

**THE JUDICIAL SALARIES AND ALLOWANCES
DETERMINATION 1994**

PURSUANT to the Higher Salaries Commission Act 1977 and,—

- (a) In relation to the Chief Justice, the President of the Court of Appeal, the Judges of the Court of Appeal, and other Judges of the High Court, to section 9A (1) (a) and (b) of the Judicature Act 1908 (as inserted by section 2 of the Judicature Amendment Act (No. 3) 1985);
- (b) In relation to the Chief Judge of the Employment Court and the other Judges of the Employment Court, to section 115 of the Employment Contracts Act 1991;
- (c) In relation to the Chief Judge of the Maori Land Court, to the Deputy Chief Judge of the Maori Land Court, and to the other Judges of the Maori Land Court, to section 13 (1) (a) and (b) of Te Ture Whenua Maori Act 1993;
- (d) In relation to the Chief District Court Judge, the Principal Family Court Judge, the Principal Youth Court Judge, the Principal Planning Judge, and the other District Court Judges, to section 6 (1) (a) and (b) of the District Courts Act 1947 (as substituted by section 2 of the District Courts Amendment Act (No. 3) 1985);
- (e) In relation to the Masters of the High Court, to section 26F (1) (a) and (b) of the Judicature Act 1908 (as inserted by section 5 of the Judicature Amendment Act 1986),—

the Higher Salaries Commission hereby makes the following determination (to which is appended an Explanatory Memorandum).

DETERMINATION

1. Title and commencement—(1) This determination may be cited as the Judicial Salaries and Allowances Determination 1994.

(2) This determination shall be deemed to have come into force on the 1st day of October 1993.

2. Expiry—This determination shall expire on the 30th day of September 1994.

3. Salaries of judicial officers—The salaries payable to the judicial officers specified in the Schedule to this determination shall be paid at the respective rates set out in that Schedule.

4. Principal allowances of judicial officers—Principal allowances for general expenses shall be paid to the judicial officers specified in the Schedule to this determination at the respective rates set out in that Schedule.

5. Revocation—The Judicial Salaries and Allowances Determination (No. 2) 1992 is hereby revoked.

S.R. 1992/365

SCHEDULE
SALARIES AND PRINCIPAL ALLOWANCES

Cls. 3, 4

	Yearly Rate of Salary Payable on and after 1 October 1993	Yearly Rate of Principal Allowance for general expenses payable on and after 1 October 1993
Chief Justice	191,500	7,900
President of the Court of Appeal ..	188,000	6,500
Judge of the Court of Appeal ..	175,000	5,600
Judge of the High Court	166,500	5,600
Chief District Court Judge	157,500	5,000
Principal Family Court Judge	144,000	4,700
Principal Youth Court Judge	136,500	5,000
Principal Planning Judge	136,500	4,700
District Court Judge	133,000	4,100
Chief Judge of the Employment Court	166,500	5,600
Judge of the Employment Court ..	156,000	4,700
Chief Judge of the Maori Land Court ..	149,000	5,000
Deputy Chief Judge of the Maori Land Court	144,000	4,700
Judge of the Maori Land Court ..	133,000	4,100
Master of the High Court	133,000	4,100

Dated at Wellington this 21st day of February 1994.

T. W. Blennerhassett, Chairman

M. A. Fitzgerald, Member

R. J. McArley, Member

EXPLANATORY MEMORANDUM

This determination is the outcome of a review undertaken by the Higher Salaries Commission of judicial salaries and allowances as at 1 October 1993.

1. Background

1.1 The previous determination of judicial salaries and allowances expired on 30 September 1993 and this determination is deemed to have come into force on 1 October 1993 and will expire on 30 September 1994.

1.2 The Commission invited submissions from each Bench and had the benefit of discussions with a number of representatives of the Courts. Survey material and other information and opinions available to the Commission have also been taken into account, as have submissions from members of the public.

2. Salaries

2.1 The Commission is bound by the criteria prescribed by section 18 of the Higher Salaries Commission Act 1977. These include the need to achieve and maintain fair relativity with levels of remuneration received elsewhere, the need to be fair both to the persons or group of persons whose remuneration is being determined and to the taxpayer, and the need to recruit and retain competent persons. The requirements of the position concerned are to be taken into account as also are conditions of service in relation to those applicable to others in comparable circumstances. The need to recruit suitable people remains of special importance in relation to judicial officers; it is important in the public interest that the quality of the Judiciary be maintained. The Commission continues to follow the general principles first enunciated in its general review written in 1978 and believes those principles to remain valid.

2.2 The Commission has previously referred to developments in society during recent years, and to changes in the difficulty and complexity of the law, as having intensified the demands and stresses attending judicial office. The Commission is in no doubt that the process continues.

2.3 The Commission notes some upward movement in remuneration levels in the private sector. Although the need for restraint remains, there is scope for some salary adjustment. This determination effects an adjustment at all levels accordingly.

2.4 Jurisdictional changes have moved the Commission from time to time to consider the matter of relativity in salary among the several Courts. The present determination leaves the existing relativities unchanged, but the Commission, in response to representations put forward on the topic, will re-examine it comprehensively this year and expects to reflect the outcome in its next determination.

3. Allowances

3.1 The principal allowances fixed with effect from 1 October 1992 have remained unchanged from those fixed in the determination which came into force from 1 October 1990. After careful consideration of these, and of trends evident both in the public and in the private sectors, the Commission has determined that the allowances will again remain unchanged, except that the allowance payable to Masters has been brought into line with that payable to District Court Judges.

Issued under the authority of the Acts and Regulations Publication Act 1989 and section 12B (9) of the Higher Salaries Commission Act 1977.

Date of notification in *Gazette*: 24 February 1994.