

**He Poutama Rangatahi – Expression of Interest**

This Expression of Interest form should be completed by potential applicants who want to develop a He Poutama Rangatahi (HPR) funding proposal. It will enable the officials administering the fund to advise potential applicants about the alignment of their activity with HPR criteria.

Please read the HPR criteria carefully and answer the questions below. We will be in touch after reviewing your EOI, and if the programme appears to align with HPR criteria you will be invited to submit a formal application.

**Public disclosure**

The Provincial Development Unit (PDU) is responsible for leading the HPR administration and monitoring its operation in consultation with other government agencies. In the interests of public transparency, successful expressions of interest, applications, business cases, funding agreements and other project related documentation may be published by the PDU. Commercially sensitive and personal information will be redacted by reference to the relevant provisions of the Official Information Act 1982. Please identify by highlighting any information in your expression of interest that you regard as commercially sensitive or as personal information for the purposes of the Privacy Act 2020.

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| **Programme name** | |
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| **Main applicant and contact details** | |
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| **Please provide a brief outline of your programme proposal** | |
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| **How does your potential proposal meet the HPR criteria and align with the fund’s long term goal of providing sustained employment or specific steps on the pathway to employment?** | |
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| **What groups (age, gender and ethnicity) are you looking to target in your proposal, and why?** | |
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| **Why do you think there is a need in the community for this service and why/how do you think you can address the gaps?** | |
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| **Will your proposal support a larger initiative – if so explain connections** | |
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| **What is the estimated cost of your proposal?** | |
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| **Total amount of HPR funding sought** | |
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| **Have you sought funding from other sources? YES/NO** | |
| **If YES –specify funders below** | **$** |
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Please email your completed form to [HPR@mbie.govt.nz](mailto:HPR@mbie.govt.nz).

**Declarations**

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| * 1. Is the applicant receiving a wage subsidy or other similar support from any other source for the same participant(s) that this funding will be used for? | Yes:  No: |
| * 1. Has the applicant or the contracting entity ever been insolvent or subject to an insolvency action, administration or other legal proceedings? | Yes:  No: |
| * 1. 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? | Yes:  No: |
| * 1. 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? | Yes:  No: |
| * 1. 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? | Yes:  No: |
| * 1. 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> | Yes:  No: |

If you answered ‘Yes’ to any question above, please provide a description below:

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By completing the details below, the applicant makes the following declarations about its application for HPR funding for the project (“application”):

I have read, understand and agree to the Terms and Conditions of applying for HPR 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 HPR 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; 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:** | |
| **Title / position:** | |
| **Signature / eSignature:** | **Date:** |

**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 (MBIE) funding has confirmed by submitting this EOI that these terms and conditions are accepted without reservation or variation.

The He Poutama Rangatahi (HPR) Fund is a government initiative which is administered by the Provincial Development Unit (PDU), a unit within MBIE. 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 HPR 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 2020, 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 HPR assessment process on its behalf including officers, employees, consultants, contractors and professional advisors of the PDU or of any government agency. The disclosed information will only be used for the purpose of participating in the HPR 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 HPR 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 HPR 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 HPR 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.