



## Māori Trades and Training Fund Expression of Interest

### About this form

The purpose of this form is for potential proposals for the Māori Trades and Training Fund to be submitted to the Ministry of Business, Innovation and Employment (MBIE) for review. This Fund is for \$50 million over two years.

The overall objectives of the Māori Trades and Training Fund are to:

- support tailored, community-led initiatives through partnership between Māori and the Crown that empower solutions by Māori, for Māori
- emphasise paid employment-focused training opportunities, but also consider support services such as pastoral care to overcome barriers to participating in training or apprenticeships
- focus on group-based initiatives that connect multiple employers to offer work experience and training opportunities.

The Māori Trades and Training (MTT) Fund is a government initiative which is administered by the Provincial Development Unit (PDU), a unit within the Ministry of Business, Innovation and Employment.

### Eligibility

Applications will be assessed against the following criteria:

- Projects must be led by Māori including iwi, hapū or other Māori groups
- Funding should focus on initiatives which will develop skills likely to be in demand over time
- Initiatives should be based on partnership between Māori and the Crown and recognise that Māori entities bring non-monetary benefits such as cultural knowledge, expertise and connections to the Māori community
- Initiatives should provide meaningful opportunities to support people into sustainable employment to help fulfil their needs, goals and contribute to their overall wellbeing
- Initiatives should promote upskilling and employment in vulnerable communities, and support people to access employment-based training opportunities who otherwise may not be able to access such opportunities
- Initiatives should provide a pathway for trainees to move into further training or employment opportunities to encourage positive labour market outcomes for communities and employers in the longer-term.

### Completing this form

Please complete all sections fully and accurately. Square brackets and italics indicate guides.

Please see the Grow Regions website, or contact your regional relationship manager, for further support. If you are applying on behalf of a number of parties, you need their consent to submit this application. You can add other applicants during the application process. You will be the point of contact for this application, but you must give us all information about all applicants. Once complete, please email your completed form to [MTTFund@mbie.govt.nz](mailto:MTTFund@mbie.govt.nz).

By submitting your form, you are agreeing to the terms and conditions of applying for MBIE investment which can be found in Appendix One.

### Next Steps

Applications will be assessed for eligibility, as well as how well they will deliver on the objectives of the Fund. One of our team will be in contact regarding your application.

### Public disclosure

The PDU is responsible for leading the Māori Trades and Training Fund's administration and monitoring its operation in consultation with other government agencies. In the interests of public transparency, successful applications may be published by the PDU. Commercially sensitive and personal information will be redacted by reference to the provisions of the Official Information Act 1982. Please identify by highlighting any information in your application that you regard as commercially sensitive or as personal information for the purposes of the Privacy Act 1993.



**Section 1: Key Applicant Information**

1. Proposal Title: Ngā Kaimahi Kainga o Toa Rangatira – Māori Trade Training Fund Request

2. Please provide a very brief description of the project/activity:

Te Rūnanga o Toa Rangatira recognises that trades and apprenticeship qualifications are strongly associated with better employment and wage outcomes over their life course. Trades and apprenticeships offer an opportunity for both youth and/or those displaced from employment because of the recent pandemic. *Ngā Kaimahi Kainga o Toa Rangatira* is a skills and development initiative by Te Rūnanga o Toa Rangatira Incorporated. The key driver of this initiative is to support Ngāti Toa Rangatira people to develop industry relevant skills and to connect those skills with a pipeline of opportunities that provide sustainable employment in the Ngāti Toa Rohe (tribal area) with the view of broadening this over time. The initial focus of the project is on building and housing related trades, however, in time it will be broadened to include other areas (e.g healthcare services). This builds on the Ngāti Toa Rangatira strategic aspirations of providing sustainable and affordable housing whilst also building and growing our people through innovative and relevant development opportunities.

To operationalise this, Te Rūnanga o Toa Rangatira is establishing a community connection business which will facilitate and connect trades training, sustainable employment and pastoral care, all within a supportive environment. This proposal supports the development of our people to build skills which will then contribute to housing development. On the 1<sup>st</sup> November 2018, Prime Minister Adern announced a \$1.5 billion regeneration project for Porirua that will see thousands of state homes built. As a strategic partner within the Eastern Porirua Regeneration Project (EPRP) Te Rūnanga o Toa Rangatira has **negotiated <sup>Comm</sup> houses per annum for <sup>Com</sup> years as part of a build agreement.** Commercial Information  
  
. Therefore, Te Rūnanga o Toa Rangatira is well placed to not just build houses, but to build our people through skills development and significant employment opportunities.

This is a once in a lifetime opportunity for Te Rūnanga o Toa Rangatira to ensure we have ongoing capability development through sustainable and long term mahi. We are proposing to engage up to <sup>Comm</sup> apprenticeships over <sup>Com</sup> years whilst providing comprehensive pastoral support and connecting them to ongoing employment and workforce development through our partnership programs.

The project will be implemented by Rawiri Faulkner. Privacy of natural persons

Privacy of natural persons

Privacy of natural persons

Privacy of natural persons

Though based originally in Wellington, we will possibly extend to other areas which are part of Ngāti Toa’s rohe (e.g. Marlborough, Tasman, Nelson)



3. Please provide the details of the applicant organisation/entity for which funding is being requested:

<b>Applicant Legal Name:</b>	Te Rūnanga o Toa Rangatira Incorporated
<b>Entity Type:</b>	Incorporated Society
<b>Registered Offices / Place of Business:</b>	PO Box 50355, Porirua 5024
<b>Identifying Number:</b>	NZBN 9429042850960, Incorporation number: 417771

4. Please provide the contact details for a person as a key point of contact):

<b>Contact Name and Role:</b>	Rawiri Faulkner, Project Manager		
<b>Email Address:</b>	Privacy of natural persons	<b>Telephone:</b>	Privacy of natural persons

5. Please describe the principal role or activity of the applicant organisation.

<p>Te Rūnanga o Toa Rangatira Incorporated is a non-profit incorporated society with charitable status. The Rūnanga is the mandated iwi authority for Ngāti Toa Rangatira and is the administrative body of iwi estates and assets on behalf of its members.</p> <p>Te Rūnanga o Toa Rangatira also provides regional and national leadership on matters of significance and delivers health, social, fisheries and housing support to the community. Te Rūnanga o Toa Rangatira also has significant local government relationships and resource and environmental management responsibilities.</p>
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6. This project will be based in the region of:

Wellington

7. Have you previously discussed this project with a part of the Government? Yes:  No:

- If Yes, please list which part of the Government, and the nature of those discussions.

There have been many extensive conversations with our partner agencies including TPK, Kāinga Ora, PCC and Te Ahuru Mōwai. These conversations and collaborations will be ongoing and focused on supporting the apprentices on their pathway of success. <sup>1</sup>
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8. Have you previously received Government funding for this project? Yes:  No:

- If Yes, please list which part of the Government, when the funding was received, and how much.

Not applicable - There are no commercial outcomes associated with this programme, however there are a number of financial and economic outcomes and benefits that can be achieved. Through co-investment Te Rūnanga o Toa Rangatira is committed to building our knowledge and skills to enable the development of whānau and iwi wellbeing. Building our people is the best thing we can do to grow a positive and meaningful future for many of our members.
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9. Please set out the proposed sources of funding for the Project:

<b>Source of Funding:</b> <i>[please indicate where all other funding is sourced from, noting who the funder is]</i>	<b>\$ (excluding GST)</b>	<b>Status / Commentary</b> <i>[i.e. received / confirmed / in principle]</i>
Māori Trades and Training Fund Funding	\$ <sup>Commercial Information</sup>	PGF Funding sought
Te Rūnanga o Toa Rangatira	\$ <sup>Commercial Inform</sup>	<ul style="list-style-type: none"> <li>Vehicle lease x1 for project</li> <li>In-kind business support (e.g. Te</li> </ul>

<sup>1</sup> Support letters are attached to this application as appendix 3 -**Withheld-commercially sensitive**



		Rūnanga o Toa Rangatira governance) <ul style="list-style-type: none"> <li>In-kind operational support (e.g. corporate services – HR, IT, legal, financial communications, etc.)</li> </ul>
Build partner and Te Rūnanga o Toa Rangatira (Commercial Information) ) subsidy for apprenticeships: Up to \$ (Commercial Information) per apprentice- over ( ) years	\$ (Commercial Information)	<ul style="list-style-type: none"> <li>This is the estimated additional wage cost of each apprenticeship that will be paid from the funding received for Ngāti Toa to deliver the new house builds</li> </ul>
<b>Total:</b>	\$ (Commercial Information)	

10. Please provide a breakdown of how the funding will be utilised (on a per person basis)

<b>Funding Breakdown:</b> <i>[Please indicate where all other funding is/will be sourced from, noting who the funder is and whether the funding is monetary or in-kind; including funding already received from Government and/or other third parties.]</i>	<b>\$ (excl GST)</b>	<b>Commentary</b>
<b>Component – ( ) Years of Funding Request</b>		<b>Cost (ex GST)</b>
<b>Operating costs</b> ⇒ Vehicle Lease (x2) ⇒ Office leases, power ⇒ Phones, computers, equipment	\$ (Commercial Information) per annum	\$ (Commercial Information)
<b>HR Related Costs</b> Commercial Information		\$ (Commercial Information) \$ (Commercial Information) \$ (Commercial Information) \$ (Commercial Information)
<b>Wage Subsidy</b> Commercial Information		\$ (Commercial Information)



<b>Total</b>	\$ Commercial Information
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11. Please provide any supporting financial material e.g. where possible, two years of your entity's accounts.

These are not available at this time, however they will be provided in a separate schedule once they have been collated

**Section 2: Project Overview**

12. Please indicate:

- the number of Māori you are looking to employ and train and any characteristics, where relevant (age, gender etc)
- the type of training that will be offered and how/if it supports a pathway from informal work experience and training to formal trades training in paid employment
- which sector you are focussing on
- your previous experience in developing trainees (if any)

Outcomes category	Description	Number	Timeframe
	Please describe the outcomes that the initiative will result in for the target group, for each outcome category	Please provide the number of target group expected to attain these outcomes, for each outcome category	Please outline the time frames for delivery of support for the target group, for each outcome category
Training – Construction focus initially with healthcare a possible option in the future	Apprentices will complete a NZQA Level 4 Apprenticeship qualification applicable to the field of work they are in.	Up to <span style="background-color: #cccccc;">Comm</span> Māori apprentices	The duration of these qualifications will vary depending on the trade or sub-trade
Employment attainment, gender and age	Local people employed, open to all genders and ages (with a particular focus on youth)	Up to <span style="background-color: #cccccc;">Comm</span> Up to <span style="background-color: #cccccc;">Comm</span> Up to <span style="background-color: #cccccc;">Comm</span>  It is important to note that there may be the opportunity for some apprentices to step into employment earlier.	Year <span style="background-color: #cccccc;">Comm</span> Year <span style="background-color: #cccccc;">Comm</span> Year <span style="background-color: #cccccc;">Comm</span>
Sustained employment of at least 6 months	The aim is for all participants to remain in employment. Pastoral care will be provided to facilitate ongoing commitment.		
Staff Experience/Ability to Deliver <sup>2</sup>	<u>Project Manager</u> Rawiri Faulkner. <span style="background-color: #cccccc;">Privacy of natural persons</span> <span style="background-color: #cccccc;">[Redacted]</span> <span style="background-color: #cccccc;">[Redacted]</span> <span style="background-color: #cccccc;">[Redacted]</span>		

<sup>2</sup> CV's are attached as appendix 2 - **Withheld-Privacy of natural persons**



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	<p>Wider Social/Public Benefits</p>	<p>This project:</p> <ul style="list-style-type: none"> <li>• Provide trainees with the ability to earn wages while training. This will assist with improving employment opportunities as well as raising household incomes.</li> <li>• Allows Ngāti Toa Rangatira to make a long term commitment to development opportunities within the EPRP.</li> <li>• Career development opportunities for at least the next <b>Comm</b> years</li> <li>• Assists local Māori businesses to grow whilst supporting our trainees and graduates into sustainable employment.</li> <li>• Reduces the need for migrant labour.</li> <li>• Improves financial sustainability.</li> </ul>

13. Does the project focus primarily on delivering group-based support? If so, how?

*E.g., is there potential for your entity to play a coordination function, linking employers, Transitional Industry Training Organisations, training providers and other interested stakeholders together to support trainees and apprentices?*

Te Rūnanga o Toa Rangatira Incorporated will be the employer - this is an iwi led solution to an iwi based and regional need.

The Ngāti Toa Rangatira model will follow a phased approach to the development.

1. **Internal capacity** - The first phase will involve establishment (approx. **Commercial Information**) and developing strong and robust internal processes (pastoral care, industry connections, candidate identification and sound back-office policies, processes and tools). Marketing and recruitment information will also be developed during this time. This will set the platform for how we will progress in making the most of our existing and future capability.
2. **Industry connections** – Te Rūnanga o Toa Rangatira will work with our partner agencies and recruit apprentices. This will begin with identifying those already in trade training and those who are looking to retrain through established iwi networks (Facebook, pānui, education program).



3. **Ensuring excellence** - Establishing strong partnerships with our businesses and industry training providers to ensure good quality training and qualifications are achieved. Te Rūnanga o Toa Rangatira will not compromise on quality and will directly assure that all graduates attain high quality qualifications and skills during this initiative.
4. **Business mentoring and pastoral care** – Providing support for our employing business partners to ensure they have what they need to succeed. This will include regular meetings, financial support for the development of apprenticeships, support to develop strategic and business plans aligned to our shared aspirations and mentoring by experienced business leaders as required. Pastoral care will also be offered to ensure our apprentices are invested in this program and have access to adequate support. Pastoral care will include whānau hui, home visits, CV and professional development, workshops and social functions to encourage whānau tangata.
5. **Strategic connections** – Connections to the Western Porirua Housing agreement work will provide extra employment and training opportunities for both business and apprentices alike. This work program is both significant and enduring (over <sup>10</sup> years).
6. **Ngāti Toa Rangatira support** – Through the establishment of the Ngāti Toa Rangatira skills development and employment initiative we will provide ongoing support for both business and apprentices to ensure the achievement of enduring outcomes.

#### Our Timeline for Project Delivery

Activity	Components	Timeframe
	<ul style="list-style-type: none"> <li>• Development of job descriptions</li> <li>• Development of processes and policies</li> <li>• Establish working environment and practices</li> <li>• Onboarding of key staff</li> </ul>	Commercial Information
	<ul style="list-style-type: none"> <li>• Liaise with build/construction partners</li> <li>• Identification of suitable local employers</li> <li>• Identify potential apprentices</li> <li>• Initial placements into work/apprentices</li> <li>• Commence training and pastoral support</li> <li>• Identify and work with potential Maori-owned businesses</li> </ul>	Commercial Information
	<ul style="list-style-type: none"> <li>• Target new candidates for apprenticeships.</li> <li>• Monitor ongoing effectiveness of skills and qualification achievement</li> <li>• Provide training and pastoral support</li> <li>• Negotiation of roster to enable multiple employers to employ individuals if required</li> <li>• Employer mentoring and support with performance feedback and induction/orientation training as required</li> </ul>	Commercial Information





14. What type of other investment will your entity make?

*E.g. cultural knowledge, expertise and connections to the Māori community from Māori entities.*

All staff will receive an induction when employed. This induction will include a visit to Te Rūnanga o Toa Rangatira Incorporated head office and meeting with the CEO, Helmut Modlik and/or other senior staff.

Also, when our team are delivering pastoral care with workers, they will carefully consider local ways of working, including whānau hui, home visits, workshops and social functions to encourage whānaungatanga. An expected benefit of the initiative is to be mana-enhancing, enabling iwi and community growth and prosperity.

15. How will the initiative be measured?

*Initiatives should be able to provide measurements on their outcomes, which could include the number of people supported into or retained in apprenticeships or employment-focused training. Other useful information to include would be cost-per-trainee.*

See above tables and answers to Questions 10 and 12 – this outlines the measurements we expect to achieve

16. How is the project going to be managed?

The initiative will be Project Managed by Rawiri Faulkner **Privacy of natural persons**, and overseen by Helmut Modlik (Ngāti Toa CEO).

This group are formally qualified, experienced and have a deep understanding of all the proposed aspects of this endeavour e.g. strategy and business planning; new venture establishment; project and change management; economic development; vocational training and support; operational management and governance; trades training and construction-related trades; education and pastoral care. CVs are appended. **-Withheld-Privacy of natural persons**

Finally, we will establish a formal steering group made up of the partner organisations, to guide and support Ngā Kaimahi Kainga management to ensure rapid establishment, relevance and connection to future opportunities.

17. Is there any other information which would be useful background or context at this stage?

Governance oversight will initially be provided by the Te Rūnanga o Toa Rangatira Board, however, we plan to establish a dedicated arrangement which will support the ongoing mahi of this initiative well into the future, along with other training and development initiatives being planned by Ngāti Toa.

**Section 5: Link with broader government outcomes**

*This section will enable detail to be provided about how the initiative meets the primary objective of the fund which is “to support the Crown’s intentions to be a good Treaty partner to Māori”.*

18. Using the table below, please outline how the initiative will contribute to the following government outcomes which seek to support the Crown’s intentions to be a good Treaty partner to Māori:

Outcomes	✓	How will the project positively or negatively impact this outcome for the Maori entity identified?
1. Deliver on the Government’s objective of		Through the development of up to <b>Comm</b> apprenticeships, both





supporting a Māori Crown partnership	✓	individual and household incomes will increase. Businesses associated with this development will also increase both revenue/assets (through the development of Ngāti Toa Rangatira housing stock) and business growth with graduates available for ongoing employment.
2. Provides the opportunity to identify and capitalise on Māori economic and social strengths	✓	<p>This project is a significant priority for our region.</p> <p>As <small>Commercial Information</small> and other strategic partners are increasing the housing supply across Porirua – there is a need to provide a steady flow of skilled labour to support this activity.</p> <p>This project will allow for businesses to grow through accessing needed skilled labour and increase productivity through lifting skills.</p>
3. Help support Māori aspirations for labour market outcomes	✓	<p>We will ensure that local apprentices and local businesses are prioritised and get the support they need to succeed. This will be done through the operation of our service, and also through other existing service providers that we will partner with. This will ensure sustainable local workstreams and employment are developed enabling community wealth building benefits to accrue. It is our intention to retain graduates in employment over the long term e.g. via Te Ahuru Mōwai and EPRP-related work.</p> <p>We estimate that the project will provide significant support to the regeneration of Porirua housing over the next <small>0</small> <small>ma</small> years with this initiative directly contributing, on average, <small>Comm</small> individuals per year entering into apprenticeships over this time.</p>
4. Supports the unlocking of investment to empower Māori entities to deliver tailored, community-based support to Māori workers and trainees	✓	
5. Enhance wellbeing, within and/or between regions	✓	While this program is focused initially on the Porirua area, many of the outcomes from this program can benefit the wellbeing of other areas within the Ngāti Toa Rangatira rohe. This includes utilising graduates and businesses to improve housing and supply in areas like Nelson and Marlborough over time. Raising income levels, standards of living, providing warm, affordable housing are all key aspects of wellbeing for our people.



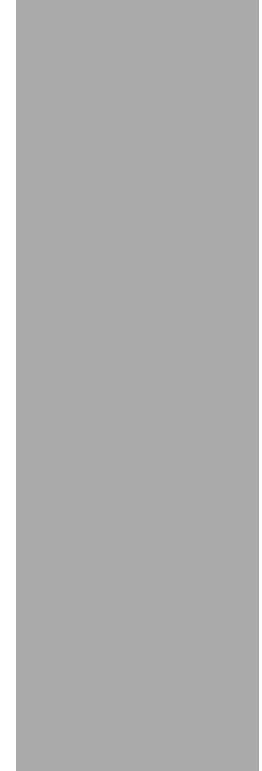
## Section 4: Declarations

19. Is the applicant receiving a wage subsidy or other similar apprenticeship support from any other source for the same apprentice(s) that this funding will be used for?
20. Is the applicant aware that, where they receive a wage subsidy or similar support for the same apprentice, this funding should provide for other supports unrelated to wages, other than in exceptional circumstances, for example to top up other wage subsidies?
21. Has the applicant or the contracting entity ever been insolvent or subject to an insolvency action, administration or other legal proceedings?
22. Has any individual in the Project Team (including the Applicant's Leadership Team, directors, partners, or trustees, or any key members of the project) ever been insolvent or subject to an insolvency action, administration or other legal proceedings, or actively involved in any organisation which has?
23. Has any individual in the Project Team (including the Applicant's Leadership Team, directors, partners, or trustees, or any key members of the project) ever been adjudged bankrupt or is an undischarged bankrupt?
24. Has any individual in the Project Team (including the Applicant's Leadership Team, directors, partners, or trustees, or any key members of the project) ever been under investigation for, or been convicted of, any criminal offence?
25. Are there any actual, potential or perceived conflicts of interest that the applicant or any of the key personnel have in relation to this project (including, for instance, any contractors that are family members or business partners that will be delivering the project)

"In a small country like ours, conflicts of interest in our working lives are natural and unavoidable. The existence of a conflict of interest does not necessarily mean that someone has done something wrong, and it need not cause problems. It just needs to be identified and managed carefully..." <https://www.oag.govt.nz/2007/conflicts-public-entities>

If you answered 'Yes' to any question from 19 to 25, please provide a description below:

Commercial Information





**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HĪKINA WHAKATUTUKI



By completing the details below, the applicant makes the following declarations about its application for Māori Trades and Training Fund funding for the project (“application”):

- I have read, understand and agree to the Terms and Conditions of applying for Māori Trades and Training Fund funding which are attached as Appendix 1;
- The statements in the application are true and the information provided is complete and correct, and there have been no misleading statements or omissions of any relevant facts nor any misrepresentations made;
- I have secured all appropriate authorisations to submit the application, to make the statements and to provide the information in the application;
- I have obtained the permission of each member of the Project Team to provide the information contained in this application and those individuals are aware of, and agree to, the Terms and Conditions of applying for Māori Trades and Training funding which are attached as Appendix 1;
- I consent to this application being publically released if funding is approved. I have identified the commercially sensitive and personal information.
- The applicant warrants that it has no actual, potential or perceived conflict of interest (except any already declared in the application) in submitting the application, or entering into a contract to carry out the project. Where a conflict of interest arises during the application or assessment process, the applicant will report it immediately to the Ministry of Business, Innovation and Employment by emailing [MTTFund@mbie.govt.nz](mailto:MTTFund@mbie.govt.nz); and
- I understand that the falsification of information, supplying misleading information, or the suppression of material information in this application, may result in the application being eliminated from the assessment process and may be grounds for termination of any contract awarded as a result of this application process.
- The applicant consents to the Ministry of Business, Innovation and Employment undertaking due diligence including any third party checks as may be required to fully assess the application.

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**Full name:**

Helmut Modlik

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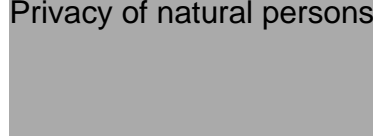
**Title / position:**

Chief Executive Officer – Te Rūnanga o Toa Rangatira

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**Signature / eSignature:**

Privacy of natural persons




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**Date:**

10/07/20



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HĪKINA WHAKATUTUKI



## Appendix 1 – Terms and Conditions of this EOI

### General

The terms and conditions are non-negotiable and do not require a response. Each applicant that submits an Expression of Interest (EOI) for Ministry of Business, Innovation and Employment funding has confirmed by submitting this EOI that these terms and conditions are accepted without reservation or variation.

The Māori Trades and Training (MTT) Fund is a government initiative which is administered by the Provincial Development Unit (PDU), a unit within the Ministry of Business, Innovation and Employment. Any reference to the PDU in these terms and conditions, is a reference to MBIE on behalf of the Crown.

### Reliance by PDU

The PDU may rely upon all statements made by any applicant in an EOI and in correspondence or negotiations with PDU or its representatives.

Each applicant must ensure all information provided to the PDU is accurate. The PDU is under no obligation to check any EOI for errors, omissions, or inaccuracies. Each applicant will notify the PDU promptly upon becoming aware of any errors, omissions, or inaccuracies in its EOI or in any additional information provided by the applicant.

### Ownership and intellectual property

Ownership of the intellectual property rights in an EOI does not pass to the PDU. However, in submitting an EOI, each applicant grants the PDU a non-exclusive, transferable, perpetual licence to use and disclose its EOI for the purpose of assessing and decision making related to the MTT EOI and any application process, where applicable. Any hard copy EOI or documentation supplied by you to the PDU may not be returned to you.

By submitting an EOI, each applicant warrants that the provision of that information to the PDU, and the use of it by the PDU for the evaluation of the EOI and for any resulting discussions, will not breach any third-party intellectual property rights.

### Confidentiality

The PDU is bound by the Official Information Act 1982 (“OIA”), the Privacy Act 1993, parliamentary and constitutional convention and any other obligations imposed by law. While the PDU intends to treat information in EOIs as confidential to ensure fairness for applicants during the assessment and decision making process, the information can be requested by third parties and the PDU must provide that information if required by law. If the PDU receives an OIA request that relates to information in this EOI, where possible, the PDU will consult with you and may ask you to confirm whether the information is considered by you to be confidential or still commercially sensitive, and if so, to explain why.

The PDU may disclose any EOI and any related documents or information provided by the applicant, to any person who is directly involved in the MTT assessment process on its behalf including officers, employees, consultants, contractors and professional advisors of the PDU or of any government agency, including Te Arawhiti. The disclosed information will only be used for the purpose of participating in the MTT EOI and assessment process, which may include carrying out due diligence.

In the interests of public transparency, if an EOI (or subsequent application) is approved for funding, the EOI (and any related documents) may be published by the PDU. Commercially sensitive and personal information will be redacted by reference to the provisions of the Official Information Act 1982.

### Limitation of Advice

Any advice given by the PDU, any other government agency, their officers, employees, advisers or other representatives about the content of your EOI does not commit the decision maker (it may be Ministers or Cabinet depending on the level of funding requested and the nature of the project) to make a decision about your EOI.



**No contractual obligations created**

No contract or other legal obligations arise between the PDU and any applicant out of, or in relation to, the EOI and assessment process.

**No process contract**

The MTT EOI and assessment process does not legally oblige or otherwise commit the PDU to proceed with that process or to assess any particular applicant's EOI, or application, or enter into any negotiations or contractual arrangements with any applicant. For the avoidance of doubt, this EOI and assessment process does not give rise to a process contract.

**Costs and expenses**

The PDU is not responsible for any costs or expenses incurred by you in the preparation of an EOI or subsequent application.

**Exclusion of liability**

Neither the PDU or any other government agency, nor their officers, employees, advisers or other representatives will be liable (in contract or tort, including negligence, or otherwise) for any direct or indirect damage, expense, loss or cost (including legal costs) incurred or suffered by any applicant, its affiliates or other person in connection with this EOI and assessment process, including without limitation:

- a) the assessment process
- b) the preparation of any EOI or application
- c) any investigations of or by any applicant
- d) concluding any contract
- e) the acceptance or rejection of any EOI, or
- f) any information given or not given to any applicant(s).

By participating in this EOI and assessment process, each applicant waives any rights that it may have to make any claim against the PDU. To the extent that legal relations between the PDU and any applicant cannot be excluded as a matter of law, the liability of the PDU is limited to \$1.

Nothing contained or implied in or arising out of the MTT documentation or any other communications to any applicant shall be construed as legal, financial, or other advice of any kind.

**Inducements**

You must not directly or indirectly provide any form of inducement or reward to any officer, employee, advisor, or other representative of the PDU or any other government agency in connection with this EOI and assessment process.

**Governing law and jurisdiction**

The MTT EOI and assessment process will be construed according to, and governed by, New Zealand law and you agree to submit to the exclusive jurisdiction of New Zealand courts in any dispute concerning your EOI.

**Public statements**

The PDU and any other government agency, or any relevant Minister, may make public in whole or in part this EOI form including the following information:

- the name of the applicant(s)
- the EOI title
- a high-level description of the proposed project/activity
- the total amount of funding and the period of time for which funding has been approved
- the region and/or sector to which the project relates

The PDU asks applicants not to release any media statement or other information relating to the submission or approval of any EOI to any public medium without prior agreement of the PDU.