

PREScribed BODIES CORPORATE CAPACITY BUILDING FUNDING

Instructions for submitting applications

The Department of the Prime Minister and Cabinet (the Department or PM&C) invites eligible applicants to submit applications for Prescribed Bodies Corporate (PBC) Capacity Building grant funding under the Indigenous Advancement Strategy (IAS) (see Section 6 of the IAS Grant Guidelines).

The primary purpose of PBC Capacity Building grant funding is to assist PBCs generate economic benefits through the effective and sustainable management of their land.

This document provides guidance for applicants applying for PBC Capacity Building grant funding under the IAS. It provides key information to assist applicants to complete the application form and should be read in conjunction with the IAS Grant Guidelines. An Application Form and draft Project Agreement together with the IAS Guidelines can be found on the [Department's website](#).

The Department may amend this application kit from time to time and will provide reasonable notice of these amendments.

Opening and closing dates

There is currently no closing date for PBC Capacity Building grant funding. A closing date for applications may be nominated by PM&C when all the funding has been allocated, with details to be provided on the [Department's website](#).

Submission details

It is strongly recommended potential applicants discuss proposals with their local PM&C Regional Network office before preparing an application.

Applications should be completed online. In circumstances where an applicant cannot access the online application smart form they should contact their local PM&C Regional Network Office or phone 1800 079 098.

Enquiries

All enquiries relating to applications for this grant funding should be directed to the PM&C Regional Network on 1800 079 098.

PART A – GENERAL INFORMATION FOR APPLICANTS

A1 Funding for the grant funding process

The Government has committed \$20.4 million for the PBC Capacity Building Funding.

Amounts from 2015-16 to 2018-19 are:

2015-16	2016-17	2017-18	2018-19	Total
2.519	5.037	6.296	6.548	20.400 million

Applications for grant funding amounts within the scope of the available annual funding will be considered by the Department.

Applications received after available funds have been allocated in a particular year will be considered in the following financial year.

The Department may award grants as one-off payments, or on a single year or multi-year basis at its discretion. Funds made available under the IAS must be acquitted following the project end date as stated in the Project Agreement.

A2 Grant funding

The Department is inviting applications from eligible applicants. This grant funding will be made available through the “Department Invites” funding mechanism as set out in the IAS Grant Guidelines. A non-competitive targeted grants process will be used.

A3 Funding objectives

The primary objective of this funding is to assist PBCs generate economic benefits through the effective and sustainable management of their land. This funding aims to contribute to the outcomes described in Annexure 1 (Section 22) of the IAS Guidelines under the Jobs, Land and Economy Programme, with a particular focus on the outcome '*Indigenous Australians use their land and sea assets to create economic and social benefits*'. This funding will support this outcome by building the capacity of PBCs to maximise the economic and social potential of native title.

A4 What can be funded?

There are three elements to this funding:

1. direct support to increase the capacity of PBCs to take advantage of economic opportunities;
2. support for training to build long-term organisational capacity within PBCs and to procure professional expertise (for example, business or agribusiness consultancies, accountancy or legal services); and
3. direct support for effective native title agreement-making.

It is important to note funding is not guaranteed and will be subject to the outcomes of the assessment process.

1. Direct support to increase the capacity of PBCs to take advantage of economic opportunities

The majority of this funding will provide direct funding to individual PBCs or a group of PBCs to take advantage of economic opportunities, with the aim of ensuring PBCs move beyond basic corporate compliance towards active and independent engagement with the development sector.

Activities that may be funded include:

- support to pursue income and employment providing opportunities linked to native title including:
 - feasibility studies to establish economic potential of land
 - business development services
 - legal and financial services
 - office establishment
 - information technology equipment and services eg web design
 - equipment to support business opportunities eg agricultural machinery
- support to enter into negotiations over the development of land, including:
 - benefits management;
 - financial and business planning support staff or professional services
 - mentoring associated with business and economic development
 - utilities and office space
 - support for the valuation of native title rights for the purposes of compensation; or
 - developing implementation plans for agreements.
- support to prepare deeds to facilitate the transfer of contractual rights and obligations to PBCs in a post-determination context.

2. Support for training to build long-term organisational capacity within PBCs and to procure professional expertise

PBCs may apply for funding for training activities to build their long-term organisational capacity through corporate capacity building and strategic planning activities. Examples of training that may be funded are activities that relate to financial advice, legal support, capacity building, management support or other areas required to govern organisations. Note that this is not an exhaustive list.

They may also apply for funding to engage professional business or financial expertise.

3. Direct support for native title agreement-making

Funding will also be available to support PBCs in effective and sustainable agreement-making. This may include the costs of holding or organising PBC meetings to progress or sign the native title agreement.

A5 What cannot be funded?

Activities which will not be funded are stipulated in the IAS Grant Guidelines under the Jobs, Land and Economy Programme. These activities include but are not limited to:

- applications that do not clearly address at least one of the IAS programme streams
- activities that are more appropriately funded by other Government agencies (including State/Territory and local Government) under their priorities
- retrospective items or activities, and
- costs reasonably covered by proponent parties.

PBCs will not be funded for costs that would be payable under the ‘Basic Support Funding’ under the Native Title and Land Rights Activity under the Jobs Land and Economy Programme and administered by NTRBs-SPs, as this would duplicate available funding.

While eligibility for PBC capacity building funding is restricted to PBCs or support for PBCs only, PBCs can apply for funding under other IAS funding streams and Australian Government programmes. PBC capacity building funding is intended to complement other sources of grant funding. A specific activity cannot be funded under more than one programme.

PBCs will be asked to indicate any other sources of government funding in their application and this will be taken into account during assessment given the above considerations.

PART B – APPLYING FOR FUNDING

B1 Discuss the proposal with the local PM&C Regional Network office

It is strongly recommended all potential applicants discuss proposals with their local PM&C Regional Network office in the early stages of development and before preparing an application. It is important to note an initial discussion with the Department regarding a proposal is not considered an application for funding.

PM&C Regional Network office and National Office contact details are provided at Annexure 2 of the IAS Grant Guidelines.

B2 Who can apply for funding?

All PBCs are eligible to apply for the funding.

Native Title Representative Bodies and Service Providers (NTRBs-SPs) and other third parties, for example, law firms and interest groups, can also apply to receive and administer the funding on behalf of, and with the authorisation of, one or more PBCs.

Applicants must also meet all eligibility criteria outlined in the IAS Grant Guidelines, and undergo financial viability checks and a risk assessment.

B3 Applications from consortia (group applications)

A group of PBCs may make a single application for funding. If an applicant submits an application acting as the lead applicant on behalf of a group of PBCs (a ‘consortium arrangement’), the application must include a letter of support from each participating PBC (apart from the lead applicant) involved in the project. Each letter of support must include:

1. The role of the organisation and an overview of how the organisation will work with the lead organisation and any other consortia participating organisation(s) to support the successful completion of the project,
2. An outline of the relevant experience and/or expertise the participating organisation will bring to the consortia, and
3. The roles and responsibilities the organisation will undertake, and the resources it will contribute (if any).

B4 Assessment Criteria

Eligible applicants must address the assessment criteria set out below to be considered for grant funding.

Assessment criteria used to assess PBC Capacity Building grant funding applications are consistent with the IAS Guidelines. However, one additional criterion is included to ensure the PBC Capacity Building grant funding achieves its intended outcomes. This criterion will

be more heavily weighted (60 per cent). All other criteria will have a weighting of 10 per cent.

Applicants will be asked to demonstrate:

1. Need – The activity is needed to provide improved outcomes and there is a demand for the activity from the target Indigenous community or group.

- a) There is evidence the proposed activity is needed and will support improved outcomes in the target PBC having flow on benefits for the Indigenous community or group.
- b) The target community or group supports the proposed activity and has been involved in its design.

This criterion will have a 10% weighting.

2. Quality – The organisation that will deliver the proposed activity is committed to and capable of working with the target Indigenous community or group.

- a) The organisation has, or can build, positive relationships with Indigenous Australians, community organisations and other key stakeholders in the delivery of the proposed activity.
- b) The organisation is able to learn from experience and adapt practices to ensure improved outcomes from the proposed activity.
- c) The organisation is committed to the employment of Indigenous Australians in the delivery of the proposed activity.

This criterion will have a 10% weighting.

3. Efficiency – The proposed activity will support the intended outcomes in a way that appropriately manages risk, is cost effective and is coordinated with relevant stakeholders in the target community.

- a) It is clear how the proposed activity will achieve the intended outcomes with the available grant funding.
- b) It is clear how the proposed activity will link with existing activities associated within the PBC and its target community or group.
- c) It is clear how the risks associated with the proposed activity will be managed.
- d) It is clear how the organisation will monitor the performance of the proposed activity and manage the financial aspects of the grant funding.

This criterion will have a 10% weighting.

4. Effectiveness – The proposed activity can deliver the intended outcomes and sustain the outcomes into the future.

- a) There is evidence the proposed approach has the potential to deliver the identified outcomes.
- b) It is clear how the intended outcomes of the proposed activity are to be sustained into the future.

- c) It is clear how the organisation will gather evidence to measure the effectiveness of the proposed activity.

This criterion will have a 10% weighting.

5. The activity supports PBCs to maximise the economic development opportunities provided by their native title rights.

- a) There is evidence the activity has the potential to create jobs.
- b) There is evidence the activity has the potential to generate income.
- c) There is evidence the PBC has or can develop the capacity to manage the economic opportunities.
- d) There is evidence the PBC membership supports the activity.

This criterion will have a 60% weighting.

B5 Financial and corporate viability information

The PBC must demonstrate its financial viability by providing copies of its most recent Audited Financial Statement, income and expenditure statements or banking records that show income and expenditure and current bank balance. An Audited Financial Statement will not be required where the PBC is not required to prepare Audited Financial Statements under the CATSI Act.

The applicant must provide particulars of any petition, claim action, judgement or decision that is likely to adversely affect its capacity to meet its requirements.

The applicant must notify the Department and provide details if the PBC, or any of its employees, is under investigation, or the subject of court proceedings, in relation to a possible or actual breach of any relevant legislation, and if applicable, provide details of the matter.

The Department reserves the right not to proceed with funding organisations that do not meet financial viability considerations or does not provide requested information on time.

B6 Completing an application

Applications for funding must be submitted using the online Application Form that is available on the [Department's website](#). If you are unable to access the online Application Form you should contact your local PMC Regional Network Office or phone 1800 079 098.

Where an applicant is proposing several activities that are not closely related the applicant may describe these activities in separate applications. To reduce workload it is recommended that the applicant partially complete the application form with general information and then save separate copies of the form for each activity.

The application form must be completed in English.

It is strongly recommended that applicants provide the names of key personnel, especially those who will be the beneficiary of any capability development activities. These may be but are not limited to key personnel such as Director/s, Chief Executive Officer, Finance Compliance Officer, and personnel involved in the direct delivery of the organisations activities. This information can be included by adding fields in the '*Applicant's Contacts and Key Personnel*' section in the application form.

Applications will initially be screened to ensure applicants meet the eligibility and basic application requirements. PM&C reserves the right to reject incomplete applications where an application does not meet the minimum standards or compliance requirements. However, PM&C will assist applicants if applications are incomplete.

The application form must be submitted by a person authorised to act on behalf of the PBC. An electronic signature (provided by typing your name in the full name field) will be accepted as a signature.

The following supporting documentation is **required**:

- **All applicants:**
 - PBC details and evidence of PBC status
 - A copy of the applicant's most recent audited financial statement, income and expenditure statements or banking records that show income and expenditure and current bank balance.
 - A copy of the applicant's Certificate of Incorporation, where relevant.
 - A letter certifying the applicant has the support of the PBC's board or Governing Committee to lodge the submission on behalf of the organisation.
 - Where an applicant is not able to quote an ABN, a copy of a completed 'Statement by a supplier' form will be required. The form can be found at www.ato.gov.au.
- **Consortium applicants:**
 - A letter of support from each organisation in the consortium. Please refer to the information set out in section B3 of this document for details.

The size limit for each application is 10MB. There is also a 2MB size limit for each attachment. The Department's information technology system is not capable of receiving applications that exceed 10MB and any applications above this limit will not be received.

Where the inclusion of supporting documentation leads to an application exceeding the 10MB limit, applicants should contact their local PM&C Regional Network Office.

B7 Activity budget information

Applicants are required to provide an itemised budget in the application. All budget figures must be GST exclusive. The budget should include a breakdown of costs and funding for each financial year in which the proposed activity will operate and include the total funding being requested from the Department.

The budget must identify and estimate the expense items associated with delivering the intended outcomes. It should demonstrate value for money per activity and outcome.

Applicants must also provide details of funding from other sources (including other government agencies) that will also contribute to the costs of the activity outlined in the application. This should include confirmation of whether the funding is approved.

Applicants must also specify any applications for funding that are currently awaiting a decision, as well as the nature of the support (e.g. funding contribution, in kind support, resources, expertise).

B8 How to submit an application

Information on submitting an application is provided on the front page of this application kit. It is the responsibility of the applicant to ensure that their application is complete and accurate. Giving false or misleading information to PM&C is a serious offence; applicants who do so may be prosecuted under section 137.1 of the *Criminal Code Act 1995* (Cth).

Before submitting an application, applicants are encouraged to complete the Checklist at Part E of this application kit. The checklist will assist applicants with the completion of their application. The checklist does not need to be submitted with the application.

If an applicant discovers an error in their application after submitting it, they should inform the Department immediately through the contact details provided at Annexure 2 of the IAS Grant Guidelines.

It is recommended that applicants retain a copy of their application for their records.

After submitting an application a confirmation receipt will be sent to the applicant. If a confirmation receipt is not received after submitting an application, please contact the Department. Departmental contact details are provided at Annexure 2 of the IAS Grant Guidelines.

B9 Late applications

Where a closing date and time is specified for a grants process, the Department reserves the right to not accept late applications. In considering whether it will accept a late application, the Department will take into account the degree of lateness, whether the cause of the lateness was beyond the applicant's control and other facts it considers relevant. The Department may also ask the applicant to provide evidence to support its claims.

PART C - HOW WILL THE APPLICATIONS BE ASSESSED?

C1 Assessment panels

The Department will initially screen applications to ensure applicants meet the eligibility and basic application requirements.

Assessment panels will be established by the Department and comprise Departmental staff. Assessment Panels will have access (as required) to subject matter experts and regional staff. The number of Panel members and their seniority level will be determined by proportionality principles (for example based on the amount of funding involved, complexity, and risk).

The assessment panel will assess all applications against the assessment criteria in this application kit.

Assessment panels may seek expert advice from outside of the Department when assessing applications.

To maintain probity staff involved in developing proposals with applicants will not be involved in assessing the application.

The Department will consider the recommendations of the assessment panel and provide advice to the funding approver (the Minister for Indigenous Affairs) on the merits of the application.

C2 Information to be considered in assessment of applications

All applications for grant funding under the IAS will be assessed against the assessment criteria for the particular grant funding process. The Department will undertake a risk assessment for all applicants.

In general, the Department may use a number of sources of information when assessing an application. This includes, but is not limited to:

- Material included in response to one assessment criteria in the assessment of other criteria.
- Information about an applicant from any source, including from within the Commonwealth, whether or not individuals or organisations contacted are nominated as referees by the applicant.
- Information about the applicant that is made available through the normal course of business of the Department.
- Information about community need and outcomes separate to the application.

The Department may seek further information from an applicant in order to clarify issues relating to an application.

The Department may also consult with Indigenous communities, groups or other relevant stakeholders to test the veracity of claims made about the support for any proposal contained within an application.

C3 Decision on applications

Following the assessment of an application by the assessment panel, advice will be provided to the Minister for Indigenous Affairs or delegate on the merits of the application. The final decision about the approval of a grant will be made by the Minister for Indigenous Affairs or delegate.

The Minister for Indigenous Affairs or delegate will consider whether the proposal will make an efficient, effective, ethical and economical use of Australian Government resources and whether any specific requirements will need to be imposed as a condition of funding.

C4 Questions during the assessment period

The Department can respond to general questions about the assessment process but will not provide specific details relating to the status or progress of individual applications while applications are being assessed.

C5 Notification of outcomes

The Department will provide written advice to the applicant of the outcome of the grant funding process, including whether their application was successful, unsuccessful or ineligible.

As a guide, the Department aims to advise applicants of the grant funding outcome within three months of receiving the application. This provides the Department with sufficient time to fully assess the application and consult with community and other relevant stakeholders about the proposal.

If an application is successful, the Department will work with the applicant to negotiate the details of the activities and tailor these to meet community needs. As a result there may be a period of negotiation between an offer being made to an applicant and a Project Agreement being signed with the Department.

C6 Feedback

The Department reserves the right not to provide individualised feedback for each application in a grant funding process. Applicants will be advised if there is an opportunity to request individualised feedback when they are advised of the outcome of their application.

PART D – OTHER THINGS THE APPLICANT SHOULD KNOW

D1 Grant Guidelines

The IAS Grant Guidelines provide further information on:

- Eligibility criteria
- Project Agreements, grant management and reporting
- Risk management and compliance (including insurance)
- Monitoring and evaluation
- Qualifications and licencing
- Complaints and internal review processes
- Ombudsman
- Conflicts of interest
- Taxation issues.

D2 Draft Project Agreement

When an application is submitted, applicants will be asked to confirm that, if their application is successful, they will accept the terms of the Project Agreement. A draft Project Agreement is available on the [Department's website](#).

PART E – APPLICATION CHECKLIST

Before an applicant submits an application, it is recommended the following checklist be used to ensure the application is complete and contains the information needed for the application and assessment process.

Before submitting an application

	The proposal has been discussed with the Indigenous groups who will be involved in the project and with other groups with an interest in the project.
	The proposal has been discussed with the local PM&C Regional Network office (or National Office where relevant).
	Eligibility requirements set out in the IAS Grant Guidelines and this application kit are met.
	<p>The following documents have been read and understood:</p> <ul style="list-style-type: none">• IAS Grant Guidelines• This application kit
	IAS objectives and outcomes are understood and the proposed activity(s) contributes to the outcomes of the IAS.
	The assessment criteria are understood and met.
	<p>The draft Project Agreement has been read.</p> <p>When an application is submitted applicants must confirm that, if their application is successful, they will accept the terms of the Project Agreement. If applicants are not able to accept the terms of the Project Agreement, they should discuss this with the PM&C Regional Network office <u>before</u> completing the application form.</p>
	The name and contact details of two referees who can support the claims made in the application against the assessment criteria can be provided.
	If the applicant has a current PM&C Project Agreement, have the Provider Reference Number ready. The ‘Provider Reference Number’ can be found on the PM&C Project Agreement.
	If submitting an application on behalf of a PBC, a letter of certifying the applicant has the support of the PBC’s board or Governing Committee to lodge the submission on behalf of the organisation.
	Ensure you have collated for submission an audited Financial Statement, income and expenditure statements or banking records that show income and expenditure and current bank balance. An Audited Financial Statement will not be relevant where the PBC is not required to prepare Audited Financial Statements under the CATSI Act.

Completing the application form

	Ensure that every section of the application form is completed.
	Complete the application form in English.
	Complete the ' <i>Declaration</i> ' section of the application form. Ensure all fields are completed including the checkboxes. When completing the form online, instead of signing the document, the applicant (or person authorised to act on behalf of the applicant), should type their full name in the field.

Consortium applicants:

	Ensure the nominated lead organisation (the applicant) is a legal entity capable of entering into a Project Agreement with the Commonwealth.
	Attach a letter of support from each organisation in the consortium. Ensure that each letter of support includes the information required as set out in section B3 of this document.

Non-government applicants who do not have a current PM&C Project Agreement:

If the applicant is a non-government applicant and does not have an existing PM&C Project Agreement they will need to attach the following supporting documentation:

	A copy of the applicant's most recent audited financial statement. Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement.
	A copy of the applicant's Certificate of Incorporation where relevant. Organisations registered with Australian Charities and Not-for-profits Commission are exempt from this requirement.
	If the applicant is not able to quote an ABN number as required in the application form they will be required to provide a copy of a completed ' <i>Statement by a supplier (reason for not quoting an ABN to an enterprise)</i> ' form that can be found on the ATO's website .