

CHANGES TO TAKUTAI MOANA FUNDING ASSISTANCE SCHEME EFFECTIVE FROM 1 JULY 2024

This pānui contains important information on changes to the Takutai Moana Financial Assistance Scheme (the Scheme) and clarifies available funding across both the High Court and Crown Engagement pathways from 1 July 2024 to 30 June 2025. Please read this information carefully.

In our pānui dated 24 May 2024, we advised that work was being undertaken to ensure the Scheme is managed within the appropriation of \$12.023m and to confirm available funding across the High Court and Crown Engagement pathways for the 2024/25 financial year.

On Monday 1 July Cabinet approved the following interim changes to the Scheme settings, effective from 1 July 2024:

- All applicants will be required to have a budgeted workplan agreed by Te Arawhiti before funding is provided;
- The Crown contribution to court costs will be capped for all scheduled hearings in the 2024/25 financial year at \$140,000 per applicant for substantive hearings, \$25,000 per applicant for follow-up hearings, and \$30,000 per applicant for appeals;
- Funding levels for pre-hearing and hearing costs will be aligned with legal aid rates.

Agreed Budgeted Workplans

To ensure alignment with the changes approved on 1 July 2024, agreed budgeted workplans are required before funding is provided. This applies to all applicant groups regardless of any budgets and workplans agreed to or received before 1 July 2024.

To manage the Scheme within the appropriation for 2024/25 financial year we will prioritise working with the following groups to develop agreed budgeted workplans:

- a. Applicant groups participating in scheduled substantive hearings, follow-up High Court hearings, and appeals in 2024/25 and 2025/26 financial years.
- b. Applicant groups close to seeking Ministerial determination in 2024/25 and 2025/26 financial years i.e. research completed, overlapping claims resolved, public consultation completed.

We will begin contacting applicant groups within the categories above to progress budgeted workplans from 5 July 2024. We expect to agree budgeted workplans for these groups by the end of August 2024, understanding however that some are more urgent than others.



This approach will assist applicant groups actively engaging with the Crown or active in the High Court to have clarity about their funding as quickly as possible, while also minimising disruption to applicants at other stages of the process.

If you are an applicant that does not meet the priority criteria outlined in this pānui, please complete the [Budget 2024/25 Questionnaire](#) on our website and return to takutaimoana@tearawhiti.govt.nz and we will contact you to discuss support available for the 2024/25 financial year.

Crown contribution to Court costs for 2024/25

Court costs for applicants participating in the following scheduled Court hearings will be funded for the 2024/25 financial year at the capped rates:

- \$140,000 per applicant for substantive High Court hearings: Whangārei 1(b) (Whangārei Coast), Central Bay of Plenty, Ruapuke Island and South Taranaki.
- \$25,000 per applicant for stage 2, wāhi tapu and part-heard proceedings: Tokomaru Bay 2, Wairarapa 1(a) wāhi tapu, Group N 1(a) Kāpiti-Manawatū continuance and Wairarapa 1(b) wāhi tapu.
- \$30,000 per applicant for appeal proceedings.

Pre-hearing and Hearing costs

Funding levels for pre-hearing and hearing costs are now aligned with legal aid rates. We have set out the key changes to Legal Counsel rates in the following table:

Job level	Hourly rate (excl. GST)
Senior Associate/Senior Solicitor/Barrister <ul style="list-style-type: none"> • <i>A person with at least 9 complete years of litigation experience</i> 	<ul style="list-style-type: none"> • High Court - \$167.00 • Court of Appeal and Supreme Court - \$178.00
Solicitor/Associate <ul style="list-style-type: none"> • <i>A person with at least 4 and up to 9 complete years of litigation experience</i> 	<ul style="list-style-type: none"> • High Court - \$150.00 • Court of Appeal and Supreme Court - \$161.00
Junior (including law clerk, paralegal)	<ul style="list-style-type: none"> • High Court - \$134.00 • Court of Appeal and Supreme Court - \$146.00

Please refer to the [Court Workstream Guidelines](#) on our website for more detail.



What else do you need to know?

Updated guidance, including eligible costs and rates are available on our website:

- [Court Workstream Guidelines](#)
- [Activity Workstream Guidelines](#)

Please note:

- Costs incurred outside of an approved budgeted workplan will not be funded.
 - Any outstanding eligible costs incurred prior to 1 July 2024, within the guidelines, will be paid under the settings in place at the time they were incurred. These will need to be submitted to Te Arawhiti by 31 December 2024 to be eligible for reimbursement.
-

