



# Office of Hon Steven Joyce

Minister for Economic Development  
Minister of Science and Innovation  
Minister for Tertiary Education, Skills and Employment  
Associate Minister of Finance

13 NOV 2012

John Spencer  
Chair  
Tertiary Education Commission  
PO Box 27-048  
Wellington 6141

C-12-11-1068  
Received 14/11/12

Seen by CE Yes/No

Referred to.....

Action.....

Dear John

## Determination of Design of Funding Mechanism: Wānanga Research Capability Fund

I am writing to advise you of my new determination of the design of the funding mechanism for the Wānanga Research Capability Fund, under section 159L of the Education Act 1989 (the Act).

The new determination of the design of the funding mechanism for the Wānanga Research Capability Fund is set out in the appendix to this letter. This determination covers the period 1 January 2013 to 31 December 2014.

Under section 159O of the Act, it is the Commission's responsibility to develop the operational policy and practices needed to implement my determination of the design of the funding mechanism. I expect that the Commission will set appropriate measures as part of its Statement of Service Performance in order to report to me on its performance in giving effect to this determination.

Yours sincerely

Steven Joyce  
Minister for Tertiary Education, Skills and Employment

**Appendix 1** – Determination of design of funding mechanism: Wānanga Research Capability Fund

## **DETERMINATION OF DESIGN OF FUNDING MECHANISM: WĀNANGA RESEARCH CAPABILITY FUND**

### **PURPOSE OF WĀNANGA RESEARCH CAPABILITY FUND**

1. The Wānanga Research Capability Fund (WRCF) provides funding for building research capability within the wānanga sector, particularly within the area of wānanga specialisation (mātauranga Māori/Māori knowledge).

### **STATUTORY AUTHORITY**

2. This funding mechanism is made under section 159L of the Education Act 1989 (the Act).
3. Funding for the WRCF is to be paid under section 159YA of the Act.

### **GENERAL PARAMETERS**

#### ***Effective period***

4. This funding mechanism is to fund academic research between 1 January 2013 and 31 December 2014 only.
5. The Tertiary Education Commission (TEC) may exercise any of its administrative functions as required to give effect to this funding mechanism outside those dates.

#### ***Total available funding***

6. The total available funding for allocation is \$1.5 million per annum (excl GST).

#### ***Allocation of Funding***

7. The TEC must allocate funding only to wānanga.
8. The TEC must develop criteria for the allocation of funding through the WRCF, and notify wānanga of the criteria.

### **SPECIFIC CONDITIONS THAT THE TEC MUST ATTACH TO FUNDING PROVIDED UNDER SECTION 159YA**

The following specific conditions must be attached to funding provided under this funding mechanism:

### ***Recovery of over-funding***

9. A condition that if the results of an audit, reporting or statistical returns, show that the amount of a payment of funding provided to a wānanga under this funding mechanism was greater than it should have been, then the amount of the over-funding is treated as a debt due to the Crown and is:
  - a. repayable by the wānanga on demand; and
  - b. subject to the TEC's set-off rights under any condition attached to funding.

### ***Administrative responsibilities of TEC in relation to Clause 9***

- (i) Before making demand for repayment, the TEC must first consult with the wānanga on the audit, reporting or statistical returns, which disclosed the over-funding.
- (ii) If the results of an audit, reporting or statistical returns, indicate that the amount of a payment of funding provided under this funding mechanism was less than it should have been, the TEC must credit the amount of the under-funding to an account nominated by the wānanga as soon as reasonably practicable.

### ***Repayment of funding following revocation of funding approval***

10. A condition that if a wānanga's funding for academic research is revoked under section 159YG by the TEC before some or all of the funding provided to the organisation has been used, or contractually committed towards the purposes for which that funding was provided, then the unexpended or uncommitted portion of the funding is treated as a debt due to the Crown and is:
  - a. repayable on demand by the TEC; and
  - b. subject to the TEC's set-off rights under any funding condition.

### ***Repayment of excess funding***

11. A condition that if the TEC considers on reasonable grounds that a wānanga has received funding that it was not entitled to receive, then the amount of funding received in excess of that wānanga's funding entitlement is treated as a debt due to the Crown and is:
  - a. repayable on demand by the TEC; and
  - b. subject to the TEC's set-off rights under any funding condition.

### ***Set-Off***

12. A condition that the TEC may set-off, against all or any funding or other sum of money payable by the TEC to a wānanga, any debt or other sum of money payable to the TEC by that wānanga (including pursuant to any funding condition) where such debt or liability of the wānanga has been outstanding to the TEC for ninety days or more.