



## New era for Chamber

The Hon Craig Foss, Associate Minister of Commerce opened the new Chamber offices at 205 Hastings Street Hastings. Actually the new offices are really just 30 meters further south of the 'old' offices which we used for nearly 3 years.

The new offices were required to accommodate new functions of the Chamber related to the Regional Business Partnership, along with an expansion of role through the new Business Hawke's Bay initiative.

Apart from more space for office type functional and meeting rooms, the Chamber offices are also designed to act as an E-commerce business hub with a state of the art video conferencing facility associated with a demonstration suite and showcase area of the transformational technologies for Hawke's Bay businesses to understand and 'play with digital devices to drive productivity and ease locational dis-benefits.

For members there are new facilities to use such as the much larger boardroom for



meetings and presentations up to 40 people in theater style seating, an interview room and a 'hot desk' area to plug in your laptop or wireless, in between meetings.

One of the key improvements is the international services where Chamber staff process, on average, 200 + certificates of New Zealand origin for exporter members. Given this daily volume, it was becoming a very cramped activity especially when exporters came to the offices bringing their certificates for action.

The needs of Business Hawke's Bay are not fully known at this early stage, but it is envisaged that there will some more co-ordination and clustering activity occurring along with general office back up to this arms length business board. The full involvement of the 5 councils in business Hawke's Bay is a new feature of this initiative and this 'advisory group' which also include the GM of Hawke's Bay Tourism will meet from time to time at the Chamber and at other venues around the Bay to ensure alignment of activity and effort.

Hon Craig Foss, Associate Minister of Commerce

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### It's our business to help you study manage it

"As a lecturer in accounting at EIT Hawke's Bay, I often refer to the history of past Hawke's Bay businesses and their leaders in the classroom. There are many lessons to be learned from business history, and I use these to prepare my students for the future."

Michael Fowler EIT Senior Lecturer in Accounting CA, MBS, PGDipAcc & Professional Historian PHANZ



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# The **NZ Chamber** network

The New Zealand Chamber network has some 30 'regional' members that cover the country. Each regional Chamber however is independent and they come together in a loose but legally structured NZ CCI network. The independent Chambers are grouped into four 'hubs' for practical support purposes and generally are 'looked after' by the main centre Chamber.

About two years ago, in Chamber Pulse, we reported on a move by the Wellington Chamber of Commerce to merge its activities with the Employers and Manufacturers Association (Central). EMA did not have a network structure rather they had only 4 independent branches and the lower North Island and top of the South Island was in the central EMA.

The merger of the Wellington Chamber (actually just the Wellington City bounded Chamber) and EMA Central occurred and created a new entity call Employers Chamber of Commerce Central (ECCC).

This merger has caused deep debate within the Chamber movement. In terms of the Wellington 'hub' it has caused such a crisis of confidence, that both Hawke's Bay and Taranaki Chamber's have asked to move to the Auckland hub as a more appropriate coordinator than Wellington. As an aside this new connection is proving very beneficial to Hawke's Bay in terms of ideas and support.

While there is no fundamental argument that Wellington could initiate actions that support its membership the methods used and the geographical effect of these actions have been a cause of confusion, friction and ongoing concern.

A major issue has been that EMA Central had branch offices for its activities in various locations outside Wellington, including Hawke's Bay. A second concern has been the way the protagonists of this merger made strong representations for other (smaller) Chambers to also merge into this entity with them. In the latter situation, as we previously reported, we had discussions with the Wellington people but could not find any sound reason to be part of this super region. Indeed we were given no information of any nature that suggested how this would be beneficial.

The geographical issue is the enduring source of problems and although the Napier office of the old EMA Central largely confines itself to its former role of employment services, being named now ECCC- it continues to cause comment from Chamber members in regard to name confusion and some disquiet about two Chambers in the same area.

These matters came to a head at the NZCCI annual conference in August where it was resolved that no accredited Chamber can use its name or symbols in another Chamber's area while it carries out any activity unless there is prior written permission. While it is undesirable for another Chamber to be active in another area, at least not using Chamber names minimizes the confusion. For the record we did offer to carry out the EMA type function in Hawke's Bay for the ECCC but only under the HB Chamber name. We never got any response to this suggestion at the time.

## Hawke's Bay Tourism's vision is to create a vibrant and valued tourism industry through more visitors, who stay longer, do more and come back!

We aim to achieve this with some key goals relating to promotion, distribution and the visitor experience. Our measure of success is in increasing visitor arrivals to Hawke's Bay from both New Zealand and offshore while also supporting and providing value to industry.

We have recently launched our Industry Partner Programme that means your business can benefit from access to key services, including digital strategies, marketing and membership of a professional industry association. Your support will enable us to offer value to the industry in order to help you grow your business and the positive economic impact of tourism to the wider region.

There are two categories in the programme:

- Industry Partner – for businesses with a direct relationship to the visitor industry e.g. accommodation, transport operators, attractions, retailers, hospitality industry and wineries.
- Support Partner – for support service businesses, industry and sector associations and those with a genuine desire to support economic development in Hawke's Bay through tourism initiatives.

For more information please contact Megan Harris, Industry Liaison Officer on [meganh@hawkesbaytourism.co.nz](mailto:meganh@hawkesbaytourism.co.nz) or visit us at the Business Hub, Booth 70-73 at the UnisonFibre Business Expo 7-8 September at Pettigrew.Green Arena.



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## Exiting Your Franchise

Purchasing a franchise can be an excellent way to own your own business while benefiting from the business model and brand the franchisor has built up. However before entering into a franchise agreement, you should always think "if things do not go as expected, how easy is it for me to exit the agreement?" There are reasons why a franchisee may wish to exit a franchise. Retirement, a relationship breakdown, new opportunities, a franchisee not being happy with the franchisor's performance or the financial return on investment. Considering these aspects before entering into a franchise agreement is the best way to ensure a smooth parting of company with the franchisor. The easiest way to exit a franchise is by selling. This is generally the best way to maximize any return on your investment. However, the shorter the term remaining the lower any possible sale price may be. The sale of a franchise is normally undertaken by entering into an Agreement for Sale and Purchase of a Business. However, typically a franchise agreement enables the franchisor the first right of refusal to acquire the business. Only if the

franchisor decides not to take up this right can the franchisee go to the market.

There can be a number of issues when selling a franchise. For example, a franchisor may be required to approve the new franchisee and require a new franchise agreement be signed, possibly on more onerous terms. While consent can not be unreasonably withheld, the ability to meet the franchise payments is not the only consideration. The consent of any landlord may also be required.

Most franchises are for a fixed term (although there may be renewals). Once the term ends, one needs to consider how plant, equipment and stock is disposed of. A franchise agreement may grant a franchisor a first right to purchase, possibly at less than market value. Does the agreement allow the franchisor to take over the existing lease, is there a restraint of trade (from your franchise or the premises of other franchises). These all affect future plans and are all things to watch out for.

Other than through a breach by the franchisor (those breaches need to be sufficiently serious to cancel and dependent on the terms

of any agreement), the only other way to terminate a franchise is with agreement from the franchisor. You should not cease the business without complying with the terms of the agreement. Any breach would result in the franchisor terminating the agreement and recovering costs from you. On the other hand, trading while insolvent opens the franchisee up to litigation and personal liability to creditors. Becoming a member of the Franchise Association and taking advantage of the mediation service provided by the Association can be a useful way of negotiating an acceptable exit from the franchise.

When entering into a franchise agreement you must always consider how easy it is to exit the relationship. Doing this at the start ensures that should the unexpected occur, you are in the best possible position to move forward. As always, suitable legal advice can minimize the risks.



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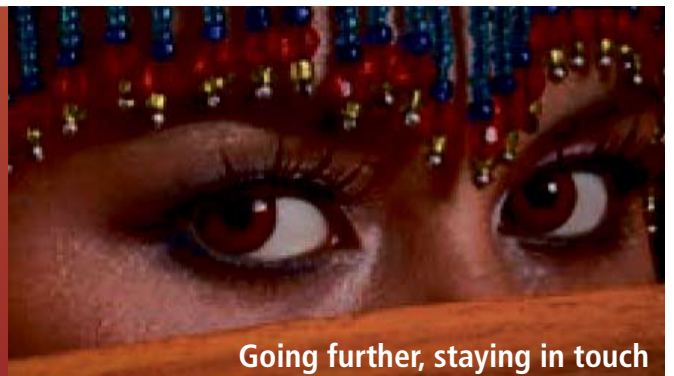


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Going further, staying in touch

# Neocom Just like having **your own** IT department

You'd expect a conversation with a handful of passionate IT specialists to be a little difficult, but not so with the staff at Neocom who are very easy to talk to and all lead busy and interesting lives outside of work.

Managing Director Paul Hughes, a volunteer Fire Officer at Bay View in his spare time, and his talented staff have said goodbye to the geek philosophy and prefer to focus on effective communication with their ever growing list of clients. Director Paul Hughes has his feet firmly on the ground, doesn't use unintelligible jargon and believes in empowering clients and charging a fair rate for the job.

The team has a wealth of experience and a history of success that combines cutting edge technology with down to earth business acumen and just as importantly, the ability to talk to non IT people in their own language.

Ahuriri based Neocom, founded in 2001, has the technical expertise to support unique IT requirements whether establishing a business or looking to improve current systems. It doesn't matter what size the company is either. Whether it's a simple job like fixing a printer or moving to cloud based computing they can do it all.

Minimising IT related costs and reducing down time are prime business requirements in this competitive climate as is keeping abreast of technology while retaining a competitive edge. Neocom is in business to help and they don't believe in selling technology just for the sake of it. With no specific allegiance to a particular manufacturer or designer they can recommend the best solution to suit a business.

Neocom can tailor make a solution, maintain systems or completely redesign your current system. Their expertise includes, but is not limited to, disaster recovery, software development, web development, Google applications, virtualisation, systems architecture and fibre internet.

Neocom was the first company in New Zealand to house its servers in a Telecom exchange providing extremely secure and stable platforms for its clients. The data centre has building wide UPS with back up generators, fire suppression and monitored security.

Manager and Engineer Tom Chamberlain, who moved up to the Bay earlier in the year for a lifestyle change, says their comprehensive audit process covers both technology and costs. Mr Chamberlain is also focusing on combining Linux and Google Applications to lower clients IT overheads but keep them at enterprise level. The company is offering an on-site audit, cost and technical, for half price this month.



The team of Neocom, from left Tom Chamberlain, Tim Rumble, Owen Vickers, Paul Hughes and Rachel Wright..

## The **Dangers** of Global Roaming

It is said that "ignorance is no defence", meaning the onus is on the individual who, even unknowingly, breaks the law.

It would seem a similar principle applies to your mobile contract when roaming with your smartphone. I've heard of more than a few users who have fallen victim to large charges while they were overseas having made a couple of calls, accessed their mailbox and maybe utilised a small amount of 3G broadband.

The reason? When they were supplied their smartphones, they had certain features enabled that affected their data usage, or they unwittingly enabled them themselves. Two of these features, when enabled in combination, almost guarantee the bankruptcy of a jetsetting phone owner. They are the international data roaming service, and automatic updating of installed applications.

If you have these enabled when you're offshore your smartphone will discreetly clock up a large bill of which you will be completely oblivious until you receive an account for data roaming sometimes up to four figures. In early 2011 a laptop user travelling in Australia racked up a bill of \$4000.00 for a month.

The Telcos who provide these mobile services state that the user is responsible for the phone's automatic activity and that it can be switched off.

The iPhone 4 actually states under the Data Roaming section of the Settings/General/Network menu "Turn data roaming off when abroad to avoid substantial roaming charges when using email, MMS, web browsing, and other data services".

So beware, and be warned, if you're a smartphone user and you're travelling overseas, ensure you have the data roaming options disabled. A far better option would be to use wifi in cafes etc or if you're just after maps and in country calling a local pre-pay SIM card is an option you can easily monitor the costs of.

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## The UnisonFibre **Business Expo** Includes Free Seminars – Pettigrew Green Arena

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Buying a Franchise Business?  
Wednesday 7 September 9.30  
– 10.30am

Asking the hard questions when looking at a franchise business dramatically increases your chances of buying a profitable business that is also right for you. A workshop by Daniel Cloete, National Franchising Manager, Westpac **FREE ENTRY**

Entrepreneur 2.0 Wednesday 7  
September 10.30-11.30am

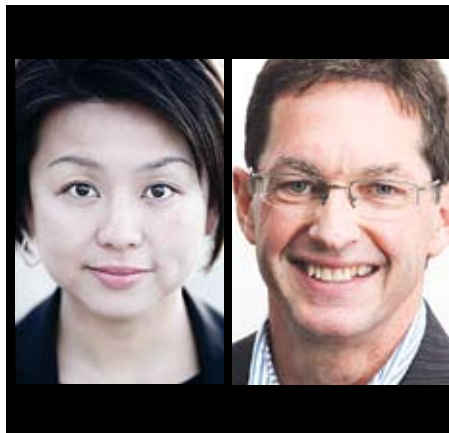
Coming over from the USA is San Francisco based leading advisor and advocate for digital transformation of the workplace Edith Yeung. Edith is the Founder of BizTechDay, the most insightful voice of news, events and research for the SMB internet market, SFentrepreneur, a 3800+ members strong entrepreneur organisation and advisor/interim Head of Marketing of Dolphin Browser. Girls Only: Girl Geek Lunch with Edith Yeung, register through [www.hbbbusinessexpo.co.nz](http://www.hbbbusinessexpo.co.nz)

The Online Evangelist – Tim  
Molloy, Thursday 8 September  
11am – 12noon

Tim Molloy is MYOB's 'Online Evangelist' – the public face and driver of MYOB's online

initiatives. He brings a wealth of hands on experience in growing businesses, strategy, mergers and acquisitions and operational management. An accomplished technology leader and developer, since joining MYOB in January 2007 Tim has held a number of strategic roles within the company, including leading mergers and acquisitions, strategy development and also managing MYOB's web based services. He moved into the role of Online Evangelist in 2010.

For the full seminar schedule go to [www.hbbbusinessexpo.co.nz/programme](http://www.hbbbusinessexpo.co.nz/programme)



Edith Yeung.

Tim Molloy.

## Getting on **made easy**

I received a newsletter recently from an outfit in Auckland saying that "business is booming" up there. I've been wondering since whether I ought to be telling some of my clients to move up there but wait - fabulous news - no need, business confidence in Hawkes Bay is picking up they say!

Now I know that a lot of business owners in Hawkes Bay will be sceptical about this, but many are far too reactive, just being carried like flotsam on the tide. If you want to get on in business, you have to be proactive and get control of your business, not sit back and wait for things to happen. Here are six things to get you started:

- **Goals.** You must set goals and know where you want to get to.
- **Solid experience.** You cannot beat many years of experience in your line of business, working perhaps for competitors so you can see the good and the bad and what works and what doesn't.
- **Key frustrations.** You must understand the key frustrations suffered by customers in your line of business which is hugely helpful to establishing a successful business and will help you come up with a point of difference to set yourself apart from the competition.
- **Break-even Point.** You must know your break-even point (including drawings and tax) at all times.
- **Hard work.** Growing a successful business is hard work. You can delegate all you like but there is nothing to match the enthusiasm and energy of a committed entrepreneur.
- **Going the extra mile.** Lastly, give more than you need and do it cheerfully, it will pay off handsomely!

Now don't tell me it can't be done - I have several clients who have established successful businesses in the depth of the recession - it just takes dedicated persistence and a dogged enthusiasm to succeed! If you need help to get on, let me know, I will introduce you to those who have made it before you.

If you have any tax or business queries of any kind telephone 0800 ASK NICK, e-mail me at [nick@abac.co.nz](mailto:nick@abac.co.nz) or use "Contact Us" on [www.abac.co.nz](http://www.abac.co.nz). The information in this article is of a general nature and should not be relied upon as a substitute for specific advice.

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# New inductees to the **Hall of Fame**



The Port of Napier Hawke's Bay business hall of Fame inaugurated in 2009 has now had three annual inductions. In later July the most recent laureates were inducted in a ceremony attended by Chamber members, families of the laureates and representatives of successor businesses. Of note was the attendance of Mr Graeme Lowe one of the first laureates.

These ceremonies are tremendously moving affairs as the stories of the families and businesses add depth to the dryer, almost academic words of the citations. Extraordinarily it was noted that the date of the induction was almost 100 years to the day since Gerhard Husheer came to New Zealand from Germany later founding the National Tobacco Company in Napier. It was also the birthday of Tom McDonald of Church Road Winery fame who basically founded the red wine industry in the Bay and New Zealand.

It is these cameos that make it a very special occasion and even more so when we invite families of previous inductions to join with us in bringing in new names to a unique group of Hawke's Bay business 'giants'.

The Port of Napier Hawke's Bay Business Hall of fame laureates are:

## 2009

Robert Holt  
James Nelson Williams  
Sir James Wattie  
Graeme Eric Selby Lowe

## 2010

William Nelson  
Nathaniel Kettle  
Frederick W Williams  
Sir Russell Pettigrew

## 2011

Gerhard Husheer  
Henry Piet Drury van Asch  
Thomas Bayne McDonald

The plaques are on the wall in the entrance to the new Chamber offices in Hastings.



Gerhard Husheer



Thomas Bayne McDonald



Henry Piet Drury van Asch

## Residential care subsidy and the **abolition** of gift duty



Residential care subsidy and the abolition of gift duty

Residential care subsidies seem to be one area where the removal of gift duty could have a significant impact if people seek to gift their entire assets away, so as to qualify for the subsidy.

However, the existing rules applied by Work and Income more than cover this situation to prevent an undue advantage being obtained.

Under the current rules, any gifts made within five years of applying for the subsidy in excess of \$6,000 per application per annum, will be clawed back (including spouse applications). Thus, a husband and wife can gift no more than \$6,000 in total per annum if they wish to avoid claw back. If a couple together gift \$54,000 per year, their excess gift over five years would amount to \$240,000.

Claw back is the situation where the excess amount gifted is added to your personal asset value, to determine whether or not you qualify for the subsidy.

The rules also claw back any deprivation of property and income. Deprivation is where there is a deliberate act or omission that results in deprivation of property or income. Deprivation of income includes waiving a right to income, not demanding payment, or investing in non or low income producing assets.

Beyond the five year period anything in excess of \$27,000 could also be clawed back under the deprivation of property rules.

Before engaging in a gifting programme or the transferring of assets to a trust or any other person, you need to consider the wider implications. This includes matters like loss of control, application of the above rules, family succession objectives, income needs, etc. It is always wise to seek advice before undertaking any gifting.

For further information please contact Chris Guillemot, Principal and Tax Specialist at WHK on 06 872 9200.



### GROW A BETTER BUSINESS WORKSHOP

HB Chamber members are invited to attend this Free practical workshop which will cover managing cash flow and ensuring you have the right tools and systems in place to maximise your profits. You will benefit from follow-up email tips to set you on the path to business growth.

5.30pm-28th September at WHK Hastings offices

RSVP by 20th September to Julie Farry (06 872 9200 or info.has@whk.co.nz)

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## Logan Stone BA5



ABOVE: Cynthia Bowers, Logan Stone, Dianne Abraham, Abraham Consultants and Tony Gray, Hastings District Council.



ABOVE: Murray Douglas HB Chamber of Commerce and Frank Spencer, Logan Stone.

TOP RIGHT: Cynthia Bowers and Pip Pearse - Logan Stone

RIGHT: Many businesses enjoyed the open evening at Logan Stone BA5.



## events

### Minister for Small Business to speak

Hon. Maurice Williamson will be the speaker at lunchtime on the second day of the UnisonFibre Small Business Expo organized by the Chamber .

DATE: Thursday 8 September  
12.30- 1.30p.m.

VENUE: Pettigrew Arena- Seminar Room 2

INVEST: \$20 for the lunch

RSVP:

admin@hawkesbaychamber.co.nz

### Business After 5 Credit Union Bay Wide

DATE: Wednesday September 14  
5.30-7p.m.

VENUE: 303 Karamu Rd Hastings

INVEST: Complimentary

RSVP:

admin@hawkesbaychamber.co.nz

### Business After 5 Stewart Group

DATE: September 21 5.30-7p.m.

VENUE: 204 Karamu Rd Hastings

INVEST: Complimentary

RSVP:

admin@hawkesbaychamber.co.nz