

FARM DEBT MEDIATION ACT (2019) APPLICATION TO BECOME AUTHORISED MEDIATOR

Where candidate **is** an existing Associate/Accredited/Professional member of an Approved Mediation Organisation.

BACKGROUND

This application form gives effect to the requirements contained in [s 49\(1\)\(d\)](#) of the Farm Debt Mediation Act which are explained in the Farm Debt Mediation Notice on the Ministry for Primary Industries website.

At the time of drafting, two associations have been granted Approved Mediation Organisation (AMO) status by the Ministry for Primary Industries (MPI), the Arbitrators' and Mediators' Institute of New Zealand (AMINZ) and Resolution Institute. AMINZ and Resolution Institute have worked collaboratively on developing the scheme, its processes and training with the support of MPI. The information in this form will be held by AMINZ and shared with the AMINZ/Resolution Institute Farm Debt Mediation assessment panel and MPI.

Until 1 July 2020, applications are being accepted only for existing Associate or Accredited members of an AMO as Covid-19 has impacted the AMOs' ability to train and credential new mediators. As such, this application process is intended to be largely documentary, as a candidate's core competencies will have been previously tested by the AMO of which they are a current financial member.

Please fill out this form if you are a member of **AMINZ**. If you are a member of another AMO, please fill out the form supplied by that organisation.

Personal details

Name

Preferred Name
(If different)

Ethnicity

Gender

Date of Birth

Email Address

Town/City

Languages spoken
(proficiency level)

Qualifications and competencies

1. Membership

To be an authorised Farm Debt Mediator, current membership accreditation of one of the following professional bodies is mandatory;

- recognised New Zealand mediator professional body such as Arbitrators' and Mediators' Institute of New Zealand (AMINZ), Resolution Institute (RI), New Zealand Law Society (NZLS);
- Australian Mediator Standards Board (in accordance with the National Mediator Accreditation Standards); or
- An International equivalent mediator professional body as approved by the Chief Executive of MPI.

Please state whether you are a member of any of the professional bodies referred to above, if so to which you belong, and provide relevant documentary evidence showing to which of the organisation/s you belong.

I hold current membership (evidence attached) of

- AMINZ
- Resolution Institute
- NZLS
- Other (please state)
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2. Competency

A Core Mediator competency

An applicant's core mediator competency is demonstrated by holding current financial membership of an AMO and is tested through successful completion of relevant Continuing Professional Development. Both of these are ongoing requirements to be accredited as a Farm Debt Mediator.

I acknowledge these requirements.

**B The New Zealand Farm Debt Mediation Scheme policies and procedures
(knowledge and awareness)**

Y/N Did you attend the Farm Debt Mediation day conducted by AMINZ/RI on
17 February 2020?

If not, describe your understanding of the following policies and procedures of the Farm
Debt Mediation Act:

- i. Farm Debt Mediation Act 2019
- ii. Scheme operation
- iii. Multiple party mediations
- iv. Mediation agreement requirements
- v. Options for tikanga based mediation
- vi. Application of good faith
- vii. Reporting requirements

C Primary sector knowledge including relevant/applicable regulatory framework

Please provide **details, evidence, and two references** about your primary sector knowledge, including relevant/applicable regulatory framework (e.g. RMA, Biosecurity, Animal Welfare, Animal Products, NAIT, etc.), with application to one or more of the following areas; Agriculture, Horticulture, Aquaculture.

Note – the Act identifies 5 years working in primary sector related businesses/activities (e.g. rural advisors/consultants, stock and station, farm accountants, farmers, lawyers) and/or CE approved equivalent (e.g. AMINZ Rural List, AMINZ Environment List) as being minimum requirements.

D Primary sector economics and financial arrangements

To become an accredited Farm Debt Mediator, the applicant needs to show competency in at least **two** of the **seven** primary sector economics and financial arrangements.

Which, if any of the following areas do you have experience in:

- Implications of trading in global commodity markets
- Role of primary and secondary creditors in farm operations
- Land holding and business arrangements, eg family trust, corporate farmers, Maori land, lairage, sharemilking and cross loans
- Farm financial and business planning tools
- Role of cooperative structures and arrangements
- Tax arrangements and obligations
- Knowledge of insolvency processes including receiverships, and succession planning

Please provide details of your experience and knowledge in the above selected areas. Please attach any supporting documents if available.

Note – applicants who are unable to meet this criterion are still eligible to apply at this time as further training may be available prior to July 1 2020.

E Experience in resolving disputes and mediation in the rural sector

Please set out your experience in resolving disputes and mediation in the rural sector (including dealing with intra-family conflict and allegations of family violence, etc)

Please describe your knowledge of rural mental health issues, and outline the available support options.

F Mediation in accordance with Farm Debt Mediation tikanga framework published on the MPI website.

Y/N Do you want to be assessed to be accredited as a mediator who practices Farm Debt Mediation in accordance with a tikanga framework?

Conduct of farm debt mediations.

If my application is successful, I acknowledge that as well as fulfilling my practice obligations to AMINZ, my practice as a FDM is required to be in accordance with the Guidelines for Conducting Mediation published on MPI's Farm Debt Mediation website.

(Please tick) I acknowledge the requirement to practice in accordance with the Guidelines for Conducting Mediation published on MPI's Farm Debt Mediation website.

Part 4: Declaration

I certify that the information I provide in this application and in any other supporting documentation provided as part of FDM accreditation is true and correct to the best of my knowledge. I acknowledge that if any of the information given is not correct my FDM accreditation through AMINZ may be terminated.

Signed

Date

Name -
printed

Part 5: Application Fee for Farm Debt Mediator Authorisation

Fees

The application fee to be assessed for accreditation is \$350 + GST.

Any additional training required may be subject to additional charges.

Payment

Payment has been made by direct credit into **AMINZ** Bank
Account
02-0568-0419074-000 to the amount of

OR

Please charge my Visa/Master Card

Card number

Expiry

Name on
card

CVV

Signature

Date