

Tony Baldwin

LL.B B.Com

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[Headings underlined are hyperlinked –
click to see related page on my web site]

Personal details

- 58yrs (born 25.9.60)
- Residence: Nelson and Wellington
- NZ citizen



Key skills

- Excellent strategic and critical thinking
- Working across disciplines and making challenging projects happen
- Outstanding communication skills, and managing key relationships
- Strong understanding of the electricity, dairy and telecommunications industries, and the wider context in which they operates
- Excellent [commercial experience](#) in corporate strategy, corporatisations and major industry restructuring
- Understanding new technologies

Professional experience

2000 – present

Consultant

Advisory and project management services for corporates and public sector organisations in relation to strategy, re-structuring, governance and public policy. For example:

- [Genesis Energy – Acquisition of Nova Energy's LPG business](#) (November 2016 – May 2017):
Tony was Programme Manager for Genesis Energy's acquisition of Nova Energy's LPG business for \$192 million. The transaction included a process letter agreed with Nova (on transaction and process parameters), a sale and purchase agreement, a transition services agreement, a gas supply agreement, a \$225 million hybrid bond offer, and an option to acquire Nova's shares in Liquigas. The project management role included: (i) coordinating the transaction across Genesis Energy's internal team of around 30 people in different parts of the business, plus external advisers (legal, financial and operational); (ii) reporting to a steering committee (CEO, CFO and two executive general managers), and to the company's due diligence committee; and (iii) providing commercial and strategy advice to the company's CEO and CFO.

- [Genesis Energy – Acquisition of NZOG's 15% stake in Kupe](#) (October – November 2016):
Tony was Project Manager for Genesis Energy's acquisition of NZ Oil and Gas' 15% interest in the Kupe oil and gas field for \$168 million. This project management role included (i) coordinating the transaction across the Genesis Energy team and with the company's advisers, (ii) reporting to the company's due diligence committee, and (iii) providing advice to the company's CEO and CFO.
- [University of Otago – Development and Alumni Relations Unit \('DARO'\)](#) (October 2016):
Panel member for seven year 'Quality Advancement Review' of [DARO](#).
- [Review new hydro generation proposal for the Waitaha River](#) (January 2015 – present):
Tony prepared a detailed independent assessment for the Minister of Conservation of a 16-20 MW hydro generation proposal by Westpower for the Waitaha River on the West Coast. Tony also provided supplemental submissions
- [Genesis Energy - Initial Public Offering](#) (May 2013 – April 2014)
Tony was the Project Manager for Genesis Energy of the IPO in which the Crown sold 49% of its shares in the Company for \$736 million to overseas and New Zealand institutions, and the New Zealand public. This project management role included (i) coordinating the transaction across the Genesis Energy team and with the Crown's Joint Lead Managers and other advisers, (ii) supporting the CEO, and (iii) assisting with strategic issues
- [Aviation Security Service](#) (April 2013)
Advised the Civil Aviation Authority on an organisational efficiency review of Avsec, which provides security services at New Zealand's airports
- [Canterbury Earthquake Recovery Authority](#) (Oct 2012 – April 2013)
Reviewed the insurance claims process, and advised on land liability issues relating to EQC and insurers
- [Genesis Energy](#) (July 2011 – May 2013)
Adviser to the CEO of Genesis Energy on key strategic issues and assisting the company's preparations for the sale of 49% of the Crown's shares and related scoping and IPO processes
- [Major philanthropic project](#) (2007 – 2011)
Chairperson, New Zealand United World College Trust – a project to assess the viability of establishing a United World College in New Zealand on a philanthropic basis. This involved establishing a talented board and group of advisers, developing a project plan, raising \$850,000 in cash, gaining rights to an outstanding 16 hectare site near to Queenstown with a concept plan, developing a leading-edge education framework, together with an implementation plan and a detailed financial model
- [Navy ships project](#) (Sept 2007 – Feb 2010)
Special Adviser to the Secretary of Defence –
Successful resolution of major warranty issues relating to a \$500m contract between the Crown and BAE Systems for the purchase of seven new naval ships, which involved a complex range of technologies and relationships

- [Defence satellite proposal](#) (2007)
Successful review of NZ Defence Force's proposal to acquire satellite communication services at a reported cost of more than \$100m
- [Telecomms local loop unbundling](#) (2006 – 2008)
Successfully facilitated agreement, among all the main telecommunications and internet service providers, on technical rules for implementing unbundled access to Telecom's network
- [Transpower grid upgrades](#) (2006-10)
Facilitator of strategic planning sessions for Transpower's Grid Investment Group; industry consultations on 2040 grid vision; industry workshops on grid upgrades for Waitaki to Christchurch line, HVDC Pole 1, and lines North of Auckland; and Transpower's overall grid investment process
- [Electricity Hedge Market](#) (2004 – 2006)
Chaired a group of senior industry executives and consumer representatives in developing a package of measures to improve the electricity hedge market
- [Life insurance industry](#) (2005)
Adviser to the Law Commission in its review of the life insurance regulatory regime, particularly in relation to securities market elements
- [Electricity security of supply](#) (2005-07)
Adviser to electricity industry parties in relation to security of supply and legal framework issues
- [Electricity retail contracts](#) (2003-04)
Chaired a group of industry executives and consumer representatives in developing model electricity retail contracts
- [Dairy industry](#) (2001-2009)
Advised various parties in relation to Fonterra's corporate strategy, capital structure, and organisational form

Invited to present to the [Global Corporate Governance Forum](#) in London (2007)

1999

Leader

[Producer Board Project Team](#)

Successfully led a multidisciplinary project team established by the Government to coordinate deregulating and reorganising the Dairy, Apple + Pear, Kiwifruit, Meat, Wool, Game, Pork and Raspberry Boards

1991-98

[Policy Advisory Group](#)

Department of the Prime Minister + Cabinet

- **Electricity Corporation re-structuring (1995-96; 1997-98):**
Successfully led the Government's team of officials, advisers and consultants responsible for negotiating the restructuring of ECNZ into:
 - Two competing SOEs – [ECNZ and Contact Energy](#) (1995-96)
 - Three competing SOEs – [Meridian, Mighty River Power, and Genesis](#), with Contact Energy privatised in early 1999 for NZ\$2.3 billion
- **Energy Policy (1991-98)**
Chaired a group from Treasury, Commerce (now MED), Environment and the State Services Commission – advising Government on ECNZ pricing issues, Comalco contracts review, separation of Transpower from ECNZ, transmission pricing, wholesale market formation from 1996, and other industry reforms
- **Micro-economic and regulatory policy (1997-98)**
Chaired senior officials group responsible for reviewing all papers before their submission to the Cabinet Committee responsible for economic growth and innovation. Also worked with the Prime Minister's 'Enterprise Council'
- **Company and securities law reforms (1991-98)**
Advised on changes to companies legislation, new securities disclosure regime, review of Commerce Act and insolvency law reform
- **Resource and Treaty issues**
Advised on Ngai Tahu settlement negotiations and various RMA issues

1990-91

Commercial lawyer

Thomson-CSF (now [Thales Group](#))

France

Thomson-CSF was a large electronics multi-national with 125,000 employees dealing in a range of electronic products covering civilian and military applications:

- Sales negotiations with buyers in the USA, India, Britain and Germany
- Contract drafting
- Preparing bids and offers under international requests for tenders in variety of countries

1989

Intern

[Office of Senator Carl Levin](#)

US Senate

- Research assistant on US defence budget and policy
- Observer of law and policy processes

1984–89

Corporate and commercial lawyer

[Chapman Tripp](#)

- Co-ordinated various share floats, including the first prospectus to be registered in Australia and NZ
- Helped plan and execute various mergers and acquisitions for public and private companies
- Advised on a range of accounting and auditing requirements in relation to reporting by public and private companies
- Advised on a variety of corporate governance problems, including sensitive director liability issues for public and private companies
- Managed debenture trust deeds relating to two of the largest public companies in New Zealand

Other work

2012 and 2014

Litigation lawyer

- [Court of Appeal case relating to 'landlocked' land](#)
Tony acted for the Baldwin family as a defendant in the High Court (November 2012) and a respondent in the Court of Appeal (May 2014) in a civil action brought by other parties seeking vehicular access to a property that they argued was 'landlocked' under the Property Law Act 2007. Tony prepared extensive submissions in relation to the facts and the law. The [High Court decision](#) found against the plaintiffs. The [Court of Appeal decision](#) dismissed their appeal.

2015 - present

Dairy industry

- **2015:** [Overview of Fonterra 14 years on from its formation](#)
An overview of Fonterra 14 years following its formation – published in the NZ Herald on 28 August 2015. Also available [here](#)
- **2016:** [Dairy industry regulatory regime](#)
A review of the regulatory framework in which Fonterra operates – published in the NZ Herald on 14 August 2016. Also available [here](#)
- **2018:** [Fonterra's performance and options for change](#)
An overview of Fonterra's performance and options for change that shareholders should consider – published in the NZ Herald on 12 October 2018. Also available [here](#) with sources footnoted

Academic qualifications and prizes

- Bachelors degree in law (Otago University), 1983
- Bachelors degree in commerce, majoring in accounting (Otago University), 1983
- Butterworth Prize for 1st in Jurisprudence, 1982
- French language immersion course, Paris 1990
- Completed a director training programme run by Massey University Business School and the Crown Company Monitoring Unit (Treasury), June 2007

References

In relation to **commercial projects**, key people I have most recently worked with include:

- [Marc England](#)
Chief Executive
Genesis Energy
Auckland
- [Chris Jewell](#)
Chief Financial Officer
Genesis Energy
Auckland
- [Graeme Quigley](#) and [Garth Sinclair](#)
Partners
Webb Henderson
Auckland
- [Julian Munro](#)
RBC Capital Markets
Sydney

In relation to **electricity policy**, key people I have worked with include:

- [David Hunt](#)
Former CEO, Contact Energy
Now Director, Concept Consulting
Wellington

In relation to **public policy**, key I have worked with include:

- [Simon Murdoch](#)
Former CEO, Ministry of Foreign Affairs
Former CEO, Department of the Prime Minister and Cabinet
Wellington

In relation to **legal issues** in general, key people I have worked with include:

- [Richard Clarke QC](#)
Commercial Barrister
Wellington

In relation to **philanthropic activities**, key people I have worked with include:

- [Sam Knowles](#)
Company director
Wellington
- [Alison Gerry](#)
Company director
Queenstown
- John Hilhorst
Teacher
Wakatipu High School
Queenstown
- Anna Kemble Welch
Director
[Debra Society NZ](#)
Wellington