



## BRIEFING

### COVID-19: Request for exemptions from border restrictions: screen productions

<b>Date:</b>	12 June 2020	<b>Priority:</b>	Medium
<b>Security classification:</b>	Sensitive	<b>Tracking number:</b>	3601 19-20

Action sought		
	Action sought	Deadline
Hon Phil Twyford Minister for Economic Development	<b>Agree</b> to make an exemption from temporary border restrictions for essential workers for five screen productions (Power Rangers Productions, Intergalactic Productions, GSR Productions, Skydance Media, and Warner Bros).  <b>Agree</b> to decline exemptions for a further two productions (Steven David Entertainment and Screentime Australia).	19 June 2020

Contact for telephone discussion (if required)			
Name	Position	Telephone	1st contact
Robyn Henderson	Policy Director	s 9(2)(a)	✓
Taylor Murfitt	Policy Advisor		

The following departments/agencies have been consulted
NZFC

Minister's office to complete:

- ☐ Approved  
☐ Noted  
☐ Seen  
☐ See Minister's Notes

- ☐ Declined  
☐ Needs change  
☐ Overtaken by Events  
☐ Withdrawn

Comments



## BRIEFING

### COVID-19: Request for exemptions from border restrictions: screen productions

Date:	8 June 2020	Priority:	Medium
Security classification:	Sensitive	Tracking number:	3601 19-20

#### Purpose

This briefing presents recommendations on applications for exemptions to the temporary border controls for essential workers in the screen sector, relating to six different international productions. We are recommending that you approve exemptions for four of these productions, which totals 150 people.

#### Recommendations

The Ministry of Business, Innovation and Employment (MBIE) request that you:

- a **Note** that on 19 March 2020, Cabinet agreed to border restrictions preventing entry to New Zealand [CAB-20-MIN-0122 refers].
- b **Note** that Cabinet also agreed high level parameters for case-by-case exemptions to COVID-19 border restrictions, including essential workers identified by the group of Ministers with Power to Act on COVID-19 matters.
- c **Note** that on 21 April 2020, the Group of Ministers with Power to Act on COVID-19 matters delegated decision-making on exceptions for individual 'other essential workers' to the Minister for Economic Development and relevant portfolio Ministers, but retained its authority to determine request for exceptions for classes of workers.
- d **Note** that officials have recently received requests from different international screen productions for essential workers to enter New Zealand.
- e **Note** that the numbers of individuals that each are wanting to bring in are:
  - i. Power Rangers (Power Rangers Productions Ltd) – 12 individuals (including four immediate family members)
  - ii. Cowboy Bebop (Intergalactic Productions) – 28 individuals (including nine immediate family members)
  - iii. Lord of the Rings (GSR Productions Ltd) – 90 individuals (including 18 immediate family members)
  - iv. Sweet Tooth (Warner Bros) – 20 individuals (including two immediate family members)
  - v. Men who Built America 2 (Stephen David Entertainment) – seven individuals (including two dependents)
  - vi. SAS: Australia (Screentime Australia) – 47 individuals
- f **Note** that the requests from the productions noted in Recommendation e(i) to e(iv) above are supported by MBIE, as the individuals identified are critical to the projects they are involved in, and the projects entail significant economic expenditure.
- g **Note** that the requests from the productions noted in Recommendation e(v) and e(vi) above are not supported by MBIE as their estimated expenditure in New Zealand is not deemed significant.

- h **Note** that GSR Productions, Power Rangers, and Sweet Tooth are likely to apply for exemptions for further individuals as they confirm their casting (up to 18 people for Power Rangers, four for Sweet Tooth, and unspecified for GSR Productions).
- i **Agree** to, under the authority delegated to you by the group of Ministers with Power to Act on COVID-19 matters, make an exemption to the COVID-19 border restrictions for individuals associated with the productions in Recommendations e(i) to e(iv) above.

Agree / ~~Disagree~~

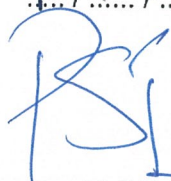
- j **Note** that, on arrival in New Zealand, all individuals will be required to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days.
- k **Note** that all costs associated with the isolation will be met by the companies.



Robyn Henderson  
**Policy Director**

Labour, Science and Enterprise, MBIE

12.6.2020



Hon Phil Twyford  
**Minister for Economic Development**

15.6.20



## Background

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1. On 19 March 2020, Cabinet agreed to border restrictions preventing entry to New Zealand to all but New Zealand Citizens, residence class visa holders, and their dependents.
2. Cabinet also agreed high level parameters for case-by-case exemptions to COVID-19 border restrictions, which includes essential workers identified by the group of Ministers with Power to Act.
3. On 21 April 2020, the COVID-19 Ministerial Group agreed to delegate further decision making on exemptions to border restrictions for essential workers to the Minister for Economic Development and the relevant portfolio Minister.

## Assessment of applications for exemptions to the travel restrictions for essential workers in screen productions

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4. Officials have received requests to enable essential workers (and family in some instances) in the screen production sector to enter New Zealand to provide critical capability for six different screen productions. Details of these workers are provided in Annex One. The essential nature of the work is discussed below.
5. Following a request from you, we have applied the following test to the applications to determine whether the requested workers are essential.
  - a. *Whether individuals from overseas are critical for delivery of time critical projects or programmes that are of strategic economic importance (such as, providing significant spill-over benefits to the economy or major employment in a region, preserving significant international trade-related business)*
  - b. *Whether international expertise, technical requirements or a unique talent is critical for success*
  - c. *Whether it is possible to redeploy workers already in New Zealand*
  - d. *Whether there are already people performing these roles*
  - e. *The length of time the workers are likely to be in New Zealand*
6. Following this, we have concluded the workers for four of these six productions meet the test above, with the details of this advice following below.

## Information considered in making these recommendations

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### **Power Rangers Productions Limited has requested an exemption for workers required to restart their production in New Zealand (MBIE recommends APPROVE)**

7. Officials have received a request to enable 12 individuals to enter New Zealand to support the commencement of season 28 of *Power Rangers*. A further 18 roles are yet to be cast, and it is possible that these will be from overseas and subject to a further application. The 12 individuals in this request are due to arrive in New Zealand in September and will be working in New Zealand until 31 May 2021.
8. *Power Rangers* is a children's action TV series and has been produced in Auckland since 2001. It is owned by Hasbro and is produced for the American and International audiences. It has been a constant employer in the Auckland screen sector over this time. The production for Season 28 was delayed due to COVID-19 and is now scheduled to commence pre-production in late July, with principal production starting in October 2020.

9. Each Power Rangers season employs approximately 700 New Zealand crew, and the budgets have averaged s 9(2)(b)(ii) per season over the past five seasons. The estimated Qualifying New Zealand Production Expenditure (QNZPE) for this Season is s 9(2)(b)(ii)
10. The production is seeking to bring in key cast and crew from Japan and the US. This includes two Japanese speaking 2nd Unit Action Directors, a stunt coordinator, stunt performers and the 2<sup>nd</sup> Unit Director of Photography. Four immediate family members of one of the Action Directors are also included in this application, given the duration of the stay in New Zealand. All Main Unit Directors are New Zealanders.
11. Given the scale of this production, and the numbers of New Zealanders that it employs, MBIE recommends that the application for border exemptions be approved.

**Intergalactic Productions has requested an exemption for workers required to restart their production in New Zealand (MBIE recommends APPROVE)**

12. Officials have received a request to enable 28 individuals (including nine immediate family members) to enter New Zealand to support the recommencement of the Netflix TV series *Cowboy Bebop* which has been filming in Auckland (and paused prior to COVID-19 due to a key cast member being injured). This production has a QNZPE of approximately s 9(2)(b)(ii) and employs around 400 workers. The 28 individuals in this request are due to arrive in New Zealand in stages from July through to September and will be required to stay in New Zealand for up to 6 months.
13. The production states that it has replaced some key crew with New Zealanders and has opted not to bring others back to New Zealand. The application is therefore limited to key personnel who are critical to the production's ability to re-start.
14. The applications includes the Directors and Producers for the show, which are difficult to replace given the need for continuity in the production, the VFX Supervisor and cinematographer. Key cast are also included – it is not possible for these to be replaced by New Zealanders given that the production has already started in late 2019.
15. Preproduction is scheduled to start in August, with filming commencing in October.
16. Given the scale of this production, and the numbers of New Zealanders that it employs, MBIE recommends that the application for border exemptions be approved.

**GSR Productions has requested an exemption for workers required to restart their production in New Zealand (MBIE recommends APPROVE)**

17. Officials have received a request to enable 113 individuals to enter New Zealand to support the recommencement of the Amazon TV series based on *The Lord of the Rings*. This production had been filming in Auckland prior to COVID-19 and then halted production. Most of the overseas cast and crew returned home in March, and this has meant the New Zealanders working on the production are not able to return to work. This production has a total estimated QNZPE of s 9(2)(b)(ii). The expected spend in New Zealand over the rest of 2020 is \$95 million, employing between 1200 and 1500 New Zealanders in fulltime roles, with additional numbers in part-time roles.
18. You received advice from us dated 11 June 2020 in relation to the first group of individuals (23 people). This advice relates to the other 90 individuals in the request due to arrive in New Zealand in stages from late June, with other waves arriving between July and October (refer Appendix 1). All will be required to stay in New Zealand until at least June 2021.
19. The cast included in the application are those that have already performed in the series to date and are therefore required for continuity. All of the crew included have been working on this production over the past 6 to 12 months and have been assessed as still required due to

their specialist skills. The application states that some crew have been replaced with New Zealanders.

20. The application includes 18 immediate family members of cast and crew. Given that these are all people who would normally be living with the essential worker, and the duration of the production, MBIE recommends that they are included in the exemption.
21. Given the scale of this production, and the numbers of New Zealanders that it employs, MBIE recommends that the application for border exemptions be approved.

**Warner Bros has requested an exemption for workers required to start their production in New Zealand (MBIE recommends APPROVE)**

22. Officials have received a request from Warner Bros to enable 20 individuals to enter New Zealand to support the commencement of the TV series *Sweet Tooth*, which will be screened on Netflix. The pilot for the series was completed in New Zealand in 2019, and a further seven episodes have been commissioned.
23. Completing season 1 of *Sweet Tooth* in 2020 will generate QNZPE of \$48 million. Warner Bros note that their original intent prior to COVID-19 was to have 37 people travel to New Zealand, and that they have cut this back to 24 personnel, replacing the other roles with New Zealanders. Four of these 24 are yet to be named, and would need to follow in a subsequent application. Two of the 20 included in this recommendation are family – parents of two child actors, who are travelling as their chaperones.
24. The production employs 390 New Zealanders, in various roles.
25. Given the scale of this production, and the numbers of New Zealanders that it employs, MBIE recommends that the application for border exemptions be approved. There is some urgency around this project to allow them to complete prior to Christmas 2020. The production is keen to have people arrive in New Zealand in late June to allow work to start on 5 July 2020.

**Stephen David Entertainment has requested an exemption for workers required to start their production in New Zealand (MBIE recommends DECLINE)**

26. Officials have received a request to enable seven individuals to enter New Zealand to support the commencement of the TV mini-series *Men Who Built America 2*. This mini-series is due to screen on The History Channel in 2021. The New Zealand production company is Screentime New Zealand and it has an estimated QNZPE of \$4.3 million. The production will employ 180 New Zealanders.
27. Pre-production is currently scheduled to start in mid-July, with production in September, for four weeks. The individuals will be required to stay in New Zealand for two months. Of the seven individuals, two are dependents of one of two Executive Producers. The other three roles include the Head Writer, Writer and Production Designer.
28. Stephen David Entertainment has completed six similar sized productions in New Zealand over the past 3-4 years.
29. MBIE does not consider that this application meets part (a) of the test noted in paragraph 5 and above, given its relatively small budget, and does not recommend that the application for border exemptions be approved.
30. This is ultimately a judgement call, but in forming this view, the Ministry has considered the two key aspects of the new expenditure that the production would bring to New Zealand, and the duration of the jobs for New Zealanders that it would unlock. On this basis we don't consider this production is as economically significant, particularly as the jobs are of a short-term nature.



**Screen time Australia has requested an exemption for workers required to restart their production in New Zealand (MBIE recommends DECLINE)**

31. Officials have received a request to enable 47 individuals to enter New Zealand to support the recommencement of the TV series SAS: Australia. This series was in production at Snow Farm in Wanaka and was halted at the introduction of Level 4 restrictions. The production needs to resume in New Zealand as the sets have been built and production infrastructure set up. The nature of the project requires a number of cast and specialist crew from Australia and the UK.
32. The budget for this project is \$7 million to be spent in the Otago region. New Zealanders represent 74 of the total of 121 cast and crew. The production would like to bring the 47 cast and crew into New Zealand in July to begin filming in August. They would be required to stay until late August.
33. MBIE does not consider that this application meets part (a) of the test noted in paragraph 5 and above, given its relatively small budget, and does not recommend that the application for border exemptions be approved.
34. This production requires a relatively large number of overseas personnel to unlock a \$7m expenditure in New Zealand. In addition the jobs enabled are of a shorter duration.

**Assessment of whether New Zealanders could carry out the roles included in this recommendation**

35. Immigration Instructions for screen workers include provision for each production to apply for a Letter of Non Objection from the Screen Industry Guild, for each individual role applying for a work visa. The Guild has confirmed that it will (continue to) apply close scrutiny to these visa applications (or changes to conditions on existing visas).
36. The Ministry has assessed each application based on the information provided in their letters. This step in the immigration process acts as a verification of the ability to fulfil the particular role with a New Zealander.

**The workers will be quarantined on arrival in New Zealand in accordance with established procedures**

37. On arrival in New Zealand, the workers will be required to undergo quarantine or managed isolation in an approved facility for a minimum of 14 days.
38. All costs associated with the workers' international and domestic travel, including quarantine costs, are to be met by the relevant productions. However, where a production can demonstrate that their contracted individuals have been able to work during their managed-isolation, they will be able to claim for these costs as QNZPE under the New Zealand Screen Production Grant criteria.

**Next steps**

39. If the requests are approved, in accordance with Immigration Instructions, *H5: COVID-19 Support Restricted Temporary Entry Instructions*, the workers will be invited to apply for supported temporary visas or variations of conditions as essential workers.

**Annexes**


Annex One: List of essential workers and their family members

## **Annex One - List of essential workers and their family members**




Power Rangers Productions Ltd  
Essential Border Exemptions  
Info @ 28 May 2020

s 9(2)(a)



INTERGALACTIC PRODUCTIONS "JAZZ BAND" OVERSEAS CREW/CAST

s 9(2)(a)





**GSR  
Productions Ltd.**

## GSR Productions - Border Entry List


AS AT THURSDAY 11 JUNE 2020 - BALANCE OF REQUESTED ARRIVALS

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**Warner Bros. US TV Series, 'Sweet Tooth' Season 1 - International Cast & Crew Travel:**

Dated 2 June 2020

*Assumes 9 Wk Pre-production begins 6 July 2020 (with limited Crew pre-prep start 15 June) for Principal Photography start on 7 September 2020.*

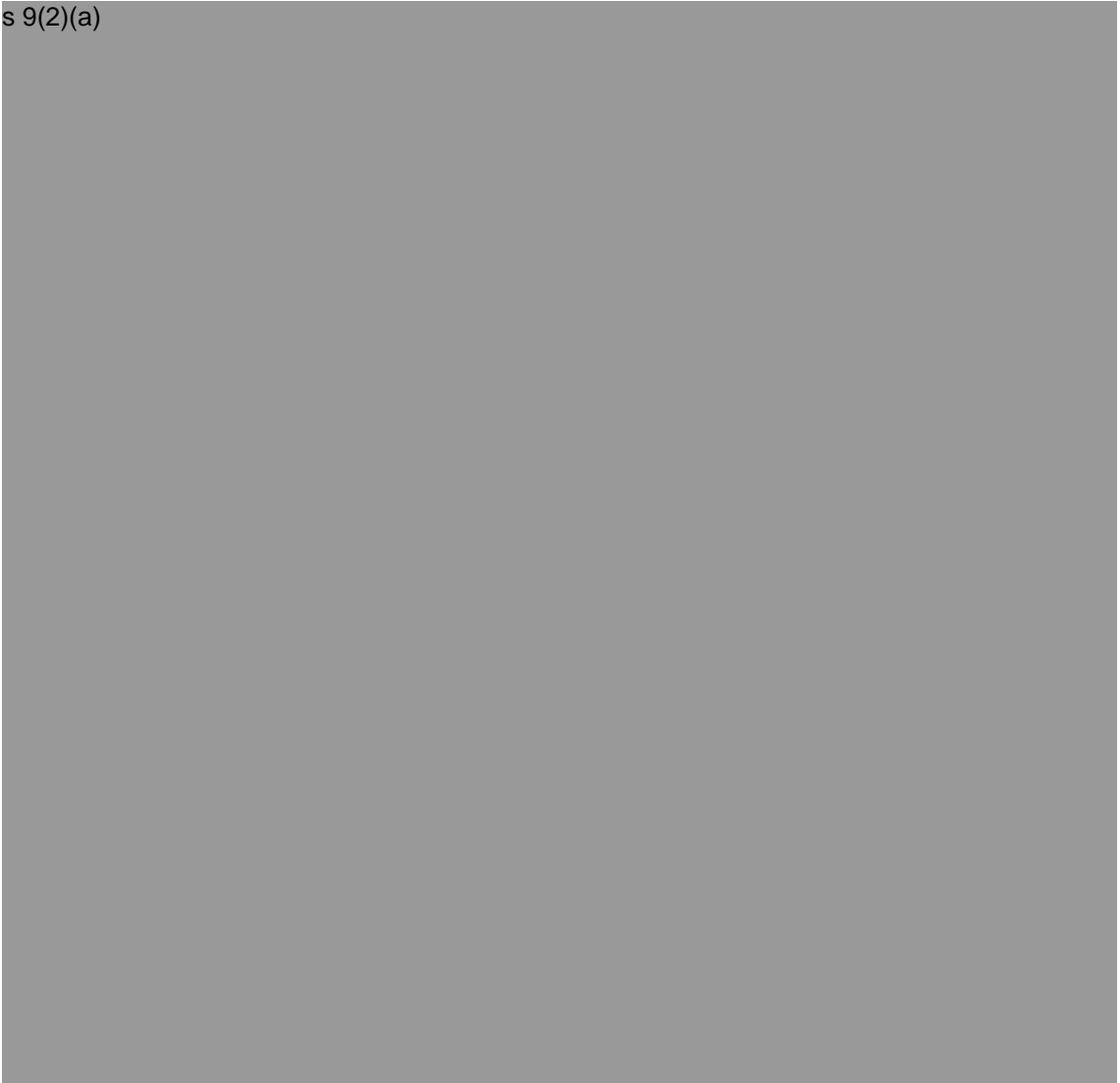
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**New Zealand**  
*Essential Border Crossing Exception Request*

**Project:** The Men Who Built America 2  
**NZ Production Company:** Screentime New Zealand  
**Pre-Production:** Mid-July 2020 Start  
**Production:** September 2020 (3-4 weeks)  
**Approx. NZ Qualified Expenses:** 4.3 Million NZD  
**Approximate NZ hires?** 180 New Zealanders  
**Previous NZ Projects/NZ Spend:** *Making of the Mob: Season 2 (AMC) - 2016 – 5.4 million*  
*Roman Empire: Season 1 (Netflix) - 2016 – 4.2 million*  
*Roman Empire: Season 2 & 3 (Netflix) - 2017 – 5.6 million*  
*Murder Is Forever (ID) - 2017 – 5.3 million*  
*American Playboy (Amazon) - 2017 – 7.8 million*  
*Frontiersmen (History) - 2017 – 5.5 million*  
**Date of Entry Requested:** **August 1, 2020** (assumes immediate 2-week quarantine)  
**Duration of Stay:** 2 Months  
**Number requested:** 7 Individuals

s 9(2)(a)





SAS: Australia

vi.

s 9(2)(a)

