

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]
House of Representatives, 26 September 1985.

[**This Bill was formerly clauses 10 to 13 of the Higher Salaries and Allowances Bill**]

Hon. Stan Rodger

JUDICATURE AMENDMENT (NO. 3)

ANALYSIS

Title	2. Salaries and allowances of Judges
1. Short Title and commencement	3. Consequential amendments
	4. Repeals and savings

A BILL INTITULED

An Act to amend the Judicature Act 1908

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Judicature Amendment Act (No. 3) 1985, and shall be read together with and deemed part of the Judicature Act 1908 (hereinafter referred to as the principal Act).

10 (2) This Act shall be deemed to have come into force on the 1st day of April 1985.

2. Salaries and allowances of Judges—The principal Act is hereby amended by inserting, after section 9, the following section:

15 “9A. (1) There shall be paid to the Chief Justice, to the President of the Court of Appeal, to the Judges of the Court of Appeal, and to the other Judges, out of the Consolidated Account, without further appropriation than this section,—

20 “(a) Salaries at such rates as the Higher Salaries Commission from time to time determines; and

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“(b) Such allowances as are from time to time determined by the Higher Salaries Commission; and

“(c) Such additional allowances, being travelling allowances or other incidental or minor allowances, as may be determined from time to time by the Governor-General. 5

“(2) Subject to the Higher Salaries Commission Act 1977, any determination made under **subsection (1)** of this section 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. 10

“(3) Every such determination, and every provision of any such determination, in respect of which no date is specified as aforesaid shall come into force on the date of the making of the determination.” 15

3. Consequential amendments—The principal Act is hereby consequentially amended by inserting in section 11 (3) (as enacted by section 2 (1) of the Judicature Amendment Act 1981), and also in section 11A (3) (as enacted by section 2 (1) of the Judicature Amendment Act 1981), after the words “Chief Justice”, the words “or the President of the Court of Appeal or a Judge of the Court of Appeal”. 20 25

4. Repeals and savings—(1) The following enactments are hereby repealed, namely:

(a) The Judicature Amendment Act 1978:

(b) Section 5 of the Judicature Amendment Act 1979.

(2) Notwithstanding anything in this Act, salaries and allowances in respect of which the Higher Salaries Commission may make determinations shall, until amended or superseded by determination of the Commission, continue to be payable at the rates applicable at the commencement of this Act. 30

(3) The repeal effected by **subsection (1) (a)** of this section shall not affect the amendment made to section 42 of the principal Act by section 4 (2) of the Judicature Amendment Act 1978. 35