

2019/2020 matrices

1. Funding matrix for applicants to the High Court

			Complexity Band			
Milestone	Task	Expenditure type	Low	Medium	High	Very High
Pre-notification Appointment* Work undertaken up until the representative has established that they have authority to represent the application group.	Appointment process	Project Manager	\$5,241.99	\$15,554.88	\$36,693.95	\$52,419.92
Notification Work undertaken up until public notice of the application (under s103)	Project Planning and Project Management	Project Manager	\$5,241.99	\$5,241.99	\$5,241.99	\$5,241.99
	Court fees Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver		<i>real court fees at that time</i>			
	Public notice	Project Manager	\$1,048.39	\$1,048.39	\$1,048.39	\$1,048.39
	Legal advice	Lawyer	\$6,290.39	\$9,332.93	\$12,580.78	\$15,725.97
Evidence gathering and pre-hearing work This milestone covers the collection of evidence, and the assessment of quality of evidence. This milestone includes assistance for legal work to prepare for the substantial hearing.	Project Planning and Project Management	Project Manager	\$5,241.99	\$5,241.99	\$5,241.99	\$5,241.99
	Historical research	Historian	\$41,935.93	\$51,849.57	\$62,903.90	\$73,387.89
	Traditional evidence gathering	Researcher	\$41,935.93	\$51,849.57	\$62,903.90	\$73,387.89
	Legal advice and representation	Lawyer	\$16,774.38	\$22,813.81	\$29,355.15	\$41,935.93
	Court fees Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver		<i>real court fees at that time</i>			
Interlocutory hearing <i>This includes the attendance of case management conference</i>	Legal representation and advice	Lawyer	\$3,145.19	\$3,145.19	\$3,145.19	\$3,145.19
	Travel and accommodation		\$1,572.60	\$1,572.60	\$1,572.60	\$1,572.60
	Court fees Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver		<i>real court fees at that time</i>			
Hearing Work undertaken up until hearing concludes	Project Planning and Project Management	Project Manager	\$2,096.80	\$2,096.80	\$2,096.80	\$2,096.80
	Legal representation and advice	Lawyer	\$15,725.97	\$20,739.83	\$26,209.96	\$31,451.98
	Research/expert witnesses	Historian	\$8,387.19	\$8,387.19	\$8,387.19	\$8,387.19
	Hearing fees Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver		<i>real court fees at that time</i>			
	Any other Court fees at this time Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver		<i>real court fees at that time</i>			
	Travel and accommodation		\$1,572.60	\$2,073.98	\$5,241.99	\$6,290.39
Determination Work undertaken until recognition order is sealed	Legal advice	Lawyer	\$786.30	\$786.30	\$786.30	\$786.30
	Project Planning and Project Management	Project Manager	\$2,096.80	\$2,096.80	\$2,096.80	\$2,096.80
	Drafting of order	Lawyer	\$5,241.99	\$6,740.44	\$7,338.78	\$7,862.99

March 2019 quarter inflation rate of 1.5 per cent has been applied to these tables. The tables come into effect on 1 July 2019.

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			Complexity Band			
Milestone	Task	Expenditure type	Low	Medium	High	Very High
	Court fees Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver		<i>real court fees at that time</i>			
		Totals:	\$164,336.43	\$210,572.26	\$272,845.66	\$332,080.21

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2. Funding matrix for applicants in Crown engagement

			Complexity Band			
Milestone	Task	Expenditure type	Low	Medium	High	Very High
Pre-Engagement Work undertaken up until the responsible Minister determines whether to proceed to formal engagement under s95(3)	Review of Crown preliminary appraisal	Project Manager	\$3,145.19	\$3,145.19	\$3,145.19	\$3,145.19
Terms of Engagement Work undertaken up until terms of engagement entered	Project Planning and Project Management	Project Manager	\$5,241.99	\$5,241.99	\$5,241.99	\$5,241.99
	Mandating process	Project Manager	\$5,241.99	\$15,725.97	\$36,693.95	\$52,419.92
	Legal advice	Lawyer	\$3,145.19	\$3,145.19	\$3,145.19	\$3,145.19
	Meeting with the Crown	Project Manager	\$2,096.80	\$2,096.80	\$2,096.80	\$2,096.80
Collection of evidence Work undertaken up until OTS assessment of the application is provided to the applicant for review	Project Planning and Project Management	Project Manager	\$3,145.19	\$3,669.40	\$4,193.59	\$4,717.79
	Legal advice	Lawyer	\$6,290.39	\$10,483.99	\$14,677.58	\$18,871.17
	Historical research	Historian	\$41,935.93	\$52,419.92	\$62,903.90	\$73,387.89
	Traditional evidence gathering	Researcher	\$41,935.93	\$52,419.92	\$62,903.90	\$73,387.89
Assessment of evidence Work undertaken up until Minister's view on rights presented to applicant	Project Planning and Project Management	Project Manager	\$2,096.80	\$2,096.80	\$2,096.80	\$2,096.80
	Response to OTS assessment of application and preparation of submissions to OTS and the Independent Assessor	Project Manager Lawyer	\$23,064.77	\$34,597.15	\$46,129.53	\$57,661.91
	Meetings with the Crown	Project Manager Lawyer	\$3,145.19	\$4,193.59	\$5,241.99	\$6,290.39
Internal consultation Work undertaken to get consensus on who should be the holder of any recognition right which might be brought into effect*	Consultation	Project Manager	\$7,338.78	\$9,435.58	\$11,532.38	\$13,629.18
	Disbursements		\$2,096.80	\$2,096.80	\$2,096.80	\$2,096.80
Consideration of draft recognition agreement Work undertaken until ratification process commences		Lawyer	\$3,145.19	\$3,145.19	\$3,145.19	\$3,145.19
	Disbursements		\$2,096.80	\$2,096.80	\$2,096.80	\$2,096.80
Ratification Work undertaken until ratification result received from returning officer		Project Manager	\$5,241.99	\$15,725.97	\$36,693.95	\$52,419.92
Final Agreement Work undertaken until recognition agreement signed/entered		Project Manager	\$1,572.60	\$1,572.60	\$1,572.60	\$1,572.60
	Disbursements		\$5,766.19	\$11,532.38	\$26,209.96	\$52,419.92
Legislation Work undertaken until agreement brought into effect		Project Manager	\$2,096.80	\$2,096.80	\$2,096.80	\$2,096.80
Totals:			\$169,840.51	\$236,938.02	\$333,914.87	\$431,940.12

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3. Funding matrix for a High Court applicant group to appeal a High Court decision

			Court of Appeal	Supreme Court	Secondary consideration by HC*
Milestone	Task	Expenditure type			
Leave to appeal Work undertaken in relation to decisions to appeal, cross-appeal, or oppose an appeal	Legal advice	Lawyer	\$3,145.19	\$3,145.19	\$3,145.19
	Court fees: <i>(Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver)</i>				
	<ul style="list-style-type: none"> Filing of application for leave to appeal 		<i>real court fee at that time</i>		N/A
	<ul style="list-style-type: none"> Filing of response to application for leave to appeal by another party 		<i>real court fee at that time</i>		N/A
	<ul style="list-style-type: none"> Filing of application for reconsideration of Application under Act by HC on back of Appeal success 		N/A	N/A	<i>real court fee at that time</i>
	Project Planning and Project Management	Project Manager	\$1,572.60	\$1,572.60	\$1,572.60
Pre-hearing work undertaken prior to a hearing but after a decision has been made by the party to proceed with legal proceedings	Legal advice and representation	Lawyer	\$10,483.99	\$10,483.99	\$5,241.99
	Historical research	Historian	\$5,241.99	\$2,620.99	N/A
	Legal representation and advice	Lawyer	\$3,145.19	\$3,145.19	N/A
Interlocutory hearing <i>if arising</i>	Travel and accommodation		\$1,572.60	\$1,572.60	N/A
	Court fees & Hearing fees Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver.		<i>real court fees at that time</i>		
	Legal advice and representation Travel and accommodation	Lawyer	\$15,725.97	\$15,725.97	\$10,483.99
Hearing work undertaken up until hearing concludes	Court fees Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver.		<i>real court fee at that time</i>		
	Legal representation	Lawyer			\$1,572.60
	Sealing fee		<i>real court fee at that time</i>		
Determination work undertaken until High Court determination is made / order is granted.	Legal advice	Lawyer			\$786.30
		Totals:	\$40,887.53	\$38,266.54	\$22,802.67

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4. Funding matrix for overlapping customary interest groups to challenge an application in the High Court, and further appeals

Milestone	Task	Expenditure type	High Court	Court of Appeal	Supreme Court
Pre-hearing Work undertaken until hearing commences	Project Planning and Project Management	Project Manager	\$1,572.60	\$1,572.60	\$1,572.60
	Legal advice	Lawyer	\$10,483.99	\$10,483.99	\$10,483.99
	Court fees eg. – <i>(Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver)</i>				
	<ul style="list-style-type: none"> filing fee - notice of appearance 		<i>real court fee at that time</i>		
	<ul style="list-style-type: none"> filing fee to file to seek to be an interested party or oppose application 		<i>real court fee at that time</i>		
	<ul style="list-style-type: none"> filing fee to file to seek leave to appeal in relation to an application 		N/A	<i>real court fee at that time</i>	
	Historical research and traditional evidence gathering	Project Manager	\$5,241.99	\$5,241.99	N/A
		Historian	\$20,967.97		
		Researcher	\$15,725.97		
Interlocutory hearing <i>if arising</i>	Legal representation and advice	Lawyer	\$3,145.19	\$3,145.19	\$3,145.19
	Travel and accomodation		\$1,572.60	\$1,572.60	\$1,572.60
	Court fees <i>Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver.</i>		<i>real court fees at that time</i>		
Hearing Work undertaken up until hearing concludes	Project Planning and Project Management	Project Manager	\$1,572.60	\$1,572.60	\$1,572.60
	Legal advice and representation	Lawyer	\$20,967.97	\$10,483.99	\$5,241.99
	Court fees (if any) <i>Applicants are expected to first apply to the Registrar under reg 18 of the High Court Fees Regulations 2013 for a fee waiver.</i>		<i>real court fee at that time</i>		
	Travel and accommodation		\$1,572.60	\$1,572.60	\$1,572.60
Determination	Court fees (if any)		<i>real court fee at that time</i>		
	Legal advice	Lawyer	\$786.30	\$786.30	\$786.30
		Totals:	\$83,609.78	\$36,431.85	\$25,947.87

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5. Funding matrix for overlapping customary interest groups to research evidence relating to applications in Crown engagement

Milestone	Task	Expenditure type	Upper Limit
Initial consideration of application Following being notified by OTS that an application has been filed of relevance to their rohe	Meeting with the Crown	Project Manager	\$2,096.80
	Legal advice	Lawyer	\$6,290.39
Collection of evidence After applicant has entered Terms of Engagement with the Crown	Project Planning and Project Management	Project Manager	\$3,145.19
	Legal advice on Act and evidence required	Lawyer	\$6,290.39
	Historical research	Historian	\$15,725.97
	Traditional evidence gathering; internal communications	Researcher	\$15,725.97
Assessment of evidence and response to OTS assessment of application Work undertaken until OTS submits report to Independent Assessor	Meetings with the Crown	Project Manager	\$3,145.19
	Legal advice	Lawyer	\$20,967.97
		Total:	\$73,387.88

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