

## Frequently asked questions: Claimant Funding

### *What is claimant funding?*

Claimant funding is funding provided by Te Tari Whakatau to a claimant group as a contribution towards their negotiation costs.

Different amounts of claimant funding are available at different stages of the negotiations process. These stages are:

- pre-negotiations – obtaining a mandate, agreeing terms of negotiation, and starting formal negotiations; and
- negotiations – reaching a draft deed of settlement, developing a post-settlement governance entity (PSGE) and carrying out a ratification process for the claimant group to confirm a deed of settlement and PSGE.

If Ministers recognise a mandate then the mandated group will be advised of the total amount of funding that TA will provide towards their negotiating costs. This funding will be provided to the mandated entity.

Claimant funding is different from legal aid. Legal aid is the funding provided to support claimants through the Waitangi Tribunal process. Claimant funding supports groups in direct Treaty settlement negotiations with the Crown. Legal aid is not available for Treaty settlement negotiations.

All claimant funding is subject to approval.

### *What funding is available for the mandate process?*

Stage of Mandate process	Funding provided by Te Tari Whakatau	Other funding available
<b>Initial Hapū Grouping Hui</b>	Funding provided as a contribution to mandating hui: <ul style="list-style-type: none"> <li>• \$500 for a single hapū hui;</li> <li>• \$1,200 for a multiple hapū hui;</li> <li>• \$2,000 for a multi-day wānanga.</li> </ul>	N/A
<b>Formal Hapū Grouping Development</b>	One or more tranches provided by Te Tari Whakatau as a lump sum ( <i>amount of funding provided determined by officials based on the size of group</i> )	Additional funding requests to Te Tari Whakatau can be considered on a case-by-case basis.
<b>Confirmed Hapū Grouping working towards mandate</b>	Funding paid in milestone-based tranches ( <i>subject to Ministerial approval, and dependent on financial reporting for previous funding</i> ).	After mandate strategy is endorsed, some groups may be eligible for Crown Forestry Rental Trust (CFRT) funding if their

		claims involve Crown Forest Licensed Land.  Additional funding requests to Te Tari Whakatau can be considered on a case-by-case basis.
<b>After mandate recognised</b>	Amount will be advised <b>if</b> Ministers agree to recognise a mandate. This funding contribution will assist with costs incurred through the remainder of the negotiation process.	Groups eligible for CFRT funding can apply to CFRT for funding following Crown recognition of mandate.  Additional funding requests to Te Tari Whakatau can be considered on a case-by-case basis.

### ***Who can apply for claimant funding?***

Any hapū member can apply for hapū grouping proposal funding on behalf of their hapū or proposed hapū grouping. Further funding requests will be considered on proof of expenditure and reporting for the last payment.

Assurance will also be sought that the applicant is duly representative of and supported by members of their claimant community.

### ***What funding is available for hapū hui to discuss the development of a hapū grouping proposal?***

Claimant funding for Ngāpuhi has been divided based on 8 broad regions (regions). These regions are:

- Whangaroa
- Te Pewhairangi
- Hokianga
- Waimate-Taiāmai
- Kaikohe
- Ngāti Hine
- Mangakāhia
- Whangarei

Regions have been allocated a funding pool to develop their hapū grouping proposals. This funding can be used as a contribution towards all reasonable costs related to hapū grouping proposal development hui, except:

- Capital expenditure (printers, laptops);
- Software subscriptions; and
- Hapū kaikōrero fees, salaries, or consultant costs.

The following amounts can be applied for as a contribution to mandating hui:

- \$500 for a single hapū hui;
- \$1,200 for a multiple hapū hui (2 or more) for one day; and

- \$2,000 for a multi-day wānanga with multiple hapū.

You can apply for this funding by completing the linked form and returning it to Te Tari Whakatau at [ngapuhifeedback@tearawhiti.govt.nz](mailto:ngapuhifeedback@tearawhiti.govt.nz).

### ***What funding is available to assist in the formal development of a hapū grouping proposal?***

Once hapū have decided to develop a hapū grouping proposal, larger tranches can be applied for from the pool to cover further hui, capability development, third-party specialist advice, project management/coordination and communications. Approval of these applications is dependent upon the applicant providing:

- a plan detailing how the funding will be used to fund costs related to the development of a hapū grouping proposal;
- financial accountability measures being in place including reporting to Te Tari Whakatau on how funding was spent; and
- evidence funding was used for the agreed activities in developing a hapū grouping proposal.

### ***What claimant funding is available to support formal mandate development once a hapū grouping is confirmed by the Minister for Treaty of Waitangi Negotiations?***

Upon Ministerial confirmation of a hapū grouping, and subject to Ministerial approval, claimant funding is available to the confirmed grouping towards its costs to obtain a mandate.

Funding will be provided by Te Tari Whakatau in tranches, on the basis that sufficient proof of expenditure for the last tranche is provided. To keep your records up to date, a template activity report is linked here.

Funding may also be available from the CFRT. You can find more information about CFRT [here](#).

### ***What funding is made available to groups once mandate is recognised, and negotiations begin?***

A tailored claimant funding contribution is allocated to a claimant group when their deed of mandate is recognised. Factors considered when determining this amount include the size, location and cohesiveness of the claimant group, complexity of the claim, and whether there are overlapping claim interests. This funding is known as 'matrix funding'. This funding can be released once the relevant milestone has been met, and a budget and workplan has been provided.

Matrix funding is distributed across negotiations and specified amounts are allocated to the key negotiation milestones of 'Deed of Mandate', 'Terms of Negotiation', 'Agreement in Principle', 'Deed of Settlement', 'Ratification', and 'Legislation and Governance'. This funding is usually paid in tranches.

### ***Why does Te Tari Whakatau require proof of expenditure and progress reporting?***

Te Tari Whakatau claimant funding is provided from public funds and is therefore governed by the Public Finance Act 1989. Te Tari Whakatau needs to be able to demonstrate that funding was spent by appropriate representatives on activities that have, or will, help to reach a settlement, if the costs were reasonable, and if progress has been made.

Reporting also enables officials to identify any gaps in mandating progress where additional technical and/or financial support may be needed.

***What are the additional reporting requirements for claimant funding once a mandate is recognised?***

Mandated groups often receive large amounts of claimant funding and are subject to reasonable financial scrutiny. To ensure this funding is being spent and managed appropriately, mandated groups are required to establish a specific bank account to receive claimant funding. The Crown also requires mandated groups to complete an annual independent financial review of their negotiations-related expenditure and provide evidence of this to Te Tari Whakatau.

***Is the amount of claimant funding received by a group deducted from their comprehensive settlement package?***

No. Claimant funding is provided over and above any money or assets the group receive as redress. This includes any accumulated Crown forestry rentals.

***Is there anything claimant funding cannot be used for?***

Yes:

- Claimant funding cannot be used for litigation against the Crown.
- Claimant funding cannot be used to cover costs already covered by another form of claimant funding, such as CFRT funding.
- Only costs associated with Treaty settlement negotiations can be claimed as negotiations expenses. So, only a proportion of generic expenses, such as office administration, rent, power, and phone, can be claimed as negotiations expenses where an iwi organisation is involved in other iwi/hapū work outside negotiations.
- Claimant funding cannot be used to cover capital items such as computers and furniture.