

Waikato-Tainui: Relativity Mechanism Payments

The 1995 Waikato-Tainui (raupatu) 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. Waikato-Tainui can make a request for payment every 5 years to ensure the real value of their settlement remains at 17% of the total.

An initial relativity mechanism payment of \$70 million was made to Waikato-Tainui in December 2012. A five-year follow-up relativity payment of \$190 million was made in December 2017.

The Crown and Waikato-Tainui have differing views about what should be included in the calculations of the total value of Treaty settlements, and agreed to independent arbitration in 2013 to resolve these disputes. 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 Waikato-Tainui in others.

Waikato-Tainui: Relativity Mechanism Payments Arising from Dispute Resolution

The following list sets out the timing of Relativity Mechanism payments made to Waikato-Tainui arising from disputes between the Crown and Waikato-Tainui resolved by arbitration. Up until the dispute was resolved, the Crown had *excluded* the item at dispute from its calculation of the amounts payable to Waikato-Tainui under its Relativity Mechanism clause.

- Following the 2014 Stage 1 Arbitration Award, the Crown paid Waikato-Tainui \$12.5 million.
- Following the 2017 Stage 3 Arbitration Award, the Crown paid Waikato-Tainui \$16.6 million.
- Following the 2019 Stage 4 Arbitration Award, the Crown paid Waikato-Tainui \$1.3 million.
- Following the 2020 Stage 5 Arbitration Award, the Crown paid Waikato-Tainui \$2.7 million.
- Following the 2021 Stage 6 Arbitration Award, the Crown paid Waikato-Tainui \$93,000.
- Following a 2022 negotiated resolution, the Crown paid Waikato-Tainui \$1.625 million.