

**Version
as at 24 August 2023**



Remuneration Authority Act 1977

Public Act 1977 No 110
Date of assent 23 December 1977
Commencement see section 1(2)

Act name: replaced, on 1 April 2003, by section 3(1) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Contents

	Page
<i>Title [Repealed]</i>	3
1 Short Title and commencement	3
2 Interpretation	4
3 Act to bind the Crown	5
3A Transitional, savings, and related provisions	5
4 Establishment of Remuneration Authority	5
5 Membership of Authority	5
6 Term of office	6
7 Extraordinary vacancies	6
8 Meetings	7
9 Members and officers to maintain secrecy	7
10 Remuneration and travelling allowances	8
11 Staff of Authority	8
12 Functions of Authority	8
12A Remuneration	11
12AA Superannuation	11

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry of Business, Innovation, and Employment.

12B	Functions of Authority in relation to judicial salaries and superannuation	13
12C	Allowances	15
13	Amendment of Schedules 2, 3, and 4	15
14	Implementation of determinations	16
15	Release of determinations	17
16	Publication of determinations fixing Parliamentary salary and allowances	17
17	Provisions relating to Parliamentary and judicial superannuation	18
17A	Obligation to consult before making determinations about Parliamentary salaries and allowances	19
18	Criteria of Authority	20
18A	Countervailing economic conditions	21
18B	Fixing salaries of members of Parliament <i>[Repealed]</i>	21
19	Frequency of adjustments	21
19A	Temporary reduction determinations (COVID-19) <i>[Repealed]</i>	23
20	Interim adjustments <i>[Repealed]</i>	23
21	Submissions to Authority	23
22	Recommendations to Commission <i>[Repealed]</i>	24
23	Application of cost-of-living increases <i>[Repealed]</i>	24
24	Remuneration of existing holder not to be reduced	24
25	Powers of Authority	24
26	Delegation <i>[Repealed]</i>	25
27	Annual report	25
28	Money to be appropriated by Parliament for purposes of this Act	25
29	Members not personally liable	25
30	Other enactments not to prevail	26
31	Determinations of Authority to prevail over contracts of service in case of conflict	26
32	Consultation with Authority	26
33	Consequential amendments	26
34	Repeal	27
35	Revocations and amendments	27
36	Savings and validation	27
	Schedule 1AA	28
	Transitional, savings, and related provisions	
	Schedule 1	31
	Corporations and bodies whose highest paid executive officers' remuneration is to be determined by Authority	
	<i>[Repealed]</i>	

Schedule 2	31
University positions the remuneration for which is to be determined by Higher Salaries Commission	
<i>[Repealed]</i>	
Schedule 3	31
Local authorities whose chief executive officers' remuneration is to be determined by Higher Salaries Commission	
<i>[Repealed]</i>	
Schedule 4	32
Officers whose remuneration is to be determined by Authority	
Schedule 4A	35
Office holders in respect of whom temporary reduction determination may be made	
<i>[Repealed]</i>	
Schedule 5	36
Enactments amended	

Title *[Repealed]*

Title: repealed, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

1 Short Title and commencement

- (1) This Act may be cited as the Remuneration Authority Act 1977.
- (2) This Act shall come into force on a date to be appointed by the Governor-General by Order in Council.
- (3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 1(2): this Act brought into force, on 14 February 1978, by clause 2 of the Higher Salaries Commission Act Commencement Order 1978 (SR 1978/18).

Section 1(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 1(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

2 Interpretation

In this Act, unless the context otherwise requires,—

allowance, in relation to a member of the House of Representatives, means a basic expense allowance and an office-holder allowance

Authority means the Remuneration Authority established by section 4(1)

Minister means the Minister of Labour

principal allowances—

- (a) means allowances (not being travelling allowances or other incidental or minor allowances); and
- (b) to avoid doubt, in relation to any of the following Judges who does not have his or her primary place of residence in Wellington may, if the Remuneration Authority thinks fit, include an amount by way of an allowance for accommodation while that person is in Wellington:
 - (i) a Judge of the Supreme Court:
 - (ii) a Judge of the Court of Appeal:
 - (iii) the Chief High Court Judge

remuneration includes—

- (a) salary, wages, and other payments, whether in the form of bonuses or otherwise, in return for services; and
- (b) benefits and other emoluments (whether in money or not) in return for services

retirement scheme has the same meaning as in section 6(1) of the Financial Markets Conduct Act 2013.

Section 2: replaced (with effect on 1 April 1985), on 29 October 1985, by section 2(1) of the Higher Salaries Commission Amendment Act (No 2) 1985 (1985 No 135).

Section 2 **allowance**: inserted, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 2 **Authority**: inserted, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 2 **Commission**: repealed, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 2 **health service**: repealed, on 1 April 1988, by section 2(1) of the Higher Salaries Commission Amendment 1988 (1988 No 24).

Section 2 **junior dental officer**: repealed, on 1 April 1988, by section 2(1) of the Higher Salaries Commission Amendment 1988 (1988 No 24).

Section 2 **principal allowances**: replaced, on 1 March 2017, by section 4 of the Remuneration Authority Amendment Act 2016 (2016 No 67).

Section 2 **remuneration**: replaced, on 1 April 1988, by section 2(2) of the Higher Salaries Commission Amendment 1988 (1988 No 24).

Section 2 **resident medical officer**: repealed, on 1 April 1988, by section 2(1) of the Higher Salaries Commission Amendment 1988 (1988 No 24).

Section 2 **retirement scheme**: inserted, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

3 Act to bind the Crown

This Act shall bind the Crown.

3A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

Section 3A: inserted, on 20 March 2015, by section 4 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015 (2015 No 5).

4 Establishment of Remuneration Authority

- (1) There is hereby established an authority to be called the Remuneration Authority.
- (2) The Authority established by subsection (1) is hereby declared to be the same Authority as the Higher Salaries Commission established by the Wage Adjustment Regulations 1974 and in existence immediately before the commencement of this Act.

Compare: SR 1974/143 r 17(1)

Section 4 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 4(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 4(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

5 Membership of Authority

- (1) The Authority shall consist of 3 members, to be appointed by the Governor-General by Order in Council.
- (2) One member of the Authority shall be so appointed as the Chairman of the Authority.
- (3) The Authority may from time to time appoint one of the other members of the Authority to be the Deputy Chairman of the Authority.
- (4) No member of the Authority shall be deemed to be employed in the service of Her Majesty for the purposes of the Public Service Act 2020 or the Government Superannuation Fund Act 1956 by reason of his being a member of the Authority.

Compare: SR 1974/143 r 17(2), (3), (6)

Section 5 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 5(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 5(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 5(3): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 5(4): amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

Section 5(4): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

6 Term of office

(1) Except as otherwise provided in this Act, every member of the Authority shall be appointed for a term not exceeding 3 years, but may from time to time be reappointed.

(2) Unless he sooner vacates his office under section 7, every member of the Authority shall continue in office until his successor comes into office, notwithstanding that the term for which he was appointed may have expired.

(3) *[Repealed]*

Compare: SR 1974/143 r 17(4)–(5)

Section 6(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 6(1): amended, on 16 December 1983, by section 2(1) of the Higher Salaries Commission Amendment Act 1983 (1983 No 125).

Section 6(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 6(3): repealed, on 16 December 1983, by section 2(2) of the Higher Salaries Commission Amendment Act 1983 (1983 No 125).

7 Extraordinary vacancies

(1) Any member of the Authority may at any time be removed from office by the Governor-General for inability to perform the functions of the office, bankruptcy, neglect of duty, or misconduct, proved to the satisfaction of the Governor-General.

(2) Any member of the Authority may at any time resign his office by giving written notice to that effect to the Minister.

(3) If any member of the Authority dies, or resigns, or is removed from office, the vacancy thereby created shall be deemed to be an extraordinary vacancy.

(4) An extraordinary vacancy shall be filled by the appointment of a member by the Governor-General by Order in Council.

(5) Every person appointed to fill an extraordinary vacancy shall be appointed for the residue of the term for which the vacating member was appointed.

(6) The powers of the Authority shall not be affected by one vacancy in its membership.

Compare: SR 1974/143 rr 17(4), 18

Section 7(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 7(1): amended, on 1 January 2002, by section 70(1) of the Human Rights Amendment Act 2001 (2001 No 96).

Section 7(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 7(3): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 7(6): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

8 Meetings

- (1) Meetings of the Authority shall be held at such times and places as the Authority or its Chairman from time to time appoints.
- (2) At any meeting of the Authority, 2 members shall form a quorum.
- (3) The Chairman shall preside at every meeting of the Authority at which he is present.
- (4) In the absence of the Chairman from any meeting, the Deputy Chairman shall preside at that meeting.
- (5) A decision of a majority of the members present at any meeting shall be the decision of the Authority, and, in the event of an equality of votes, the member presiding shall have a casting vote as well as a deliberative vote.
- (6) Subject to the provisions of this Act, the Authority may regulate its procedure in such manner as it thinks fit.
- (7) No decision or determination of the Authority, and no proceeding before the Authority, shall be held bad for want of form, or be void or in any way vitiated by reason of any informality or error of form.

Compare: SR 1974/143 r 19

Section 8(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 8(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 8(3): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 8(5): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 8(6): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 8(7): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

9 Members and officers to maintain secrecy

- (1) Every member of the Authority and every person engaged or employed in connection with the work of the Authority shall maintain and aid in maintaining the secrecy of all matters which come to his knowledge when carrying out his

functions or duties under this Act, and shall not communicate any such matters to any person except in the discharge of his functions and duties under this Act.

- (2) Every person commits an offence and shall be liable on conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding \$1,000 or to both who wilfully acts in contravention of subsection (1).

Compare: SR 1974/143 r 20

Section 9(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 9(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

10 Remuneration and travelling allowances

- (1) The Authority is hereby declared to be a statutory board within the meaning of the Fees and Travelling Allowances Act 1951.
- (2) There shall be paid out of money appropriated by Parliament for the purpose to the members of the Authority remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.

Compare: SR 1974/143 r 21

Section 10(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 10(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

11 Staff of Authority

There shall from time to time be appointed by the chief executive of the Department of Labour such employees of the department as may be necessary to enable the Authority to exercise its functions and powers.

Section 11: replaced, on 1 April 1988, by section 3 of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Section 11 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 11: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

12 Functions of Authority

- (1) The functions of the Authority shall be—
- (a) to consider and determine the following matters:
- (i) the salaries and allowances of members of the House of Representatives, being the salaries and allowances required to be fixed by the Authority pursuant to the Members of Parliament (Remuneration and Services) Act 2013:
- (ii) *[Repealed]*

- (iii) *[Repealed]*
- (iv) *[Repealed]*
- (v) the remuneration of the officers specified in Schedule 4:
- (va) remuneration in accordance with section 47(1)(b) of the Crown Entities Act 2004:
- (vi) *[Repealed]*
- (b) to consider and make determinations with respect to the superannuation rights and obligations of the members of the House of Representatives who are contributors under Part 6 of the Government Superannuation Fund Act 1956, being rights fixed at the commencement of this Act by that Part and other provisions of that Act:
 - (ba) to consider and make determinations with respect to the superannuation rights and obligations of those members of the House of Representatives who are not contributors under Part 6 of the Government Superannuation Fund Act 1956:
 - (bb) to determine issues about how any provision of a determination is to be interpreted or applied or is to operate:
 - (c) to carry out such other functions as may be conferred or imposed on it by this Act or any other enactment.
- (2) In carrying out its functions under subsection (1)(a), the Authority may fix scales of salaries and scales of allowances or ranges of rates of remuneration or alternative forms of remuneration within a remuneration package for any position, and may prescribe rules governing the application of any such scales of salaries or allowances, or ranges of rates of remuneration, or alternative forms of remuneration within a remuneration package fixed by it.
- (2A) The Authority shall, in making a determination under subsection (1)(ba), determine—
 - (a) the maximum amount that in any year may be paid by way of superannuation subsidy (which amount must be the same for all members but which may be expressed as a specified monetary amount or as a percentage of an ordinary member's salary as the Authority determines) in respect of those members of the House of Representatives who choose to contribute to any retirement scheme; and
 - (b) the contribution that the member must make to that retirement scheme in order to be entitled to any of the subsidy referred to in paragraph (a), expressed as a ratio of the subsidy to the member's contribution.
- (2AB) For the avoidance of doubt, the superannuation subsidy may only be paid in accordance with subsection (2A)(a) if a member makes a contribution in the actual year to which the subsidy relates, and a member may not, in any year, make a lump sum payment of contributions in respect of past years and claim

an entitlement to a subsidy in respect of the contributions paid in that year that relates to past years.

(2B) For the avoidance of doubt, it is hereby declared that the Crown's liability to any retirement scheme to which a member referred to in subsection (1)(ba) chooses to contribute shall be limited to payment of such subsidy as may be determined pursuant to subsection (2A).

(2C) *[Repealed]*

(3) Except as provided in this Act, where the remuneration due to any person is fixed under this Act, no amount in excess of the remuneration so fixed for the time being shall be granted to any person on account of that remuneration.

Section 12: replaced, on 1 April 1988, by section 4 of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Section 12 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12(1)(a)(i): amended, on 16 December 2013, by section 60(1) of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

Section 12(1)(a)(i): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12(1)(a)(ii): repealed, on 8 December 2009, by section 6 of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Section 12(1)(a)(iii): repealed, on 19 December 1989, by section 32(1) of the State Sector Amendment Act (No 2) 1989 (1989 No 136).

Section 12(1)(a)(iv): repealed, on 1 November 1989, by section 2(1) of the Higher Salaries Commission Amendment Act 1989 (1989 No 35).

Section 12(1)(a)(va): inserted, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).

Section 12(1)(a)(vi): repealed, on 19 December 1989, by section 32(1) of the State Sector Amendment Act (No 2) 1989 (1989 No 136).

Section 12(1)(b): replaced, on 1 July 1992, by section 2(1) of the Higher Salaries Commission Amendment Act 1992 (1992 No 66).

Section 12(1)(ba): replaced, on 1 October 1995, by section 32(1) of the Government Superannuation Fund Amendment Act 1995 (1995 No 28).

Section 12(1)(bb): inserted, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12(2A): inserted, on 1 July 1992, by section 2(2) of the Higher Salaries Commission Amendment Act 1992 (1992 No 66).

Section 12(2A): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12(2A)(a): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Section 12(2A)(a): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12(2A)(b): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Section 12(2AB): inserted, on 16 December 2013, by section 60(2) of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

Section 12(2B): inserted, on 1 July 1992, by section 2(2) of the Higher Salaries Commission Amendment Act 1992 (1992 No 66).

Section 12(2B): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Section 12(2C): repealed, on 20 December 2019, by section 4 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

12A Remuneration

- (1) Notwithstanding anything in this Act, where the Authority has jurisdiction to determine the salary of any persons or group of persons pursuant to any subparagraph of section 12(1)(a) (other than subparagraph (i)), the Authority may, in relation to any such person or to any member of that group of persons,—
 - (a) determine at any time that no remuneration may be paid to him in addition to that salary:
 - (b) determine at any time what remuneration or class of remuneration may be paid to him in addition to that salary:
 - (c) determine at any time the rates of any remuneration or class of remuneration that may be paid to him in addition to that salary or the criteria by which, or the limits within which, those rates are to be fixed.
- (2) Every determination under subsection (1) shall have effect according to its tenor.
- (3) *[Repealed]*

Section 12A: inserted, on 11 November 1982, by section 3 of the Higher Salaries Commission Amendment Act 1982 (1982 No 40).

Section 12A(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12A(3): repealed, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

12AA Superannuation

- (1) Notwithstanding anything in this Act or any other Act, where the Authority has jurisdiction to determine the salary or remuneration of any person or group of persons pursuant to any subparagraph of section 12(1)(a) (other than subparagraph (i)), the Authority may determine, but shall not be obliged to determine, in relation to any such person or to any member of any such group of persons,—
 - (a) the maximum amount that in any year may be paid by way of superannuation subsidy in respect of any such person or member who chooses to contribute to any retirement scheme; and

- (b) the contribution that any such person or member must make to a retirement scheme in order to be entitled to any of the subsidy referred to in paragraph (a), expressed as a ratio of the subsidy to the person's or member's contribution.
- (2) Any maximum amount determined under subsection (1)(a) may be expressed as either a specified monetary amount or a percentage of salary, either of which may vary according to any category of person or member.
- (3) Any determination made under subsection (1)(a), and any provision of any such determination, may be made so as to come into force on a date to be specified in that behalf in the determination, being the date of the making of the determination or any other date, whether before or after the date of the making of the determination or the date of the commencement of this section.
- (4) Every such determination, and every provision of any such determination, in respect of which no date is specified shall come into force on the date of the making of the determination.
- (5) Where the salary of any person to whom a determination made under subsection (1)(a) relates is payable out of public money, any superannuation subsidy required or allowed for by the determination may in accordance with, and within any limits prescribed by, the determination be paid out of public money without further appropriation than this section.
- (6) For the avoidance of doubt, it is hereby declared—
- (a) that any determination made under subsection (1)(a) may specify conditions that, in addition to the condition specified in subsection (1)(b), must be complied with before a superannuation subsidy or a superannuation subsidy of a specific amount or a specified maximum amount is payable:
- (b) that any determination made under subsection (1)(a) may, directly or by defining a category of persons or by reference to specified circumstances, specify persons or classes of persons to whom or circumstances in which the determination is not to apply:
- (c) that where any employer or other person is, in accordance with a determination under subsection (1)(a), liable to pay a subsidy to a retirement scheme, the liability imposed on that employer or other person by that determination shall not, in relation to that scheme, exceed the amount of that subsidy.

(7) *[Repealed]*

Section 12AA: inserted (with effect on 1 July 1992), on 18 December 1992, by section 2 of the Higher Salaries Commission Amendment Act (No 2) 1992 (1992 No 130).

Section 12AA(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12AA(1)(a): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Section 12AA(1)(b): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Section 12AA(6)(c): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

Section 12AA(7): repealed, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).

12B Functions of Authority in relation to judicial salaries and superannuation

- (1) The Authority shall have the function of considering and determining the salaries and principal allowances of—
 - (a) the Chief Justice, the other Judges of the Supreme Court, the President of the Court of Appeal, the other Judges of the Court of Appeal, the Chief High Court Judge, and the other Judges of the High Court; and
 - (aa) the appointed Judges of the Court Martial Appeal Court; and
 - (b) the Chief District Court Judge, the Principal Family Court Judge, the Principal Youth Court Judge, the Chief Environment Court Judge, and the other District Court Judges; and
 - (ba) the Chief Judge of the Court Martial and the other Judges of the Court Martial; and
 - (c) the Chief Judge of the Employment Court and the other Judges of the Employment Court; and
 - (d) the Chief Judge and the Deputy Chief Judge of the Maori Land Court and the other Judges of the Maori Land Court; and
 - (e) the Associate Judges of the High Court; and
 - (f) the chief coroner, the deputy chief coroner, and the other coroners (other than a person who (under section 22(a) of the District Court Act 2016) is a coroner by virtue of holding office as a District Court Judge); and
 - (g) associate coroners appointed under section 104A of the Coroners Act 2006.
- (2) The Authority shall have the function of considering and making determinations with respect to—
 - (a) the superannuation rights and obligations of the judicial officers specified in subsection (1) who are contributors under Part 4 or Part 5 or Part 5A of the Government Superannuation Fund Act 1956, being rights fixed at the commencement of this Act by any of those Parts and other provisions of that Act; and
 - (b) the superannuation rights and obligations of those judicial officers specified in subsection (1) who are not contributors under Part 4 or Part 5 or Part 5A of the Government Superannuation Fund Act 1956.
- (3) The Authority shall, in making a determination under subsection (2)(b), determine—

- (a) the maximum amount that in any year may be paid by way of superannuation subsidy in respect of any judicial officer who chooses to contribute to any retirement scheme; and
- (b) the contribution that the judicial officer must make to that retirement scheme in order to be entitled to any of the subsidy referred to in paragraph (a), expressed as a ratio of the subsidy to the officer's contribution.
- (4) Any maximum amount determined under subsection (3)(a) may be expressed as either a specified monetary amount or a percentage of salary, either of which may vary according to any category of judicial officer.
- (5) Nothing shall prevent the holder of any one particular judicial office from being treated as a category of judicial officer for the purposes of subsection (4) if the Authority considers it to be appropriate.
- (6) Any reference in this section to **judicial officer** includes any person appointed to the office of Solicitor-General.
- (7) For the avoidance of doubt, it is hereby declared that the Crown's liability to any retirement scheme to which a judicial officer referred to in subsection (2)(b) chooses to contribute shall be limited to payment of such subsidy as may be determined pursuant to subsection (3).
- (8) *[Repealed]*
- (9) A determination to which subsection (1) or (2) applies is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	It is not required to be presented to the House of Representatives because an exemption applies under Schedule 3 of the Legislation Act 2019	LA19 s 114, Sch 3
Disallowance	It is not disallowable because an exemption applies under Schedule 3 of the Legislation Act 2019	LA19 s 115(d), Sch 3

This note is not part of the Act.

Section 12B: replaced, on 1 July 1992, by section 3(1) of the Higher Salaries Commission Amendment Act 1992 (1992 No 66).

Section 12B heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12B(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12B(1)(a): replaced, on 1 January 2004, by section 48(1) of the Supreme Court Act 2003 (2003 No 53).

Section 12B(1)(aa): inserted, on 1 July 2009, by section 35 of the Court Martial Appeals Amendment Act 2007 (2007 No 99).

Section 12B(1)(b): amended, on 1 July 2020, by section 109 of the Resource Management Amendment Act 2020 (2020 No 30).

Section 12B(1)(ba): inserted, on 1 July 2009, by section 87 of the Court Martial Act 2007 (2007 No 101).

- Section 12B(1)(e): replaced, on 1 July 2007, by section 146 of the Coroners Act 2006 (2006 No 38).
- Section 12B(1)(f): amended, on 8 September 2018, by section 29(2) of the Statutes Amendment Act 2018 (2018 No 27).
- Section 12B(1)(f): inserted, on 1 July 2007, by section 146 of the Coroners Act 2006 (2006 No 38).
- Section 12B(1)(f): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).
- Section 12B(1)(g): inserted, on 5 April 2023, by section 36 of the Coroners Amendment Act 2023 (2023 No 8).
- Section 12B(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).
- Section 12B(2)(b): replaced, on 1 October 1995, by section 32(2) of the Government Superannuation Fund Amendment Act 1995 (1995 No 28).
- Section 12B(3): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).
- Section 12B(3)(a): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).
- Section 12B(3)(b): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).
- Section 12B(5): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).
- Section 12B(7): amended, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).
- Section 12B(8): repealed, on 1 December 2014, by section 150 of the Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70).
- Section 12B(9): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

12C Allowances

- (1) Notwithstanding anything in this Act, where the Authority has jurisdiction to determine the remuneration of any persons or group of persons pursuant to section 12(1)(a) (other than subparagraph (i)) or under any other enactment, the Authority may in relation to any such persons or to any member of that group of persons determine the nature and extent of the principal allowances that may be paid in addition to that remuneration.
- (2) Every determination under subsection (1) shall have effect according to its tenor.
- (3) *[Repealed]*

Section 12C: inserted, on 1 April 1988, by section 5 of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Section 12C(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 12C(3): repealed, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

13 Amendment of Schedules 2, 3, and 4

- (1) The Governor-General may from time to time, by Order in Council—

- (a) *[Repealed]*
 - (b) add to or omit from Schedule 2 the name of any university position:
 - (c) *[Repealed]*
 - (d) add to or omit from Schedule 4 the name of any specified statutory officer:
 - (e) otherwise amend Schedule 2 or Schedule 4, or revoke any such schedule or any Part of any such schedule, and substitute a new schedule or a new Part, as the case may require.
- (2) Every Order in Council made under subsection (1) shall have effect according to its tenor.
- (3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: SR 1974/143 r 23(5)

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	PCO must publish it on the legislation website and notify it in the <i>Gazette</i>	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 13 heading: amended, on 8 December 2009, by section 7(1) of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Section 13(1)(a): repealed, on 8 December 2009, by section 7(2) of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Section 13(1)(c): repealed, on 1 November 1989, by section 2(2) of the Higher Salaries Commission Amendment Act 1989 (1989 No 35).

Section 13(1)(e): amended, on 8 December 2009, by section 7(3) of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Section 13(1)(e): amended, on 1 November 1989, by section 2(3) of the Higher Salaries Commission Amendment Act 1989 (1989 No 35).

Section 13(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

14 Implementation of determinations

- (1) Every determination of the Authority has effect according to its tenor and, despite anything in any other enactment, an Order in Council is not required in order to fix the rates or scales of any salary or allowances that are determined by the Authority in a determination.
- (2) It is unlawful for any person to act contrary to a determination under this Act or to fail to observe the criteria or limits specified in a determination.

Section 14: replaced, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

15 Release of determinations

- (1) The Authority shall ensure that every determination made by it in respect of the remuneration of any person is, subject to section 16, made known to that person and to the person responsible for the payment of the remuneration and to such other persons as have, in the opinion of the Authority, a direct interest in the subject matter of the determination.
- (2) The Authority shall deliver to the Minister copies of all determinations made by it—
 - (a) under any of the provisions of section 12(1)(a); or
 - (b) under section 12B.
- (3) *[Repealed]*
- (4) *[Repealed]*
- (5) The Authority shall release to the Government Statistician such of its determinations as the Government Statistician may require for the purpose of publishing statistics under the Data and Statistics Act 2022.
- (6) Except as expressly provided in this Act, determinations of the Authority shall not be published by the Authority.

Section 15(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 15(2): replaced (with effect on 1 April 1985), on 29 October 1985, by section 9(1) of the Higher Salaries Commission Amendment Act (No 2) 1985 (1985 No 135).

Section 15(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 15(2)(a): amended, on 8 December 2009, by section 8 of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Section 15(2)(a): amended, on 1 November 1989, by section 2(4) of the Higher Salaries Commission Amendment Act 1989 (1989 No 35).

Section 15(3): repealed, on 1 April 1988, by section 6(b) of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Section 15(4): repealed, on 1 April 1988, by section 6(b) of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Section 15(5): amended, on 1 September 2022, by section 107(1) of the Data and Statistics Act 2022 (2022 No 39).

Section 15(5): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 15(6): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

16 Publication of determinations fixing Parliamentary salary and allowances

- (1) The Authority shall, in respect of every determination made by it in respect of the salaries and allowances of members of the House of Representatives, make it known—
 - (a) by giving a copy of it to each of the following persons, namely—

- (i) the Prime Minister:
 - (ii) the Speaker of the House of Representatives:
 - (iii) the leader of the official Opposition:
 - (iv) the Chief Executive of the Parliamentary Service; and
 - (b) by publishing it in the *Gazette* not later than 14 days after the date on which a copy of it is given to the Prime Minister.
- (2) *See* section 8(6) of the Members of Parliament (Remuneration and Services) Act 2013 (which provides that a determination under section 8 of that Act is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements)).

Section 16 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 16(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 16(1)(a)(iii): amended, on 16 December 2013, by section 61(1) of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

Section 16(1)(a)(iv): inserted, on 16 December 2013, by section 61(2) of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

Section 16(1)(a)(iv): amended, on 24 October 2019, by section 106 of the Statutes Amendment Act 2019 (2019 No 56).

Section 16(2): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

17 Provisions relating to Parliamentary and judicial superannuation

- (1) Any determination under section 12(1)(b) or section 12B(2)(a) may contain provisions which modify, or are to apply instead of, provisions of the Government Superannuation Fund Act 1956.
- (2) Before making a determination under section 12(1)(b) or section 12B(2)(a) in respect of rights under the Government Superannuation Fund Act 1956, the Authority shall consult with the Government Superannuation Fund Authority concerning the substance and form of the Authority's proposed determination.
- (3) *[Repealed]*
- (4) Any determination made under section 12(1)(b) or section 12(1)(ba) or section 12B(2), and any provision of any such determination, may be made so as to come into force on a date to be specified in that behalf in the determination, being the date of the making of the determination or any other date, whether before or after the date of the making of the determination or the date of the commencement of this section.
- (5) Every such determination, and every provision of any such determination, in respect of which no date is specified shall come into force on the date of the making of the determination.

- (6) Where a determination made under section 12(1)(ba) or section 12B(2)(b) requires or allows for, in relation to any person, the payment out of public money of any superannuation subsidy, that subsidy may in accordance with, and within any limits prescribed by, this Act and any such determination be paid out of public money without further appropriation than this section.
- (7) Every determination under section 12(1)(b) or section 12(1)(ba) shall be made known in accordance with section 16 as if it were a determination in respect of the salaries and allowances of members of the House of Representatives.
- (8) Except to the extent that a determination under section 12(1)(b) or section 12B(2)(a) modifies, or is expressed to be in substitution for, any provision of the Government Superannuation Fund Act 1956, nothing in any such determination shall affect the provisions of that Act.

Section 17: replaced, on 1 July 1992, by section 5 of the Higher Salaries Commission Amendment Act 1992 (1992 No 66).

Section 17(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 17(2): amended, on 2 October 2001, by section 40 of the Government Superannuation Fund Amendment Act 2001 (2001 No 47).

Section 17(3): repealed, on 1 May 2011, by section 82 of the Financial Markets Authority Act 2011 (2011 No 5).

17A Obligation to consult before making determinations about Parliamentary salaries and allowances

Before making a determination under section 12(1)(a)(i), the Authority must—

- (a) consult the Speaker of the House of Representatives and the Minister who is, with the authority of the Prime Minister, for the time being responsible for Ministerial Services about the services for which they have jurisdiction, including, for the purposes of section 16(2) of the Members of Parliament (Remuneration and Services) Act 2013, about—
 - (i) whether any element of personal benefit or potential personal benefit for members of Parliament, Ministers, or their family members arises under an entitlement to a service; and
 - (ii) in the case of any such benefit arising under directions issued by the Speaker under section 23 or 34 of that Act or a determination made by the Minister Responsible for Ministerial Services under section 27 of that Act, the value of any such benefit assessed by the Speaker or the Minister; and
- (b) consult the Commissioner of Inland Revenue—
 - (i) about the taxation consequences of the Authority's proposed determination; and
 - (ii) as required under section 16(2)(a) of the Members of Parliament (Remuneration and Services Act 2013).

Section 17A: inserted, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 17A(a): replaced, on 16 December 2013, by section 62 of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

Section 17A(b): replaced, on 16 December 2013, by section 62 of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

18 Criteria of Authority

- (1) In determining any remuneration under section 12(1)(a) or section 12B(1), or under any other enactment, the Authority shall have regard in particular to the following criteria:
 - (a) the need to achieve and maintain fair relativity with the levels of remuneration received elsewhere; and
 - (b) the need to be fair both—
 - (i) to the persons or group of persons whose remuneration is being determined; and
 - (ii) to the taxpayer or ratepayer; and
 - (c) the need to recruit and retain competent persons.
- (2) In determining the remuneration of any persons or group of persons pursuant to any subparagraph of section 12(1)(a) or in determining the remuneration of any persons or group of persons pursuant to section 12B(1) or under any other Act, the Authority shall take into account—
 - (a) the requirements of the position concerned; and
 - (b) the conditions of service enjoyed by the persons whose remuneration is being determined and those enjoyed by the persons or members of the group of persons whose remuneration and conditions of employment are, in the opinion of the Authority, comparable with those of the persons or members of the group of persons whose remuneration is being determined.
- (3) *[Repealed]*

Section 18: replaced, on 1 April 1988, by section 7 of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Section 18 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 18(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 18(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 18(2)(b): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 18(3): repealed, on 20 December 2019, by section 5 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

18A Countervailing economic conditions

- (1) Subsection (2) applies in relation to the Authority in determining the remuneration of any person or group of persons under section 12(1)(a) or 12B(1) or under any other enactment.
- (2) The Authority—
 - (a) must take into account any prevailing adverse economic conditions, based on evidence from an authoritative source; and
 - (b) may determine the remuneration at a rate lower than it would otherwise have determined.
- (3) A determination of remuneration at a lower rate under subsection (2)(b) must not result in the remuneration of a person or group of persons being lower than the remuneration the person or group of persons is entitled to before the determination.
- (4) To avoid doubt, the provisions of any other enactment relating to the setting of remuneration by the Authority must be read together with, and subject to, this section.
- (5) *[Repealed]*

Section 18A: inserted, on 8 December 2009, by section 4 of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Section 18A(5): repealed, on 20 December 2019, by section 6 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

18B Fixing salaries of members of Parliament

[Repealed]

Section 18B: repealed, on 20 December 2019, by section 7 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

19 Frequency of adjustments

- (1A) This section applies to determinations other than those under section 12(1)(b) or section 12(1)(ba) or section 12B(2).
- (1) Subject to subsection (4), every determination shall specify the date on which it expires and shall continue in force at least until the close of that date. The Authority may issue separate determinations, at different times, for the different positions under the jurisdiction of the Authority. The Authority may make a determination before or after the date upon which that determination is to come into force.
- (2) No determination, or any part of it, shall come into force earlier than the date of the expiry of the currency of the existing determination being wholly or partially superseded by the first-mentioned determination.
- (3) Notwithstanding the expiry of the currency of a determination, it shall continue in force to the extent that it is not superseded by another determination.

- (4) Notwithstanding subsection (1), the Authority may at any time while a determination is in force amend that determination—
 - (a) for the purpose of remedying any defect or removing any ambiguity; or
 - (b) to deal with any new matter that was not dealt with at the time of the making of the determination; or
 - (c) if the Authority is satisfied that in all the circumstances there are particular and special reasons that justify a period of less than the term specified in the determination.
- (5) Notwithstanding any term included in any determination, the Authority must review, and issue a determination for, each position that is subject to its jurisdiction,—
 - (a) in the case of the salaries and allowances of members of Parliament, as set out in subsections (6) to (8); and
 - (b) in any other case, at intervals of not more than 3 years.
- (6) The Authority must begin a review of the salaries and allowances of members of Parliament within 3 months from the return of the writ after a general election, based on the information that is available to the Authority at the time of its review.
- (7) After the review, the Authority must issue a determination that—
 - (a) is deemed to have come into force on the date of the day after polling day for that general election; and
 - (b) expires on polling day for the next general election; and
 - (c) specifies separately the salaries and allowances payable for each of the periods set out in subsection (8).
- (8) The determination under subsection (7) must set out the salaries and allowances of members of Parliament for the following periods:
 - (a) the period beginning on the day after polling day and ending on the next 30 June; and
 - (b) the period beginning on 1 July after the 30 June referred to in paragraph (a) and ending on the next 30 June; and
 - (c) the period beginning on 1 July after the 30 June referred to in paragraph (b) and ending on the next 30 June; and
 - (d) the period beginning on 1 July after the 30 June referred to in paragraph (c) and ending on polling day for the next general election.

Section 19: replaced, on 1 April 1988, by section 8(1) of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Section 19(1A): inserted, on 1 July 1992, by section 6 of the Higher Salaries Commission Amendment Act 1992 (1992 No 66).

Section 19(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 19(4): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 19(4)(c): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 19(5): replaced, on 20 December 2019, by section 8 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

Section 19(6): replaced, on 20 December 2019, by section 8 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

Section 19(7): inserted, on 20 December 2019, by section 8 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

Section 19(8): inserted, on 20 December 2019, by section 8 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

19A Temporary reduction determinations (COVID-19)

[Repealed]

Section 19A: repealed, on 31 January 2021, by section 19A(10).

20 Interim adjustments

[Repealed]

Section 20: repealed, on 1 April 1988, by section 9 of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

21 Submissions to Authority

- (1) Any person or any organisation shall be entitled to make written submissions to the Authority in relation to the exercise by the Authority of its functions under this Act.
- (2) Where the Authority is considering whether to make a determination in relation to the remuneration or superannuation of any persons or group of persons, the following persons and organisations shall be entitled to make written submissions and, at their option, oral submissions to the Authority, at a time and place and in a manner to be determined by the Authority:
 - (a) either—
 - (i) representatives of the members of each category of persons whose remuneration is being considered; or
 - (ii) any recognised organisation representing the members of each category of persons whose remuneration or superannuation is being considered:
 - (b) any recognised organisation representing employers of persons whose remuneration or superannuation is being considered:
 - (c) each employer or employing authority, or an authorised representative of each employer or employing authority, of the persons whose remuneration or superannuation is being considered.

Section 21: replaced, on 1 April 1988, by section 10 of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Section 21 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 21(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 21(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

22 Recommendations to Commission

[Repealed]

Section 22: repealed, on 19 December 1989, by section 32(1) of the State Sector Amendment Act (No 2) 1989 (1989 No 136).

23 Application of cost-of-living increases

[Repealed]

Section 23: repealed, on 1 July 1987, by section 3(2) of the Economic Stabilisation Act Repeal Act 1987 (1987 No 126).

24 Remuneration of existing holder not to be reduced

- (1) Where any position is subject to the determination of the Authority under section 12(1)(a) or section 12B and the remuneration for that position is determined by the Authority at a rate that is lower than that being lawfully received by the holder of that position, his remuneration shall not be reduced as a result of that determination.
- (2) This principle does not apply to any change in remuneration arising from the Remuneration Authority (Members of Parliament) Amendment Act 2002 or section 16 or 17 of the Members of Parliament (Remuneration and Services) Act 2013.

Compare: SR 1974/143 r 29

Section 24 heading: amended, on 11 November 1982, by section 4 of the Higher Salaries Commission Amendment Act 1982 (1982 No 40).

Section 24(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 24(1): amended (with effect on 1 April 1985), on 29 October 1985, by section 9(1) of the Higher Salaries Commission Amendment Act (No 2) 1985 (1985 No 135).

Section 24(1): amended, on 11 November 1982, by section 4 of the Higher Salaries Commission Amendment Act 1982 (1982 No 40).

Section 24(2): inserted, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 24(2): amended, on 16 December 2013, by section 63 of the Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93).

25 Powers of Authority

- (1) For the purpose of carrying out its functions under this Act, the Authority shall be deemed to be a commission of inquiry under the Commissions of Inquiry

Act 1908, and the provisions of that Act, except sections 2, 4A, 11, and 12, shall apply accordingly.

- (2) To enable it to carry out its functions, the Authority may require any person to furnish information concerning salaries or other conditions of employment or both for any positions, whether or not those positions are subject to the jurisdiction of the Authority under this Act.
- (3) In addition to the powers expressly conferred on the Authority by this Act or any other enactment, the Authority shall have such other powers as may be reasonably necessary to enable it to carry out its functions.

Compare: SR 1974/143 r 30

Section 25 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 25(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 25(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 25(3): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

26 Delegation

[Repealed]

Section 26: repealed, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

27 Annual report

- (1) As soon as practicable after the end of each year ending with 30 June, the Authority shall furnish to the Minister a report of its operations during that year.
- (2) A copy of the report shall be laid before Parliament.

Section 27(1): amended, on 8 December 2009, by section 9 of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Section 27(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

28 Money to be appropriated by Parliament for purposes of this Act

All fees, salaries, allowances, and other expenditure payable or incurred under or in the administration of this Act shall be payable out of money to be appropriated by Parliament for the purpose.

29 Members not personally liable

No member of the Authority shall be personally liable for any act done or default made by the Authority in good faith in pursuance or intended pursuance of the powers and authorities of the Authority.

Section 29: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

30 Other enactments not to prevail

Notwithstanding any provision of any other Act authorising any person or body to fix any remuneration or allowance, as from the commencement of this Act, any remuneration or allowance which the Authority has jurisdiction to determine by virtue of this Act or any other enactment shall be fixed by that Authority and not otherwise.

Section 30: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

31 Determinations of Authority to prevail over contracts of service in case of conflict

- (1) Every determination of the Authority shall prevail over any contract of service to the extent that there is any conflict between the determination and the contract; and the contract shall thereafter be construed and have effect as if it had been modified, so far as necessary, in order to conform to the determination.
- (2) Nothing in this section shall derogate from section 24.

Section 31 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 31(1): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

32 Consultation with Authority

Where any university or the University Grants Committee considers that any remuneration which it proposes to agree to, or pay, will or may tend to lead to unreasonable disparities or inappropriate relativities with remuneration determined by the Authority under section 12 or section 12A, it shall, before agreeing to, or committing itself to the payment of, that remuneration, consult with the Authority and have due regard to any opinions expressed by the Authority and to any relevant remuneration determined by the Authority.

Section 32: replaced, on 11 November 1982, by section 5 of the Higher Salaries Commission Amendment Act 1982 (1982 No 40).

Section 32 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 32: amended, on 8 December 2009, by section 10 of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Section 32: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 32: amended, on 1 November 1989, by section 2(7) of the Higher Salaries Commission Amendment Act 1989 (1989 No 35).

33 Consequential amendments

- (1) The enactments specified in Schedule 5 are hereby amended in the manner indicated in that schedule.

- (2) Unless in any case the context otherwise requires, in any other enactment or in any regulation, order, notice, award, agreement, instrument, or other document—
- (a) every reference to Part 2 of the Wage Adjustment Regulations 1974 shall be read as a reference to this Act:
 - (b) every reference to the Higher Salaries Commission shall be read as a reference to the Remuneration Authority established under this Act.

Section 33(2)(b): amended, on 1 April 2003, pursuant to section 3(3) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

34 Repeal

The Civil List Amendment Act (No 2) 1970 is hereby repealed.

35 Revocations and amendments

- (1) The following regulations are hereby consequentially revoked, namely:
- (a) *Amendment(s) incorporated in the regulations.*
 - (b) the Wage Adjustment Regulations 1974, Amendment No 1:
 - (c) *Amendment(s) incorporated in the regulations.*
 - (d) the Wage Adjustment Regulations 1974, Amendment No 6:
 - (e)–(g) *Amendment(s) incorporated in the regulations.*
- (2), (3) *Amendment(s) incorporated in the regulations.*

36 Savings and validation

- (1) Nothing in this Act shall affect the validity of any determination made by the Higher Salaries Commission before the commencement of this Act pursuant to Part 2 of the Wage Adjustment Regulations 1974 and every such determination shall be and be deemed always to have been valid according to its tenor.
- (2) Notwithstanding anything in this Act, salaries and allowances in respect of which the Remuneration Authority may make determinations shall, until amended or superseded by determination of the Authority, continue to be payable at the rates applicable at the commencement of this Act.

Section 36(2): amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Section 36(2): amended, on 1 April 2003, pursuant to section 3(3) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

Schedule 1AA

Transitional, savings, and related provisions

s 3A

Schedule 1AA: inserted, on 20 March 2015, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015 (2015 No 5).

Part 1

Provisions relating to Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015

Schedule 1AA Part 1: inserted, on 20 March 2015, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015 (2015 No 5).

1 **Parliamentary Salaries and Allowances Determination 2015 has no effect in relation to salaries**

Clause 5 and Schedule 1 of the Parliamentary Salaries and Allowances Determination 2015—

- (a) are deemed not to have come into force on the date specified in clause 2 of that determination; and
- (b) are revoked.

Schedule 1AA clause 1: inserted, on 20 March 2015, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015 (2015 No 5).

2 **Parliamentary Salaries and Allowances Determination 2013 has effect in relation to salaries**

- (1) Clause 5 and Schedule 1 of the Parliamentary Salaries and Allowances Determination 2013 (the **determination**)—

- (a) are deemed to have continued to have effect on and from 1 July 2014; and
- (b) continue to apply as if the expiry date specified in clause 3 of the determination were 30 June 2015.

- (2) For the purposes of section 69(2) of the Members of Parliament (Remuneration and Services) Act 2013, clause 5 and Schedule 1 of the determination are deemed not to have been superseded by the Parliamentary Salaries and Allowances Determination 2015.

Schedule 1AA clause 2: inserted, on 20 March 2015, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015 (2015 No 5).

3 **No acts or omissions unlawful**

- (1) No act done in accordance with the Parliamentary Salaries and Allowances Determination 2015 (the **determination**) is unlawful solely because of the revocation of clause 5 and Schedule 1 of the determination.

- (2) No omission to act in accordance with any provision of the determination before the date of the revocation of clause 5 and Schedule 1 of the determination is unlawful.

Schedule 1AA clause 3: inserted, on 20 March 2015, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015 (2015 No 5).

4 Authority to make new determination in relation to salaries

- (1) The Authority must make a determination of salary rates for members of Parliament for the period 1 July 2014 to 30 June 2015.
- (2) The determination must be made in accordance with this Act and the Members of Parliament (Remuneration and Services) Act 2013, as amended by the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015.
- (3) For the purposes of section 18B(2), the salary rates for the previous 12-month period (as defined in that section) are those in Schedule 1 of the Parliamentary Salaries and Allowances Determination 2013.
- (4) To avoid doubt, the determination required by subclause (1) may be made before or after 30 June 2015 and with effect for the period described in subclause (1), despite the expiry date specified in clause 2(1)(b) and the requirement in section 19(2) that a determination must continue in force at least until the close of its expiry date.

Schedule 1AA clause 4: inserted, on 20 March 2015, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015 (2015 No 5).

Part 2

Provisions relating to Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2018

Schedule 1AA Part 2: inserted, on 29 September 2018, by section 6 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2018 (2018 No 37).

5 Parliamentary Salaries and Allowances Determination 2017 has effect for period 1 July 2018 to 30 June 2019

The Parliamentary Salaries and Allowances Determination 2017 continues to apply as if the expiry date specified in clause 3 of the determination were 30 June 2019.

Schedule 1AA clause 5: inserted, on 29 September 2018, by section 6 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2018 (2018 No 37).

Part 3

Provisions relating to Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019

Schedule 1AA Part 3: inserted, on 20 December 2019, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

6 Remuneration Authority to issue determination of salaries and allowances for period 1 July 2019 to polling date for next general election

- (1) As soon as practicable after the commencement of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019, the Authority must issue a determination of the salaries and allowances of members of Parliament for the whole of the period beginning on 1 July 2019 and ending on polling day for the next general election.
- (2) Section 19(7) and (8) does not apply to the determination to be issued under subclause (1).

Schedule 1AA clause 6: inserted, on 20 December 2019, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

7 Determination revoked

Any determination of the salaries and allowances of members of Parliament that is in force on the commencement of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 is revoked, but must continue in force until it is superseded by the determination issued under clause 6(1).

Schedule 1AA clause 7: inserted, on 20 December 2019, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

8 Amounts paid to be reconciled

- (1) Subclause (2) applies if the determination issued under clause 6(1) sets salaries or allowances, or both, for members of Parliament from 1 July 2019 that are different to the salaries and allowances paid to members of Parliament from that date under another determination.
- (2) If this subclause applies, the Parliamentary Service must reconcile the salaries and allowances paid to members of Parliament from 1 July 2019 against the salaries and allowances that would have been paid had the determination issued under clause 6(1) been made on 1 July 2019, and any necessary adjustments must be made to pay the amount of any underpayment to affected members of Parliament and to recover the amount of any overpayment from affected members of Parliament.

Schedule 1AA clause 8: inserted, on 20 December 2019, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

9 Clause 6(1) prevails

- (1) Clause 6(1) overrides section 19(2).

- (2) Sections 18A(3) and 24(1) do not apply to a change in remuneration arising from a determination issued under clause 6(1).

Schedule 1AA clause 9: inserted, on 20 December 2019, by section 9 of the Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83).

Schedule 1

Corporations and bodies whose highest paid executive officers' remuneration is to be determined by Authority

[Repealed]

s 12(1)(a)(ii)

Schedule 1: repealed, on 8 December 2009, by section 11 of the Remuneration Authority Amendment Act 2009 (2009 No 65).

Schedule 2

University positions the remuneration for which is to be determined by Higher Salaries Commission

[Repealed]

s 12(1)(a)(iii)

Schedule 2: repealed, on 19 December 1989, by section 32(1) of the State Sector Amendment Act (No 2) 1989 (1989 No 136).

Schedule 3

Local authorities whose chief executive officers' remuneration is to be determined by Higher Salaries Commission

[Repealed]

s 12(1)(a)(iv)

Schedule 3: repealed, on 1 November 1989, by section 2(8) of the Higher Salaries Commission Amendment Act 1989 (1989 No 35).

Schedule 4

Officers whose remuneration is to be determined by Authority

s 12(1)(a)(v)

Schedule 4: replaced, on 1 April 1988, by section 14 of the Higher Salaries Commission Amendment Act 1988 (1988 No 24).

Schedule 4 heading: amended, on 1 April 2003, by section 3(2) of the Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54).

The adjudicator of the Motor Vehicle Disputes Tribunal appointed under section 83 of the Motor Vehicle Sales Act 2003

The board members of the Children and Young People's Commission

The chair of the tribunal under the Weathertight Homes Resolution Services Act 2006

The Chairperson and Deputy Chairpersons of the Human Rights Review Tribunal

The Chief of Air Force

The Chief of Army

The Chief Censor of Film and Literature and the Deputy Chief Censor of Film and Literature

The Chief Community Magistrate and the Community Magistrates

The Chief of Defence Force

The Chief of the Employment Relations Authority, members of the Employment Relations Authority to whom a delegation has been made under section 166B of the Employment Relations Act 2000, and other members of the Employment Relations Authority

The Chief Executive of the Parliamentary Service

The Chief of Navy

The Chief Parliamentary Counsel

The Clerk of the House of Representatives and the Deputy Clerk of the House of Representatives

The Commissioner of Police and the Deputy Commissioner of Police

The Commissioners of Intelligence Warrants

The Controller and Auditor-General and the Deputy Controller and Auditor-General

The deputy chairs and members of the Immigration and Protection Tribunal

The Deputy Health and Disability Commissioners

The Environment Commissioners and Deputy Environment Commissioners of the Environment Court

The Family Court Associates

The Governor of the Reserve Bank of New Zealand

The Health and Disability Commissioner

The Inspector-General of Intelligence and Security and the Deputy Inspector-General of Intelligence and Security

Māori Trustee

The members and alternate members of the Human Rights Commission and the Director of Human Rights Proceedings or his or her alternate

The members and associate members of the Commerce Commission

The members and associate members of the Financial Markets Authority

The members of Drug Free Sport New Zealand

The members of regional planning committees appointed under the Natural and Built Environment Act 2023 by the Minister responsible for the Spatial Planning Act 2023

The members of the board of the Reserve Bank of New Zealand

The members of the Climate Change Commission

The members of the Electoral Commission

The members of the External Reporting Board

The members of the Independent Police Conduct Authority

The members of the Law Commission

The members of the Mental Health and Wellbeing Commission

The members of the Sports Tribunal of New Zealand

The members of the Takeovers Panel

The members of the Transport Accident Investigation Commission

The members of the Waitangi Tribunal

The Ombudsmen (including the Chief Ombudsman)

The Parliamentary Commissioner for the Environment

The Principal Disputes Referee and the Referees of the Disputes Tribunal

The Principal Tenancy Adjudicator, the Deputy Principal Tenancy Adjudicator, and the Tenancy Adjudicators of the Tenancy Tribunal

The Privacy Commissioner and the Deputy Privacy Commissioner

The Public Service Commissioner and Deputy Public Service Commissioners appointed under the Public Service Act 2020

The Registrar of the Court Martial

The Registrar of the Summary Appeal Court of New Zealand

The Retirement Commissioner

The Solicitor-General

Schedule 4: amended, on 24 August 2023, by section 805(1) of the Natural and Built Environment Act 2023 (2023 No 46).

Schedule 4: amended, on 1 July 2023, by section 41 of the Children and Young People's Commission Act 2022 (2022 No 44).

- Schedule 4: amended, on 7 June 2023, by section 94 of the Family Court (Family Court Associates) Legislation Act 2023 (2023 No 25).
- Schedule 4: amended, on 1 December 2022, by section 4(1) of the Remuneration Authority Legislation Act 2022 (2022 No 74).
- Schedule 4: amended, on 1 December 2022, by section 4(2) of the Remuneration Authority Legislation Act 2022 (2022 No 74).
- Schedule 4: amended, on 1 July 2022, by section 300(1) of the Reserve Bank of New Zealand Act 2021 (2021 No 31).
- Schedule 4: amended, on 9 February 2021, by section 18 of Mental Health and Wellbeing Commission Act 2020 (2020 No 32).
- Schedule 4: amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).
- Schedule 4: amended, on 13 January 2020, by section 10(2) of the Regulatory Systems (Workforce) Amendment Act 2019 (2019 No 63).
- Schedule 4: amended, on 14 November 2019, by section 12 of the Climate Change Response (Zero Carbon) Amendment Act 2019 (2019 No 61).
- Schedule 4: amended, on 24 October 2019, by section 106 of the Statutes Amendment Act 2019 (2019 No 56).
- Schedule 4: amended, on 28 September 2017, by section 335 of the Intelligence and Security Act 2017 (2017 No 10).
- Schedule 4: amended, on 28 September 2017, by section 326 of the Intelligence and Security Act 2017 (2017 No 10).
- Schedule 4: amended, on 1 July 2011, by section 12 of the Financial Reporting Amendment Act 2011 (2011 No 22).
- Schedule 4: amended, on 1 May 2011, by section 82 of the Financial Markets Authority Act 2011 (2011 No 5).
- Schedule 4: amended, on 8 December 2009, by section 12(a) of the Remuneration Authority Amendment Act 2009 (2009 No 65).
- Schedule 4: amended, on 8 December 2009, by section 12(b) of the Remuneration Authority Amendment Act 2009 (2009 No 65).
- Schedule 4: amended, on 1 July 2009, by section 30(1) of the Māori Trustee Amendment Act 2009 (2009 No 12).
- Schedule 4: amended, on 1 July 2009, by section 87 of the Court Martial Act 2007 (2007 No 101).
- Schedule 4: amended, on 1 July 2009, by section 81 of the Armed Forces Discipline Amendment Act (No 2) 2007 (2007 No 98).
- Schedule 4: amended, on 29 November 2007, by section 26 of the Independent Police Conduct Authority Amendment Act 2007 (2007 No 38).
- Schedule 4: amended, on 1 July 2007, by section 61 of the Sports Anti-Doping Act 2006 (2006 No 58).
- Schedule 4: amended, on 1 April 2007, by section 127(6) of the Weathertight Homes Resolution Services Act 2006 (2006 No 84).
- Schedule 4: amended, on 17 May 2005, by section 8 of the Defence Amendment Act 2005 (2005 No 49).
- Schedule 4: amended, on 25 January 2005, by section 200 of the Crown Entities Act 2004 (2004 No 115).
- Schedule 4: amended, on 15 December 2003, by section 145 of the Motor Vehicle Sales Act 2003 (2003 No 12).

Schedule 4: amended, on 26 November 2003, by section 37 of the Children's Commissioner Act 2003 (2003 No 121).

Schedule 4: amended, on 1 January 2002, by section 71(1) of the Human Rights Amendment Act 2001 (2001 No 96).

Schedule 4: amended, on 1 July 1999, by section 415(1) of the Accident Insurance Act 1998 (1998 No 114).

Schedule 4: amended, on 3 July 1998, by section 10 of the Disputes Tribunals Amendment Act 1998 (1998 No 84).

Schedule 4: amended, on 30 June 1998, by section 7 of the District Courts Amendment Act 1998 (1998 No 76).

Schedule 4: amended, on 21 October 1994, by section 77(1)(a) of the Health and Disability Commissioner Act 1994 (1994 No 88).

Schedule 4: amended, on 21 October 1994, by section 77(1)(b) of the Health and Disability Commissioner Act 1994 (1994 No 88).

Schedule 4: amended, on 1 October 1994, by section 150(1) of the Films, Videos, and Publications Classification Act 1993 (1993 No 94).

Schedule 4: amended, on 1 July 1994, by section 273 of the Electoral Act 1993 (1993 No 87).

Schedule 4: amended, on 1 April 1994, by section 19 of the Retirement Income Act 1993 (1993 No 148).

Schedule 4: amended, on 1 July 1993, by section 129(1) of the Privacy Act 1993 (1993 No 28).

Schedule 4: amended, on 15 May 1991, by section 160(2)(a) of the Employment Contracts Act 1991 (1991 No 22).

Schedule 4: amended, on 15 May 1991, by section 160(2)(b) of the Employment Contracts Act 1991 (1991 No 22).

Schedule 4: amended, on 1 January 1991, by section 64 of the Fire Service Amendment Act 1990 (1990 No 136).

Schedule 4: amended, on 19 December 1989, pursuant to section 33(3) of the State Sector Amendment Act (No 2) 1989 (1989 No 136).

Schedule 4: amended, on 1 January 1989, by section 9 of the Treaty of Waitangi Amendment Act 1988 (1988 No 233).

Schedule 4: amended, on 2 May 1988, by clause 3 of the Higher Salaries Commission (Jurisdiction) Order 1988 (SR 1988/78).

Schedule 4A

Office holders in respect of whom temporary reduction determination may be made

[Repealed]

s 19A

Schedule 4A: repealed, on 31 January 2021, by section 19A(10).

Schedule 5

Enactments amended

s 33(1)

Civil List Act 1950 (1950 No 99) (1957 Reprint, Vol 2, p 119)*Amendment(s) incorporated in the Act(s).***Consumer Council Act 1966 (1966 No 21)***Amendment(s) incorporated in the Act(s).***Fees and Travelling Allowances Act 1951 (1951 No 79) (1957 Reprint, Vol 4, p 853)***Amendment(s) incorporated in the Act(s).***Hospitals Act 1957 (1957 No 40) (Reprinted 1970, Vol 3, p 1865)***Amendment(s) incorporated in the Act(s).***Human Rights Commission Act 1977 (1977 No 49)***Amendment(s) incorporated in the Act(s).***Labour Department Act 1954 (1954 No 71) (1957 Reprint, Vol 6, p 829)***Amendment(s) incorporated in the Act(s).***Natural Gas Corporation Act 1967 (1967 No 41)***Amendment(s) incorporated in the Act(s).***New Zealand Export-Import Corporation Act 1974 (1974 No 2)***Amendment(s) incorporated in the Act(s).***Ombudsmen Act 1975 (1975 No 9)***Amendment(s) incorporated in the Act(s).***Public Finance Act 1977 (1977 No 65)***Amendment(s) incorporated in the Act(s).***Public Revenues Act 1953 (1953 No 73) (Reprinted 1965, Vol 3, p 1547)***Amendment(s) incorporated in the Act(s).***Race Relations Act 1971 (1971 No 150)***Amendment(s) incorporated in the Act(s).***Reserve Bank of New Zealand Act 1964 (1964 No 134) (Reprinted 1974, Vol 3, p 2439)***Amendment(s) incorporated in the Act(s).*

State Services Act 1962 (1962 No 132) (Reprinted 1971, Vol 4, p 2533)

Amendment(s) incorporated in the Act(s).

Trades Certification Act 1966 (1966 No 6)

Amendment(s) incorporated in the Act(s).

Universities Act 1961 (1961 No 54)

Amendment(s) incorporated in the Act(s).

Vocational Training Council Act 1968 (1968 No 12)

Amendment(s) incorporated in the Act(s).

Waterfront Industry Act 1976 (1976 No 72)

Amendment(s) incorporated in the Act(s).

Notes

1 *General*

This is a consolidation of the Remuneration Authority Act 1977 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Natural and Built Environment Act 2023 (2023 No 46): section 805(1)

Family Court (Family Court Associates) Legislation Act 2023 (2023 No 25): section 94

Coroners Amendment Act 2023 (2023 No 8): section 36

Remuneration Authority Legislation Act 2022 (2022 No 74): Part 1

Children and Young People's Commission Act 2022 (2022 No 44): section 41

Data and Statistics Act 2022 (2022 No 39): section 107(1)

Reserve Bank of New Zealand Act 2021 (2021 No 31): section 300(1)

Secondary Legislation Act 2021 (2021 No 7): section 3

Public Service Act 2020 (2020 No 40): section 135

Mental Health and Wellbeing Commission Act 2020 (2020 No 32): section 18

Resource Management Amendment Act 2020 (2020 No 30): section 109

Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2019 (2019 No 83): Part 1

Regulatory Systems (Workforce) Amendment Act 2019 (2019 No 63): Part 1 subpart 2

Climate Change Response (Zero Carbon) Amendment Act 2019 (2019 No 61): section 12

Statutes Amendment Act 2019 (2019 No 56): section 106

Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2018 (2018 No 37): Part 1

Statutes Amendment Act 2018 (2018 No 27): section 29

Intelligence and Security Act 2017 (2017 No 10): sections 326, 335

Remuneration Authority Amendment Act 2016 (2016 No 67)
District Court Act 2016 (2016 No 49): section 261
Remuneration Authority (Members of Parliament Remuneration) Amendment Act 2015 (2015 No 5):
Part 1
Members of Parliament (Remuneration and Services) Act 2013 (2013 No 93): sections 60–63
Financial Markets (Repeals and Amendments) Act 2013 (2013 No 70): section 150
Criminal Procedure Act 2011 (2011 No 81): section 413
Financial Reporting Amendment Act 2011 (2011 No 22): section 12
Financial Markets Authority Act 2011 (2011 No 5): section 82
Remuneration Authority Amendment Act 2009 (2009 No 65)
Māori Trustee Amendment Act 2009 (2009 No 12): section 30(1)
Court Martial Act 2007 (2007 No 101): section 87
Court Martial Appeals Amendment Act 2007 (2007 No 99): section 35
Armed Forces Discipline Amendment Act (No 2) 2007 (2007 No 98): section 81
Independent Police Conduct Authority Amendment Act 2007 (2007 No 38): section 26
Weathertight Homes Resolution Services Act 2006 (2006 No 84): section 127(6)
Sports Anti-Doping Act 2006 (2006 No 58): section 61
Coroners Act 2006 (2006 No 38): section 146
Defence Amendment Act 2005 (2005 No 49): section 8
Crown Entities Act 2004 (2004 No 115): section 200
Children’s Commissioner Act 2003 (2003 No 121): section 37
Supreme Court Act 2003 (2003 No 53): section 48(1)
Motor Vehicle Sales Act 2003 (2003 No 12): section 145
Remuneration Authority (Members of Parliament) Amendment Act 2002 (2002 No 54)
Human Rights Amendment Act 2001 (2001 No 96): sections 70(1), 71(1)
Government Superannuation Fund Amendment Act 2001 (2001 No 47): section 40
Accident Insurance Act 1998 (1998 No 114): section 415(1)
Disputes Tribunals Amendment Act 1998 (1998 No 84): section 10
District Courts Amendment Act 1998 (1998 No 76): section 7
Government Superannuation Fund Amendment Act 1995 (1995 No 28): section 32
Health and Disability Commissioner Act 1994 (1994 No 88): section 77(1)
Retirement Income Act 1993 (1993 No 148): section 19
Films, Videos, and Publications Classification Act 1993 (1993 No 94): section 150(1)
Electoral Act 1993 (1993 No 87): section 273
Privacy Act 1993 (1993 No 28): section 129(1)
Higher Salaries Commission Amendment Act (No 2) 1992 (1992 No 130)
Higher Salaries Commission Amendment Act 1992 (1992 No 66)
Employment Contracts Act 1991 (1991 No 22): section 160(2)
Fire Service Amendment Act 1990 (1990 No 136): section 64
State Sector Amendment Act (No 2) 1989 (1989 No 136): sections 32(1), 33(3)
Higher Salaries Commission Amendment Act 1989 (1989 No 35)
Treaty of Waitangi Amendment Act 1988 (1988 No 233): section 9

Higher Salaries Commission (Jurisdiction) Order 1988 (SR 1988/78)
Higher Salaries Commission Amendment 1988 (1988 No 24)
Economic Stabilisation Act Repeal Act 1987 (1987 No 126): section 3(2)
Higher Salaries Commission Amendment Act (No 2) 1985 (1985 No 135)
Higher Salaries Commission Amendment Act 1983 (1983 No 125)
Higher Salaries Commission Amendment Act 1982 (1982 No 40)
Higher Salaries Commission Act Commencement Order 1978 (SR 1978/18)
Remuneration Authority Act 1977 (1977 No 110): section 19A(10)