

Takutai Moana financial assistance scheme

Frequently asked questions

General/structure

What are the workstreams and how are they funded?

There are six workstreams in total. Four of these are activity-based workstreams – administration, relationships, research and recognition. These workstreams are relevant to all applicant groups regardless of whether applications will be decided in the High Court or by the Crown. All applicants have an allocation of up to \$458,000 for tasks in these four workstreams.

The fifth workstream is the court workstream for the activities directly related to preparing for and participating in court proceedings. 'Actual and reasonable' costs are covered in the court workstream with each proceeding treated as a separate event.

The sixth workstream is the **collaboration workstream** for activities carried out jointly by two or more applicant groups where it's difficult or inequitable to split costs (eg work towards resolving shared or overlapping interests or joint research projects). Funding under this workstream needs to be agreed by Te Arawhiti in advance.

Will matrices still be used?

No, the workstream structure replaces matrices.

When we process your next funding request, we will show you how the funding you have had to date fits into the new workstreams.

Do I need to reapply for funding?

If you are already receiving funding you do not need to reapply.

If I already have funding, how will I know what my funding looks like now?

We will update your funding record to reflect the changes to the financial assistance scheme when you make your next funding request. We will send you an update to show what these changes mean for you.

How do I request funding if I've not already done so?

You can request access to funding using the [Access to Funding Form](#). You'll need to provide the applicant group name, name and contact details for the key representative, and your High Court (CIV) and/or Crown Engagement (MAC) number if you know that.

How do I access my funding?

If you haven't received an allocation of funding before now, you can request access to funding using the [Access to Funding Form](#)

My access to funding is confirmed – how can I now draw down my funding?

If your access to funding has been confirmed (or you've received funding previously), to draw down the funding you will need to complete the [Funding Request Form](#). You can use this form for reimbursement of costs already incurred or to request a grant.

How do I transfer my funding if I transfer from the High Court to the Crown engagement pathway or the other way?

Under the new funding structure, your funding doesn't change if you transfer to another pathway. However, you may need to update your budget if the activities you are planning to undertake change.



Do I still need to apply for funding if there are no complexity assessments?

Yes, you will still need to request access to funding using the [Access to Funding Form](#). We will need to confirm access before you can make funding requests.

Do I need to do anything to move my funding now that you've made these changes?

No. When you make your next funding request, we will update your funding records to reflect the changes to the scheme and your new funding amounts. We will send you a copy of these updates.

Is there funding for applicants to respond to resource consents?

No. Funding does not cover responses to resource consents.

Amount of funding available

I'm involved in High Court (or appeal) proceedings, how much funding will I get?

If you are seeking determination of your application in the High Court, you can access up to \$458,000 for activities that fall under the four activity workstreams.

The financial assistance scheme will also cover 'actual and reasonable' costs directly related to court proceedings. This is to assist you to prepare for and participate in any court proceeding relating to your application (including as an interested party). These are not covered by activity funding.

The same settings apply if you are seeking determination from the Crown, but you also need to participate in court proceedings, for example if your application area overlaps with an area that the High Court is considering.

What if the \$458,000 is not enough?

The \$458,000 is greater than the maximum amount available under the previous settings for the scheme. If you are concerned that you will not have sufficient funding, please talk to the Funding Team.

Will the funding I've already spent be deducted from my \$458,000 activity funding?

Yes. When you make your next funding request, we will transfer the funding you have already received for activities in the **four activity-focused workstreams** and deduct this from your activity funding allocation of \$458,000. Any costs related to preparing for and participating in court proceedings will be recorded against the court workstream, which is funded separately.

For example, if you've already received \$200,000 of funding for project management, hui and historical research, and \$100,000 for court hearings, you will still have up to \$258,000 in your activity workstream funding allocation. The \$100,000 for court hearings will be recorded against the court workstream, which funds the 'actual and reasonable' costs incurred for each court proceeding.

Is there a limit on the funding available for court proceedings?

Yes, funding under the courts workstream covers the 'actual and reasonable' costs for you to prepare for and participate in court proceedings. The workstream only covers costs that meet these criteria. Guidance on what 'actual and reasonable' means is available on our [website](#).

Why \$458,000? I have a big application area – why do I have the same funding as smaller applications?

The allocation of up to \$458,000 of activity funding is the same for all applicants. Rather than try to assess the complexity of an application at the beginning of the funding process, like the previous settings for the scheme used to do, the available funding is the same for all applicants. This does not mean all applicants will need the full amount or even close to it. If you think you will need additional funding, please talk to the Funding Team before you incur costs.

I have exhausted funding under my milestone, what happens now?

The new funding structure doesn't use milestones and funding can be used right across the activity-focused workstreams at any time. That means you don't need to worry about having exhausted funding under a milestone previously as long as you



still have funding available. All applicants have up to \$458,000 in **activity funding** and access to funding for **'actual and reasonable' costs** for court proceedings.

If you are concerned about whether you should go ahead with an activity that was previously included in a milestone you had exhausted funding for, please talk to the [Funding Team](#).

Are all legal costs covered by the Court workstream?

No, only the legal costs directly related to preparing for/participating in court proceedings are covered by the Court workstream. Other legal advice you receive about your application will be covered under your activity funding. This means it will be deducted from your activity funding allocation of up to \$458,000. Guidance on the activities covered by the different workstreams can be found in the [Activities List](#) on our website.

Activities

Are there different activities covered now the scheme has changed??

The same activities are covered, however, we have now provided better guidance on what these activities are. The descriptions in the Activities List on our [website](#) are based on information we have received from applicants (from actual reimbursement requests and from when we asked for feedback on a draft activities list in November 2022).

Do you have a list of funded/eligible activities?

Yes. These can be found in the Activities List on our [website](#).

What activities are funded under the six workstreams?

Administration

Administrative activities and costs associated with progressing your takutai moana application. Costs covered include project and budget planning, arranging meetings and managing contracts with historians/researchers/lawyers etc.

Relationships

Activities undertaken to maintain your internal and external relationships, particularly hui you may need to hold. Costs covered include venue hire, travel and catering for hui, and the cost of having experts at hui etc.

Research

The research and evidence gathering you need to do to support your takutai moana application. Costs covered include historical and contemporary research, drafting and finalising reports, and historian and research travel and accommodation costs.

Recognition

Anything that needs to be completed after an application has been determined to finalise recognition of PCR or CMT (eg work to identify the holder of a CMT or PCR order or mapping and surveying work).

Court workstream

Activities necessary to prepare for and participate in court proceedings such as your legal counsel preparing memoranda for the court and costs for witnesses to appear in court.

Collaboration workstream

Activities where two or more applicant groups are working together and it is difficult or inequitable to split costs between them.

I've been funded for x activity in the past, but it's not included in the new guidance. Can it be funded?

We may have missed the activity so please [contact the Funding Team](#) to discuss whether the activity is covered before you incur or commit to any costs.

Is there anything that can't be funded?

The list of funded activities also includes descriptions of activities that are not covered by the scheme. These include capital



expenditure, general office costs, monitoring and responding to RMA consent applications, English to te reo Māori translation costs and anything else relating to exercising the rights when CMT or PCRs are recognised.

I'm planning an activity that's not on the list of funded activities. Can I still do it?

If your planned activity isn't listed, [contact the Funding Team](#) to discuss before you incur or commit to any costs for that activity. We will get a response to you within 10 working days about whether the activity can be covered by the scheme or not. In most cases, we will be able to respond sooner.

Actual and reasonable

What do you mean by 'actual and reasonable'?

'Actual and reasonable' costs means all eligible costs that align with the scheme's reasonable costs guidelines. The guidelines have been developed from actual costs incurred by applicants to date, as well as consideration of market rates and government expenditure policies for matters such as travel and accommodation. The guidance is available on our [website](#).

The rates I've paid previously are higher than the rates in your guidance. Can I continue to pay my providers at the higher rate?

We expect applicants to work within the guideline rates, which includes hourly rates for professional services. The rates are based on actual costs incurred by applicants to date, market rates and government expenditure policies. If you have already incurred the costs at higher rates for eligible activities, these will be reimbursed, however, you will need to discuss any future costs that are outside the guidelines with the funding team before you incur further expenses. The rates for [legal services](#) and [historical research](#) can be found on our website.

Are case-management conferences (CMCs) and judicial conferences funded?

Yes, preparation for and attendance for court hearings under the Court workstream includes CMCs and judicial conferences. You can request reimbursement for the 'actual and reasonable' costs incurred using the [Funding Request Form](#).

Collaboration workstream

What types of activity are covered by the collaboration workstream?

The collaboration workstream supports applicant groups to work together on projects or activities where it would be difficult or inequitable to split the costs between the groups. Activities might include:

- collaborative hui between multiple overlapping applicant groups,
- engaging a facilitator or mediator to guide kōrero with applicant groups with shared or overlapping interests, or
- funding a joint research project with multiple applicant groups.

How do I request funding from the collaboration workstream?

First talk to the Funding Team about your proposed activity or project. The Funding Team will advise whether the activity can be covered by the Collaboration workstream. You may need to submit a proposal on the [Collaboration Proposal Form](#).

I've already completed historical research for my application area. Can I be part of a collaborative research project for the area with applicants that overlap my area?

The scheme does not fund the same piece of work twice, so unless the scope of the research differs significantly, it cannot be funded again. The same applies if joint research is commissioned by a group using the collaboration fund – the research cannot be funded again from individual groups' activity funding allocations.

When will funding come out of the collaboration workstream instead of the activity workstreams?

Applicants need to make a specific request for funding to be allocated from the collaboration workstream instead of the



activity-focused workstreams. The Funding Team will advise you whether your proposed activities can be covered by the collaboration workstream.

How do collaboration workstream activities differ from those in the activity-focused workstreams?

The activity-focused workstreams and the collaboration workstream are likely to include the same type of activities. However, the collaboration workstream is for activities where two or more applicant groups are working together but it may be difficult or inequitable to split costs between them.

Who is the collaboration workstream funding paid to?

One applicant will need to be responsible for receiving and managing collaboration funding (eg submit reimbursement requests/hold Funding Agreement with Te Arawhiti), including any reporting requirements. You can tell us who that will be for any collaboration request.

I am coordinating a collaboration project where some of the participants may incur expenses. How will this work?

If you are coordinating a collaboration project you will be responsible for all the funding, and for distributing any funding to participants, if needed. We can only pay the collaboration allocation to one group. If participants incur costs outside of those funded under the collaboration workstream, they can request reimbursement for that separately.

Budgets

Why do I need a budget?

Having a budget on file will help us to process your reimbursement requests more efficiently. It will also help to identify whether your proposed activities are funded and/or the cost is within the reasonable cost guidance.

Is a budget mandatory?

Yes, for grant funding and for collaboration proposals. Otherwise, although providing a budget isn't mandatory, having one on file will help us to process your reimbursement requests more efficiently. It will help to identify, before you incur costs, whether your proposed activities are funded and/or the cost is within the [reasonable cost guidance](#).

How often do I need to submit a budget?

Once you have submitted a budget, you will only need to submit a new one if costs or activities change significantly, or if you have completed the activities covered by that budget.

What time period should my budget cover – I don't know how much my application will cost or how long the determination process will take.

We expect that you will need to update your budget regularly, so it doesn't need to cover the entirety of your application, just for as long as you want. Your budget could be for a whole year or more, six months or a quarter, or related to specified activities. We can help you put together your budget for an appropriate time period, if needed.

When should I update my budget?

If costs or activities change significantly and/or when you have completed the activities covered by your existing budget.

Should funding be spread a certain way in my budget?

You will need to manage your budget so that you have enough to cover the activities you wish to do, but there's no requirement to distribute funding in a particular way. There are no restrictions on using funding across the four activity-focused workstreams.

Is there funding to create a budget?

Yes. The scheme will cover the costs of project planning and preparing budgets under the administration workstream.

Is there support to develop a budget?

Yes, the Funding Team is available to help you. We also have templates and budget examples on the [takutai moana funding pages](#) of our website.



What if the activities cost changes or I need to conduct different activities than those outlined in the budget?

Let the Funding Team know and update your budget as soon as possible. This will help us to process your funding requests more efficiently and reduce the risk that you incur costs for an activity not covered by the scheme.

Is there a template to follow?

Yes, there is a Budget Template available on the [website](#). There are also some examples of how you might prepare a budget. However, if you (or your organisation) have your own way of writing budgets, you can use your own format to submit your budget.

I've written a budget for future activities, but my reimbursement request is for activities I've already completed, and they are not included in the budget. Can I still claim these?

Yes, you can.

Grants

Are grants going to be the main form of funding?

Grants are just one way you can receive your funding. If you want to continue to receive reimbursements, you can. However, grant funding cannot be used to pay for legal advice in either the activity or court workstreams – you'll need to continue to request reimbursement for these.

How much grant funding can I apply for?

You can currently apply for up to \$5,000 (including GST) in grant funding at a time.

How do I get a grant?

You can request grant funding using the [Funding Request Form](#). You will need to tell us how much funding you want, what you will use it for and provide a budget. We'll process your request, and if it's approved, we'll send you a short Small Grant Funding Agreement to sign and return. You can then send us an invoice with your signed agreement and we'll pay the grant. A Small Grant Funding Agreement template is available on our [website](#).

What can I use a grant for?

Grant funding can be used for any activity that you would normally seek reimbursement for, except legal advice – you'll need to continue to request reimbursement for this.

What reporting will I need to do?

You will need to complete a one-page simple reporting form that tells us what you did with the funding. You will need to include receipts/invoices/proof of purchase. The Small Grant Use Form can be found on our [website](#).

How often can I apply for grants?

You can access up to \$5,000 at any one time. You won't normally be able to apply for another grant until you have used the \$5,000.

Can I have a grant in multiple instalments?

No. The grants currently available are up to \$5,000 (including GST) and are paid in one lump sum.

Can I apply for a single grant to cover multiple activities?

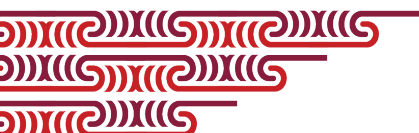
Yes, as long as all activities are eligible under the scheme. Eligible activities are included in the [Activities List](#). The only activity that can't be covered by a grant is legal advice. You'll need to continue to submit reimbursement requests for legal advice.

Can I apply for a grant and a reimbursement to cover the same project?

Yes you can, but the same costs cannot be claimed more than once.

Does the \$5,000 include or exclude GST?

The \$5,000 grant funding includes GST. You will need to request the GST inclusive amount of funding you require.



Payments

How often should I submit reimbursement requests?

You can submit these any time. We recommend not letting these build up for too long. We would prefer to receive reimbursement requests at least twice a year, more regularly if you are in court or highly active in work to progress your application. If you are likely to need to make lots of small reimbursement requests and you think it might be easier to receive advance funding for these (a grant), please [talk to our Funding Team](#).

How quickly will I get my funding/reimbursement/grant payment? Is it quicker than under the previous scheme?

Yes, the new funding request form and upfront budget process will improve the time we take to process your funding. We expect to be able to process a request within 10 working days plus up to 10 working days for payment.

Can I pay my lawyer or another third party directly?

If this is a nominated account, which you select at the start of the funding process. You can change the nominated account if required, however, we can't pay your individual suppliers directly.

Is there a minimum or maximum amount for reimbursements?

No. But if you are likely to need to make lots of small reimbursement requests and you think it might be easier to receive advance funding for these (a grant), please [talk to our Funding Team](#). There is no maximum amount for reimbursements, however, we would prefer to receive reimbursement requests at least twice a year, more regularly if you are in court or highly active in work to progress your application.

