonga**  
Level 3, 119 Ghuznee St, Wellington 6011 | PO Box 11546, Manners Street, Wellington 6142  
[www.nzfilm.co.nz](http://www.nzfilm.co.nz) | [ondemand.nzfilm.co.nz](mailto:ondemand.nzfilm.co.nz)



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**From:** Janine Dickins **s9(2)(a)**  
**Sent:** Thursday, September 28, 2023 1:41 PM  
**To:** Mel Read <mel.read@nzfilm.co.nz>; Tom Kelly <tom.kelly@nzfilm.co.nz>; Leah Macmillan <leah.macmillan@nzfilm.co.nz>  
**Subject:** International Reality Series (Race to Survive) Contestant question

Could you give me an answer please – the US producers want confirmation.

Thanks  
Janine

Hi All,

Am I correct in thinking the Contestants are still viewed as “cast” in terms of the 14-day rule; i.e., their remuneration would still be QNZPE if they were here for fewer than 14 work days?

Best  
Janine

Released under the Official Information Act 1982

**From:** [Paula Jalfon](#)  
**To:** [Annie Murray](#)  
**Subject:** Re: Alleged Incident on Race to Survive Shoot  
**Date:** Friday, 3 November 2023 9:18:47 a.m.

---

Morena Annie

I'm happy to discuss this - and happy to add in Alastair. I've got a few comments on it.

Thank you for your consideration regarding AI and any potential conflict of interest. Given the production has already implemented their own procedure with the contestant I see no COI matter.

I'm on my cell **s9(2)(a)**.

Ngā mihi,

Paula Jalfon

On 3/11/2023, at 8:14 AM, Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)> wrote:

Mōrena Paula,

I'm sending to you as this relates to an NBCU series to be licensed to THREE in this territory, therefore potentially a COI for Alastair? Let's discuss.

If you start reading from the bottom you will quickly see the issue. I think we will need a No Surprises notification to the Minister, there is the potential for media interest in this however we are unlikely to be able to comment publicly. **s9(2)(h)**

Please let me know if you'd like to discuss.

Ngā mihi,

Annie

**From:** [Philippa Mossman](#)  
**To:** [Annie Murray](#); [Melissa Booth](#); [Catherine Bates](#)  
**Cc:** [Karen Te O Kahurangi Waaka](#); [Karen Anslow](#)  
**Subject:** RE: Heads up  
**Date:** Monday, 6 November 2023 10:22:57 a.m.  
**Attachments:** [image001.jpg](#)  
[image012.jpg](#)  
[image013.png](#)  
[image014.jpg](#)  
[image015.jpg](#)  
[image016.jpg](#)  
[image017.png](#)  
[image018.png](#)  
[image019.png](#)  
[image020.jpg](#)  
[image021.jpg](#)

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Thanks for the update. NBC Uni govt/production affairs person is keeping in touch.

P

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Monday, November 6, 2023 10:20 AM  
**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>  
**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>; Karen Anslow <[karen.anslow@nzfilm.co.nz](mailto:karen.anslow@nzfilm.co.nz)>  
**Subject:** RE: Heads up

Just a note that I've asked Bailey to get a report to us by the end of today as we do need to inform the Minister under our No Surprises agreement.

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Sent:** Friday, November 3, 2023 7:14 AM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>  
**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>  
**Subject:** Re: Heads up

## Here's the relevant Act:

The Wildlife Act (1953) protects most native species from hunting. The penalty for killing protected wildlife is up to 2 years in prison or a fine up to \$100,000.

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**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Thursday, November 2, 2023 1:35:17 AM  
**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>  
**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>

**Subject:** Re: Heads up

I've spoken to Bailey this afternoon/evening as he's got across the situation.

s9(2)(h)

I'll update asap.

Ngā mihi,

Annie

Taima Anne Murray (Annie)  
Chief Executive Officer  
Te Tumu Whakaata Taonga  
New Zealand Film Commission

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>

**Sent:** Thursday, November 2, 2023 4:36:48 PM

**To:** Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>; Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>;  
Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>

**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>

**Subject:** Re: Heads up

Info about incident timing is not precise:

Oct 18-23

So not this week, it turns out.

P

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---

**From:** Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>

**Sent:** Wednesday, November 1, 2023 8:28:27 PM

**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Philippa Mossman  
<[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>

**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>

**Subject:** RE: Heads up

Below are a couple of sentences for a back pocket quote that we can amend/change/add to.

The NZFC are aware that a contestant competing on NBC Universal's Race to Survive regrettably killed a New Zealand native bird. This occurred while the production was filming in the South Island this week.

We can confirm that the production has registered for a New Zealand Screen

Production Rebate for International Productions however an application has not yet been submitted.

Ngā mihi nui

Melissa

Melissa Booth | Senior Communications Advisor

**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:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Sent:** Thursday, November 2, 2023 4:17 PM

**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>

**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>

**Subject:** Re: Heads up

He is making some calls to get more info.

Ngā mihi,  
Annie

Taima Anne Murray (Annie)  
Chief Executive Officer  
Te Tumu Whakaata Taonga  
New Zealand Film Commission

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>

**Sent:** Thursday, November 2, 2023 4:12:11 PM

**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>

**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>

**Subject:** RE: Heads up

Okay, standing by.

P

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Sent:** Wednesday, November 1, 2023 8:10 PM



**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>  
**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>  
**Subject:** Re: Heads up

I will call him.

Ngā mihi,  
Annie

Taima Anne Murray (Annie)  
Chief Executive Officer  
Te Tumu Whakaata Taonga  
New Zealand Film Commission

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Sent:** Thursday, November 2, 2023 4:08:56 PM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>  
**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>  
**Subject:** RE: Heads up

Yes it is.

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Wednesday, November 1, 2023 8:08 PM  
**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>  
**Cc:** Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>  
**Subject:** Re: Heads up

Ngā mihi for the heads up. Is that Bailey's show?

Ngā mihi,  
Annie

Taima Anne Murray (Annie)  
Chief Executive Officer  
Te Tumu Whakaata Taonga  
New Zealand Film Commission

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Sent:** Thursday, November 2, 2023 3:58:49 PM  
**To:** Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>  
**Cc:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>  
**Subject:** RE: Heads up

A chilling but understandable question.

They were near Wairoa river (the south island one, Tasman district ), filming finishes Nov 24.

The incident is not being depicted in the programme.

P

---

**From:** Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>  
**Sent:** Wednesday, November 1, 2023 7:51 PM  
**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>  
**Cc:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>  
**Subject:** RE: Heads up

Kia ora

Yes, they are registered for an international grant, s9(2)(b)(ii), estimated grant s9(2)(b)(ii)

- To be eligible to receive an International Rebate, an applicant must comply with New Zealand law (including health and safety law) in respect of all the applicant's activities in New Zealand and in respect of any activities not undertaken in New Zealand but otherwise subject to New Zealand law.

Given weka are protected do we need to consider eligibility?

Ngā mihi,

Catherine

Catherine Bates | Head of Incentives and International Promotions (she/her)  
New Zealand Film Commission | Te Tumu Whakaata Taonga  
Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland, 1010  
PO Box 11546, Manners Street, Wellington 6142

**M:** s9(2)(a)  
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**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Sent:** Thursday, November 2, 2023 2:56 PM  
**To:** Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>  
**Cc:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Catherine Bates

<[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>; Karen Te O Kahurangi Waaka <[karen.waaka@nzfilm.co.nz](mailto:karen.waaka@nzfilm.co.nz)>

**Subject:** Heads up

Kia ora Mel

As you probably recall, NBC Uni's [Race to Survive](#) (New Zealand) is currently being shot in the S Island. Fremantle is the third party production entity on it for NBCUni.

Regrettably one of the contestants killed and ate a weka yesterday (racing to survive no doubt).

One of his fellow contestants reported this to the producers, because the contestants had been expressively instructed they were not allowed to eat anything native and advised what species this might include.

The contestant is being eliminated from the show for breaking the rules and is being sent home.

I checked and weka's conservation status is "vulnerable" and they are protected, except on the Chatham islands where they can be and are legally hunted and eaten. They are also of significance to some iwi of course. (there are four subspecies of the bird).

I am expecting more information before I board in around 90 mins from now: precise location where this occurred/ NZ production contact/wrap date (according to my dates they are nearly finished). Catherine can you confirm they are registered for NZSPR? (I believe so).

Putting it on your radar,

Ngā mihi

Philippa

Philippa Mossman | Head of International Attraction (she/her)

**New Zealand Film Commission | Te Tumu Whakaata Taonga**

Upper Ground Floor, Kauri Timber Building, 29 Graham Street, Auckland 1010

PO Box 11546, Manners Street, Wellington 6142

s9(2)(a)

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**From:** [Philippa Mossman](#)  
**To:** [Sullivan, Veronica \(NBCUniversal\)](#)  
**Subject:** Re: [EXTERNAL] Re: B issue  
**Date:** Friday, 3 November 2023 7:01:59 a.m.

---

Here's the relevant clause from the incentives criteria:

To be eligible to receive an International Rebate, an applicant must comply with New Zealand law (including health and safety law) in respect of all the applicant's activities in New Zealand and in respect of any activities not undertaken in New Zealand but otherwise subject to New Zealand law.

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---

**From:** Sullivan, Veronica (NBCUniversal) **s9(2)(a)**  
**Sent:** Thursday, November 2, 2023 10:43:57 AM  
**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Subject:** Re: [EXTERNAL] Re: B issue

Hi hope you had a good trip.

I'm hearing there is some v negative feedback on this issue. Can you pls call me when you are able.

Thank you!

Veronica

**s9(2)(a)**

On Nov 2, 2023, at 1:06 PM, Philippa Mossman  
<[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)> wrote:

All good, I have his contacts.

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---

**From:** Sullivan, Veronica (NBCUniversal) **s9(2)(a)**  
**Sent:** Thursday, November 2, 2023 6:38:08 AM  
**To:** Major, Ashlie (NBCUniversal) **s9(2)(a)**  
**Cc:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Hsu, Kristine (NBCUniversal) **s9(2)(a)** Jean, Michael (NBCUniversal) **s9(2)(a)**  
**Subject:** Re: B issue

Good morning

Do we have contact info we can share with Phillipa for Bailey?

On Nov 2, 2023, at 9:29 AM, Major, Ashlie (NBCUniversal) **s9(2)(a)** wrote:

Hi Philippa – Yes, confirming Bailey Macky at Pango as the NZ Line Producer.

**Ashlie Major** | [NBCUniversal](#)

<image001.jpg>

Associate Counsel, Legal Affairs  
30 Rockefeller Plaza | New York, NY | 10112  
NBCUniversal Entertainment

**s9(2)(a)**

<image002.png>

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>

**Sent:** Wednesday, November 1, 2023 11:11 PM

**To:** Major, Ashlie (NBCUniversal) **s9(2)(a)**

Sullivan, Veronica (NBCUniversal) **s9(2)(a)**

Hsu, Kristine (NBCUniversal) **s9(2)(a)**

**Cc:** Jean, Michael (NBCUniversal) **s9(2)(a)**

**Subject:** [EXTERNAL] RE: B issue

I will need to check. I understand Bailey Macky is the NZ line producer on the show?

---

**From:** Major, Ashlie (NBCUniversal) **s9(2)(a)**

**Sent:** Wednesday, November 1, 2023 8:03 PM

**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Sullivan,

Veronica (NBCUniversal) **s9(2)(a)** Hsu,

Kristine (NBCUniversal) **s9(2)(a)**

**Cc:** Jean, Michael (NBCUniversal) **s9(2)(a)**

**Subject:** RE: B issue

The incident won't be depicted in the final cut, but reference will be made to the incident in the elimination reveals. Please let us know if this affects us one way or the other.

**Ashlie Major** | [NBCUniversal](#)

<image001.jpg>

Associate Counsel, Legal Affairs  
30 Rockefeller Plaza | New York, NY | 10112  
NBCUniversal Entertainment

s9(2)(a)

<image002.png>

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>

**Sent:** Wednesday, November 1, 2023 10:51 PM

**To:** Major, Ashlie (NBCUniversal) s9(2)(a)

Sullivan, Veronica (NBCUniversal) s9(2)(a)

Hsu, Kristine (NBCUniversal) s9(2)(a)

**Cc:** Jean, Michael (NBCUniversal) s9(2)(a)

**Subject:** [EXTERNAL] RE: B issue

Hi Ashlie

Thanks for this. Is it true to say that what happened is not going to be depicted in the final cut, nor any reference to it, such as in the elimination reveals?

Philippa

---

**From:** Major, Ashlie (NBCUniversal) s9(2)(a)

**Sent:** Wednesday, November 1, 2023 7:41 PM

**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Sullivan, Veronica (NBCUniversal) s9(2)(a) Hsu, Kristine (NBCUniversal) s9(2)(a)

**Cc:** Jean, Michael (NBCUniversal) s9(2)(a) >

**Subject:** RE: B issue

Hi Phillippa,

Thanks for taking the time to speak with us! Here's the information you've requested:

- **Date of Incident:** Approx. October 18-23
- **Location of Incident:** Wairoa River / Gorge
- **Line Producer / EIC:** Todd Needham  
s9(2)(a) / Gregory Vanger  
s9(2)(a)
- **Production Wrap Date:** November 24

**Ashlie Major** | [NBCUniversal](#)

<image001.jpg>

Associate Counsel, Legal Affairs  
30 Rockefeller Plaza | New York, NY | 10112  
NBCUniversal Entertainment

s9(2)(a)

<image002.png>

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>

**Sent:** Wednesday, November 1, 2023 10:10 PM

**To:** Sullivan, Veronica (NBCUniversal)

s9(2)(a) Major, Ashlie (NBCUniversal)

s9(2)(a) Hsu, Kristine (NBCUniversal)

s9(2)(a)

**Cc:** Jean, Michael (NBCUniversal) s9(2)(a)

**Subject:** [EXTERNAL] Re: B issue

Thanks all. Could you also add the date of the incident please?

The conservation status of weka is "vulnerable" and they are protected. There is one offshore island of NZ where it is permitted to hunt and eat them (Chatham Islands) - not where the show was filming.

Best wishes,

Philippa

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---

**From:** Sullivan, Veronica (NBCUniversal)

s9(2)(a)

**Sent:** Wednesday, November 1, 2023 6:18:44 PM

**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Philippa

Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>; Major, Ashlie

(NBCUniversal) s9(2)(a); Hsu, Kristine

(NBCUniversal) s9(2)(a) >

**Cc:** Jean, Michael (NBCUniversal) s9(2)(a)

**Subject:** B issue

Hi all

Phillippa - thanks for connecting before you boarded!

Ashleigh and Kristine will share: line producer name and contact, location of incident and wrap date of the production.

Look forward to hearing what you learn, too!

Safe trip home. It was great to see you in LA!

**From:** [Philippa Mossman](#)  
**To:** [Sullivan, Veronica \(NBCUniversal\)](#); [Michael.Jean](#) s9(2)(a) [Ashlie.Majo](#) s9(2)(a)  
[Kristine.Hsu](#) s9(2)(a)  
**Cc:** [Annie Murray](#)  
**Subject:** Race to Survive  
**Date:** Friday, 3 November 2023 1:07:02 p.m.  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[image003.jpg](#)

---

Dear Veronica and team

We appreciate your call yesterday advising of the incident with one of the contestants on *Race to Survive* in New Zealand, thank you. NZFC's CEO Annie Murray is cc'd. Annie has spoken with the New Zealand producer Bailey Macky and Annie is now seeking further advice. New Zealand's Wildlife Act (1953) protects most native species from hunting.

We appreciate this is a matter of urgent concern for you too and we will come back to you as quickly as possible. In the meantime please feel free to reach out again with any questions or additional information,

Warm regards

Philippa

Philippa Mossman | Head of International Attraction (she/her)

**New Zealand Film Commission | Te Tumu Whakaata Taonga**

Upper Ground Floor, Kauri Timber Building, 29 Graham Street, Auckland 1010

PO Box 11546, Manners Street, Wellington 6142

s9(2)(a)

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**From:** [Bailey Mackey](#)  
**To:** [Annie Murray](#)  
**Subject:** Re: Race to Survive incident  
**Date:** Monday, 6 November 2023 2:45:47 p.m.  
**Attachments:** [image002.jpg](#)  
[image003.png](#)  
[image004.jpg](#)  
[image001.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

---

Kia ora Annie,

Thanks for the message. Unfortunately, the best we can do is have an incident report by end of tomorrow. Am currently jammed between NBC (it being Sunday in LA) and working with the crew and stake holders on the ground.

I was hoping we would have it today as well as it has been incredibly frustrating process because everyone was so remote which added a layer of complications.

Apologies it couldn't be sooner

Bailey

**Bailey Mackey**

s9(2)(a)

Pango Productions

[www.pango.co.nz](http://www.pango.co.nz)

pango



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**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Date:** Monday, 6 November 2023 at 10:15 AM

**To:** [bailey@pango.co.nz](mailto:bailey@pango.co.nz) s9(2)(a)

**Subject:** Race to Survive incident

Mōrena Bailey

NZFC has an obligation to inform the Minister's office of any incident that could result in media interest.

The incident we were notified of last week regarding the contestant who killed and ate a weka on location in the South Island will require notification.

Could you please send through a report by the end of today so that I can get a notification out tomorrow. We will need basic facts and any mitigation or steps you are taking to address the situation.

Ngā mihi,  
Annie

Annie Murray | Te Arawa | Chief Executive  
**Te Tumu Whakaata Taonga | New Zealand Film Commission**

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*Champion exceptional storytellers to create enduring taonga for Aotearoa*

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s9(2)(a)  
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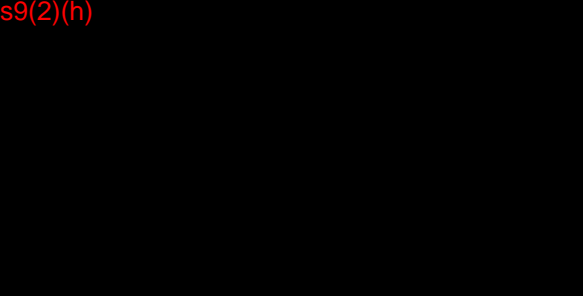


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s9(2)(h)



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**From:** [Annie Murray](#)  
**To:** [Bailey Mackey](#)  
**Cc:** [Jeff Hasler](#)  
**Subject:** RE: Incident Report - Road to Survive New Zealand  
**Date:** Tuesday, 7 November 2023 2:29:00 p.m.  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Kia ora Bailey,

Thank you for this. We note you do not yet appear to have formally reported the incident to DOC, which is required as weka are a fully protected species. From DOC's website:

*The Wildlife Act (1953) protects most native species from hunting. The penalty for killing protected wildlife is up to 2 years in prison or a fine up to \$100,000.*

With regard to the rebate:

*To be eligible to receive an International Rebate, an applicant must comply with New Zealand law (including health and safety law) in respect of all the applicant's activities in New Zealand and in respect of any activities not undertaken in New Zealand but otherwise subject to New Zealand law.*

We strongly advise that you report the incident urgently to DOC and seek legal advice if you have not already done so. I am prepared to hold the notification to the Minister's office until 10am tomorrow to give you time to report, we can then advise the Minister that a report has been filed with DOC.

Ngā mihi,

Annie

---

**From:** Bailey Mackey s9(2)(a)  
**Sent:** Tuesday, November 7, 2023 11:15 AM  
**To:** Annie Murray <annie.murray@nzfilm.co.nz>  
**Cc:** Jeff Hasler s9(2)(a)  
**Subject:** Re: Incident Report - Road to Survive New Zealand

Updated document attached.

Bailey

**Bailey Mackey**

s9(2)(a)

Pango Productions

[www.pango.co.nz](http://www.pango.co.nz)



pango



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**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Date:** Tuesday, 7 November 2023 at 10:21 AM

**To:** Bailey Mackey s9(2)(a)

**Cc:** Jeff Hasler s9(2)(a)

**Subject:** RE: Incident Report - Road to Survive New Zealand

Thanks Bailey, can you please amend the report to include that, and the date of the report.

---

**From:** Bailey Mackey s9(2)(a)

**Sent:** Monday, November 6, 2023 7:33 PM

**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Cc:** Jeff Hasler s9(2)(a)

**Subject:** Incident Report - Road to Survive New Zealand

Kia ora Annie,

Please see attached an incident report relating to an incident that took place on the set of Race to Survive – New Zealand albeit outside of production hours. I know your intent is to notify the Minister (or Ministry) as the new government transitions in. I am also happy to reach out to either if any more information is required but will take your lead on that.

Please let me know if Jeff (from Original Productions) or I can be of any further assistance? We have also instructed NBC to work through us on these matters rather than directly with the NZFC.

Naku noa

Bailey

**Bailey Mackey**

Released under the Official Information Act 1982

s9(2)(h)

---

**From:** Bailey Mackey s9(2)(a)  
**Sent:** Tuesday, November 7, 2023 10:16 AM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Cc:** Jeff Hasler s9(2)(a)  
**Subject:** Re: Incident Report - Road to Survive New Zealand

This has already been done.

Susan Peckham at DOC has been notified and they are also comfortable with the approach here.

Bailey

On Tue, 7 Nov 2023 at 9:57 AM, Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)> wrote:

Mōrena Bailey,  
Our advice is that the incident must be urgently reported to DOC if you haven't already done so. Noting the individual is leaving the country imminently.  
Please advise your timeline for doing this.  
Ngā mihi,  
Annie

---

**From:** Bailey Mackey s9(2)(a)  
**Sent:** Monday, November 6, 2023 7:33 PM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Cc:** Jeff Hasler s9(2)(a)  
**Subject:** Incident Report - Road to Survive New Zealand

Kia ora Annie,

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Please let me know if Jeff (from Original Productions) or I can be of any further assistance? We have also instructed NBC to work through us on these matters rather than directly with the NZFC.

Naku noa

Bailey

## **Race to Survive – New Zealand**

Pango Productions (including RTS Aotearoa) and Original Productions present the following as, as-true-a-record as possible of an incident that happened whilst shooting the Race to Survive series in New Zealand.

The below events are drawn from various interviews that include cast, event/safety and production staff. We take these matters very seriously and from the very outset of development of the idea to shoot in New Zealand there has been a concerted attempt to use a values driven approach to filming that included connecting with Department of Conservation and local iwi. This culminated in a karakia and powhiri by Ngati Koata at Whakatu Marae on 7<sup>th</sup> of October before the first day of principle photography. This genuine and authentic connection has proved invaluable in the reporting of this incident.

### **Background:**

Survival Camp days are not “race days.” These days are when competitors rest, recover and refuel in a single location.

As each team finishes their race and arrives at Survival Camp, they first meet New Zealand Wilderness Guide s9(2)(a), who gives them specific rules: where they can camp, where the boundary lines are, anything that is off limits, as well as insights to the plants and animals that can be found in the area— what is edible, what could make them sick, what can be eaten and also what animals are off-limits. Cast are also presented with a large 5’ x 5’ board with photos and descriptions mirroring what is included in the tour, which they can return to for reference.

Since their initial arrival in New Zealand and at each Survival Camp thus far, teams are told that all wild birds, except Canadian Geese, are protected and are off-limits and forbidden to hunt. This includes the Weka bird. These flightless birds are frequently seen across New Zealand, and in the days leading up to the incident were often seen in our camps, in the bush and even invading competitors camp sites in search of food. But everyone knew they could not be hunted.

### **Film Plan:**

Survival Camp days and activities are filmed by numerous crews, from early morning until late at night. The first few days are the most active at Survival Camps and production has a large presence. The final day of Survival Camp is the least active and most film crews and story producers are back at Head Quarters attending extensive prep and planning meetings for the next day’s Race Start. A skeleton crew of Camp Managers, Story Producers and Medics remain at Survival Camp. Although we do not have an exact time, it is during the night of the last day of Survival Camp that the incident took place, when the medics were on standby within whistle-blow nearby, and the skeleton crew had finished for the day and left the cast.

### **Oct 23 (NZ time):**

- Cast and crew were at Survival Camp #2, after the conclusion of Red Hills Race Leg #2.
- This was their last night of camping at Survival Camp #2.
- Cast was aware that Race #3 was starting in the morning.
- Per usual and in accordance with approved shoot plan the skeleton crew filmed with competitors for the day and concluded their shoot day, as cast was bedding down.
- This evening, **unbeknownst to any of the film crew, safety or guides**, competitor Corry Jones took a homemade spear and killed a Weka bird.
- We believe other cast members were present during this, but all walked away knowing he had just broken a rule.
- Corry then processed the bird, cooked it and ate it.
- Not one cast member mentioned any of this to any crew until Oct 31.

#### **Oct 31 (NZ time):**

- Teams were at Survival Camp #3, after concluding the Cave Race #3.
- After nightfall, two competitor teams approached one of our field producers to complain that Oliver and Corry were cheating.
- She informed senior staff over radio back at HQ, but details were vague and confusing thanks to remote radio transmissions. Since it was after nightfall, senior staff could not helicopter back to Survival Camp #3 to discuss. They decided to go out first thing in the morning, since the competitors were only at Survival Camp and not in the middle of a race.

#### **Nov 1 (NZ time):**

- Senior staff including Jeff Conroy (EP / Showrunner) and Phil Gautier (Race Director) travel to Survival Camp #3.
- Jeff and Phil have several conversations with the two teams making the complaint—this is when they discover for the first time that Corry could have killed and eaten a Weka over a week prior.
- Jeff and Phil approach Corry about the incident. He admits to Phil, Jeff and in front of his teammate Oliver Dev, that he did in fact kill and eat a Weka.
- Approx 7p NZ time (11p PST US) Jeff calls Senior Staff at Original Productions with the information and guidance on what needs to happen next.
- Because of the late hour on the East Coast, OP Senior staff call Noah Samton and Adam Barry the next morning (Nov 2 NZ / Nov 1 US).

We have determined the incident took place at the Wairoa Gorge Bike Park where the cast was camping at the time. We have now established that the spot is not on DOC land. The camp was on Tasman District Land.

A member of our team, Nathan Fa'avae of Ten Events who attained the shooting permits, met with the Mayor of the Tasman District Council Tim King on the morning of 6/11/23 (US time) and he is satisfied with the actions taken by the production and events team. He also spoke

with local Department of Conservation staff who felt that because it happened on TDC land they were comfortable with the action taken by the production and event teams.

Bailey Mackey CEO of Pango Productions has liaised and informed local iwi Ngati Koata of the incident and like the TDC they are comfortable with the course of action undertaken by the event and production staff.

### **Consequence**

Corry Jones and his teammate have now been disqualified from the race. This is significant as they were the leading team and were in track to win the \$500,000USD prize money up for grabs. He has now been sent back to the USA.

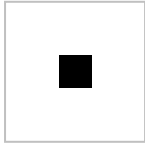
He is incredibly remorseful and is happy to meet with anybody before he leaves the country on the 7/11/23. He understands the impact of his actions and is very keen in due course to make amends.

**From:** [Jeff Hasler](#)  
**To:** [Bailey Mackey](#); [Annie Murray](#)  
**Subject:** Re: Incident Report - Road to Survive New Zealand  
**Date:** Tuesday, 7 November 2023 6:40:45 a.m.  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image586361.png](#)  
[image281257.png](#)  
[image506055.png](#)  
[image329301.png](#)  
[image196626.png](#)  
[image191531.png](#)

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Actually, our plans have changed and I will be in Nelson all day, so happy to jump on a call or zoom if you need.

Thanks again - JH



**Jeff Hasler** | President

he/him/his

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

308 W Verdugo Ave, Burbank, CA 91502, United States

[www.originalproductions.com](http://www.originalproductions.com)



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FremantleMedia North America Inc; 2900 West Alameda Avenue, Suite 800, Burbank, California 91505, USA.

☐ Think before printing.

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**From:** Jeff Hasler [s9\(2\)\(a\)](#)

**Date:** Tuesday, November 7, 2023 at 6:24 AM

**To:** Bailey Mackey [s9\(2\)\(a\)](#) Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Subject:** Re: Incident Report - Road to Survive New Zealand

Hello Annie – it's nice to meet you over email and am looking forward to providing any help or context you may need. I'm on my way to a scout today and will be back in range later this afternoon. Please don't hesitate to let me know if there's anything you need from me, or would like to set a time to talk further.

Thank you - JH

**From:** [Bailey Mackey](#)  
**To:** [Annie Murray](#)  
**Subject:** Re: Incident Report - Road to Survive New Zealand  
**Date:** Thursday, 9 November 2023 10:28:38 a.m.  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image004.png](#)  
[image003.png](#)

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We will sort.

On Thu, 9 Nov 2023 at 9:29 AM, Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)> wrote:

We will need that in writing from DOC. Do you want to get that from them or I can get our lawyer to contact them direct.

---

**From:** Bailey Mackey s9(2)(a)  
**Sent:** Thursday, November 9, 2023 9:11 AM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Subject:** Re: Incident Report - Road to Survive New Zealand

With “our” course of action and are taking no further steps.

B

**Bailey Mackey**  
s9(2)(a)  
Pango Productions  
[www.pango.co.nz](http://www.pango.co.nz)



pango

Facebook



Instagram



Linkedin



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Please consider the environment before printing emails.

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**From:** Bailey Mackey s9(2)(a)  
**Date:** Thursday, 9 November 2023 at 9:10 AM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Subject:** Re: Incident Report - Road to Survive New Zealand

Race to Survive sorry is the correct name and DOC as stated in report comfortable with what are course of action has been.

B

**Bailey Mackey**

**s9(2)(a)**

Pango Productions

[www.pango.co.nz](http://www.pango.co.nz)

[pango](#)

[Facebook](#)



[Instagram](#)



[Linkedin](#)



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**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Date:** Thursday, 9 November 2023 at 8:52 AM

**To:** Bailey Mackey **s9(2)(a)**

**Subject:** RE: Incident Report - Road to Survive New Zealand

Mōrena,

Just checking two things:

Is the name of the show Race To Survive New Zealand or Road?

What next steps, if any, is DOC taking?

Ngā mihi,

Annie

---

Released under the Official Information Act 1982

**From:** [Karen Anslow](#)  
**To:** [Alastair Carruthers](#)  
**Cc:** [Annie Murray](#)  
**Subject:** No Surprises RACE TO SURVIVE  
**Date:** Wednesday, 8 November 2023 2:31:00 p.m.  
**Attachments:** [Incident RTSNZ Pango OP BM071023.pdf](#)

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Kia ora Al

Please see below a No Surprises notification for your review. Please advise if you would like us to send on to MBIE, noting they will be best placed to inform the incoming Minister.

Ngā mihi

Karen

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Tēnā koe [MBIE contact]

As per the 'No Surprises' expectation, I am writing to advise you of an incident that occurred on *Race to Survive*, a reality TV series being shot in NZ by Pango Productions Ltd in association with NBC Universal. The producer Bailey Mackey has notified NZFC of his intention to apply for the NZ Screen Production Rebate - International.

On the evening of 23 October at Wairoa Gorge Bike Park in the Tasman district, competitor Cory Jones took a homemade spear and killed, cooked and ate a weka. Weka's conservation status is classed as vulnerable (population is decreasing) and are fully protected on mainland New Zealand. Jones' actions were in violation of the rules of the show, and he and his teammate were subsequently disqualified and have since returned to the USA. Please find attached the incident report prepared by the production which includes a timeline of the events.

The production team have discussed the incident with DOC and local iwi Ngāti Koata. The production team may also contact government officials directly. It will be up to DOC to decide whether to bring charges under the Wildlife Act 1953.

*Race to Survive* is registered as an applicant for the NZ Screen Production Rebate - International with estimated qualifying expenditure of **s9(2)(b)(ii)**. Principal photography commenced in NZ on 9 October 2023 and is scheduled to complete filming on 24 November. It is estimated that 90 NZ crew are working on the production. There are 20 contestants from the US in total.

### **Summary**

Project Name: *Race to Survive*

Producer/Company: RTS Aotearoa Limited / Original Productions

Fund Programme: NZ Screen Production Rebate – International Productions

Requested Amount NZD: TBC

Date of registration: 13 September 2023

Please reach out should you require any further information or have any queries.

Ngā mihi,

Annie Murray

**From:** [Gina Williamson](#)  
**To:** [Catherine Bates](#)  
**Subject:** RE: No Surprises notification - RACE TO SURVIVE [UNCLASSIFIED]  
**Date:** Friday, 10 November 2023 9:54:30 a.m.  
**Attachments:** [image004.png](#)  
[image005.png](#)  
[image007.png](#)  
[image009.png](#)

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Thanks Catherine. I'm free now through to 10:30, and then at midday. Feel free to give me a call when you have a moment.

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**From:** Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>  
**Sent:** Friday, 10 November 2023 9:00 am  
**To:** Gina Williamson <[Gina.Williamson@mbie.govt.nz](mailto:Gina.Williamson@mbie.govt.nz)>  
**Subject:** RE: No Surprises notification - RACE TO SURVIVE [UNCLASSIFIED]

Hi Gina – I'm in the office until 12.20pm today. Let me know what works for you.

Ngā mihi,

Catherine

Catherine Bates | Head of Incentives and International Promotions (she/her)  
New Zealand Film Commission | Te Tumu Whakaata Taonga  
Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland, 1010  
PO Box 11546, Manners Street, Wellington 6142

**M:** [+92\(2\)\(a\)](tel:+64922222222)  
[www.nzfilm.co.nz](http://www.nzfilm.co.nz) | [ondemand.nzfilm.co.nz](http://ondemand.nzfilm.co.nz)



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**From:** Gina Williamson <[Gina.Williamson@mbie.govt.nz](mailto:Gina.Williamson@mbie.govt.nz)>  
**Sent:** Thursday, November 9, 2023 3:10 PM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Dean Ford <[Dean.Ford@mbie.govt.nz](mailto:Dean.Ford@mbie.govt.nz)>  
**Cc:** Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>  
**Subject:** RE: No Surprises notification - RACE TO SURVIVE [UNCLASSIFIED]

Thank you for the information, Annie. Acknowledging receipt and will ensure appropriate people here are aware.

Catherine – I'll give you a call later today/tomorrow morning with a couple of questions to aid my understanding.

Ngā mihi,

Gina

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Sent:** Thursday, 9 November 2023 11:49 am

**To:** Dean Ford <[Dean.Ford@mbie.govt.nz](mailto:Dean.Ford@mbie.govt.nz)>; Gina Williamson <[Gina.Williamson@mbie.govt.nz](mailto:Gina.Williamson@mbie.govt.nz)>

**Cc:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>

**Subject:** No Surprises notification - RACE TO SURVIVE

Tēnā koe

As per the 'No Surprises' expectation, I am writing to advise you of an incident that occurred on *Race to Survive*, a reality TV series being shot in NZ by Pango Productions Ltd in association with NBC Universal. The producer Bailey Mackey has notified NZFC of his intention to apply for the NZ Screen Production Rebate - International.

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The production team have discussed the incident with DOC and local iwi Ngāti Koata. The production team may also contact government officials directly. It will be up to DOC to decide whether to bring charges under the Wildlife Act 1953.

*Race to Survive* is registered as an applicant for the NZ Screen Production Rebate - International with estimated qualifying expenditure of **s9(2)(b)(ii)**. Principal photography commenced in NZ on 9 October 2023 and is scheduled to complete filming on 24 November. It is estimated that 90 NZ crew are working on the production. There are 20 contestants from the US in total.

### **Summary**

Project Name: *Race to Survive*

Producer/Company: RTS Aotearoa Limited / Original Productions

Fund Programme: NZ Screen Production Rebate – International Productions

Requested Amount NZD: TBC

Date of registration: 13 September 2023

Please reach out should you require any further information or have any queries.

Ngā mihi

Annie Murray | Chief Executive

**New Zealand Film Commission | Te Tumu Whakaata Taonga**

**He poipoi i ngā kaitiaki pūrākau kia puta ai he taonga tūturu mō Aotearoa**  
*Champion exceptional storytellers to create enduring taonga for Aotearoa*

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

**s9(2)(a)**  
[www.nzfilm.co.nz](http://www.nzfilm.co.nz) | [ondemand.nzfilm.co.nz](http://ondemand.nzfilm.co.nz)

**From:** [Annie Murray](#)  
**To:** [Chris Payne](#)  
**Subject:** FW: Weka incident [BUD-LIVE.FID1307777]  
**Date:** Monday, 22 July 2024 10:39:15 p.m.  
**Attachments:** [image001.png](#)

---

Kia ora Chris, this should already be in the file but just in case it's not, see below...

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Friday, November 10, 2023 9:59 AM  
**To:** Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>  
**Subject:** Fwd: Weka incident [BUD-LIVE.FID1307777]

Fyi

Ngā mihi,  
Annie

Taima Anne Murray (Annie)  
Chief Executive Officer  
Te Tumu Whakaata Taonga  
New Zealand Film Commission

---

**From:** Bailey Mackey **s9(2)(a)**  
**Sent:** Tuesday, November 7, 2023 2:50:23 PM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Jeff Hasler **s9(2)(a)**  
**Subject:** Fwd: Weka incident [BUD-LIVE.FID1307777]

Kia ora Annie

Thanks for your response. Please see below the legal advice we have received in regards to these matters. We are comfortable with the steps we have taken from a legal perspective including the disclosures to the various associated entities, iwi and including DOC.

I will be following up myself tomorrow with the minister and ministry.

Bailey

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

**From:** Bailey Mackey **s9(2)(a)**  
**Date:** Tue, 7 Nov 2023 at 2:36 PM  
**Subject:** Fwd: Weka incident [BUD-LIVE.FID1307777]  
**To:** Jeff Hasler **s9(2)(a)**

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

From: s9(2)(a)

Date: Tue, 7 Nov 2023 at 12:52 PM

Subject: Weka incident [BUD-LIVE.FID1307777]

To: s9(2)(a)

Kia ora Bailey

Please see our advice on the liability in relation to the weka incident. We have based our advice on the information provided in your emails and the incident report.

#### **Wildlife Act liability**

Weka on Tasman District Council land will fall under [section 3](#) of the Wildlife Act 1953, which provides that all wildlife that is not within one of the schedules of the Act is "absolutely protected". Under [section 63\(1\)\(a\)](#), no person may hunt or kill any absolutely protected wildlife. Under [section 67A](#), a person who commits this offence can be convicted for up to:

1. 2 years imprisonment or a fine not exceeding \$100,000 for individuals, or
2. a fine of \$200,000 for body corporates.

If a body corporate is liable, then every director or person concerned in the management of the body corporate is also guilty of the same offence ([section 65A](#)).

Based on the facts that we have, we think it is unlikely that a body corporate would be prosecuted for the offence. It seems more likely that, if anyone, Cory would be more at risk of being prosecuted.

DOC is responsible for prosecuting under the Wildlife Act, and have their own [prosecution](#) and [enforcement](#) guidelines. Whether they will bring proceedings or not is based on a two stage test provided in the [Solicitor-General's Prosecution Guidelines](#):

1. whether there is sufficient evidence, and
2. it is required in the public interest.

The presumption is that it will be in the public interest where there has been a contravention of the criminal law. However, the seriousness of the offence, previous convictions and conduct, harm to conservation resources, impact on iwi and the willingness to remediate actions (among other factors) will be considered.



The steps that have been taken already (e.g. the disqualification of Cory, the impact on Cory, liaising with the local iwi Ngati Koata and the Tasman District Council), would help swing the public interest test in favour of not prosecuting.

### Case law

We have asked our librarian to conduct a search of the reported cases relating to section 63(1)(a). The cases she has found relate to the penalties imposed, and the mitigating factors which reduced the fine.

1. In *Department of Conservation v Aberson* [2017] NZDC 21392, the judge considered how threatened the bird was, and considered that a starting fine of \$15,000 would be appropriate for a kea. This was reduced by 25% for good previous character and a guilty plea, although the circumstances were still reckless and indicated that Mr Aberson knew he had done something wrong (note that Mr Aberson was sentenced to 200 community service hours instead, due to his financial situation).
2. In *Parlane v Department of Conservation* (June 2006), a person was fined \$500 for shooting a black shag and \$300 for a white-faced heron. The mitigating factors included an absence of previous convictions and that he was of good character, that the mistake was reported and conduct stopped, and that he had no intention to do anything illegal.

### NZ Film Commission

[Section 17](#) of the New Zealand Film Commission Act 1978 provides the general functions of the Commission, such as encouraging and assisting the New Zealand film industry. It does not mention anything regarding ensuring compliance with NZ law. To be eligible to receive an NZPSR [International Rebate](#), an applicant must comply with New Zealand law (including health and safety law) in respect of all the applicant's activities in New Zealand and in respect of any activities not undertaken in New Zealand but otherwise subject to New Zealand law (page 6).

In our view, based on the facts that we have, the actions of Cory in killing and eating the weka do not amount to a failure of the applicant to comply with NZ law in relation to the "applicant's activities". This is because Cory has acted against clear advice, and his actions have not been condoned or supported in anyway by the applicant.

Please let us know if you need any further information or have any questions.

Ngā mihi

The following paragraph was included in the NZFC Quarter 2 Report to the Ministry for Business, Innovation and Employment sent 31 January 2024.

A 'No Surprises' briefing was sent to MBIE regarding an incident that occurred on the international production *Race to Survive*, a reality TV series that was shot in New Zealand by Pango Productions Ltd. The incident involved a contestant killing, cooking and eating a Weka. Weka are considered a 'vulnerable' species and are fully protected on mainland New Zealand. The contestant's actions were in violation of the rules of the show, and the contestant and teammate were subsequently disqualified and have since returned to the USA. The production team have reported the incident to DOC and local iwi Ngāti Koata. The Department of Conservation is considering whether to lay charges under the Wildlife Act 1953.

Released under the Official Information Act 1982

**From:** [Mel Read](#)  
**To:** s9(2)(a)  
**Subject:** RE: RTS Aotearoa SPG Audit  
**Date:** Monday, 15 January 2024 10:25:00 a.m.  
**Attachments:** [RTS Letter of Engagement \(2\) NZFC signed.pdf](#)

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No worries – here you go.

---

**From:** s9(2)(a)  
**Sent:** Monday, January 15, 2024 10:13 AM  
**To:** Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)>  
**Subject:** Re: RTS Aotearoa SPG Audit

Hi Mel

Sorry - my brain is still on holiday and I re-attached the wrong version (should have been the client signed one as I initially provided).

Can you kindly please re-sign?

Apologies

s9(2)(a)

s9(2)(a)

PwC | Executive Director

Mobile: s9(2)(a)

Email: s9(2)(a)

PricewaterhouseCoopers New Zealand

15 Customs Street West, Private Bag 92162, Auckland, New Zealand

[pwc.co.nz](http://pwc.co.nz)

On Mon, Jan 15, 2024 at 9:53 AM Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)> wrote:

Kia ora s9(2)(a) and happy new year. Thanks for following up – that last week was a pretty hectic one for the team.

Signed letter attached.

Cheers, Mel

---

**From:** s9(2)(a)  
**Sent:** Monday, January 15, 2024 8:25 AM  
**To:** Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)>  
**Subject:** Re: RTS Aotearoa SPG Audit

Re-attaching the engagement letter :-)

s9(2)(a)

PwC | Executive Director

Mobile: s9(2)(a)

Email: s9(2)(a)

PricewaterhouseCoopers New Zealand

15 Customs Street West, Private Bag 92162, Auckland, New Zealand

[pwc.co.nz](http://pwc.co.nz)

On Mon, Jan 15, 2024 at 8:18 AM s9(2)(a) wrote:

Hi Mel and happy new year.

Hope you had a most excellent christmas break.

Just wanted to follow up on the below letter of engagement. I did also forward on to Tom at the time of receiving your out of office response but didn't hear back.

Kind regards

s9(2)(a)

PwC | Executive Director

Mobile: s9(2)(a)

Email: s9(2)(a)

PricewaterhouseCoopers New Zealand

15 Customs Street West, Private Bag 92162, Auckland, New Zealand

[pwc.co.nz](http://pwc.co.nz)

On Tue, Dec 19, 2023 at 1:48 PM s9(2)(a) wrote:

Hi Mel and Merry Christmas!

Attached is our client signed letter of engagement for the QNZPE audit of Race to Survive: Aotearoa.

Can you kindly please return a copy signed as approved by the NZFC?

Many thanks and all the best for the christmas / new year break.

Kind regards



The Director  
RTS Aotearoa Limited  
3/26 Putiki Street,  
Grey Lynn  
Auckland 1021

New Zealand Film Commission  
PO Box 11546  
Manners Street  
Wellington 6142

14 December 2023

## **Letter of engagement for audit of Qualifying New Zealand Production Expenditure**

Dear Director

The purpose of this letter is to confirm our understanding of our mutual responsibilities arising as a result of our engagement as auditor of the Qualifying New Zealand Production Expenditure (QNZPE) of RTS Aotearoa Limited (the "Company") as to be presented in the Production Expenditure Statement (the "Expenditure Statement"), for the purposes of the New Zealand Film Commission Screen Production Grant for the making of the production, "Race to Survive: Aotearoa" (the "Production"). These terms together with the PricewaterhouseCoopers Terms of Business (attached as Appendix B to this letter) will remain effective until amended, in writing, with the agreement of both parties.

### **Objectives of the audit**

You have requested that we audit the Qualifying New Zealand Production Expenditure ("QNZPE") as presented in the Production Expenditure Statement (the "Expenditure Statement") of the Company for the Production, prepared in accordance with the NZSPG Criteria – International Productions - July 2017 (Updated 2019) (the "Criteria") issued by the New Zealand Film Commission.

Upon completion of our audit, we will provide you with our audit report on the QNZPE addressed to the Director and to the New Zealand Film Commission (the "Commission"), for submission to the Commission in conjunction with the Company's New Zealand Screen Production Grant application. The form and content of our audit report will follow the standards and guidance contained in International Standard on Auditing (New Zealand) 700 *Forming an Opinion and Reporting on Financial Statements* (ISA (NZ) 700) and International Standard on Auditing (New Zealand) 805 *Special Considerations – Audits of Single Financial Statements and Specific Elements, Accounts or Items of a Financial Statement* (ISA (NZ) 805) unless circumstances require amendment. An example of this report is attached as Appendix A.

Our audit report will be made solely to the Company's Director, and to the Commission. Our work will be undertaken so that we might state to the Company's Director and to the Commission those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we will not accept or assume responsibility to anyone other than the Company's Director and to the Commission for our audit work, or for the opinions we form.

**Scope of the audit**

The scope of our audit is limited to expressing our opinion on the QNZPE as presented in the Expenditure Statement. We have not been engaged to, and therefore will not, audit any of the other financial information on the Expenditure Statement and this will be explicitly stated in our audit report.

Our audit will be conducted in accordance with International Standards on Auditing issued in New Zealand (ISAs NZ).

ISAs NZ require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the QNZPE as presented in the Expenditure Statement is free from material misstatements, whether caused by fraud or error.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the QNZPE.

We exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the QNZPE as presented in the Expenditure Statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control. However, we will communicate to you in writing concerning any significant deficiencies in internal control relevant to the audit of the QNZPE that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management.

**Responsibilities of the Director**

The Director is responsible on behalf of the Company for the Expenditure Statement, including the QNZPE. In this regard, the Director must cause accounting records to be kept that:

- correctly record and explain the transactions of the Company and enables the company to distinguish QNZPE from non-qualifying expenses;
- will enable the Company to ensure that the Expenditure Statement complies with the Criteria; and
- will enable the QNZPE included in the Expenditure Statement to be readily and properly audited.

The Director is also responsible for:

- preparing and presenting the Expenditure Statement that complies with the Criteria;
- such internal control as the Director determines is necessary to enable the preparation of the Expenditure Statement (including distinguishing between QNZPE and non-qualifying expenses) that is free from material misstatement whether due to fraud or error; and
- providing us with:
  - access to all information of which management and the Director is aware that is relevant to the preparation of the Expenditure Statement, including the QNZPE, such as records, documentation and other matters;
  - additional information that we may request from management or the Director for the purpose of the audit; and

- unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.

Our audit of the QNZPE as presented in the Expenditure Statement does not relieve the Director of any of the above responsibilities.

As required by ISAs NZ, we will make specific inquiries of the Director and others about the representations embodied in the Expenditure Statement and the effectiveness of internal control over financial reporting. We will also request a representation letter from the Director covering matters material to the QNZPE. The results of our audit procedures, responses to our inquiries and written representations of the Director comprise the evidential matter upon which we intend to rely to form our opinion on the QNZPE as presented in the Expenditure Statement.

**Responsibility for preventing and detecting fraud and errors and non-compliance with laws and regulations**

The Director is responsible on behalf of the Company for safeguarding the Company's assets and for the prevention and detection of fraud and error. The Director is also responsible for identifying and ensuring that the Company complies with the laws and regulations applicable to its activities.

We will design our audit to obtain reasonable, but not absolute, assurance of detecting errors or fraud that would have a material effect on the QNZPE as presented in the Expenditure Statement as well as other illegal acts having a direct and material effect on the QNZPE as presented in the Expenditure Statement. Our audit will not include a detailed audit of transactions, such as would be necessary to disclose errors or fraud that did not cause a material misstatement of the QNZPE.

It is important to recognise the inherent limitations of the auditing process. Audits are based on the concept of selective testing of the data underlying the QNZPE. This involves the exercise of professional judgement regarding the areas to be tested and the nature, timing, extent and results of the tests to be performed for the audit. Audits are, therefore, subject to the limitation that material errors, fraud or any illegal acts having a direct and material impact to the QNZPE, if they exist, may not be detected. Because of the characteristics of fraud, particularly those involving concealment through collusion and falsified documentation, an audit designed and executed in accordance with ISAs NZ might not detect a material fraud. Further, while effective internal control reduces the likelihood that errors, fraud or other illegal acts will occur and remain undetected, it does not eliminate that possibility. For these reasons we cannot ensure that errors, fraud or other illegal acts, if present, will be detected. However, we will communicate to you any illegal acts, material errors, or evidence that fraud may exist identified during our audit.

**Responsibility for identifying and reporting internal financial control weaknesses**

Our audit is not designed to identify all significant weaknesses in the Company's system of internal financial controls. Our review of internal financial control systems is performed only to the extent required to enable us to express our opinion on the QNZPE as presented in the Expenditure Statement. This consideration will not be sufficient to enable us to provide assurance on the effectiveness of internal control over financial reporting.

However, we will report to the Director in writing any significant weaknesses in the system of internal financial controls that come to our notice during the course of our normal audit work. Any such report may not be provided to a third party without our prior written consent. Such consent will be granted only on the basis that such reports are not prepared for the use or benefit of anyone other than the Company.



**Responsibility for other documents accompanying audited QNZPE as included in the Expenditure Statement**

ISAs NZ require that we read other documents containing our audit report. The purpose of this procedure is to consider whether the other information, including the manner of its presentation, is materially inconsistent with information appearing in the QNZPE. We assume no obligation to perform procedures to verify such other information as part of our audit.

**Restrictions on use of our audit report**

Our audit report is intended for the benefit of those to whom it is addressed. The audit will not be planned or conducted in contemplation of reliance by any other parties or with respect to any specific transaction. Therefore, items of possible interest to other parties will not be specifically addressed and matters may exist that would be assessed differently by those parties, possibly in connection with a specific transaction. Our audit report will include a restriction on use and distribution.

**Cap on our liability**

We will use reasonable skill and care in the provision of the services set out in this letter. However, we have discussed with you and you agree that in the unlikely event that we fail to do so, the liability of PricewaterhouseCoopers, its partners and staff will in no circumstances exceed five times the annual entity fee paid in the aggregate.

We have also agreed with you that this limitation of liability extends to both the engagement contained in this letter and any variation or addition to it, and to claims arising from breach of contract, negligence or in any other way.

**Fees and expenses**

Our fee estimates are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required. Further, we have prepared our fee estimates based on our firm's experience and your explanations of the scope of our engagement. We estimate our fee for this audit engagement will be NZ\$21,750 exclusive of GST.

In addition to these fees, our billings will include out of pocket expenses. Significant direct out of pocket expenses (e.g. travel and accommodation and any other agreed major expenses) will be charged at the costs we actually incur. We also charge a service fee of 5% to cover our costs in respect of expenses and staff reimbursements associated with but not limited to mobile data, IT security, staff mileage and travel costs.

Our fee estimate takes into account the agreed upon level of preparation and assistance from Company personnel; we will advise you should this not be provided, or should any other circumstances arise which may cause actual time to exceed that estimate.

**The audit team**

The key audit team members and their contact numbers are:

Engagement Leader

s9(2)(a)

Engagement Manager

Please feel free to contact the appropriate team member as your needs arise.

**Quality of service**

We wish to provide you at all times with a high quality of service to meet your needs. If, at any time, you believe that our service to you could be improved, or if you are dissatisfied with any aspect of our service, please raise the matter immediately with the engagement partner responsible for that aspect of our services to you. If, for any reason, you would prefer to discuss these matters with someone other than that person, please contact s9(2)(a) the leader of our Financial





RTS Aotearoa Limited  
14 December 2023

Assurance practice in New Zealand who is resident in our Auckland office. This will enable us to ensure your concerns are dealt with promptly and appropriately.

**Acknowledgement and acceptance**

Please acknowledge receipt of this letter and your agreement to the terms of our engagement by signing the enclosed copy of the letter in the space provided and returning it to s9(2)(a)

If you require any further information, or wish to discuss the terms of our engagement further before replying, please do not hesitate to contact us.

Yours faithfully

PricewaterhouseCoopers

**Client acceptance**

The terms of this engagement are accepted by Bailey Mackery on behalf of RTS Aotearoa Limited who represents that they are authorised to accept these terms on behalf of the Company.

Signed: .....

Date: .....

14/12/23

**New Zealand Film Commission acceptance**

The terms of this engagement are accepted by Mel Read on behalf of the New Zealand Film Commission who represents that they are authorised to accept these terms on behalf of the Commission.

Signed .....

Date .....

15 January 2024



## Appendix A

### Form of our report

#### Independent auditor's report

To the Director of RTS Aotearoa Limited

To the New Zealand Film Commission

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#### Our opinion

In our opinion, the Qualifying New Zealand Production Expenditure (QNZPE) of RTS Aotearoa Limited (the "Company") for the period [insert period covered by statement] as presented in the accompanying Production Expenditure Statement (the "Expenditure Statement"), is prepared, in all material respects, in accordance with Section 3 and Section 4 of the NZSPG Criteria – International Productions - July 2017 (Updated 2019) (the "Criteria") issued by the New Zealand Film Commission.

#### What we have audited

We have audited the QNZPE as presented in the column labelled Total QNZPE (audited)" under "Total NZD" in the accompanying Expenditure Statement for the period [insert period covered by statement] for the making of the production, "Race to Survive: Aotearoa". We did not audit the other columns in the Expenditure Statement.

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#### Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (New Zealand) (ISAs (NZ)). Our responsibilities under those standards are further described in the *Auditor's responsibilities for the audit of the QNZPE* section of our report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Independence

We are independent of the Company in accordance with Professional and Ethical Standard 1 *International Code of Ethics for Assurance Practitioners (including International Independence Standards) (New Zealand)* (PES 1) issued by the New Zealand Auditing and Assurance Standards Board, and we have fulfilled our other ethical responsibilities in accordance with these requirements.

Other than in our capacity as auditor we have no relationship with, or interests in, the Company.

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#### Emphasis of Matter - Basis of accounting

We draw attention to Note 1 to the Expenditure Statement which describes the basis of accounting. The Expenditure Statement does not comprise a full set of financial statements and is not prepared in accordance with generally accepted accounting principles in New Zealand. The Expenditure Statement, which includes the QNZPE, is prepared to comply with section 5.34.1 of the Criteria and assist the Director of the Company with their application to the New Zealand Film Commission for the International Grant for the making of the production, "Race to Survive: Aotearoa". As a result, the Expenditure Statement may not be suitable for another purpose. Our opinion is not modified in respect to this matter.



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### **Other Information**

The Director is responsible for the other information. The other information comprises the information included in the Application for Final Certificate, but does not include the QNZPE within the Expenditure Statement and our auditor's report thereon.

Our opinion on the QNZPE does not cover the other information and we do not express any form of audit opinion or assurance conclusion thereon.

In connection with our audit of the QNZPE, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the QNZPE or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed on the other information that we obtained prior to the date of this auditor's report, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

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### **Responsibilities of the Director for the Expenditure Statement**

The Director is responsible, on behalf of the Company, for the preparation of the Expenditure Statement, including the QNZPE, for the period [insert period covered by statement] in accordance with the Criteria, and for such internal control as the Director determines is necessary to enable the preparation of the Expenditure Statement that is free from material misstatement, whether due to fraud or error.

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### **Auditor's responsibilities for the audit of the QNZPE**

Our objectives are to obtain reasonable assurance about whether the QNZPE, as a whole, is prepared, in all material respects, in accordance with the Criteria, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (NZ) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the QNZPE.

As part of an audit in accordance with ISAs (NZ), we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the QNZPE, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Company's internal control.
- Evaluate the appropriateness of accounting policies used and related disclosures made by management.

We communicate with the Director regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



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**Who we report to**

This report is made solely to the Director of the Company and the New Zealand Film Commission. Our audit work has been undertaken so that we might state those matters which we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Director of the Company and the New Zealand Film Commission, for our audit work, for this report or for the opinions we have formed. Our report should not be distributed to any other parties.

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The engagement leader on the audit resulting in this independent auditor's report is s9(2)(a)

For and on behalf of:

Chartered Accountants  
[Date]

Auckland



## Appendix B

### Terms of Business

#### Introduction

These terms of business and the attached engagement letter together form the entire agreement ("the Contract") between the New Zealand Firm of PricewaterhouseCoopers ("PwC") and all addressees of the engagement letter. If there is any conflict between these terms and the engagement letter, the engagement letter will prevail. Unless otherwise agreed in writing, any further work we may carry out in connection with this service will be carried out as part of this Contract.

#### 1. Services

- 1.1. We will provide the services described in the engagement letter ("the services").
- 1.2. You are responsible for determining that the scope of the services is sufficient to meet your needs.
- 1.3. Unless specifically stated to the contrary in the engagement letter:
  - (i) we may allocate appropriate partners and staff to perform the services and may replace any personnel named in the engagement letter with personnel of similar skill;
  - (ii) timetabled dates are intended for planning and estimating purposes only and are not contractually binding;
  - (iii) we will not provide any opinion on the achievability of prospective financial information;
  - (iv) we will rely on the information that you provide and will not verify that information;
  - (v) the services do not include the provision of legal advice or legal due diligence services;
  - (vi) if the services or your reliance on the services depend upon laws, regulations or interpretations by the Courts or Government agencies, we are not responsible for any changes in those laws, regulations or interpretations (whether or not having retrospective effect) which occur after the date of our report and are not required to notify you of such changes;
  - (vii) the services are not designed to reveal fraud or misrepresentation. Accordingly, we do not accept responsibility for detecting fraud or misrepresentation whether by directors, management, staff or external parties;
  - (viii) we are not responsible for the work of any other person who you engage to perform work in conjunction with our services;
  - (ix) where the services are for appointment as Statutory Auditor, Receiver or Liquidator these have the meaning in statute law;
  - (x) where the words Examination, Compilation, Review, Opinion, Assurance or Agreed Upon Procedures are used to specify any services those words have the meanings assigned to them in professional standards issued by either the New Zealand Institute of Chartered Accountants (now trading as Chartered Accountants Australia and New Zealand) or the External Reporting Board.

#### 2. Client responsibilities

- 2.1. You agree that you will:
  - (i) provide, in a timely fashion, all information, assistance and facilities that we require to enable us to provide the services;

- (ii) provide information that is true, accurate and not misleading;
- (iii) use the results of the services only for the purpose for which the services are provided;
- (iv) advise all of our personnel who visit your premises of what is required of them in relation to health and safety, including location and use of safety equipment, emergency evacuations, and the reporting procedures for accidents and hazards and other matters.

#### 3. Reliance on our work

- 3.1. Our final written report will identify the persons to whom the report is addressed. Any oral comments or drafts of written reports or any other communications made prior to the final written report do not represent our final conclusions and should not be relied upon.
- 3.2. Our report should not be relied upon by management of the addressee of our report, or advisors to the addressee of our report, in their personal capacities.

#### 4. Disclosure of our work

- 4.1. The services are provided for your use only and we accept no responsibility or liability to any other person other than those who have engaged us and to whom we report.
- 4.2. You must not disclose any report or other information provided as part of the services to any other person without our prior written consent.
- 4.3. You must not use our name in connection with any prospectus, information memorandum or other offer or marketing document, whether public or private, without our prior written consent.

#### 5. Fees and disbursements

- 5.1. Unless otherwise agreed, our fees are calculated on the basis of time spent and on the level of skill and responsibility involved in providing the services.
  - (i) You also agree to pay reasonable professional fees and expenses, including legal fees and expenses, in complying with or challenging any legally enforceable notice or demand issued by a third party including any government department or any court or tribunal in relation to or in connection with the services.
  - (ii) Goods and services tax will be added where applicable.
- 5.2. Our invoices are due for payment upon receipt. If payment is not received within 14 days we reserve the right to suspend provision of the services and/or charge interest on the outstanding amount at a rate of 3% above the current 90 day bank bill rate.
- 5.3. Any fee estimate is given in good faith but is not contractually binding.

#### 6. Liability limitation

- 6.1. Our liability for any loss or damage that you suffer caused by our breach of contract, tort (including negligence), breach of fiduciary duty or other actionable wrong of any kind shall be limited as follows:
  - (i) we shall have no liability for any consequential or indirect loss or loss of profit;
  - (ii) our liability will be reduced to take into account any contributory negligence on your part pursuant to the Contributory Negligence Act 1947;





- (iii) in the event that more than one person caused or contributed towards your loss, our liability to you will be limited to the proportion of the loss that the Court would apportion to us under section 17 of the Law Reform Act 1936, based on an assessment of our degree of responsibility and the responsibility of the others who contributed to the loss (whether or not those other persons are able to meet any liability they may have);
  - (iv) notwithstanding the foregoing, our liability for loss shall in no circumstances exceed the amount of 5 times the total fees paid in the case of non-recurring work or 5 times the annual fees paid in the case of recurring work (the liability cap) or such other amount specified as the liability cap in the engagement letter.
- 6.2. Where there is more than one addressee to the engagement letter, the amount of our liability as derived from clause 6.1 above is a total limit to be allocated between addressees, such allocation being entirely a matter for the addressees, who will be under no obligation to inform us of it.
- 7. Time limit for claims**
- 7.1. No legal proceedings may be commenced later than two years after the date on which the party bringing the claim became aware or ought reasonably to have become aware of the act or omission on which the claim is based.
- 7.2. In any event, no legal proceedings may be commenced more than four years after the date of the act or omission on which the claim is based.
- 8. Indemnity**
- 8.1. To the maximum extent permitted by law, you agree to indemnify PwC, its partners and staff, and other PricewaterhouseCoopers firms and their partners and staff, and to hold each harmless against any liabilities, losses, expenses and other costs, including legal costs and the cost of PwC professional time reasonably incurred in connection with any claims, inquiries, investigations or similar matters whether made against them or you by any third party arising out of or in any way connected with the services.
- 8.2. Clause 8.1 is for the benefit of PwC's partners and staff, and other PricewaterhouseCoopers firms and their partners and staff who may enforce this clause under the Contract and Commercial Law Act 2017, Part 2, Subpart 1.
- 9. Contract solely with PwC**
- 9.1. You agree that in relation to the services and the Contract the client relationship is solely with PwC. Accordingly, you agree not to bring a claim of any nature against any partner, employee, contractor or subcontractor of PwC or against any other member firm of the global network of PricewaterhouseCoopers firms.
- 9.2. Clause 9.1 is for the benefit of PwC's partners, employees, contractors, subcontractors, and other PricewaterhouseCoopers firms and their employees, contractors and subcontractors who may enforce this clause under the Contract and Commercial Law Act 2017, Part 2, Subpart 1.
- 10. Confidentiality**
- 10.1. Subject to any need to make disclosures required by law or professional ethical obligation, both parties agree that information or documents received by or provided to the other for the purposes of the Contract and provision of the services, or are marked confidential or are manifestly confidential ("confidential information") will be treated as confidential, except if the information:
  - (i) is or becomes generally available to the public other than by a breach of the obligations under the Contract;
  - (ii) is known to the parties prior to entering into the Contract; or
  - (iii) is received from a third party who owes no obligation of confidence in respect of the information.
- 10.2. You agree that PwC may disclose confidential information:
  - (i) for the purpose of providing the services and on a "need to know" basis, to our personnel (including contractors, subcontractors and suppliers) and other PricewaterhouseCoopers firms involved in the provision of the services, and to our insurers or legal advisors, provided these parties are subject to confidentiality obligations;
  - (ii) to the Financial Markets Authority, or any party appointed by the Financial Markets Authority to undertake reviews on its behalf in relation to quality control reviews performed in accordance with the Financial Markets Authority Act 2011, or any quality review completed by the New Zealand Institute of Chartered Accountants (now trading as Chartered Accountants Australia and New Zealand) as part of its quality review process defined in the New Zealand Institute of Chartered Accountants Rules;
  - (iii) once a completed transaction is no longer confidential, we may cite the performance of the services to clients and prospective clients as an indication of our experience;
  - (iv) to other PricewaterhouseCoopers firms involved in engagement quality reviews, management of our client relationship systems, or maintenance of our computer services; or
  - (v) if necessary to meet any legal request from a New Zealand or overseas governmental agency.
- 10.3. We each agree to take reasonable precautions to protect our own information technology systems, including implementing reasonable procedures to guard against viruses and unauthorised interception, access, use, corruption, loss or delay of electronic communications.
- 11. Data Protection and privacy**
- 11.1. Each party to the Contract will comply with the data protection legislation, including the Privacy Act 2020 and any related Codes and regulations and subsequent legislation, applicable to itself, in relation to any personal information shared in connection with the Contract.
- 11.2. You will not provide PwC with personal information unless the personal information is required for the performance of the Contract. In respect of any personal information disclosed to PwC, you confirm you have the necessary authority for PwC to use it in accordance with the Contract, and that data subjects have been given necessary information regarding its use.
- 11.3. Each party may process personal information for the purposes of any of:
  - (i) performing the Contract,
  - (ii) security, quality and risk management activities,
  - (iii) complying with any requirement of law, regulation or a professional body of which it is a member;
  - (iv) administering, and managing its business and services.Additional information about how PwC uses personal information is set out in our Privacy Policy, available on [www.pwc.co.nz/privacy](http://www.pwc.co.nz/privacy).
- 11.4. Each party may transfer personal information shared with it to any of its affiliates or contractors or subcontractors or suppliers in relation to any set of the purposes set out in clause 11. Some of these recipients may be located outside the country or territory where the personal information originated, or the data subjects are located. Each party may disclose the personal information only where it has a lawful basis to do so and any appropriate contractual or comparable safeguards required by applicable data protection legislation are in place to protect the personal information being disclosed.



## **12. Ownership and destruction of working papers**

- 12.1. The working papers that we produce in the course of performing the services are our property and we have no obligation to disclose our working papers to you or to any other person.
- 12.2. You acknowledge that we may, after a period of time, destroy our working papers, reports and other records relating to the services, including any of your documents that have come into our possession, in accordance with our standard procedures relating to document retention.

## **13. Intellectual property rights**

- 13.1. Intellectual property rights in all documentation, systems, materials, methodologies and processes ("tools") brought to and utilised by PwC in relation to the services or created in the course of providing the services, and in all working papers and reports, remain vested in PwC.
- 13.2. Subject to the requirement to treat confidential information as confidential any spreadsheet, database, system, technique, methodology, idea, concept, information or know-how developed in the course of the Contract may be used in any way we deem appropriate, including by or for our clients, without any obligation to account to you.
- 13.3. In the case of documentation or software prepared by PwC for you we may, on termination or completion of the Contract, retain one copy of such information as a professional record of our involvement.

## **14. Other engagements**

- 14.1. Nothing in this Contract prevents PwC from providing services to other clients provided that we take reasonable steps to ensure that each client's confidential information is not disclosed to other clients.
- 14.2. This Contract is separate from other engagements that we may perform for you or for other clients and we have no obligation to utilise knowledge gained from such other engagements when performing the services under this Contract.
- 14.3. By entering into this Contract and providing the services, we do not assume a responsibility to you in relation to any reports or opinions that we may have provided under separate engagements, including statutory audit reports, or in relation to any other work that we may have performed for any other client, whether or not that client is the subject of the services.

## **15. Circumstances outside the Parties control**

- 15.1. Neither party will be liable to the other for any failure to fulfil obligations caused by circumstances outside its reasonable control.

## **16. Assignment**

- 16.1. Neither party may assign, transfer, charge or otherwise deal with its rights or obligations under the Contract without the prior written consent of the other party, except that each may transfer its respective rights and obligations to a partnership or legal entity authorised to take over all or part of its business.

## **17. Termination of Contract**

- 17.1. The Contract may be terminated by either party by written notice.
- 17.2. You will pay PwC for all services provided up to the date of termination.
- 17.3. Where you terminate the Contract before we have completed the services, you will pay any additional costs that we incur in connection with the early termination.
- 17.4. The provisions of the Contract which expressly or by implication are intended to survive its termination or expiry will survive and continue to bind both parties.

## **18. Entire agreement**

- 18.1. The Contract forms the entire agreement between the parties.
- 18.2. To the extent permissible by law all warranties, conditions, representations and liabilities or terms other than those expressly stated are excluded. In addition, we both agree not to make, and waive any right to make, any claim under sections 9, 12A or 13 of the Fair Trading Act 1986 in respect of all matters covered by the Contract. We agree this clause is fair and reasonable.
- 18.3. If any term of the Contract is held to be invalid the enforceability of the remainder of the Contract will not be affected.

## **19. Resolving disputes**

- 19.1. The Contract is governed by New Zealand law.
- 19.2. Should any dispute arise, the parties will attempt to resolve it in good faith by senior level negotiations (this may include mediation using the services of an agreed mediator).
- 19.3. If the dispute is not resolved through negotiation or mediation the New Zealand Courts will have exclusive jurisdiction, over all claims that may arise out of or in connection with the Contract.
- 19.4. Each party hereby irrevocably waives any claim that an action is brought in an inconvenient forum, or that the New Zealand Courts do not have jurisdiction.

## **20. Subcontractors selected by you**

- 20.1. Where you are using third parties in connection with the Services to be provided in accordance with this Contract, you will ensure that you have appropriate agreements with them. Unless agreed otherwise in the engagement letter, you will be responsible for the management of those third parties and the quality of their input and work.
- 20.2. Where you require PwC to contract the services of a subcontractor specified by you, you will accept responsibility for the work to be performed by such subcontractor. PwC will not be responsible or liable to you or to any other person for the work performed by, or for any act, omission, default or neglect of, such subcontractor. In the above circumstances, you will be responsible and liable for, and will indemnify PwC against and from, any liability which PwC may incur to any person and against all claims, demands, proceedings, damages, losses, costs and expenses made against, suffered or incurred by PwC, directly or indirectly as a result of or in connection with the work performed by any such subcontractor.

## **21. Employment**

- 21.1. During the term of this Contract or within 12 months of its termination or completion, neither party will directly or indirectly solicit for employment any of the other party's employees who have been providing Services or otherwise connected with this Contract without the other party's prior written consent.

**From:** [Leah Macmillan](#)  
**To:** [janine](#); [NZSPR](#)  
**Subject:** RE: NZFC Logo - Race to Survive  
**Date:** Friday, 9 February 2024 8:54:31 a.m.  
**Attachments:** [NZFC Logo Package - NZSPG.zip](#)  
[image001.jpg](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.jpg](#)

---

Mōrena Janine,

See attached the logo package. Along with the specific text 'The filmmakers acknowledge the assistance of the New Zealand Government's Screen Production Rebate'.

Kindly,

**Leah Macmillan | Incentives Coordinator**

New Zealand Film Commission | Te Tumu Whakaata Taonga

Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland 1010

s9(2)(a)

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**From:** Janine Dickins s9(2)(a)  
**Sent:** Tuesday, February 6, 2024 1:51 PM  
**To:** NZSPR <nzspg@nzfilm.co.nz>  
**Subject:** NZFC Logo - Race to Survive

Hi,

Would you please supply the NZFC Logo for end credits of television series Race to Survive.

Can we assume the following is still the correct wording to accompany logo:

*The filmmakers acknowledge the assistance of the New Zealand Government's Screen Production Rebate*

Best

Janine Dickins



**From:** [Philippa Mossman](#)  
**To:** [Annie Murray](#)  
**Subject:** FW: Race to Survive trailer  
**Date:** Tuesday, 9 April 2024 11:13:48 a.m.

---

Hi Annie

I believe there has been no conclusion reported back to you from DOC re the weka on *Race to Survive* (cast your mind back to early November 2023)

I would like to know whether the weka scenes made the final cut (hopefully not) - however feel it's best not to ask as it really isn't our business.

I have advised Jacqui not to communicate with DOC on this in the meantime.

P

---

**From:** Jacqui Wood <jacqui.wood@nzfilm.co.nz>  
**Sent:** Tuesday, April 9, 2024 10:59 AM  
**To:** Philippa Mossman <philippa.mossman@nzfilm.co.nz>  
**Cc:** Jane Sloane <jane.simons@nzfilm.co.nz>  
**Subject:** Race to Survive trailer

Here we go with the trailer – show due to air May 20. I wonder if DOC has a press release standing by and if you think it is worth connecting with them about it?

<https://ew.com/race-to-survive-new-zealand-cast-airdate-trailer-revealed-8627876>

**From:** [Janine Dickins](#)  
**To:** [Mel Read](#); [NZSPR](#)  
**Subject:** Re: Race to Survive New Zealand  
**Date:** Wednesday, 15 May 2024 11:19:36 a.m.

---

Thanks Mel,

Janine

---

**From:** Mel Read <mel.read@nzfilm.co.nz>  
**Date:** Wednesday, 15 May 2024 at 10:41 am  
**To:** Janine Dickins [s9\(2\)\(a\)](#) NZSPR <nzspg@nzfilm.co.nz>  
**Subject:** RE: Race to Survive New Zealand

Kia ora Janine,

No changes that I'm aware of.

Cheers, Mel

---

**From:** Janine Dickins [s9\(2\)\(a\)](#)  
**Sent:** Wednesday, May 15, 2024 9:32 AM  
**To:** NZSPR <nzspg@nzfilm.co.nz>  
**Subject:** Race to Survive New Zealand

Hi NZSPR team,

[Re: Race to Survive New Zealand](#)

Can I please double check that nothing has changed in the way costs incurred by an offshore company, can be journaled into the local SPV's GL, i.e., not physically paid out by the local SPV.

As has been accepted in the past, Original (the US Company) paid for some costs including travel and US fees (via EP Payroll). All NZ costs were paid via the SPV set up by local production company Pango Productions.

Does Pango have to have physically paid the US costs, or, as has been in the past, does the NZFC & Panel accept US costs journaled into the General Ledger, but paid in the USA?

We are due to submit the Final Application, hopefully next week, so need to make sure we don't come unstuck on this point.

Best  
Janine Dickins  
For Pango

**From:** [Janine Dickins](#)  
**To:** [Mel Read](#); [Leah Macmillan](#)  
**Cc:** [NZSPR](#); [Kiriana Burke](#); [s9\(2\)\(a\)](#)  
**Subject:** Final Application (International) "Race to Survive New Zealand"  
**Date:** Monday, 27 May 2024 2:11:27 p.m.  
**Attachments:** [Race to Survive NZSPG Final Application.pdf](#)

---

Application withheld in full under section 9(2)(b)(ii) and 9(2)(ba)(i) of the OIA

Kia ora Mel and Leah,

Please use the following DropBox link to access Pango Production's Final Application for NZSPG (International) for the Project: "Race to Survive New Zealand". The Application Form is also attached to this email.

[s9\(2\)\(b\)\(ii\)](#)

the NZ accountant moved on to another production at the wrap of NZ shoot, therefore [s9\(2\)\(a\)](#) (US based project production accountant) will provide backup for expenditure:

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

Please copy Kiriana Burke and me for any additional information.

Ngā mihi  
Janine Dickins  
For "Pango Productions"

Released under the Official Information Act 1982

**From:** Leah Macmillan <[leah.macmillan@nzfilm.co.nz](mailto:leah.macmillan@nzfilm.co.nz)>

**Sent:** Thursday, May 30, 2024 3:05 PM

**To:** Film Desk [filmdesk@ird.govt.nz](mailto:filmdesk@ird.govt.nz)>

**Subject:** Race to Survive

Kia ora,

Here is the link for the application Race to Survive... **s9(2)(b)(ii)**

**s9(2)(b)(ii)**

Kindly,

**Leah Macmillan | Incentives Coordinator**

New Zealand Film Commission | Te Tumu Whakaata Taonga

Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland 1010

**s9(2)(a)**

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From: s9(2)(a)  
To: Stella Inkpen  
Cc: Mel Read  
Subject: Re: Race to Survive - INT  
Date: Thursday, 4 July 2024 6:19:05 p.m.  
Attachments: image002.jpg  
image003.png  
image004.png  
image005.png  
Race to Survive International Consultant Report - Final - 2019 Criteria.docx  
Race to Survive - recommended exclusions.xlsx

Consultant Report and  
Recommended Exclusions  
documents withheld in full under  
sections 9(2)(b)(ii) of the OIA

Kia ora Stella

Please find attached my completed report and worksheet for Race to Survive.

Ngā mihi,

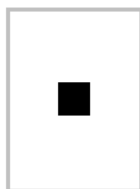
s9(2)(a)

On Thu, May 30, 2024 at 9:43 AM Leah Macmillan <[leah.macmillan@nzfilm.co.nz](mailto:leah.macmillan@nzfilm.co.nz)> wrote:

Kia ora s9(2)(a)

Do you have some time/keen to be the consultant for Race to Survive with is and INT production. Report would be due 25<sup>th</sup> July.

Kindly,



**Leah Macmillan |Incentives Coordinator**

New Zealand Film Commission | Te Tumu Whakaata Taonga

Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland 1010

s9(2)(a)

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**From:** [Leah Macmillan](#)  
**To:** [Chris Payne](#)  
**Cc:** [Film Desk](#); [Heidi van der Watt](#); [Alex Colton](#)  
**Subject:** Acknowledgment Final Application - Race to Survive NZ  
**Date:** Thursday, 30 May 2024 2:17:13 p.m.  
**Attachments:** [Acknowledgement of Final Application - Race to Survive NZ - 30th May 2024.pdf](#)  
[image001.jpg](#)  
[image002.jpg](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Kia ora Chris,

Please see attached the acknowledgement of Final Application for *Race to Survive NZ*.

Kindly,

**Leah Macmillan |Incentives Coordinator**

New Zealand Film Commission | Te Tumu Whakaata Taonga

Ground Floor, Kauri Timber Building, 29 Graham Street or 104 Fanshawe Street, Auckland 1010

s9(2)(a)

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30<sup>th</sup> May 2024

RTS Aotearoa Limited

Attn: Kiriana Burke

By email: s9(2)(a)

Dear Kiriana,

**NEW ZEALAND SCREEN PRODUCTION REBATE – INTERNATIONAL PRODUCTIONS, Final Application – 1 July 2017 Criteria (Updated 2019)**

The New Zealand Film Commission (NZFC) acknowledges receipt of your application for Final certification for the New Zealand Screen Production Grant in respect of RACE TO SURVIVE: NEW ZEALAND on the 30<sup>th</sup> May 2024.

We'll send a copy of the application to our independent consultant s9(2)(a) and to the Inland Revenue Department. Once we've received their reports and have reviewed the application ourselves, it will be presented to the NZSPR Panel. We'll aim to get back to you with the Panel's decision within three months. In the meantime, s9(2)(a) or Inland Revenue may be in touch with you directly if they have any questions or require further information.

*Yours sincerely,*



Mel Read  
Incentives Executive

CC: Heidi van der Watt & Alex Colton, Ministry of Business, Innovation and Employment; Film Desk, Inland Revenue; Head of Incentives - NZFC

**From:** [Annie Murray](#)  
**To:** [Chris Payne](#)  
**Subject:** RE: Incident during Race to Survive filming  
**Date:** Tuesday, 23 July 2024 11:10:00 a.m.  
**Attachments:** [image001.jpg](#)  
[image003.jpg](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.jpg](#)  
[image008.png](#)  
[image010.jpg](#)

---

Thanks Chris. That aligns with what Stuff and NZH have also reported, hence our follow up to DOC to formally notify us of the finding of their investigation.

---

**From:** Chris Payne <chris.payne@nzfilm.co.nz>  
**Sent:** Tuesday, July 23, 2024 11:02 AM  
**To:** Annie Murray <annie.murray@nzfilm.co.nz>  
**Subject:** RE: Incident during Race to Survive filming

P.S. I heard this on RNZ on the drive in – you may also have heard same (and conscious we may receive a more fulsome investigation summary directly from DOC:

[Reality TV contestants eat protected weka on NZ-filmed show | RNZ News](#)

The Department of Conservation has given a written warning *Race to Survive: New Zealand* after contestants ate a protected bird.

In the reality show, participants race each other over hundreds of kilometres of harsh terrain with only what they can carry.

US white water river guides Spencer "Corry" Jones and team-mate Oliver Dev were disqualified after the incident.

In a clip from the show, Jones apologised on camera and said it did not sit lightly with him. He said he was desperate and hungry, but he knew he was breaking the rule when he did it.

In a statement, the Department of Conservation said it was clear with the production company that protected species could not be harvested or consumed. It said the company had alerted it about the incident shortly after it occurred.

DOC team lead of investigations Dylan Swain said the company was "on notice" about the need for programme participants to follow conservation rules.

He said there was a unique set of circumstances at play, that cast members were fatigued and suffering from significant hunger with an unusual group dynamic. He said this led the department to decide a warning letter was prudent.

The show airs on USA Network which said in an article on its website the pair were disqualified from the competition.



Weka are native birds and protected in New Zealand.

Chris Payne | Head of Co-Production and Incentives

**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:** Chris Payne

**Sent:** Tuesday, July 23, 2024 10:42 AM

**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Subject:** RE: Incident during Race to Survive filming

Yes, of course. Thank you.

Chris Payne | Head of Co-Production and Incentives

**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:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Sent:** Monday, July 22, 2024 10:23 PM

**To:** Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>

**Subject:** FW: Incident during Race to Survive filming

FYI

This is the DOC contact re the weka incident. I asked her to let me know the outcome of their investigation, but we've heard nothing more from DOC.

I will reach out to Susannah, then can I please leave this with you to follow up Chris?

Ngā mihi,

Annie

---

**From:** Annie Murray

**Sent:** Friday, November 10, 2023 1:13 PM

**To:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>

**Cc:** Bailey Mackey **s9(2)(a)**; Jeffrey Hall (Compliance Officer)  
<[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>; Roy Grose <[rgrose@doc.govt.nz](mailto:rgrose@doc.govt.nz)>; **s9(2)(a)**  
**s9(2)(a)**

**Subject:** RE: Incident during Race to Survive filming

Kia ora Susannah,

Thank you for your email. Please do let me know of the outcome of your investigations as it will need to be taken account of in NZFC processes.

My contact details are below should you need them.

Ngā mihi nui,

Annie Murray

Annie Murray | Te Arawa | Chief Executive  
**Te Tumu Whakaata Taonga | New Zealand Film Commission**

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**From:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>

**Sent:** Friday, November 10, 2023 10:21 AM

**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Cc:** Bailey Mackey **s9(2)(a)** Jeffrey Hall (Compliance Officer)

**s9(2)(a)** Roy Grose <[rgrose@doc.govt.nz](mailto:rgrose@doc.govt.nz)>; **s9(2)(a)**

**s9(2)(a)**

**Subject:** Incident during Race to Survive filming

Kia ora Annie

We have recently been made aware of an incident which happened during filming of Race to Survive, where a cast member allegedly killed and ate a weka. You are right in saying that they are a fully protected species, as set out below.

I have taken advice from our compliance team and we are now beginning our investigations into what happened. This will initially involve taking statements from those involved, including witnesses, over the next few days. I can keep you updated as this progresses, if you would like.

Ngā mihi

Susannah

**Susannah Peckham**

Warranted Officer and Supervisor, Community – Northern South Island Operations Group | Kaitiaki  
Kaitauawhi

**Department of Conservation | Te Papa Atawhai**

**s9(2)(a)**

**Based at Whakatū Nelson Office**

Monro Building | 186 Bridge Street | Nelson | 7010

Private Bag 5 | Nelson 7010

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

From: **Annie Murray** <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

Date: Tue, 7 Nov 2023 at 2:29 PM

Subject: RE: Incident Report - Road to Survive New Zealand

To: Bailey Mackey <**s9(2)(a)**>

Cc: Jeff Hasler <**s9(2)(a)**>

Kia ora Bailey,

Thank you for this. We note you do not yet appear to have formally reported the incident to DOC, which is required as weka are a fully protected species. From DOC's website:

*The Wildlife Act (1953) protects most native species from hunting. The penalty for killing protected wildlife is up to 2 years in prison or a fine up to \$100,000.*

With regard to the rebate:

*To be eligible to receive an International Rebate, an applicant must comply with New Zealand law (including health and safety law) in respect of all the applicant's activities in New Zealand and in respect of any activities not undertaken in New Zealand but otherwise subject to New Zealand law.*

We strongly advise that you report the incident urgently to DOC and seek legal advice if you have not already done so. I am prepared to hold the notification to the Minister's office until 10am tomorrow to give you time to report, we can then advise the Minister that a report has been filed with DOC.

Ngā mihi,

Annie

**From:** [Philippa Mossman](#)  
**To:** [Annie Murray](#)  
**Cc:** [Chris Payne](#)  
**Subject:** RE: Incident during Race to Survive filming  
**Date:** Wednesday, 24 July 2024 9:37:14 a.m.  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.jpg](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.jpg](#)  
[image010.png](#)  
[image011.jpg](#)

---

Thanks Annie. Helpful to see.

NY Times:

Reality Show Contestant Apologizes After Eating Protected Bird

<https://www.nytimes.com/2024/07/23/world/australia/new-zealand-reality-show-weka-bird.html?smid=nytcore-ios-share&referringSource=articleShare&sgrp=c-cb>

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Wednesday, July 24, 2024 9:33 AM  
**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Cc:** Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>  
**Subject:** FW: Incident during Race to Survive filming

Fyi P

---

**From:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>  
**Sent:** Wednesday, July 24, 2024 8:58 AM  
**To:** Bailey Mackey <[s9\(2\)\(a\)](#)> Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>  
**Cc:** Jeffrey Hall (Compliance Officer) <[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>; Martin Rodd <[mrodd@doc.govt.nz](mailto:mrodd@doc.govt.nz)>; Jeff Neems <[jneems@doc.govt.nz](mailto:jneems@doc.govt.nz)>; Dylan Swain <[dswain@doc.govt.nz](mailto:dswain@doc.govt.nz)>; Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Subject:** RE: Incident during Race to Survive filming

Thanks for the confirmation of that, Bailey.

Ngā mihi

Susannah

---

**From:** Bailey Mackey <[s9\(2\)\(a\)](#)>

**Sent:** Wednesday, July 24, 2024 3:52 AM

**To:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>; Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>

**Cc:** Jeffrey Hall (Compliance Officer) <[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>; Martin Rodd <[mrodd@doc.govt.nz](mailto:mrodd@doc.govt.nz)>; Jeff Neems <[jneems@doc.govt.nz](mailto:jneems@doc.govt.nz)>; Dylan Swain <[dswain@doc.govt.nz](mailto:dswain@doc.govt.nz)>; Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Subject:** Re: Incident during Race to Survive filming

Kia ora all

Thanks for the below correspondence. I am abroad in New York and a bit jetlagged so apologies for the delay in getting back to you all. Yes I can confirm that there are no current plans to film another series of RTS in NZ.

Nga mihi

Bailey

**Bailey Mackey**

s9(2)(a)

Pango Productions

[www.pango.co.nz](http://www.pango.co.nz)



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**From:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>

**Date:** Tuesday, 23 July 2024 at 2:09 PM

**To:** Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>

**Cc:** Jeffrey Hall (Compliance Officer) <[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>, Martin Rodd <[mrodd@doc.govt.nz](mailto:mrodd@doc.govt.nz)>, Jeff Neems <[jneems@doc.govt.nz](mailto:jneems@doc.govt.nz)>, Dylan Swain <[dswain@doc.govt.nz](mailto:dswain@doc.govt.nz)>, Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>, Bailey Mackey s9(2)(a) >

**Subject:** RE: Incident during Race to Survive filming

Kia ora Chris

Thanks for the extra detail about the application you're considering. Please keep us posted about the progress of this and let me know if you need any further context to assist in your decision making.

Ngā mihi

Susannah

---

**From:** Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>

**Sent:** Tuesday, July 23, 2024 12:44 PM

**To:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>; Bailey Mackey <s9(2)(a)>

**Cc:** Jeffrey Hall (Compliance Officer) <[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>; Martin Rodd <[mrodd@doc.govt.nz](mailto:mrodd@doc.govt.nz)>; Jeff Neems <[jneems@doc.govt.nz](mailto:jneems@doc.govt.nz)>; Dylan Swain <[dswain@doc.govt.nz](mailto:dswain@doc.govt.nz)>; Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Subject:** RE: Incident during Race to Survive filming

Kia ora Susannah

Thank you for this summary of the investigation – much appreciated.

In respect of your query re: the application under consideration:

- On 30 May 2024 the NZFC received and acknowledged an application from RTS Aotearoa Limited for final certification for the New Zealand Screen Production Grant (NZSPG) – International in respect of *Race to Survive: New Zealand*.
- The assessment of this application is almost complete and will be considered at our next Panel meeting, scheduled to be held on 7 August 2024.
- If the Panel approves a staff recommendation to issue final certification to *Race to Survive: New Zealand*, then RTS Aotearoa Limited will be entitled to receive a rebate equivalent to 20% of the approved Qualifying New Zealand Production Expenditure (QNZPE) for *Race to Survive: New Zealand*.
- We are unaware of any further filming intended to occur relating to this season of *Race to Survive: New Zealand*. @Bailey Mackey is best placed to advise in respect of any further seasons contemplated or planned for *Race to Survive: New Zealand*.

Noho ora mai

Chris

Chris Payne | Head of Co-Production and Incentives

**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:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>  
**Sent:** Tuesday, July 23, 2024 12:03 PM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Cc:** Bailey Mackey **s9(2)(a)** Jeffrey Hall (Compliance Officer) <[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>; Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>; Martin Rodd <[mrodd@doc.govt.nz](mailto:mrodd@doc.govt.nz)>; Jeff Neems <[jneems@doc.govt.nz](mailto:jneems@doc.govt.nz)>; Dylan Swain <[dswain@doc.govt.nz](mailto:dswain@doc.govt.nz)>  
**Subject:** RE: Incident during Race to Survive filming

Kia ora Annie

Thanks for your email.

Our investigation included interviewing a number of cast members involved in filming the programme to establish the facts of what happened. The investigation resulted in a warning letter to one cast member who admitted that they killed a weka, as well as a warning letter to Ten Events Ltd, which held the filming permit on behalf of the production company. It was made clear that the Department would take stronger action if any such incidents were to occur in the future.

It would be helpful to know details of the application you are currently considering. If further filming is proposed by Race to Survive production in NZ, we need to be aware of it, as this incident will affect how we treat any future application for a filming concession.

Ngā mihi nui

Susannah

**Susannah Peckham**

Supervisor, Community – Northern South Island Operations Group | Kaitiaki Kaitauawhi  
**Department of Conservation | Te Papa Atawhai**

**s9(2)(a)**

**Based at Whakatū Nelson Office**

Monro Building | 186 Bridge Street | Nelson | 7010  
Private Bag 5 | Nelson 7010

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Monday, July 22, 2024 10:27 PM  
**To:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>  
**Cc:** Bailey Mackey **s9(2)(a)** Jeffrey Hall (Compliance Officer) <[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>; Roy Grose <[rgrose@doc.govt.nz](mailto:rgrose@doc.govt.nz)>; Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>  
**Subject:** RE: Incident during Race to Survive filming

Kia ora Susannah,

Re: Weka Incident on Race to Survive

NZFC is now considering an application from the Race to Survive production. As per our emails below, could you please let us know the outcome of your investigations into this incident?

Ngā mihi nui,

Annie Murray

---

**From:** Annie Murray

**Sent:** Friday, November 10, 2023 1:13 PM

**To:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>

**Cc:** Bailey Mackey **s9(2)(a)** Jeffrey Hall (Compliance Officer) <[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>; Roy Grose <[rgrose@doc.govt.nz](mailto:rgrose@doc.govt.nz)>; **s9(2)(a)**; [nathan@nathanfaavae.nz](mailto:nathan@nathanfaavae.nz)

**Subject:** RE: Incident during Race to Survive filming

Kia ora Susannah,

Thank you for your email. Please do let me know of the outcome of your investigations as it will need to be taken account of in NZFC processes.

My contact details are below should you need them.

Ngā mihi nui,

Annie Murray

Annie Murray | Te Arawa | Chief Executive

**Te Tumu Whakaata Taonga | New Zealand Film Commission**

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**From:** Susannah Peckham <[speckham@doc.govt.nz](mailto:speckham@doc.govt.nz)>

**Sent:** Friday, November 10, 2023 10:21 AM

**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Cc:** Bailey Mackey **s9(2)(a)** Jeffrey Hall (Compliance Officer) <[jehall@doc.govt.nz](mailto:jehall@doc.govt.nz)>; Roy Grose <[rgrose@doc.govt.nz](mailto:rgrose@doc.govt.nz)>; **s9(2)(a)**; [nathan@nathanfaavae.nz](mailto:nathan@nathanfaavae.nz)

**Subject:** Incident during Race to Survive filming



Kia ora Annie

We have recently been made aware of an incident which happened during filming of Race to Survive, where a cast member allegedly killed and ate a weka. You are right in saying that they are a fully protected species, as set out below.

I have taken advice from our compliance team and we are now beginning our investigations into what happened. This will initially involve taking statements from those involved, including witnesses, over the next few days. I can keep you updated as this progresses, if you would like.

Ngā mihi

Susannah

**Susannah Peckham**

Warranted Officer and Supervisor, Community – Northern South Island Operations Group | Kaitiaki Kaitauawhi

s9(2)(a)

**Based at Whakatū Nelson Office**

Monro Building | 186 Bridge Street | Nelson | 7010

Private Bag 5 | Nelson 7010

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

From: **Annie Murray** <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

Date: Tue, 7 Nov 2023 at 2:29 PM

Subject: RE: Incident Report - Road to Survive New Zealand

To: Bailey Mackey <s9(2)(a)>

Cc: Jeff Hasler <s9(2)(a)>

Kia ora Bailey,

Thank you for this. We note you do not yet appear to have formally reported the incident to DOC, which is required as weka are a fully protected species. From DOC's website:

*The Wildlife Act (1953) protects most native species from hunting. The penalty for killing protected wildlife is up to 2 years in prison or a fine up to \$100,000.*

With regard to the rebate:

*To be eligible to receive an International Rebate, an applicant must comply with New Zealand law (including health and safety law) in respect of all the applicant's activities in New Zealand and in respect of any activities not undertaken in New Zealand but otherwise subject to New Zealand law.*

We strongly advise that you report the incident urgently to DOC and seek legal advice if you have not already done so. I am prepared to hold the notification to the Minister's office until 10am tomorrow to give you time to report, we can then advise the Minister that a report has been filed with DOC.

Ngā mihi,

Annie

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**From:** [Annie Murray](#)  
**To:** [Mel Read](#); [Chris Payne](#)  
**Subject:** RE: Race To Survive  
**Date:** Monday, 22 July 2024 1:48:18 p.m.  
**Attachments:** [image001.jpg](#)  
[image003.jpg](#)

---

Thanks Mel

---

**From:** Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)>  
**Sent:** Monday, July 22, 2024 1:42 PM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>  
**Subject:** RE: Race To Survive

Kia ora – no, not yet. The final assessment is yet to go to the Panel – likely to be 7 August, so it will be due for publication after 30 September.

Cheers, Mel

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Monday, July 22, 2024 1:37 PM  
**To:** Mel Read <[mel.read@nzfilm.co.nz](mailto:mel.read@nzfilm.co.nz)>; Chris Payne <[chris.payne@nzfilm.co.nz](mailto:chris.payne@nzfilm.co.nz)>  
**Subject:** Race To Survive

Kia ora, quick question: has this rebate been paid? If so, can you please send me a link to it on our website?

We have had media enquiry about the rule breaking incident.

Thanks

Annie

**Annie Murray | Chief Executive**  
**New Zealand Film Commission | Te Tumu Whakaata Taonga**

Level 1, 14-16 Maidstone St, Grey Lynn, Auckland

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

**s9(2)(a)**  
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**From:** [Annie Murray](#)  
**To:** [Alastair Carruthers](#)  
**Subject:** FW: Race to Survive: NZ - FYI  
**Date:** Monday, 22 July 2024 4:32:00 p.m.  
**Attachments:** [image001.jpg](#)

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**From:** Annie Murray  
**Sent:** Monday, July 22, 2024 1:34 PM  
**To:** Philippa Mossman <Philippa.Mossman@nzfilm.co.nz>  
**Subject:** FW: Race to Survive: NZ - FYI

[Race to Survive: New Zealand Episode 8 Recap \(realitytea.com\)](#)

## Dismissed and disqualified

Oliver and Corry walking away from a helicopter on Race to Survive: New Zealand

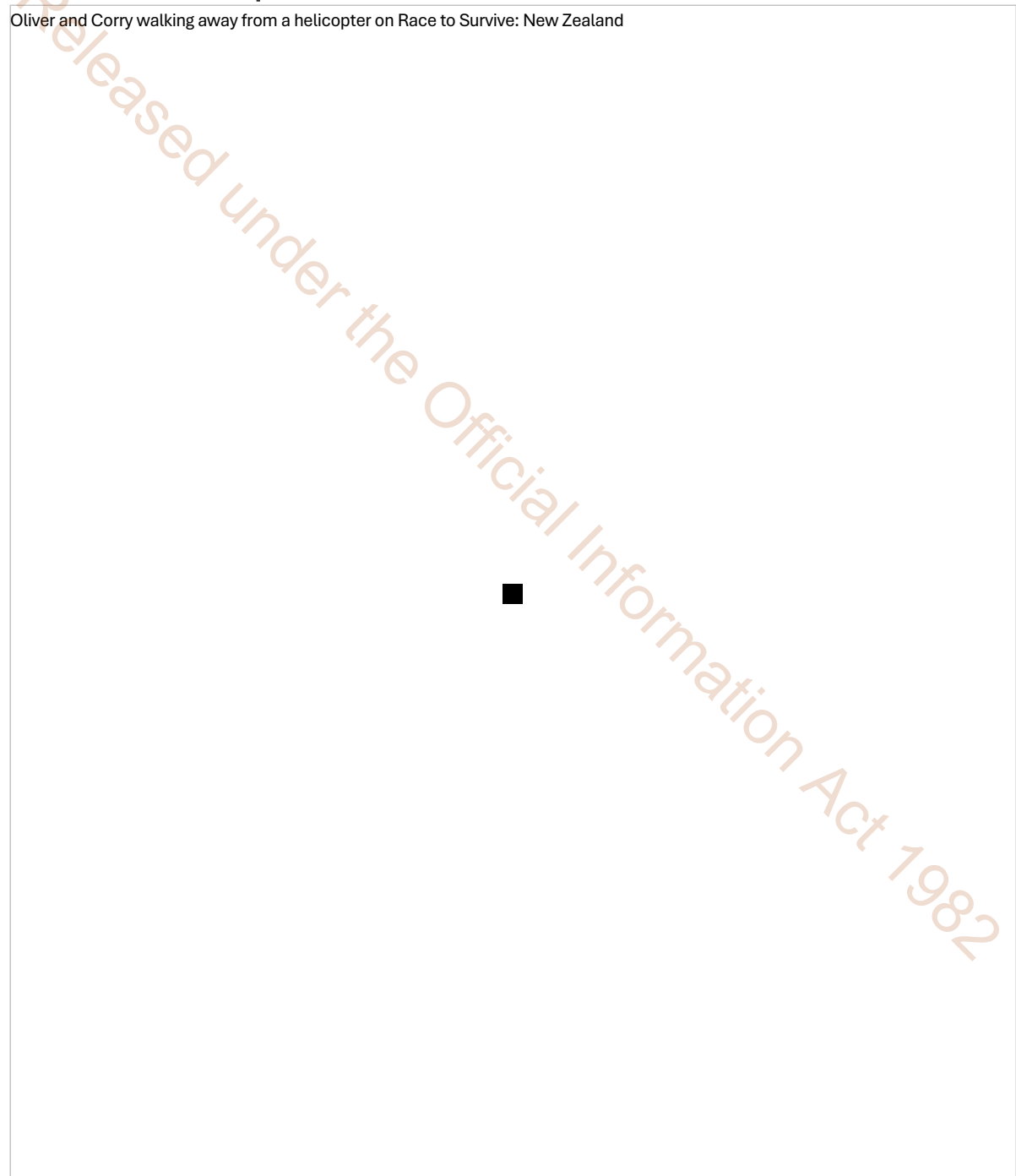


Photo Credit: Brian Finestone/USA Network

We're still over here trying to scrape our jaws off the floor from the information that the producers shared with the group. They came over and announced that the River Guides, Oliver and Corry were disqualified from the race, effective immediately, because of a violation of a major rule.

We knew this moment was coming because the trailers teased it, but who would have predicted that the first-place finishers would be the ones facing disqualification? How could that happen? Apparently, Corry ate something he shouldn't have.

It seemed like the show intentionally tried to avoid the grisly details, but they've mentioned weka birds multiple times throughout the show. They made a point to tell us in previous episodes that they were off-limits. You can't hunt them or eat them, but they've been scurrying around survival camp all season long. We've seen them causing chaos and tempting everyone with their big juicy bodies. In Episode 4, Corry joked that they looked like they would make a good sandwich.

Although they never outright said that Corry ate a weka bird, it certainly seemed like that's what they were implying. Perhaps they kept the details vague because there's a hefty fine for killing one of these birdies.

"So, I made a mistake. It was shortsighted. It was foolish, but the competition is very real and the difficulty of this is real. Survival in the bush of New Zealand isn't easy," Corry explained.

"We did have strategies in place for the racing, but we didn't prepare for the hunger," he continued.

Ultimately, Corry admitted that his instincts took over. He knew he was breaking a rule, but in his mind, eating seemed more important. Perhaps he didn't think he would get caught amid the rest of the bloodshed happening on the course? Either way, he offered a heartfelt apology before he and Oliver made their exit.

"What I did disrespected New Zealand, and I'm sorry," Corry told the cameras.

Released under the Official Information Act 1982

**From:** [Media](#)  
**To:** [Shayne Currie](#); [Annie Murray](#); [Media](#)  
**Subject:** RE: Race to Survive: NZ - media inquiry  
**Date:** Monday, 22 July 2024 6:25:46 p.m.  
**Attachments:** [image001.jpg](#)

---

Kia ora Shayne

If and when NZFC makes a rebate decision, it is publicly notified on the NZFC website.  
This is in accordance with the rebate criteria linked below – specifically Clause 33 – Confidentiality and Privacy.

---

**From:** Shayne Currie <[Shayne.Currie@nzme.co.nz](mailto:Shayne.Currie@nzme.co.nz)>  
**Sent:** Monday, July 22, 2024 5:46 PM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Media <[media@nzfilm.co.nz](mailto:media@nzfilm.co.nz)>  
**Subject:** Fwd: Race to Survive: NZ - media inquiry

Good evening Annie, media team,

With all due respect, this response answers none of my specific questions.

I am growing increasingly frustrated by the NZFC's approach.

I have asked legitimate questions on behalf of the public/taxpayer.

The NZFC was either involved with this production or you weren't (SPR or otherwise).

If you were, there are legitimate public interest questions to be answered around this particular incident, whether NZFC was aware of it and if so, its response.

I am running the questions tomorrow which the NZFC has refused to answer.

I suggest we meet in the next few weeks to sort this wider situation out - I've not encountered this type of media relations policy / response in three and a half decades of journalism.

Thanks

Shayne Currie

NZ Herald

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**From:** Shayne Currie <[Shayne.Currie@nzme.co.nz](mailto:Shayne.Currie@nzme.co.nz)>  
**Sent:** Monday, July 22, 2024 5:13:58 PM  
**To:** Media <[media@nzfilm.co.nz](mailto:media@nzfilm.co.nz)>  
**Subject:** Re: Race to Survive: NZ - media inquiry

Thanks for your response - so did this production receive the rebate, or not?

Given this is public support, please let me know.

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**From:** Media <[media@nzfilm.co.nz](mailto:media@nzfilm.co.nz)>  
**Sent:** Monday, July 22, 2024 5:09:59 PM  
**To:** Shayne Currie <[Shayne.Currie@nzme.co.nz](mailto:Shayne.Currie@nzme.co.nz)>  
**Subject:** RE: Race to Survive: NZ - media inquiry

Hi Shayne

NZFC administers the Screen Production Rebate – International on behalf of the Ministry of Business, Innovation and Employment (MBIE). Subject to meeting criteria, Race To Survive: NZ might qualify for the rebate as you have noted.

Like all rebate applicants, they would need to adhere to the criteria set out in the guidelines here: [New Zealand Screen Production Rebate for International Productions \(nzfilm.co.nz\)](https://nzfilm.co.nz)

Clause 33 in this document provides a bit more detail on how we manage confidentiality around NZSPR applications. We appreciate there is public interest in our funding decisions and when rebate funding is approved, we have strong processes in place that guide how we disclose this information. This also needs to be balanced with protecting the privacy of those whose applications are either in progress or have been declined, particularly where commercial sensitivities may exist.

All rebate payments are published periodically on NZFC website.

Any questions regarding the content of the programme should be directed to the production company.

Ngā mihi,  
NZFC

---

**From:** Shayne Currie <[Shayne.Currie@nzme.co.nz](mailto:Shayne.Currie@nzme.co.nz)>

**Sent:** Monday, July 22, 2024 3:34 PM

**To:** Media <[media@nzfilm.co.nz](mailto:media@nzfilm.co.nz)>

**Cc:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Subject:** Re: Race to Survive: NZ - media inquiry

Hi NZFC

How are you going on a response to this one please?

Thanks,

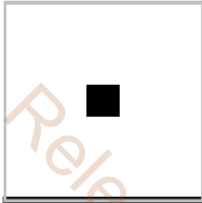
Shayne Currie

**SHAYNE CURRIE**

Editor at Large, NZME

M: +64 21 348 682

E: [shayne.currie@nzme.co.nz](mailto:shayne.currie@nzme.co.nz)



---

**From:** Shayne Currie <[Shayne.Currie@nzme.co.nz](mailto:Shayne.Currie@nzme.co.nz)>  
**Sent:** 22 July 2024 13:32  
**To:** Media <[media@nzfilm.co.nz](mailto:media@nzfilm.co.nz)>  
**Subject:** Fw: Race to Survive: NZ - media inquiry

As per Annie Murray's request, please see queries below.

I can't see Race to Survive on the list of projects for the screen rebate - so it would be also good to understand NZFC's involvement.

Thanks,  
Shayne

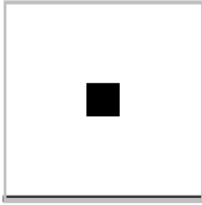
**SHAYNE CURRIE**  
Editor at Large, NZME

M: [+64 21 348 682](tel:+6421348682)

E: [shayne.currie@nzme.co.nz](mailto:shayne.currie@nzme.co.nz)







---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Sent:** 22 July 2024 13:27

**To:** Shayne Currie <[Shayne.Currie@nzme.co.nz](mailto:Shayne.Currie@nzme.co.nz)>

**Subject:** RE: Race to Survive: NZ - media inquiry

Kia ora Shayne

Please send your enquiry to [media@nzfilm.co.nz](mailto:media@nzfilm.co.nz) and someone will come back to you asap.

Ngā mihi,

Annie

---

**From:** Shayne Currie <[Shayne.Currie@nzme.co.nz](mailto:Shayne.Currie@nzme.co.nz)>

**Sent:** Monday, July 22, 2024 1:06 PM

**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Subject:** Fw: Race to Survive: NZ - media inquiry

Hi Annie,

I hope you're well.

Sorry, sending this directly to you, as I have received Melissa's out-of-office message. I'm not sure if anyone else is looking after media inquiries. Can you please come back to me on it?

Thanks so much

Shayne Currie

---

**From:** Shayne Currie <[Shayne.Currie@nzme.co.nz](mailto:Shayne.Currie@nzme.co.nz)>

**Sent:** 22 July 2024 12:46

**To:** Melissa Booth <[melissa.booth@nzfilm.co.nz](mailto:melissa.booth@nzfilm.co.nz)>

**Subject:** Race to Survive: NZ - media inquiry

Hi Melissa,

I hope you're well.

The Department of Conversation might have already been in touch, following my media inquiry below this morning.

However, it is also important I hear directly from the NZFC - I've just seen in another unrelated media report from June that the NZFC was involved with this one. Is that from a rebate point of view?

I am keen to understand whether you were aware of this incident, and if so - did you speak to the production company? Were you happy with their response, and the way they acted in disqualifying the contestants?

Has the incident led to any specific review of how rules are explained to contestants? Or indeed how the NZFC deals with production companies around NZ rules and regulations?

How much did this particular show receive in terms of a rebate?

Any other relevant context and comment would be welcome.

Can you please come back to me by 3pm.

Thanks

Shayne

---

**From:** Shayne Currie

**Sent:** 22 July 2024 09:44

**To:** [media@doc.govt.nz](mailto:media@doc.govt.nz) <[media@doc.govt.nz](mailto:media@doc.govt.nz)>

**Subject:** Race to Survive: NZ - DOC media inquiry

Good morning DOC media team,

I hope you're well.

I'm working on a piece for the NZ Herald about two reality TV show contestants being kicked off the show, *Race to Survive: New Zealand* for eating a protected species - believed to be a weka.

The episode screened in recent days in the United States.

You can read more about it here: <https://www.realitytea.com/2024/07/08/race-to-survive-new-zealand-episode-8-recap-rules-werent-meant-to-be-broken/> and other entertainment, and social media websites are also saying the animal concerned was a weka.

My questions, please:

- Is DOC aware of this incident?
- If so, have you investigated it, and what was the outcome? Was the production company/contestant (s) fined? How much were they required to pay?
- If you were not made aware of the incident, will you now investigate? Will you speak with the production company?
- Are there other Government agencies you will be liaising with? If so, who?
- Does DOC monitor the behaviour of domestic and international film companies - and are rules clearly laid out
- Can you please outline how you liaise with production companies?
- Can you please give some general comment on why weka are protected species?  
And any general context about their population status (as an aside, it would be good to explain why they can be hunted/eaten on the Chathams but not on mainland NZ)

Any other comment and context would be appreciated.

Can you please come back to me by 2pm today.

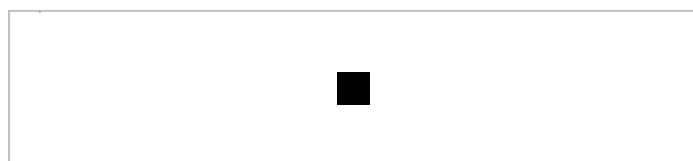
Thanks so much,  
Shayne Currie

**SHAYNE CURRIE**

Editor at Large, NZME

M: [+64 21 348 682](tel:+6421348682)

E: [shayne.currie@nzme.co.nz](mailto:shayne.currie@nzme.co.nz)



**From:** [Philippa Mossman](#)  
**To:** [Media](#)  
**Subject:** RE: Race to Survive: NZ - media inquiry  
**Date:** Monday, 22 July 2024 2:04:26 p.m.

---

We could add a line such as

All rebate payments are published on a quarterly basis[check] on NZFC website.

?

---

**From:** Media <media@nzfilm.co.nz>  
**Sent:** Monday, July 22, 2024 1:55 PM  
**To:** Philippa Mossman <philippa.mossman@nzfilm.co.nz>  
**Subject:** FW: Race to Survive: NZ - media inquiry

Here's what I'm proposing, let me know your thoughts:

NZFC administers the Screen Production Rebate – International on behalf of the Ministry of Business, Innovation and Employment (MBIE). Subject to meeting criteria, *Race To Survive: NZ* might qualify for the rebate as you have noted.

Like all rebate applicants, they would need to adhere to the criteria set out in the guidelines here: [New Zealand Screen Production Rebate for International Productions \(nzfilm.co.nz\)](https://nzfilm.co.nz/new-zealand-screen-production-rebate-for-international-productions)

Clause 31 in this document provides a bit more detail on how we manage confidentiality around applications. We appreciate there is public interest in our funding decisions and when rebate funding is approved, we have strong processes in place that guide how we disclose this information. This also needs to be balanced with protecting the privacy of those whose applications are either in progress or have been declined, particularly where commercial sensitivities may exist.

Any questions regarding the content of the programme should be directed to the production company.

---

**From:** [Philippa Mossman](#)  
**To:** [Annie Murray](#)  
**Subject:** RE: Stuff media inquiry  
**Date:** Monday, 22 July 2024 12:58:15 p.m.  
**Attachments:** [image001.jpg](#)  
[image003.jpg](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

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It is done.

---

**From:** Philippa Mossman  
**Sent:** Monday, July 22, 2024 11:50 AM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Subject:** RE: Stuff media inquiry

Pretty sure I can. Will check, and send

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Monday, July 22, 2024 11:49 AM  
**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Subject:** RE: Stuff media inquiry

Yes I agree. Are you able to send from the Media inbox?

---

**From:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Sent:** Monday, July 22, 2024 11:07 AM  
**To:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Subject:** RE: Stuff media inquiry

Perfect. We may get a follow up about "what sort of incident" and we would reiterate - this is a production matter questions should be directed to the production

Shall the reply be sent from [Media@nzfilm.co.nz](mailto:Media@nzfilm.co.nz)? no attribution

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Monday, July 22, 2024 10:49 AM  
**To:** Philippa Mossman <[philippa.mossman@nzfilm.co.nz](mailto:philippa.mossman@nzfilm.co.nz)>  
**Subject:** RE: Stuff media inquiry

I have rung Bailey but no reply. It's to give him a heads up that we've received this query. Here's what I'm thinking:

- *Whether the Film Commission issued any permits for this series to be shot in Aotearoa and if so their particulars - dates, filming locations etc?*  
The New Zealand Film Commission does not issue permits for filming.

- Whether you are aware of any infringements on the part of the production cast or crew at any point during filming?

The Film Commission was made aware of an incident that allegedly occurred during filming of this series, questions should be directed to the production company.

---

**From:** Tayla Hancock <[tayla.hancock@nzfilm.co.nz](mailto:tayla.hancock@nzfilm.co.nz)>

**Sent:** Monday, July 22, 2024 9:50 AM

**To:** Media <[media@nzfilm.co.nz](mailto:media@nzfilm.co.nz)>; Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>

**Subject:** FW: Stuff media inquiry

Kia ora,

See the media enquiry below (Stella forwarded this to me as sent to the reception inbox). If you would like this to be processed as an OIA, let me know and I will coordinate. Otherwise, I'll leave this with you.

Ngā mihi

Tayla

**Tayla Hancock** (she/her/ia)

Senior Advisor, Policy and Performance

Chair, Staff Diversity and Inclusion Committee

**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)

[www.nzfilm.co.nz](http://www.nzfilm.co.nz) | [ondemand.nzfilm.co.nz](mailto:ondemand.nzfilm.co.nz)



If you are wondering about the use of the pronouns she/her/ia on this signature, [read this article from PSC](#) about how sharing pronouns in this way can help create an inclusive and safe environment for our gender diverse whānau.

**To make sure that we're inclusive and accessible to all, please let us know if you require any adjustments or assistance if you're coming to see us.**

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**From:** s9(2)(a)

**Sent:** Monday, July 22, 2024 9:35 AM

**To:** Info <[Info@nzfilm.co.nz](mailto:Info@nzfilm.co.nz)>

**Subject:** Stuff media inquiry

Kia ora

s9(2)(a)

I'm working on a story today about the US reality TV series Race to Survive: New Zealand, produced by Original Productions for USA Network.

Can you please tell me in the first instance:

- Whether the Film Commission issued any permits for this series to be shot in Aotearoa and if so their particulars - dates, filming locations etc?
- Whether you are aware of any infringements on the part of the production cast or crew at any point during filming?

If you could get back to me by 12.30pm that would be great.

Thanks in advance,

s9(2)(a)

Senior Journalist  
Media - Culture - Entertainment - Parenting - Education

s9(2)(a)

s9(2)(a)



**From:** [Annie Murray](#)  
**To:** [Heidi van der Watt](#); [shane.wilson@mbie.govt.nz](mailto:shane.wilson@mbie.govt.nz)  
**Subject:** FW: No Surprises notification - RACE TO SURVIVE  
**Date:** Monday, 22 July 2024 10:36:00 p.m.  
**Attachments:** [Incident RTSNZ Pango OP BM071023.pdf](#)  
[image001.jpg](#)  
[image003.png](#)  
[image004.jpg](#)  
[image005.jpg](#)

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Kia ora Shane and Heidi,

You may be aware of the below and attached No Surprises notification which we sent to the Ministry last November.

As the series 'Race To Survive' is now on air in the USA, NZFC has had questions from some media outlets regarding the weka incident.

No rebate payment has yet been made however we have received an application for approval in August.

We have directed media queries to the production company.

Please let me know if you have any questions at all, and please pass this information on to Minister Lee's office if you deem it necessary.

Ngā mihi,

Annie Murray

---

**From:** Annie Murray  
**Sent:** Thursday, November 9, 2023 11:49 AM  
**To:** [dean.ford@mbie.govt.nz](mailto:dean.ford@mbie.govt.nz); Gina Williamson <[Gina.Williamson@mbie.govt.nz](mailto:Gina.Williamson@mbie.govt.nz)>  
**Cc:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>  
**Subject:** No Surprises notification - RACE TO SURVIVE

Tēnā koe

As per the 'No Surprises' expectation, I am writing to advise you of an incident that occurred on *Race to Survive*, a reality TV series being shot in NZ by Pango Productions Ltd in association with NBC Universal. The producer Bailey Mackey has notified NZFC of his intention to apply for the NZ Screen Production Rebate - International.

On the evening of 23 October at Wairoa Gorge Bike Park in the Tasman district, competitor Cory Jones took a homemade spear and killed, cooked and ate a weka. Weka's conservation status is classed as vulnerable (population is decreasing) and they are fully protected on mainland New Zealand. Jones' actions were in violation of the rules of the show, and he and his teammate were subsequently disqualified and have since returned to the USA. Please find attached the incident report prepared by the production which includes a timeline of the events.

The production team have discussed the incident with DOC and local iwi Ngāti Koata. The production team may also contact government officials directly. It will be up to DOC to decide whether to bring charges under the Wildlife Act 1953.

*Race to Survive* is registered as an applicant for the NZ Screen Production Rebate - International with estimated qualifying expenditure of **s9(2)(b)(ii)**. Principal photography commenced in NZ on 9 October 2023 and is scheduled to complete filming on 24 November. It is estimated that 90 NZ crew are working on the production. There are 20 contestants from the US in total.

### **Summary**

Project Name: *Race to Survive*



Producer/Company: RTS Aotearoa Limited / Original Productions  
Fund Programme: NZ Screen Production Rebate – International Productions  
Requested Amount NZD: TBC  
Date of registration: 13 September 2023

Please reach out should you require any further information or have any queries.

Ngā mihi

Annie Murray | Chief Executive  
New Zealand Film Commission | Te Tumu Whakaata Taonga

**He poipoi i ngā kaitiaki pūrākau kia puta ai he taonga tūturu mō Aotearoa**  
*Champion exceptional storytellers to create enduring taonga for Aotearoa*

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

s9(2)(a)  
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Please consider the environment before printing this e-mail.

Released under the Official Information Act 1982

**From:** [Emily Fabling](#)  
**To:** [Annie Murray](#); [Harriett Adams](#); [Angie Lawrie](#)  
**Subject:** RE: No Surprises notification - RACE TO SURVIVE  
**Date:** Tuesday, 23 July 2024 9:00:06 a.m.  
**Attachments:** [image001.jpg](#)  
[image003.png](#)  
[image004.jpg](#)  
[image005.jpg](#)  
**Importance:** Low

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Thank you, as always, for keeping us in the loop, Annie.

I recall when this incident was raised in November. Sing out if you need anything from us.

Ngā mihi,  
Emily.

**Emily Fabling**

Pou Mataaho o Te Aka | Deputy Secretary, Policy, Performance & Insights  
Manatū Taonga Ministry for Culture & Heritage

s9(2)(a) | Email [emily.fabling@mch.govt.nz](mailto:emily.fabling@mch.govt.nz)

Ki te puāwai te ahurea, Ka ora te iwi  
Culture is thriving, The people are well

---

**From:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>  
**Sent:** Monday, July 22, 2024 10:48 PM  
**To:** Harriett Adams <[Harriett.Adams@parliament.govt.nz](mailto:Harriett.Adams@parliament.govt.nz)>; Angie Lawrie <[Angie.Lawrie@mch.govt.nz](mailto:Angie.Lawrie@mch.govt.nz)>  
**Cc:** Emily Fabling <[Emily.Fabling@mch.govt.nz](mailto:Emily.Fabling@mch.govt.nz)>  
**Subject:** FW: No Surprises notification - RACE TO SURVIVE

Kia ora Harriett kōrua ko Angie,

I'd like to notify you of some media enquiries we have had in relation to an incident on an international series filming near Nelson last November.

While it is technically an international rebate matter for MBIE, I'd rather you and the Minister weren't taken by surprise when media stories appear, as there is a local production company involved (Bailey Mackey's Pango Productions) and the issue includes DOC and local iwi.

Please see below and attached, and let me know if you have any questions at all.

Ngā mihi nui,  
Annie Murray

---

**From:** Annie Murray  
**Sent:** Monday, July 22, 2024 10:36 PM  
**To:** Heidi van der Watt <[Heidi.vanderWatt@mbie.govt.nz](mailto:Heidi.vanderWatt@mbie.govt.nz)>; [shane.wilson@mbie.govt.nz](mailto:shane.wilson@mbie.govt.nz)  
**Subject:** FW: No Surprises notification - RACE TO SURVIVE

Kia ora Shane and Heidi,

You may be aware of the below and attached No Surprises notification which we sent to the Ministry last November.

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No rebate payment has yet been made however we have received an application for approval in August.

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Please let me know if you have any questions at all, and please pass this information on to Minister Lee's office if you deem it necessary.

Ngā mihi,

Annie Murray

---

**From:** Annie Murray

**Sent:** Thursday, November 9, 2023 11:49 AM

**To:** [dean.ford@mbie.govt.nz](mailto:dean.ford@mbie.govt.nz); Gina Williamson <[Gina.Williamson@mbie.govt.nz](mailto:Gina.Williamson@mbie.govt.nz)>

**Cc:** Annie Murray <[annie.murray@nzfilm.co.nz](mailto:annie.murray@nzfilm.co.nz)>; Catherine Bates <[catherine.bates@nzfilm.co.nz](mailto:catherine.bates@nzfilm.co.nz)>

**Subject:** No Surprises notification - RACE TO SURVIVE

Tēnā koe

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Producer/Company: RTS Aotearoa Limited / Original Productions

Fund Programme: NZ Screen Production Rebate – International Productions

Requested Amount NZD: TBC

Date of registration: 13 September 2023

Please reach out should you require any further information or have any queries.

Ngā mihi

Annie Murray | Chief Executive

**New Zealand Film Commission | Te Tumu Whakaata Taonga**