

Mediation Report

A mediator who has undertaken a Farm Debt Mediation as an authorised Farm Debt Mediator is required to complete and submit this form at the end of the mediation.

Mediator to prepare and submit to the Office of Farm Debt Mediation.

1. Mediator Details

Mediator name

Mobile

Email

Name of the Approved Mediation Organisation [Sections 44, 45 and 49 of the Act] that has authorised this mediator [Sections 46 and 49 of the Act]

Name of person filling out this form (if not the mediator)

OFFICE USE ONLY
Application number:

2. Mediation Parties

Were there more than two parties to the [Section 60 of the Act] mediation?

Yes

No

Names of parties to the mediation (Please add new fields until you have named all parties. For each party, please give the personal names/any relevant business name/legal entity, and their role: farmer, creditor, guarantor, other, etc.)

Surname or company name*

Given name/s (leave blank if a company)

NZBN

Phone

Mobile

Email

Postal address

Authorised representative*

*Add authorised representative details if applicable

Phone

Email

Details of Other Party (If relevant)

Company name

NZBN

Authorised representative*

Phone Mobile

Email

Postal address

3. Mediation Overview

Date the Procedure Agreement was signed [Section 22 of the Act]

Please give details of the nature of the dispute.

(e.g. mortgage of real property /land/Security interest over vehicle)

Has this dispute been to mediation previously?

Date mediation ended (Day/month/year)

Mediation Outcome Resolved Unresolved Referral to High Court

Who requested this mediation take place [Sections 15 and 16 of the Act]? (Farming Business/Creditor)

If it was a multi-party mediation – present follow-up question asking which of the creditors asked for the mediation.

What date was the request made? [Day/month/year]

Was an extension requested by the farmer?

(that is, under Section 19 of the Act)? Yes No I don't know

Was the Tikanga Māori option used for this mediation? Yes No

What are the iwi/hapu affiliations of the farmer?

4. Mediation Process details

Was a preliminary conference held?

Yes No

(If yes options face-to-face, by tele or videoconference (such as Skype), other if selected free text field) (If no – Why not?)

Was the farmer made aware of the option to request a mediation using tikanga Māori principles?

Yes No

How many mediation sessions were run?

Including intake and post-mediation (Enter number)

How many hours did the overall mediation process take?

Did all parties attend all of the sessions?

Yes No

If “No” please provide details

Who accompanied the farmer for part or all of the mediation session/s?

(can list more than one e.g. Legal Counsel, Financial advisor, Farm consultant, Representative (Agent), Support person/Family, Business partner (which may be a family member), Other

Who accompanied the creditor for part or all of the mediation session/s?

(can list more than one e.g. Legal Counsel, Financial advisor, Farm consultant, Representative (Agent), Support person/Family, Business partner (which may be a family member), Other

5. Appointment of receiver in event of urgency

Was the mediation process stopped as the result of a receiver being appointed?

Yes No

What was the matter of urgency (tick those that apply)?

(Animal welfare reasons, to prevent deterioration in the asset value, to address environmental performance matters, Other)

6. About the Farm Business

What region/s is the farm business located in?

Please indicate the debt types mediated

(select all that apply from the list below) (Farmland, housing and farm buildings, Livestock (including aquaculture), Crops, Aquaculture equipment (such as cages, nets or harvesters), Farm machinery and equipment (such as tractors, harvesters or milking platforms), Vehicles associated with the business (such as boats, utes, trucks or motorcycles), Licences and/or permits (such as resource consents), Miscellaneous (such as office equipment). Other)

What is the total size of the debt that was the focus of this mediation?

≤ \$49,999

\$50,000 to \$99,999

\$100,000 to \$499,999

\$500,000 to \$999,999

\$1,000,000 to \$4,999,999

\$5,000,000 to \$9,999,999

≥ \$10,000,000

Please indicate any of the following that were specifically stated before the mediation as being contributing factors for the debt

Family or health issues

Drought

Other natural disaster (such as earthquake, fire, cyclone, flood)

Biosecurity event

Budgeting/Planning

Market change

Change in loan terms

COVID-19

Other – Please name

7. Mediator Reflections

[Optional] If you wish, please share any additional comments that may assist the Office of Farm Debt Mediation concerning this mediation and/or insights from this mediation that may assist with planning for the future success of the Farm Debt Mediation Scheme.

Authorisation

I / We hereby authorise MPI to obtain and disclose such information as considered necessary in relation to this mediation report.

I / We certify that all information provided in this report is true and correct to the best of my knowledge.

Applicant/s signature

Date

Privacy information

Personal and commercially sensitive information provided on this form or obtained from any relevant person may be used by MPI to assess your application and in the administration and management of the Act. More information about our privacy policy is available at <https://www.mpi.govt.nz/about-this-site/privacy-and-security/>.