

**From:** Andrea Livingstone <[Andrea.Livingstone@mbie.govt.nz](mailto:Andrea.Livingstone@mbie.govt.nz)>  
**Date:** Thursday, 3 December 2015 4:16 pm  
**To:** Helen McAra <[helenm@nzmsg.co.nz](mailto:helenm@nzmsg.co.nz)>  
**Cc:** Debbie Price <[Debbie.Price@mbie.govt.nz](mailto:Debbie.Price@mbie.govt.nz)>  
**Subject:** RE: Rhode Nielsen/RN Dredging AIP [UNCLASSIFIED]

Yes of course I do. If you refer to the last bullet point, this is what we expect them to do while in NZ, and evidence of such would need to be provided with any future AIP's. They are not the conditions of the visas the individual workers hold.

From David Bishops email, I'm satisfied this is occurring.

Kind regards  
Andrea

**From:** Helen McAra [<mailto:helenm@nzmsg.co.nz>] **Sent:** Thursday, 3 December 2015 3:37 p.m. **To:** Andrea Livingstone **Subject:** Re: Rhode Nielsen/RN Dredging AIP [UNCLASSIFIED]

Hi Andrea

Maybe you've forgotten about the other conditions you purported to attach to these work visas, and your reassuring email to the two NZ officer unions on 9 October 2015 below:

*"Hi Stan, Helen,*

*This email is to let you know that our national office has approved the AIP for this company with the following conditions;*

- *SKO/RN Dredging must continue to actively engage with NZMSG, AMEA, MUNZ and Work and Income New Zealand to seek available workers and train/familiarise New Zealand workers alongside overseas workers.*
- *RN Dredging must carry New Zealand residents or citizens as supernumerary Officers/Engineers on the Balder R and Brage R and review their ability to take over active roles in any future recruitment.*
- *The Ministry will require evidence of your engagement with NZMSG, AMEA, MUNZ and Work and Income over the next year to be submitted with any future AIP requests for the Balder R and Brage R."*

*Kind regards,*

''

*Andrea Livingstone*

These conditions go much further than those you list below, and are very important conditions relating to job protection. I don't understand why you have made no mention of them in your email of today. Can you confirm that they are still (or ever were) conditions of the visas?

It is very clear to us that the above conditions have in no way been fulfilled, nor any attempt made to fulfil them. The employment of supernumerary NZ chief officers was very obviously just some kind of device put forward to fool INZ officials into granting the work visas, and to try to pre-empt any objections/job protection requirements. And it worked of course. But we believe that INZ needs to take immediate action to cancel these visas and salvage its credibility with New Zealanders and especially our members.

I responded at the time to SKO's self-serving and defamatory allegations against our member, a very experienced highly professional master mariner, who advised us that from day one, he was told by the foreign master and officer not to go on the bridge or have anything to do with the running of the ship. He received no training or familiarisation whatsoever, and tried to busy himself helping the New Zealand crew on deck whenever possible. He has since resigned from this job because of this untenable position and the hostile atmosphere he had been forced to work in. Our other member on the vessel, who was master of a similar dredge in Tauranga, Timaru, New Plymouth and Australia for many years, is still employed, but has confirmed today that he is still not receiving any training/familiarisation at all and hasn't done so from the outset. At the same time the foreign master has tried to force our member to carry out unlawful instructions. We also understand that the master and the ship is also currently under investigation by Maritime New Zealand for repeated overloading – a serious criminal offence. This comes after apparent Immigration and/or Maritime rule breaches on arrival, and in Lyttelton and Gisborne.

We are now happy that INZ has had all the relevant information about this company, vessel and foreign master/officers put before it, and it is on the record for future reference. Our member who has been forced to

resign is also happy to give details INZ of the breaches of the visa conditions you advised the unions about. Let me know if you would like his contact details. We are asking once again that INZ cancel these work visas immediately.

Regards  
Helen McAra  
**GENERAL SECRETARY**  
**NZ MERCHANT SERVICE GUILD IUOW**  
**Inc**

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*+64 21 404 828*

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*m:*

**From:** Andrea Livingstone  
<[Andrea.Livingstone@mbie.govt.nz](mailto:Andrea.Livingstone@mbie.govt.nz)> **Date:** Thursday, 3 December 2015 11:45 am **To:** Helen McAra <[helenm@nzmsg.co.nz](mailto:helenm@nzmsg.co.nz)>, Debbie Price <[Debbie.Price@mbie.govt.nz](mailto:Debbie.Price@mbie.govt.nz)> **Subject:** RE: Rhode Nielsen/RN Dredging AIP [UNCLASSIFIED]

Hi Helen,

From what I understand, the work visa holders are not in breach of their conditions, their conditions as per their work visas indicate where they can work, in what position and for who. So unless they are breaching anyone of those points. I'm not prepared to take your issue further.

I have been sent a copy of David Bishops response to you, in regards to the issues you've raised with them and Immigration New Zealand. I don't believe it warrants further investigation.

Kind regards

Andrea Livingstone  
Technical Advisor - Hamilton

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Visa Services, Immigration New Zealand

Ministry of Business Innovation & Employment

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**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HIKINA WHAKATUTUKI

**From:** Helen McAra [<mailto:helenm@nzmsg.co.nz>] **Sent:** Thursday, 3 December 2015 9:42 a.m. **To:** Andrea Livingstone; Debbie Price **Subject:** FW: Rhode Nielsen/RN Dredging AIP [UNCLASSIFIED]

Hi Andrea and Debbie

Further to my email below about SKO/RN Dredging breaching the terms of the work visas you issued, can you please advise what action has been taken. As we can see, the foreign masters/officers are continuing to work, apparently without concern/impediment and it looks to us that INZ has not taken any action in relation to the breaches. The question is why?

Regards  
Helen McAra  
**GENERAL SECRETARY**  
**NZ MERCHANT SERVICE GUILD IUOW**  
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*m:*

**From:** Helen McAra <[helenm@nzmsg.co.nz](mailto:helenm@nzmsg.co.nz)> **Date:** Friday, 13 November 2015 4:06 pm **To:** Andrea Livingstone <[Andrea.Livingstone@mbie.govt.nz](mailto:Andrea.Livingstone@mbie.govt.nz)> **Cc:**

<[debbie.price@mbie.govt.nz](mailto:debbie.price@mbie.govt.nz)> **Subject:** FW: Rhode Nielsen/RN Dredging AIP [UNCLASSIFIED]

Dear Andrea

Further to your email of 9 October 2015 (below), we advise that, as expected and notified to you, no active engagement, training or familiarisation has been undertaken by SKO (now Programmed Total Marine Services NZ Ltd)/RN Dredging in relation to the solitary supernumerary officer position on each swing, which you allowed the companies to impose on New Zealand masters, officers.

No training has been undertaken and the officers have not been made welcome on the bridge of the vessel. To make matters much worse, we heard this morning that our member (who is an extremely experienced Master) has been ordered by the Danish master, to carry out duties which are normally done by low ranking crew on the vessel.

Please ensure INZ takes decisive action Andrea, and take appropriate steps to cancel all work visas issued to these foreign officers/masters so that they can be replaced by suitably qualified New Zealand masters/officers after an appropriate familiarisation period.

Regards  
Helen McAra  
**GENERAL SECRETARY**  
**NZ MERCHANT SERVICE GUILD IUOW**  
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*m:*

**From:** Helen McAra <[helenm@nzmsg.co.nz](mailto:helenm@nzmsg.co.nz)> **Date:** Thursday, 12 November 2015 2:49 pm **To:** Andrea Livingstone <[Andrea.Livingstone@mbie.govt.nz](mailto:Andrea.Livingstone@mbie.govt.nz)> **Subject:** Re: Rhode Nielsen/RN Dredging AIP [UNCLASSIFIED]

Dear Andrea

Pursuant to the Official Information Act, we request all information held by INZ in relation to all work and/or other visas issued to crew members of the vessel Brage R in 2015. We do not require personal information of the visa holders.

Thanks

Regards

Helen McAra

**GENERAL SECRETARY  
NZ MERCHANT SERVICE GUILD IUOW  
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*m:*

**From:** Andrea Livingstone

<[Andrea.Livingstone@mbie.govt.nz](mailto:Andrea.Livingstone@mbie.govt.nz)> **Date:** Friday, 9 October 2015

9:04 am **To:** Stan Renwick <[Stan@amea.co.nz](mailto:Stan@amea.co.nz)>, Helen McAra

<[helenm@nzmsg.co.nz](mailto:helenm@nzmsg.co.nz)> **Subject:** Rhode Nielsen/RN Dredging AIP  
[UNCLASSIFIED]

Hi Stan, Helen,

This email is to let you know that our national office has approved the AIP for this company with the following conditions;

[if !supportLists] ■ [endif]SKO/RN Dredging must continue to actively engage with NZMSG, AMEA, MUNZ and Work and Income New Zealand to seek available workers and train/familiarise New Zealand workers alongside overseas workers.

[if !supportLists] ■ [endif]RN Dredging must carry New Zealand residents or citizens as supernumerary Officers/Engineers on the Balder R and Brage R and review their ability to take over active roles in any future recruitment.

[if !supportLists] ■ [endif]The Ministry will require evidence of your engagement with NZMSG, AMEA, MUNZ and Work

and Income over the next year to be submitted with any future AIP requests for the Balder R and Brage R.

Kind regards,

Andrea Livingstone  
Technical Advisor - Hamilton

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Visa Services, Immigration New Zealand  
Ministry of Business Innovation & Employment

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