

Takutai Moana Pānui

26 November 2025

Financial Assistance Scheme settings until 30 June 2027

This pānui outlines recent Ministerial decisions on the Financial Assistance Scheme (FAS) following the enactment of the Marine and Coastal Area (Takutai Moana) (Customary Marine Title) Amendment Act 2025 (the Amendment Act).

Interim FAS settings to continue until 30 June 2027

Te Tari Whakatau is considering long-term changes to the FAS so the fund operates sustainably into the future.

Ministers have agreed to retain the current interim FAS settings until a reformed scheme is considered. This means existing funding caps, hourly rates, and workplan approval processes will remain unchanged through 2025/26 and 2026/27.

Keeping the interim settings in place allows the FAS to keep running while we consider long-term decisions.

We will confirm when we can start reviewing budgeted workplans for 2026/27 in the new year.

What stays the same

The roll-over of interim settings means that until 30 June 2027:

- All applicants must have a budgeted workplan approved by Te Tari Whakatau before funding is provided.
- The Crown contribution to court costs will remain capped for all scheduled hearings.
- Funding caps for pre-hearing and hearing costs will align with legal aid rates.

To manage the FAS within the annual appropriation, from 1 July 2026 to 30 June 2027 we will prioritise funding for:

- Crown engagement applicant groups who are close to seeking a Ministerial determination in the 2026/27 financial year (i.e, research completed; overlapping claims resolved; and public consultation completed); and
- Applicant groups who are taking part in a High Court hearing scheduled in 2026/27 and 2027/28.

Re-hearings following the Amendment Act

The Amendment Act came into force on 25 October 2025 and clarifies the section 58 test for customary marine title (CMT).

To ensure the clarified test is applied consistently, seven cases that were decided after 25 July 2024, or are yet to be decided, will need to be re-heard.

Te Tari Whakatau acknowledges the impacts of these changes on CMT applications. If you are unsure of the impact on your takutai moana application, please contact our team at takutaimoana@whakatau.govt.nz.

Funding available for re-hearings

The Government has ensured there is additional funding of up to \$15 million to contribute to re-hearing costs. Timing of re-hearings will be up to the High Court.

We acknowledge that affected applicant groups need to know as soon as possible what funding is available and when they can access it. In some of these cases, the Courts have started to ask parties about the pathway to re-hearings, so applicants are already incurring costs.

We're continuing to work on the FAS settings for these applicants. We expect to have a further update before the end of January 2026.

Affected applicant groups are encouraged to contact Te Tari Whakatau in the first instance to discuss or resolve any funding matters.

Webinars

Te Tari Whakatau will host two webinars on:

- Monday 8 December 2025 at 12:00 pm; and
- Wednesday 10 December 2025 at 6:00 pm.

These webinars will cover the contents of this pānui including:

- The changes introduced by the Amendment Act (which you can read more about in our 22 October pānui [here](#)).
- What the interim FAS settings are and how they work.

The webinars will not cover:

- Legal advice on the new section 58 test.
- Funding available for applicants involved in the High Court re-hearings.
- Information on additional funding for applicants actively participating in the Crown engagement pathway that is needed to meet changes to the section 58 test in the Amendment Act. We expect this information to be confirmed early next year.

If you have any pātai on the outlined topics covered by the webinars, please email them to us at takutaimoana@whakatau.govt.nz.

Other matters

Funding for time-sensitive mahi

Funding for time-sensitive activity-workstream mahi may be available to any applicant where the work includes:

- Seasonally dependent mahi (e.g. coastal site visits or fieldwork)
- Collection of evidence from kaumātua or kuia, or
- Other urgent tasks where delay would risk prejudice to the applicant's case.

Time-sensitive funding is considered on a case-by-case basis and must be pre-approved through a Budgeted Workplan submitted to the Takutai Moana funding team. Eligibility for this funding is open to all applicants. Please note any approved costs will be deducted from your activity workstream balance.

Christmas close-down period

Te Tari Whakatau will close from Thursday 25 December 2025 to Sunday 4 January 2026, reopening on Monday 5 January 2026.

Reimbursement requests

The final day for processing reimbursement request payments this year is Friday 19 December. Requests that are submitted in full by 30 November 2025, will be paid before 19 December. Requests lacking information or those received in December are likely to be processed in 2026. Processing resumes from 5 January 2026.