

**Reprint
as at 22 November 2013**



**Community Magistrates
(Remuneration and Allowances)
Order 1998
(SR 1998/465)**

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 18th day of December 1998

Present:

The Right Hon Jenny Shipley presiding in Council

Pursuant to section 11G of the District Courts Act 1947, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following order.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

This order is administered by the Ministry of Justice.

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Order

1 Title and commencement

- (1) This order may be cited as the Community Magistrates (Remuneration and Allowances) Order 1998.
- (2) This order comes into force on 1 February 1999.

2 Remuneration of Community Magistrates (other than Chief Community Magistrate)

A Community Magistrate (other than the Chief Community Magistrate) is to be paid, for every day on which he or she attends the court in his or her capacity as a Community Magistrate, remuneration by way of a fee of \$13.93 for each quarter hour or part of a quarter hour, but no more than \$446 per day.

Clause 2: replaced (with effect on 10 October 2011), on 18 May 2012, by clause 4 of the Community Magistrates (Remuneration and Allowances) Amendment Order 2012 (SR 2012/83).

Clause 2: amended, on 22 November 2013, by clause 4(1) of the Community Magistrates (Remuneration and Allowances) Amendment Order 2013 (SR 2013/458).

Clause 2: amended, on 22 November 2013, by clause 4(2) of the Community Magistrates (Remuneration and Allowances) Amendment Order 2013 (SR 2013/458).

3 Out-of-pocket expenses

Where a Community Magistrate, for the purpose of attending a sitting of the court or for the carrying out in any other respect of his or her duties as a Community Magistrate, is required to be absent from the court he or she usually attends, there is payable to that Community Magistrate by way of allowance his or her actual reasonable out-of-pocket expenses (including fares and other locomotion expenses).

4 Car reimbursement

- (1) A Community Magistrate who uses a car or other private means of conveyance for a journey or any stage of a journey

in respect of which an allowance under clause 3 is payable to the Community Magistrate is entitled to be paid a car reimbursement allowance.

- (2) The rates of reimbursement payable under this clause are in accordance with the standard rates prescribed by the Inland Revenue Department.

5 Particulars of amounts claimed

- (1) No payment of allowances to which this order applies is to be made until the Community Magistrate claiming the payment has signed a statement, certified by the Registrar or other responsible officer of the court concerned, setting out the particulars of the amounts payable.
- (2) Vouchers for every item of out-of-pocket expenses claimed under clause 3 (not being an item under which fares and locomotion expenses in public conveyances are claimed) must be attached to the statement.

Marie Shroff,
Clerk of the Executive Council.

Reprints notes

1 *General*

This is a reprint of the Community Magistrates (Remuneration and Allowances) Order 1998 that incorporates all the amendments to that order as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Community Magistrates (Remuneration and Allowances) Amendment Order 2013 (SR 2013/458)

Community Magistrates (Remuneration and Allowances) Amendment Order 2012 (SR 2012/83)
