

Ngāi Tahu: Relativity Mechanism Payments

The 1997 Ngāi Tahu Treaty settlement includes a Relativity Mechanism clause. The clause ensures that the value of their individual settlement remains relative to the total value of all Treaty settlements. Ngāi Tahu can make a request for payment every 5 years to ensure the real value of their settlement remains at 16.1% of the total.

The following five-yearly payments have been made to Ngāi Tahu:

- \$68.5 million in December 2012;
- \$180 million in December 2017; and
- \$96.5 million in December 2022.

The Crown and Ngāi Tahu have differing views about what should be included in the calculations of the total value of Treaty settlements. Some of these disputes have been resolved through arbitration and by negotiated agreement. While the independent arbitration is confidential, the parties have agreed to make the following information publicly available. As at November 2022, there have been six arbitration hearings covering a range of matters where the Arbitrator ruled in favour of the Crown in some instances and Ngāi Tahu in others.

Ngāi Tahu: Relativity Mechanism Payments Arising from Dispute Resolution

The following list sets out the timing of Relativity Mechanism payments made to Ngāi Tahu arising from disputes between the Crown and Ngāi Tahu that have been resolved. Up until the dispute was resolved, the Crown had *excluded* the item at dispute from its calculation of the amounts payable to Ngāi Tahu under its Relativity Mechanism clause.

- Following the 2014 Stage 1 Arbitration Award, the Crown paid Ngāi Tahu \$12.5 million.
- Following a negotiated agreement in 2015, the Crown paid Ngāi Tahu \$17.5 million.
- Following the 2017 Stage 3 Arbitration Award, the Crown paid Ngāi Tahu \$18.7 million.
- Following the 2019 Stage 4 Arbitration Award, the Crown paid Ngāi Tahu \$1.2 million.
- Following the 2020 Stage 5 Arbitration Award, the Crown paid Ngāi Tahu \$2.6 million.
- Following the 2021 Stage 6 Arbitration Award, the Crown paid Ngāi Tahu \$88,000.
- Following a 2022 negotiated resolution, the Crown paid Ngāi Tahu \$1.625 million.
- Following a 2024 negotiated resolution of a High Court interest proceeding brought by Ngāi Tahu, the Crown paid Ngāi Tahu \$3.75 million.