

18 May 2015

Peter Sime

By email: [fyi-request-2618-168a9e21@requests.fyi.org.nz](mailto:fyi-request-2618-168a9e21@requests.fyi.org.nz)

Dear Mr Sime

Thank you for your Official Information Act 1982 request of 17 April 2015 in which you requested the following information:

- 1. Fairfax Media's application under section 6 of the Protected Objects Act to export their photographic archive to Rogers Photo Archive in 2013.*
- 2. A copy of the chief executive's notice to Fairfax Media that granted them permission to export their photographic archive.*
- 3. Any file notes, internal and external correspondence, and any other relevant information generated in respect of Fairfax's application.*

Nine documents have been identified as relating to parts one and two of your request and I am releasing all of them to you.

I can clarify that the photographic negatives portion of the Fairfax Photographic Archive has not been exported from New Zealand. On 8 May 2015 Ministry Acting Chief Executive Helen Wyn revoked the temporary export permission for the negatives and her letter to Fairfax is one of the documents attached.

The third part of your request is broad and the information requested cannot be made available without substantial research and collation. I ask whether, in view of the information here provided, you are able to refine this part of your request to more clearly identify the further information you are seeking.

You have the right to ask the Ombudsman to review this decision regarding your request.

Yours sincerely



David Butts  
Manager, Heritage Operations

File: 26920452  
Ref: RKPS1913-315331.2

**Robert Stewart**  
Direct Dial: (04) 494 6273  
robert.stewart@izardweston.co.nz

10 May 2013

Lewis Holden  
Chief Executive  
Ministry of Culture and Heritage  
Wellington

**DELIVERED & BY E-MAIL**

Dear Mr Holden

## **FAIRFAX MEDIA - ROGERS ARCHIVE**

1. We act for Fairfax New Zealand Limited, which trades in New Zealand as Fairfax Media.
2. Yesterday Fairfax New Zealand executives, including Fairfax New Zealand Group Executive Editor Paul Thompson, met with your Mr Milne and Ms Barber to discuss Fairfax Media's agreement with Rogers Photo Archive and the proposed export of photographs and negatives from Australia and New Zealand to the United States of America. Mr Thompson has this morning received a letter from Mr Milne seeking urgent assurance that no material that is 50 years old or older will be exported from New Zealand before the processes in the Protected Objects Act 1975 have been followed. Mr Milne's letter has also indicated that the Ministry will do its best to move quickly in a process that adheres to the Act and meets Fairfax's needs to facilitate a mutually acceptable solution. That offer is appreciated and one Fairfax wishes to take up immediately.

### **Agreement with Rogers Photo Archive**

3. Fairfax Media Australia has entered into an agreement with Rogers Photo Archive (RPA) to digitise the entire Fairfax Media (Australia and New Zealand) holdings of photographs (both hard-copy prints and negatives) which is estimated to be over 25 million images. The New Zealand component is hard to estimate, but there are believed to be over 5 million hard-copy prints and/or negatives. It is intended that the digitisation take place in two stages – hard copies now, negatives in some months time.
4. This digitisation will allow Fairfax Media to:
  - Digitise all holdings of photographs and negatives (which come from a wide variety of sources) and do ensure images will be available to future generations electronically, subject to existing copyrights and other rights held by third parties.
  - Work with organisations such as the National Library.
  - Reduce ongoing storage and preservation costs and the risk of continuing deterioration and also inadvertent destruction.



5. The agreement with RPA provides that it will take physical possession of Fairfax Media's entire photograph holding (both hard-copy prints and negatives) and store it at its facilities in Little Rock, Arkansas, USA. RPA has provided similar services for The Denver Post, Seattle Times, Miami Herald, Chicago-Sun Times, the McClatchy group of newspapers in the USA, and many others. The agreement has a ten year term at the end of which Fairfax Media may take back the entire holding or any part of it (at its own expense).
6. RPA is responsible for packing and shipping the hard copy prints from New Zealand. This is scheduled to occur and be completed late next week. The negatives are to follow separately in December. The agreement also provides for RPA to:
  - Clean all hard-copy prints to their original condition.
  - Scan all hard-copy prints, back and front, and return the digitised images (with related meta-data and tagging) to Fairfax Media.
  - Scan all negatives (acetate, nitrate, 35mm etc) and return the digitised images (with related meta-data and tagging) to Fairfax Media.
  - Provide digital images of the hard-copy prints to Fairfax Media from July 2013.
  - Make available any image requested by Fairfax Media during the digitisation process within 24 hours.
7. Fairfax Media retains all copyrights and other rights it now has in the images.
8. Until now, the age of the materials has not been assessed in detail. It is sourced from a wide range of locations, including different newspapers, archives, materials supplied by third parties, copies obtained from other photo services, and materials provided by readers and advertisers. In some cases the newspapers from which they were obtained did not exist 50 years ago. In other cases, material has in past years been archived with New Zealand public institutions and is either not now held by Fairfax, or only as duplicates. There will be some items which are more than 50 years old but to locate these would require a search of all the material – which will be achievable immediately it is digitised as that data will then be captured digitally.

#### Current problems

##### *Preservation*

9. The condition of negatives has been expertly assessed and is reported currently to be reasonably stable, however negatives with a nitrate or acetate base pose significant problems. The advice to Fairfax is that nitrate negatives are potentially dangerous because they can be extremely flammable. Acetate-based negatives are reported as showing signs of degradation in parts, which will only accelerate with time. Hard-copy prints will continue to deteriorate over time without ongoing preservation.
10. Given the changes in the resources of media companies, the availability of such material from other sources, and the new technology required for preservation there is growing uncertainty around the ability for Fairfax to provide continued efforts to preserve and maintain the archives to current standards.



*Cost*

11. Storage costs are significant. Fairfax New Zealand has approached the National Library with a view to it taking over the historic parts of the materials, but no interest was shown principally it would seem due to the resourcing required to sort and store the images. There have been suggestions made to Fairfax Media that the photographs and negatives now held be "culled" to make it more manageable. This is not the best outcome.
12. Fairfax Media has had independent quotes for the approximate cost to scan each image negative and add meta-data (found on the negative, sleeve, back of image etc). The average cost is approximately \$2-\$4 per image using onshore processing with an approximate cost to digitise everything (including hard-copy prints) of \$50 million - \$100 million. This is not only not affordable as an initial cost, but not able to be recovered from any subsequent use by Fairfax.

*Lack of editorial / public access*

13. The archival images are currently accessed by a very limited library staff for use editorially. Searches are done individually depending on the commissioned work or commercial opportunity, however these are time and labour intensive. Millions of images remain in storage facilities or newspaper basements and only dozens are used in any given week.

**Unique opportunity**

14. Fairfax Media believes its agreement with RPA represents a unique opportunity to preserve history, make the images publicly available, and reduce costs. The digitisation of the entire photographic/negative holding will ensure the images are available to future generations electronically.
15. Additionally, because Fairfax Media will retain the copyright in the images, it can work with organisations such as the National Library, Te Papa, to make the holding or parts of it available for public viewing and community involvement.

**Protected Objects Act 1975**

16. Fairfax Media initially took the view that the export of the New Zealand component of the holding did not require permission under the Protected Objects Act as it believed none of the hard-copy photographs or negatives were likely to be older than 50 years, and therefore were not protected New Zealand objects as defined by the Act.
17. As a result of the discussions that have taken place with the Ministry, Fairfax New Zealand now acknowledges that, although the number of hard-copy photographs or negatives in the New Zealand component of the holding 50 years old or older is likely to be extremely small, it cannot say for certain that there are no "protected New Zealand objects" within the holding. Accordingly, it wishes to make an urgent application for the **temporary** export of any protected New Zealand objects that are found within the holding by RPA during the digitisation process. An application form is being completed and will be delivered to your office on Monday.
18. Fairfax Media requests the highest level of urgency is given to its application on the grounds that:
  - 18.1 The hard-copy prints are currently being packed and are due to be shipped by RPA from New Zealand at the end of next week.

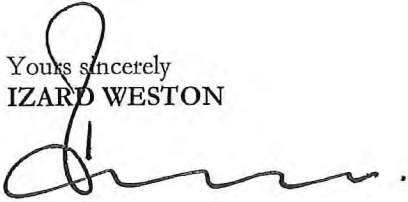


- 18.2 If the holding (or any part of it) is delayed or not shipped when scheduled, the entire project is likely to be postponed. Fairfax Media has been told by RPA that due to its other digitisation projects RPA will be unable to reschedule the Fairfax project for another four years. Further there would be no certainty that the project could then be achieved on the present highly favourable terms.
- 18.3 If that delay occurs, those parts of the holding that are protected New Zealand objects will remain in a state of disrepair and degradation will only accelerate over the next four years.
- 18.4 It is highly likely that for every hard-copy print that is found to be protected New Zealand object there will be a corresponding negative that will remain in New Zealand while the digitisation process of hard-copy prints takes place.
- 18.5 RPA has agreed:
- 18.5.1 To notify Fairfax Media of any images dated pre-1963 located during the digitisation process and supply Fairfax Media with the digitised image and content meta-data for any such image. These images and associated data would then be provided by Fairfax Media to the Ministry for review.
- 18.5.2 To repatriate all pre-1963 hard-copy prints and negatives immediately the digitisation process has been completed if required to do so by Fairfax Media or if the images are considered by the Ministry to be protected New Zealand objects.
- 18.5.3 Not to sell or otherwise dispose of any image until the Ministry's review has been completed.
- 18.6 Fairfax Media is prepared to provide a bond to the Ministry for the cost of repatriating the hard-copy prints and negatives that are found to be protected New Zealand objects (and any related action needed to enforce that return).

#### Next steps

19. This represents a unique opportunity to preserve this material and make it more accessible to future generations. If the Ministry were to refuse or delay permission for the temporary export of any protected New Zealand objects in the holding, then those objects will degrade and deteriorate in archives and basements around the country without ever being made publicly available.
20. The size and the scheduled shipment date is likely to make any inspection or review by the Ministry before departure unworkable. For this reason Fairfax Media is proposing it is given permission for export on the terms and conditions outlined above and it looks forward to working through any further terms and conditions the Ministry may reasonably require and are workable for Fairfax as a matter of urgency.
21. With the above in mind Fairfax proposes an urgent meeting with you and your staff on this Monday, 13 May, to work through any remaining issues.
22. Please acknowledge receipt of this letter and suggest a time to meet on Monday as soon as possible.

Yours sincerely  
IZARD WESTON



Robert Stewart  
Partner

cc: Ronald Milne - Deputy Chief Executive  
Nerissa Barber - Chief Legal Adviser

rkps

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT



APPLICATION FOR PERMISSION TO EXPORT A  
PROTECTED NEW ZEALAND OBJECT FROM NEW ZEALAND



A. Details of Applicant

1. Full name of individual and/or company, organisation, society etc who owns the object(s) being exported

FAIRFAX NEW ZEALAND LIMITED

2. Name, physical and postal address of applicant (person signing this form)

FAIRFAX NEW ZEALAND LIMITED  
40 BOULLCOTT STREET  
WELLINGTON

3. Contact information for applicant

Phone: 04 496 9800 wk/bmt Fax: 04 496 9841

Email: paul.thompson@fairfaxmedia.co.nz

4. Who will be responsible for the export of the object(s) from New Zealand? (circle one)

Customs Broker / Freight Forwarder / Courier Company / Applicant / Other

Other:

5. If the response to question 4 is not "applicant", please give the name and address of the person and/or organisation who will be responsible for exporting the object(s) from New Zealand

Phone:

Fax:

Email:

B. Ministry Information Notice

The information (including photographs, illustrations etc.) provided to the Ministry for Culture and Heritage in this application will be held by the Chief Executive for the purpose of permitting the Chief Executive and his experts to assess and evaluate the application, and for the enforcement of the Protected Objects Act.

The Ministry is subject to the Official Information Act and may be required to release information in the terms of that Act. After 10 years, files from the Ministry are destroyed, sealed or housed at Archives New Zealand.

Certificates regarding export may be revoked at any time prior to the shipment of the objects. Should an extension be required, the Ministry may issue a new certificate. The objects must exit New Zealand within the time specified on the certificate and the certificate is only valid for one consignment. Please note that the certificate does not authenticate the object(s) as the object(s) is assessed on the information supplied by the exporter.

Under section 7(1) of the Act, the Chief Executive may impose terms and conditions on the export of a protected New Zealand object from New Zealand. This could include, but is not limited to, requiring the owner to submit detailed drawings of the object to the Ministry prior to its export, and allow an object to be only temporary exported from New Zealand.

If the object is deemed to be a protected New Zealand object, you will be required to submit photographs of the object prior to a decision being made by the Chief Executive. The photographs submitted are then the property of the Ministry.



### C. Description of Objects

Please use additional paper if you do not have enough space to complete description of objects

6. Title or name of object; include its common name ie. painting, traction engine etc

PHOTOGRAPHIC ARCHIVE

7. Age of object (please state if age known or estimated)

VARIOUS

8. Value of object in New Zealand dollars (please state if value known or estimated)

NZ\$ 12.5 MILLION (Entire archive (Aust + NZ) insured value)

9. Where was the object made, and/or where and when was it found?

NEW ZEALAND

10. Who made or created the object? (individual or company)

FAIRFAX PHOTOGRAPHERS / AGENCIES

11. Dimensions, model and make of object, and the significant materials used

HARD-COPY PRINTS

12. Marks, distinguishing characteristics, serial numbers and/or registration numbers on the object

DATE OF PUBLICATION / NOTES ON SOME

13. Known history of the object

SEE IZARD WESTON LETTER DATED 10 MAY 2013  
MASTHEADS INCLUDED IN PROJECT ATTACHED  
ON SEPARATE SHEET.

14. Any other information

SEE IZARD WESTON LETTER DATED 10 MAY 2013

15. Details of any publication in which this object has been listed or photographed

ONE OR MORE OF THE MASTHEADS LISTED



**D. Export from New Zealand**

16. I wish to export the objects from New Zealand: (please tick one)

Permanently (complete questions 17 to 20)

Temporarily (complete questions 17 to 27)

17. Proposed date of export from New Zealand

TBA .

18. Name of country object(s) to be exported to

U.S.A .

19. Port of exit from New Zealand

AUCKLAND / LYTTELTON

20. Method of exit from New Zealand

Post / Ship freight / Airline freight / Personal luggage / Other

Other:

Name of ship/airline: TBA

Complete questions 21 to 27 if you are applying for only TEMPORARY export

21. Reason for temporary export (circle one)

Exhibition and Fairs / Restoration / Institutional Exchange / Professional Equipment / Other

Other: DIGITISATION OF PHOTO ARCHIVE

22. Date object(s) to return to New Zealand

AS REQUESTED BY MCH

23. Port of re-entry to New Zealand

TBA

24. Method of re-entry to New Zealand (circle one)

Post / Ship freight / Airline freight / Personal luggage / Other

Other: TBA .

Name of ship/airline:

25. Name and address of the person and/or institution who will be in possession of the objects for the majority of time they are outside of New Zealand

RPA PHOTO ARCHIVE

2501 NORTH POPLAR ST, NORTH LITTLE ROCK

AR 72114, USA.

26. Name and address of where the objects be housed once they have returned to New Zealand

FAIRFAX MEDIA .

27. Are you applying for a CARNET? How long is your CARNET valid for?





**Application for Permission to Export a Protected New Zealand Object from New Zealand**

**Application by FAIRFAX NEW ZEALAND LIMITED**

Mastheads included in the Project:

- Sunday Star Times
- Auckland Star (no longer publishing)
- The Press
- Waikato Times
- Taranaki Daily News
- Dominion Post
- Manawatu Standard
- Southland Times
- Timaru Herald
- Marlborough Express

There may be more (e.g. agencies, suburban/rural newspaper mastheads, etc.) however these are the mastheads that are known currently.

There may be more mastheads/names be noted on the images.

RKPS2013-315445.1  
rkps

16 May 2013

FAIRFAX NEW ZEALAND LIMITED

MINISTRY FOR CULTURE AND HERITAGE

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT  
AGREEMENT

IZARDWESTON  
LAWYERS

26920843  
RKPS2013-315611.3



## AGREEMENT

DATED 16 May 2013

## PARTIES

1. FAIRFAX NEW ZEALAND LIMITED ("Fairfax")
2. MINISTRY FOR CULTURE AND HERITAGE ("the Ministry")

## BACKGROUND

- A. Fairfax wishes to digitise its entire photographic archive library comprising all hard-copy prints in its possession ("the Archive").
- B. Fairfax's agent, Fairfax Media Management Pty Limited, has entered into a Photo Archive Acquisition and Digital Library Services Agreement with RPA Photo Archive ("RPA") of the United States of America ("the RPA Agreement") for the digitisation of the Archive.
- C. The RPA Agreement provides that RPA may sell any part of the physical Archive during the ten year term of that Agreement after which Fairfax may take back any part of the physical Archive then remaining with RPA.
- D. The Ministry is the department of State having responsibility, amongst other things, for regulating the export of protected New Zealand objects as defined by the Protected Objects Act 1975 ("the Act").
- E. On 13 May 2013 Fairfax applied to the Chief Executive of the Ministry in terms of the Act for permission to export that part of the Archive that may consist of protected New Zealand objects temporarily from New Zealand ("the Fairfax Application").
- F. To assist the Chief Executive of the Ministry to determine Fairfax's application, Fairfax is willing to agree to the terms and conditions set out in this Agreement.

## OPERATIVE PART

1. On receipt of the Archive, or part thereof, in digitised form (including all relevant meta-data) Fairfax will provide or facilitate reasonable access to the Archive for the Ministry, or its agents, for the purpose of enabling the Ministry to review the Archive in terms of this Agreement.

### Objects originating from 1963 or older

2. On receipt of the digitised Archive (or any part thereof) from RPA, Fairfax will advise the Ministry where an object is recorded as originating from 1963 or older.

3. The parties envisage the evaluation of significance of objects will normally be done through the digitised form. During the review period or any extended review period (as defined below) Fairfax will procure access for the Ministry's agents to inspect originals at RPA during normal business hours if the Ministry so elects.
4. If, following its review of the Archive the Ministry identifies any object in the Archive that is a protected New Zealand object as at the date of Fairfax Application, then Fairfax agrees to repatriate that object to New Zealand at its cost, within a period of ninety (90) days of the Ministry's request.
5. If having reviewed the Archive, the Ministry is of the view that an object may be a protected New Zealand object but the Ministry considers it necessary to inspect that original object in New Zealand to make a determination, Fairfax agrees to repatriate that object to New Zealand at its cost and the Ministry shall consult two or more expert examiners at the Ministry's cost.

#### **Objects dating 1964 to 1973**

6. If, following its review of the Archive, the Ministry identifies an object in the Archive originating from 1973 or earlier that is not a protected New Zealand object under the Act, but would be regarded as such an object but for the fact that it is less than 50 years old, Fairfax agrees to repatriate that object to New Zealand at its cost provided that for the purpose of determining whether the object falls within the criteria in section 7A(1) of the Act (other than section Category 3(3)(b) in Schedule 4 and thereby section 7A(1)((a)(i)), the Ministry shall, in consultation with Fairfax, and at the Ministry's expense engage an expert examiner for that purpose. The maximum liability of Fairfax for repatriation costs in terms of this clause shall be capped at \$10,000 provided that the Ministry may elect to contribute to any additional repatriation costs at its expense.

#### **Completion of review by Ministry**

7. The Ministry shall have a period of ninety (90) days to complete its review of the Archive commencing on the date Fairfax provides the Ministry with access to the last part of the Archive ("the review period").
8. If the Ministry:
  - 8.1 Has not completed its review of the Archive within the review period; and
  - 8.2 Is able to demonstrate to the satisfaction of Fairfax, before the expiration of the review period, that its review of the Archive has not been completed within that period due to a material failure of the indexing or search function for the digitised Archive,



then it shall be given a final period of ninety (90) days to complete its review of the Archive (“the extended review period”).

9. In the event the Ministry identifies an object in the Archive that may be a protected New Zealand object after the expiry of the review period (or the extended review period if provided) it acknowledges that neither Fairfax nor RPA has any liability or obligation to the Ministry in relation to that object, whether in terms of the Protected Objects Act or otherwise. Nothing in this clause shall operate to limit or extinguish the obligation of RPA under clause 10.2 below.

#### **RPA Photo Archive**


10. To give effect to this Agreement Fairfax has secured the agreement of RPA that:
  - 10.1 RPA will not sell or otherwise dispose of any part of the Archive that pre-dates 1973 during the review period as defined above.
  - 10.2 RPA will give reasonable notice to the Ministry by email of its intention to sell or dispose of any parts of the Archive.
11. Fairfax will keep at all times appropriate reports of the location of the Archive and provide such records to the Ministry upon request.
12. For the purposes of section 7A(2) the specified date is ninety (90) days after the expiration of the later of the review period or the extended review period (if utilised), although the parties acknowledge any protected New Zealand objects may, at the Ministry’s request, be repatriated to New Zealand under this Agreement before this date.
13. Fairfax will indemnify the Ministry from any and all costs, expenses, actions, proceedings and other liability arising as a result of its breach of this Agreement.
14. Where communications are sent by email, they are deemed to be received at the time the email enters the recipient’s information system as evidenced by a delivery receipt requested by the sender and it is not returned undelivered or as an error.
15. In the event of a dispute concerning the interpretation or application of this Agreement, the parties agree to negotiate in good faith with a view to securing a practical resolution of the dispute. This provision is subject to the Chief Executive’s responsibilities under the Protected Objects Act.
16. Fairfax warrants that the RPA Agreement contains a provision:

- 16.1 Allowing either party to the RPA Agreement to terminate that Agreement in the event of the liquidation of the other; and
- 16.2 Allowing Fairfax Media to terminate the exclusive licence granted to RPA in terms of the RPA Agreement if there is a change in control of RPA.

**EXECUTION**

**SIGNED** on behalf of  
**FAIRFAX NEW ZEALAND LIMITED**  
by:

**SIGNED** on behalf of the  
**MINISTRY FOR CULTURE AND HERITAGE**  
by:

  
\_\_\_\_\_  
Lewis Holden  
Chief Executive

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT



Certificate Number: 1718

16 May 2013

Fairfax New Zealand Limited  
40 Boulcott Street  
Wellington

To whom it may concern

**RE: APPLICATION FOR PERMISSION TO EXPORT PROTECTED NEW ZEALAND OBJECTS FROM NEW ZEALAND**

As per the agreement signed between Fairfax Media Limited and the Ministry for Culture and Heritage of 16 May 2013; I am pleased to advise you that approval has been given for the **temporary** removal from New Zealand of the part of the Fairfax New Zealand Limited photographic archive (the Archive) more than 50 years old, until 15 May 2023.

The Archive includes original and copy prints of photographs from numerous mastheads, including, but not limited to:

- Sunday Star Times
- Auckland Star
- The Press
- Waikato Times
- Taranaki Daily News
- Dominion Post
- Manawatu Standard
- Southland Times
- Timaru Herald
- Marlborough Express

The export certificates for these objects are enclosed.

If you have any queries, do not hesitate to contact me on (04) 499 4229 or by email at [ashley.mackenzie-white@mch.govt.nz](mailto:ashley.mackenzie-white@mch.govt.nz).

Yours sincerely



David Butts  
for Chief Executive

# CERTIFICATE FOR TEMPORARY EXPORT

Permission to export a protected New Zealand object under section 7 of the Protected Objects Act 1975

Issued: 16/05/2013

Certificate number: 1718

<b>Exporter Details:</b> Fairfax New Zealand Limited, 40 Boulcott Street, Wellington	Approved for export by the Ministry for Culture and Heritage <div style="text-align: center;">   <hr style="width: 100%; border: 0.5px solid black;"/>           for Chief Executive         </div>
<b>Consignee Details:</b> RPA Photo Archive, 2501 North Poplar St, North Little Rock, Arkansas, USA	The protected New Zealand objects described below are to be returned to New Zealand by: <p style="text-align: center;"><b>15/05/2023</b></p> Beyond this date, this certificate will cease to be valid
This certificate is to be <b>presented to the New Zealand Customs Service</b> by the exporter before the object(s) listed below are placed on board any craft for transportation side New Zealand, taken in to a Customs controlled area or delivered as a postal article into the control of a postal service provider for removal from New Zealand	I confirm that approval has been given under the Customs and Excise Act 1996 for the exportation of the protected New Zealand objects listed below.  The Customs export reference number for the shipment is:  <div style="text-align: center;"> <hr style="width: 100%; border: 0.5px solid black;"/>           Signature of NZ Customs Officer, Date         </div>
<b>This certificate permits the temporary export from New Zealand of the 1 protected New Zealand object(s) listed below</b>	

Title	Description of protected New Zealand object (including distinguishing marks)	Photograph
Fairfax Media Photographic Archive	Fairfax Media Photographic Archive - The Archive includes original and copy prints of photographs over 50 years old from numerous mastheads, including, but not limited to: • Sunday Star Times • Auckland Star • The Press • Waikato Times • Taranaki Daily News • Dominion Post • Manawatu Standard • Southland Times • Timaru Herald • Marlborough Express	



Ministry for Culture and Heritage, PO Box 5364, Wellington, New Zealand, fax +64 4 499 4490, ph +64 4 499 4229  
 This certificate is issued under section 7 of the Protected Objects Act 1975 on the basis of information supplied by the applicant. This certificate should not be relied on to validate the authenticity of the object, nor is it proof of ownership.





**Kerrie-Lee Magill**  
Direct Dial: (04) 496 9844  
kerrie-lee.magill@fairfaxmedia.co.nz

31 October 2013

Lewis Holden  
Chief Executive  
Ministry of Culture and Heritage  
Wellington

**DELIVERED & BY E-MAIL**

Dear Lewis,

#### **FAIRFAX MEDIA - ROGERS ARCHIVE**

As you are aware, in May this year, the Ministry of Culture & Heritage (MCH) granted Fairfax temporary permission to export the hard copy prints from its photographic archive, and the MCH and Fairfax signed an agreement setting out the terms of the export. At that time we discussed with the MCH the fact that the photographic negatives in the collection would be exported at a later date separately from the photos to safeguard the collection.

Fairfax is now starting to prepare for the export of the photographic negatives portion of its collection. You will recall that as a result of the discussions that took place with the MCH in May, Fairfax New Zealand acknowledged that, although the number of hard-copy photographs or negatives in the New Zealand component of the collection 50 years old or older is likely to be extremely small, it cannot say for certain that there are no "protected New Zealand objects" within the collection.

On that basis, Fairfax seeks further permission from the MCH for the temporary export of any protected New Zealand objects that may be found within the photographic negative part of the collection to be exported to Rogers Photo Archive for digitalisation.

Our arrangement with RPA is summarised in appendix 1. The background to our earlier application to export has also been included for your reference in Appendix 2.

We suggest that the MCH and Fairfax enter into an agreement to govern the export of the negatives on the same terms as the agreement dated 16 May 2013 which set out our agreement around export of the hard copy prints. We attach a draft agreement for your review.

Fairfax has completed the MCH's "Application for Permission to Export a Protected New Zealand Object from New Zealand," please see attached.

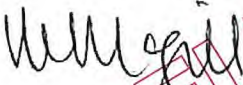
RPA will be responsible for packing and shipping the negatives from New Zealand. The hard copy prints were picked up last May 2013 and the negatives are due to be picked up the week commencing February 10<sup>th</sup> 2014.

Fairfax Media requests the review of its application as soon as possible on the grounds that:

- 1.1 The negatives are currently being packed and are due to be shipped by RPA from New Zealand the week commencing February 10<sup>th</sup> 2014.
- 1.2 It is important that the negatives are exported according to the timeframe agreed with RPA. As previously discussed with MCH, failure to export the negatives to the agreed timeframe will result in RPA being unable to reschedule the Fairfax project for another four years due to its existing projects. If a delay occurs, those parts of the collection that are protected New Zealand objects will remain in a state of disrepair and degradation will only accelerate over the next four years.
- 1.3 RPA has agreed to repatriate all negatives 50 years old or older immediately the digitisation process has been completed if they are considered to be protected New Zealand objects.

Please acknowledge receipt of this letter and advise Fairfax of the outcome of Ministry's review of its application as soon as possible. Please contact Katie Eagles of Fairfax if you require any further details relating to the project.

Yours sincerely



**Kerrie-Lee Magill**  
Corporate Counsel

cc: Ronald Milne - Deputy Chief Executive  
Monica Hamlyn-Crawshaw - Legal Adviser



## APPENDIX 1

### Background – Agreement with Rogers Photo Archive

1. Fairfax Media Australia has entered into an agreement with Rogers Photo Archive (RPA) to digitise the entire Fairfax Media (Australia and New Zealand) holdings of photographs (both hard-copy prints and negatives) which is estimated to be over 25 million images. The New Zealand component is hard to estimate, but there are believed to be over 5 million hard-copy prints and/or negatives. The digitisation will take place in two stages – previously, the hard copy images and soon the negatives.
2. This digitisation will allow Fairfax Media to:
  - Digitise all holdings of photographs and negatives (which come from a wide variety of sources) and do ensure images will be available to future generations electronically, subject to existing copyrights and other rights held by third parties.
  - Work with organisations such as the National Library.
  - Reduce ongoing storage and preservation costs and the risk of continuing deterioration and also inadvertent destruction.
3. The agreement with RPA provides that it will take physical possession of the entire photographic collection (both hard-copy prints and negatives) and store it at its facilities in Little Rock, Arkansas, USA. RPA has provided similar services for The Denver Post, Seattle Times, Miami Herald, Chicago-Sun Times, the McClatchy group of newspapers in the USA, and many others. The agreement has a ten year term at the end of which Fairfax Media may take back the collection or any part of it (at its own expense).
4. RPA is responsible for packing and shipping the hard copy prints and negatives from New Zealand. The hard copy prints were picked up last May 2013 and the negatives are due to be picked up the week commencing February 10<sup>th</sup> 2014. The agreement also provides for RPA to:
  - Clean all hard-copy prints to their original condition.
  - Scan all hard-copy prints, back and front, and return the digitised images (with related meta-data and tagging) to Fairfax Media.
  - Scan all negatives (acetate, nitrate, 35mm etc) and return the digitised images (with related meta-data and tagging) to Fairfax Media.
  - Provide digital images of the hard-copy prints to Fairfax Media.
  - Make available any image requested by Fairfax Media during the digitisation process within 24 hours.
5. Fairfax Media retains all copyrights and other rights it now has in the images.
6. RPA has agreed to repatriate all negatives 50 years old or older immediately the digitisation process has been completed if they are considered to be protected New Zealand objects.



## APPENDIX 2

### Current problems with the Fairfax Media photographic collection

#### *Preservation*

1. The condition of negatives has been expertly assessed and is reported currently to be reasonably stable, however negatives with a nitrate or acetate base pose significant problems. The advice to Fairfax is that nitrate negatives are potentially dangerous because they can be extremely flammable. Acetate-based negatives are reported as showing signs of degradation in parts, which will only accelerate with time. Hard-copy prints will continue to deteriorate over time without ongoing preservation.
2. Given the changes in the resources of media companies, the availability of such material from other sources, and the new technology required for preservation there is growing uncertainty around the ability for Fairfax to provide continued efforts to preserve and maintain the archives to current standards.

#### *Cost*

- 3 Storage costs are significant. Fairfax New Zealand has approached the National Library with a view to it taking over the historic parts of the materials, but no interest was shown principally it would seem due to the resourcing required to sort and store the images. There have been suggestions made to Fairfax Media that the photographs and negatives now held be "culled" to make it more manageable. This is not the best outcome.
4. Fairfax Media has had independent quotes for the approximate cost to scan each image negative and add meta-data (found on the negative, sleeve, back of image etc). The average cost is approximately \$2-\$4 per image using onshore processing with an approximate cost to digitise everything (including hard-copy prints) of \$50 million - \$100 million. This is not only not affordable as an initial cost, but not able to be recovered from any subsequent use by Fairfax.

#### *Lack of editorial / public access*

5. The archival images are currently accessed by a very limited library staff for use editorially. Searches are done individually depending on the commissioned work or commercial opportunity, however these are time and labour intensive. Millions of images remain in storage facilities or newspaper basements and only dozens are used in any given week.

#### **Unique opportunity**

6. Fairfax Media believes its agreement with RPA represents a unique opportunity to preserve history, make the images publicly available, and reduce costs. The digitisation of the entire photographic/negative collection will ensure the images are available to future generations electronically.
7. Additionally, because Fairfax Media will retain the copyright in the images, it can work with organisations such as the National Library, Te Papa, to make the collection or parts of it available for public viewing and community involvement.



**APPLICATION FOR PERMISSION TO EXPORT A  
PROTECTED NEW ZEALAND OBJECT FROM NEW ZEALAND**



**A. Details of Applicant**

1. Full name of individual and/or company, organisation, society etc who owns the object(s) being exported  
**FAIRFAX NEW ZEALAND LIMITED**

2. Name, physical and postal address of applicant (person signing this form)  
**FAIRFAX NEW ZEALAND LIMITED  
40 BOULCOTT STREET  
WELLINGTON**

3. Contact information for applicant  
Phone: **04 496 9815** wk/hm Fax: **04 496 9841**  
Email: **Sinead.boucher@fairfaxmedia.co.nz**

4. Who will be responsible for the export of the object(s) from New Zealand? (circle one)  
Customs Broker // Freight Forwarder // Courier Company // **Applicant** // Other  
Other:

5. If the response to question 4 is not "applicant", please give the name and address of the person and/or organisation who will be responsible for exporting the object(s) from New Zealand

Phone: Fax:  
Email:

**B. Ministry Information Notice**

The information (including photographs, illustrations etc.) provided to the Ministry for Culture and Heritage in this application will be held by the Chief Executive for the purpose of permitting the Chief Executive and his experts to assess and evaluate the application, and for the enforcement of the Protected Objects Act.

The Ministry is subject to the Official Information Act and may be required to release information in the terms of that Act. After 10 years, files from the Ministry are destroyed, sealed or housed at Archives New Zealand.

Certificates regarding export may be revoked at any time prior to the shipment of the objects. Should an extension be required, the Ministry may issue a new certificate. The objects must exit New Zealand within the time specified on the certificate and the certificate is only valid for one consignment. Please note that the certificate does not authenticate the object(s) as the object(s) is assessed on the information supplied by the exporter.

Under section 7(1) of the Act, the Chief Executive may impose terms and conditions on the export of a protected New Zealand object from New Zealand. This could include, but is not limited to, requiring the owner to submit detailed drawings of the object to the Ministry prior to its export, and allow an object to be only temporary exported from New Zealand.

If the object is deemed to be a protected New Zealand object, you will be required to submit photographs of the object prior to a decision being made by the Chief Executive. The photographs submitted are then the property of the Ministry.



C. Description of Objects

Please use additional paper if you do not have enough space to complete description of objects

6. Title or name of object; include its common name ie. painting, traction engine, etc.

PHOTOGRAPHIC ARCHIVE

7. Age of object (please state if age known or estimated)

VARIOUS

8. Value of object in New Zealand dollars (please state if value known or estimated)

NZ\$ 12.5 (ENTIRE ARCHIVE / AUS + NZ) INSURED VALUE

9. Where was the object made, and/or where and when was it found?

NEW ZEALAND

10. Who made or created the object? (individual or company)

FAIR FAX PHOTOGRAPHERS / AGENCIES

11. Dimensions, model and make of object, and the significant materials used

PHOTO NEGATIVES

12. Marks, distinguishing characteristics, serial numbers and/or registration numbers on the object

DATE OF PUBLICATION / NOTES ON SOME

13. Known history of the object

SEE KERRIE-LEE MAGILL'S EMAIL DATED 31/10/13

MASTHEADS INCLUDED IN THE PROJECT ATTACHED

ON SEPARATE SHEET.

\* ALSO, SEE ATTACHED AGREEMENT BETWEEN MCH  
& FAIRFAX NZ LTD

14. Any other information

SEE KERRIE-LEE MAGILL'S LETTER DATED 31/10/13

15. Details of any publication in which this object has been listed or photographed

ONE OR MORE OF THE MASTHEADS LISTED



**D. Export from New Zealand**

16. I wish to export the objects from New Zealand: (please tick one)

- Permanently (complete questions 17 to 20)  Temporarily (complete questions 17 to 27)

17. Proposed date of export from New Zealand

T.B.A. - FEB 2014

18. Name of country object(s) to be exported to

U.S.A

19. Port of exit from New Zealand

AUCKLAND / ~~WAIKATO~~ LYTTELTON

20. Method of exit from New Zealand

Post / Ship freight / Airline freight / Personal luggage / Other

Other:  
Name of ship/airline: T.B.A.

Complete questions 21 to 27 if you are applying for only TEMPORARY export

21. Reason for temporary export (circle one)

Exhibition and Fairs / Restoration / Institutional Exchange / Professional Equipment / Other

Other: DIGITISATION OF PHOTO ARCHIVE

22. Date object(s) to return to New Zealand

AS REQUESTED BY MCH

23. Port of re-entry to New Zealand

T.B.A.

24. Method of re-entry to New Zealand (circle one)

Post / Ship freight / Airline freight / Personal luggage / Other

Other: T.B.A.  
Name of ship/airline:

25. Name and address of the person and/or institution who will be in possession of the objects for the majority of time they are outside of New Zealand

RPA PHOTO ARCHIVE  
2501 POPLAR ST, NORTH LITTLE ROCK  
A.R. 72114, U.S.A

26. Name and address of where the objects be housed once they have returned to New Zealand

FAIRFAX MEDIA

27. Are you applying for a CARNET? How long is your CARNET valid for?



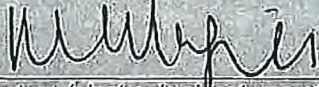
### E. Declaration by Applicant

I hereby apply under section 5 of the Protected Objects Act 1975 for permission to export from New Zealand one or more protected New Zealand object(s) as described in section C of this application.

I understand that under section 7 of the Act, I may be required to make the protected New Zealand object(s) available for examination by one or more persons nominated by the Chief Executive of the Ministry for Culture and Heritage. I agree that, if so requested, the protected New Zealand object(s) will be made available for examination either at the above address or at such other place as may be requested.

I declare that:

- I or the person(s) I am the duly authorised agent for, have undisputed title of the object or the full support of all the Trustees to register the object; and
- the contents of this application are to the best of my knowledge true and correct.



18 / 12 / 67

Signature (electronic signatures will not be accepted)

date of birth

31 / 10 / 13

Date of signature

### F. Check List

- Contact information for the applicant and if necessary, the exporter
- Serial numbers, makers marks, registration numbers of the object(s)
- History and provenance of the object(s)
- A photograph or illustration for taonga tūturu or artworks (if an object is deemed to be a protected New Zealand object, a photograph will be required)
- Any additional pages
- Sign and date the application form

Post your application to:

Protected Objects  
Ministry for Culture and Heritage  
PO Box 5364  
WELLINGTON

ph. (04) 499 4229

RELEASED UNDER THE OFFICIAL INFORMATION ACT



Application for Permission to Export a Protected New Zealand Object from New Zealand

Application by FAIRFAX NEW ZEALAND LIMITED

Mastheads included in the Project:

- Sunday Star Times
- Auckland Star (no longer publishing)
- The Press
- Waikato Times
- Taranaki Daily News
- Dominion Post
- Manawatu Standard
- Southland Times
- Timaru Herald
- Marlborough Express

There may be more (e.g. agencies, suburban/rural newspaper mastheads, etc.) however these are the mastheads that are known currently.

There may be more mastheads/names be noted on the images.

RKPS2013-315445.1  
rkps

25<sup>n</sup> February 2014

FAIRFAX NEW ZEALAND LIMITED

MINISTRY FOR CULTURE AND HERITAGE

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT  
AGREEMENT



## AGREEMENT

DATED 25<sup>th</sup> February 2014.

## PARTIES

1. FAIRFAX NEW ZEALAND LIMITED ("Fairfax")
2. MINISTRY FOR CULTURE AND HERITAGE ("the Ministry")

## BACKGROUND

- A. Fairfax exported the hard copy print portion of its photographic archive library for digitalisation in May 2013 on the terms of the agreement between Fairfax and the Ministry dated 16 May 2013.
- B. Fairfax wishes to digitise the remainder of its photographic archive library comprising all photographic negatives in its possession ("the Archive").
- C. Fairfax's agent, Fairfax Media Management Pty Limited, has entered into a Photo Archive Acquisition and Digital Library Services Agreement with RPA Photo Archive ("RPA") of the United States of America ("the RPA Agreement") for the digitisation of the Archive.
- D. The RPA Agreement provides that RPA may sell any part of the physical Archive during the ten year term of that Agreement after which Fairfax may take back any part of the physical Archive then remaining with RPA.
- E. The Ministry is the department of State having responsibility, amongst other things, for regulating the export of protected New Zealand objects as defined by the Protected Objects Act 1975 ("the Act").
- F. On 31 October 13 Fairfax applied to the Chief Executive of the Ministry in terms of the Act for permission to export that part of the Archive that may consist of protected New Zealand objects temporarily from New Zealand ("the Fairfax Application").
- G. To assist the Chief Executive of the Ministry to determine Fairfax's application, Fairfax is willing to agree to the terms and conditions set out in this Agreement.

## OPERATIVE PART

1. Fairfax will, subject to staff availability, provide or facilitate reasonable access to the Archive for the Ministry, or its agents, from the date of this Agreement until it is exported, for the purpose of enabling the Ministry to review the Archive in terms of this Agreement.

2. On receipt of the Archive, or part thereof, in digitised form (including all relevant meta-data) Fairfax will provide or facilitate reasonable access to the Archive for the Ministry, or its agents, for the purpose of enabling the Ministry to review the Archive in terms of this Agreement.

#### **Objects originating from 1963 or older**

3. On receipt of the digitised Archive (or any part thereof) from RPA, Fairfax will advise the Ministry where an object is recorded as originating from 1963 or older.
4. The parties envisage the evaluation of significance of objects will normally be done through the digitised form. During the review period or any extended review period (as defined below) Fairfax will procure access for the Ministry's agents to inspect originals at RPA during normal business hours if the Ministry so elects.
5. If, following its review of the Archive the Ministry identifies any object in the Archive that is a protected New Zealand object as at the date of Fairfax Application, then Fairfax agrees to repatriate that object to New Zealand at its cost, within a period of ninety (90) days of the Ministry's request.
6. If having reviewed the Archive, the Ministry is of the view that an object may be a protected New Zealand object but the Ministry considers it necessary to inspect that original object in New Zealand to make a determination, Fairfax agrees to repatriate that object to New Zealand at its cost and the Ministry shall consult two or more expert examiners at the Ministry's cost.

#### **Objects dating 1964 to 1973**

7. If, following its review of the Archive, the Ministry identifies an object in the Archive originating from 1973 or earlier that is not a protected New Zealand object under the Act, but would be regarded as such an object but for the fact that it is less than 50 years old, Fairfax agrees to repatriate that object to New Zealand at its cost **provided that** for the purpose of determining whether the object falls within the criteria in section 7A(1) of the Act (other than section Category 3(3)(b) in Schedule 4 and thereby section 7A(1)((a)(i)), the Ministry shall, in consultation with Fairfax, and at the Ministry's expense engage an expert examiner for that purpose. The maximum liability of Fairfax for repatriation costs under this Agreement and for the repatriation of any hard copy prints under the agreement between the parties dated 16 May 2013 shall be capped at \$10,000 in total provided that the Ministry may elect to contribute to any additional repatriation costs at its expense.



### Completion of review by Ministry

8. The Ministry shall have a period of ninety (90) days to complete its review of the Archive commencing on the date Fairfax provides the Ministry with access to the last part of the Archive (“the review period”).
9. If the Ministry:
  - 9.1 Has not completed its review of the Archive within the review period; and
  - 9.2 Is able to demonstrate to the satisfaction of Fairfax, before the expiration of the review period, that its review of the Archive has not been completed within that period due to a material failure of the indexing or search function for the digitised Archive,then it shall be given a final period of ninety (90) days to complete its review of the Archive (“the extended review period”).
10. In the event the Ministry identifies an object in the Archive that may be a protected New Zealand object after the expiry of the review period (or the extended review period if provided) it acknowledges that neither Fairfax nor RPA has any liability or obligation to the Ministry in relation to that object, whether in terms of the Protected Objects Act or otherwise. Nothing in this clause shall operate to limit or extinguish the obligation of RPA under clause 11.2 below.

### RPA Photo Archive


11. To give effect to this Agreement Fairfax has secured the agreement of RPA that:
  - 11.1 RPA will not sell or otherwise dispose of any part of the Archive that pre-dates 1973 during the review period as defined above.
  - 11.2 RPA will give reasonable notice to the Ministry by email of its intention to sell or dispose of any parts of the Archive.
12. Fairfax will keep at all times appropriate reports of the location of the Archive and provide such records to the Ministry upon request.
13. For the purposes of section 7A(2) the specified date is ninety (90) days after the expiration of the later of the review period or the extended review period (if utilised), although the parties acknowledge any protected New Zealand objects may, at the Ministry’s request, be repatriated to New Zealand under this Agreement before this date.

14. Fairfax will indemnify the Ministry from any and all costs, expenses, actions, proceedings and other liability arising as a result of its breach of this Agreement.
15. Where communications are sent by email, they are deemed to be received at the time the email enters the recipient's information system as evidenced by a delivery receipt requested by the sender and it is not returned undelivered or as an error.
16. In the event of a dispute concerning the interpretation or application of this Agreement, the parties agree to negotiate in good faith with a view to securing a practical resolution of the dispute. This provision is subject to the Chief Executive's responsibilities under the Protected Objects Act.
17. Fairfax warrants that the RPA Agreement contains a provision:
- 17.1 Allowing either party to the RPA Agreement to terminate that Agreement in the event of the liquidation of the other; and
- 17.2 Allowing Fairfax Media to terminate the exclusive licence granted to RPA in terms of the RPA Agreement if there is a change in control of RPA.

**EXECUTION**

**SIGNED on behalf of  
FAIRFAX NEW ZEALAND LIMITED**

by:

  
Sinead Boucher  
Executive Editor

**SIGNED on behalf of the  
MINISTRY FOR CULTURE AND  
HERITAGE**

by:

  
Lewis Holden  
Chief Executive



Certificate Number: 1748

28 February 2014

Kerrie-Lee Magill  
Corporate Counsel  
Fairfax New Zealand Limited  
40 Boulcott Street  
Wellington

Dear Kerrie-Lee,

**RE: APPLICATION FOR PERMISSION TO EXPORT PROTECTED NEW ZEALAND  
OBJECTS FROM NEW ZEALAND**

I am pleased to advise you that approval has been given for the **temporary** export from New Zealand of the following items until 25 February 2024:

- **Fairfax Media Photographic Archive – Negatives**

The Archive includes negatives of photographs over 50 years old from numerous mastheads, including, but not limited to:

Sunday Star Times	Auckland Star	The Press
Waikato Times	Taranaki Daily News	Dominion Post
Manawatu Standard	Southland Times	Timaru Herald
Marlborough Express		

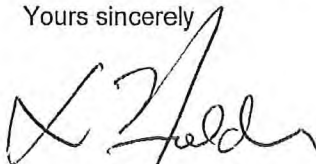
The temporary export certificates for these objects are enclosed. Please include a copy of this certificate with your export papers for the New Zealand Customs service, the other copy is for your records.

Permission is granted subject to the terms and conditions in the Agreement between Fairfax New Zealand Limited and the Chief Executive of the Ministry for Culture and Heritage dated 25 February 2014 (refer to section 7A(2) of the Protected Objects Act 1975).

Please remember to inform the Ministry for Culture and Heritage in writing when the objects are returned to New Zealand.

If you have any queries, do not hesitate to contact Ashley Mackenzie-White, Adviser, Heritage Operations on (04) 496 6352 or by email at [ashley.mackenzie-white@mch.govt.nz](mailto:ashley.mackenzie-white@mch.govt.nz).

Yours sincerely



Lewis Holden  
Chief Executive

c/- Katie Eagles  
Group Syndication Manager  
Fairfax New Zealand Limited

# CERTIFICATE FOR TEMPORARY EXPORT

Permission to export a protected New Zealand object under section 7 of the Protected Objects Act 1975

Issued: 28/02/2014

Certificate number: 1748

<b>Exporter Details:</b> Fairfax New Zealand Limited, 40 Boulcott Street, Wellington	Approved for export by the Ministry for Culture and Heritage <div style="text-align: center;">             _____            for Chief Executive         </div>
<b>Consignee Details:</b> RPA Photo Archive, 2501 North Poplar St, North Little Rock, Arkansas, USA	The protected New Zealand objects described below are to be returned to New Zealand by: <p style="text-align: center;"><b>25/02/2024</b></p> Beyond this date, this certificate will cease to be valid
This certificate is to be <b>presented to the New Zealand Customs Service</b> by the exporter before the object(s) listed below are placed on board any craft for transportation outside New Zealand, taken in to a Customs controlled area or delivered as a postal article into the control of a postal service provider for removal from New Zealand	I confirm that approval has been given under the Customs and Excise Act 1996 for the exportation of the protected New Zealand objects listed below.  The Customs export reference number for the shipment is:  <div style="text-align: right;">           _____            Signature of NZ Customs Officer, Date         </div>
<b>This certificate permits the temporary export from New Zealand of the 1 protected New Zealand object(s) listed below</b>	

Title	Description of protected New Zealand object <i>(including distinguishing marks)</i>	Photograph
Fairfax Media Photographic Archive - Negatives	Fairfax Media Photographic Archive - The Archive includes negatives of photographs over 50 years old from numerous mastheads, including, but not limited to: • Sunday Star Times • Auckland Star • The Press • Waikato Times • Taranaki Daily News • Dominion Post • Manawatu Standard • Southland Times • Timaru Herald • Marlborough Express	



Ministry for Culture and Heritage, PO Box 5364, Wellington, New Zealand, fax +64 4 499 4490, ph +64 4 499 4229  
 This certificate is issued under section 7 of the Protected Objects Act 1975 on the basis of information supplied by the applicant. This certificate should not be relied on to validate the authenticity of the object, nor is it proof of ownership.



8 May 2015

Sinead Boucher  
Executive Editor  
Fairfax New Zealand Limited  
PO Box 2595  
Wellington

Dear Sinead

**Fairfax Media Photographic Archive – Negatives: Revocation of Certificate for Temporary Export 1748**

I write further to the email correspondence between Kerrie-Lee Magill of 6 May 2015 relating to Certificate for Temporary Export 1748 relating to the Fairfax Media Photographic Archive – Negatives.

Thank you for your confirming that the negatives have not left New Zealand. As discussed with Ms Magill, I revoke the Certificate for Temporary Export 1748 which authorised the export of the Fairfax Media Photographic Archive negatives with effect from the date of this letter. I note Ms Magill's advice that Fairfax New Zealand has no objections to this.

Yours sincerely



Helen Wyn  
Acting Chief Executive

cc: Kerrie-Lee Magill  
Corporate Counsel, Fairfax New Zealand Limited