

**Reprint  
as at 20 December 2013**



**Judicial Salaries and Allowances  
Determination 2012**

(SR 2012/424)

Judicial Salaries and Allowances Determination 2012: revoked (with effect on 1 October 2013), on 20 December 2013 (after expiring on 30 September 2012), by clause 8 of the Judicial Salaries and Allowances Determination 2013 (SR 2013/498).

Pursuant to sections 12B(1) and 19 of the Remuneration Authority Act 1977, and,—

- (a) in relation to the Chief Justice, and to the other Judges of the Supreme Court, the President of the Court of Appeal and the other Judges of the Court of Appeal, the Chief High Court Judge and the other Judges of the High Court, to section 9A(1)(a) and (b) of the Judicature Act 1908:
- (b) in relation to the Chief District Court Judge, the Principal Family Court Judge, the Principal Youth Court Judge, the Principal Environment Judge, and the other District Court Judges, to section 6(1)(a) and (b) of the District Courts Act 1947:
- (c) in relation to the Chief Judge of the Employment Court and the other Judges of the Employment Court, to section 206(1)(a) and (b) of the Employment Relations Act 2000:
- (d) in relation to the Chief Judge of the Maori Land Court, the Deputy Chief Judge of the Maori Land Court, and the other Judges of the Maori Land Court, to section 13(1)(a) and (b) of Te Ture Whenua Maori Act 1993:

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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.

- (e) in relation to the Associate Judges of the High Court, to section 26F(1)(a) and (b) of the Judicature Act 1908:
- (f) in relation to the chief coroner, to section 110(1)(b) of the Coroners Act 2006,—

the Remuneration Authority makes the following determination (to which is appended an explanatory memorandum).

### Contents

		Page
1	Title	2
2	Commencement	2
3	Expiry	2
4	Salaries of judicial officers	3
5	Principal allowances of judicial officers	3
6	Principal allowance of Chief High Court Judge for secondary residential accommodation in Wellington	3
7	Principal allowance of District Court Judge who is chief coroner	3
8	Revocation	3

### Schedule

#### Salaries and principal allowances

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## Determination

- 1 Title**  
This determination is the Judicial Salaries and Allowances Determination 2012.
- 2 Commencement**  
This determination is deemed to have come into force on 1 October 2012.
- 3 Expiry**  
This determination expires on 30 September 2013.

**4 Salaries of judicial officers**

The salaries payable to the judicial officers specified in the Schedule must be paid at the respective rates set out in that schedule.

**5 Principal allowances of judicial officers**

Principal allowances for general expenses must be paid to the judicial officers specified in the Schedule at the respective rates set out in that schedule.

**6 Principal allowance of Chief High Court Judge for secondary residential accommodation in Wellington**

- (1) This clause applies if the Chief High Court Judge—
  - (a) has his or her primary place of residence in Auckland; and
  - (b) owns or rents on a continuous basis residential accommodation in Wellington (the **secondary residential accommodation**); and
  - (c) uses the secondary residential accommodation in lieu of overnight accommodation.
- (2) If this clause applies, the Chief High Court Judge must be paid, as a principal allowance for the secondary residential accommodation, the amount of the actual and reasonable expenses incurred by him or her in relation to that accommodation.
- (3) The maximum yearly rate of the principal allowance payable on and after 1 October 2012 is \$20,000.

**7 Principal allowance of District Court Judge who is chief coroner**

If a District Court Judge holds the office of chief coroner, he or she must be paid a principal allowance at the rate of \$10,000 per annum, in addition to the salary and principal allowance set out in the Schedule.

**8 Revocation**

The Judicial Salaries and Allowances Determination 2011 (SR 2011/433) is revoked.

cls 4, 5

**Schedule**  
**Salaries and principal allowances**

<b>Judicial officer</b>	<b>Yearly rate of salary payable on and after 1 October 2012 (\$)</b>	<b>Yearly principal allowance for general expenses payable on and after 1 October 2012 (\$)</b>
Chief Justice	471,500	7,900
Judge of the Supreme Court	442,500	6,500
President of the Court of Appeal	442,500	6,500
Judge of the Court of Appeal	415,000	5,600
Chief High Court Judge	414,000	5,600
Judge of the High Court	395,000	5,600
Associate Judge of the High Court	300,500	4,100
Chief District Court Judge	395,000	5,000
Principal Family Court Judge	342,000	5,000
Principal Youth Court Judge	322,500	5,000
Principal Environment Judge	322,500	5,000
District Court Judge	300,500	4,100
Chief Judge of the Employment Court	373,500	5,600
Judge of the Employment Court	337,500	4,700
Chief Judge of the Maori Land Court	342,000	5,000
Deputy Chief Judge of the Maori Land Court	322,500	4,700
Judge of the Maori Land Court	300,500	4,100

Dated at Wellington this 18th day of December 2012.

John Errington,  
Chairman.

A Foulkes,  
Member.

D Morcom,  
Member.

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### **Explanatory memorandum**

*This memorandum is not part of the determination, but is intended to indicate its general effect.*

This determination, which is deemed to have come into force on 1 October 2012 and expires on 30 September 2013, sets the salaries and principal allowances for the Judges of the Supreme Court, the Court of Appeal, the High Court and District Court benches (including the salary and allowance of a District Court Judge who currently holds the judicial office of chief coroner), the Employment Court, and the Maori Land Court.

The Remuneration Authority (the **Authority**) is required to have regard to the following when setting judicial remuneration and allowances:

- the need to achieve and maintain fair relativity with the levels of remuneration received elsewhere; and
- the need to be fair both—
  - to the persons or group of persons whose remuneration is being determined; and
  - to the taxpayer or ratepayer; and
- the need to recruit and retain competent persons.

In addition, the Authority must take into account—

- the requirements of the position concerned; and
- 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; and

- any prevailing adverse economic conditions, based on evidence from an authoritative source; and may determine the remuneration at a rate lower than it would otherwise have determined.

In setting the remuneration for the judiciary this year, the information that the Authority considered included—

- submissions made by the Chief Justice, High Court Judges, District Court Judges, Employment Court Judges, and Maori Land Court Judges; and
- remuneration data made available to it in respect of private sector legal remuneration of groups with comparable skills and experience and from which groups it can be expected that Judges of the High Court could be recruited; and
- remuneration data made available to it in respect of private sector legal remuneration of groups with comparable skills and experience and from which groups it can be expected that District Court Judges could be recruited; and
- growth in the New Zealand Consumers Price Index and Labour Cost Index over the previous year; and
- information on the recruitment of Judges from a range of sources, including the Attorney-General, the Chief Justice, Heads of Benches, and the Solicitor-General; and
- conditions of employment enjoyed by members of the judiciary; and
- prevailing economic conditions.

Against that background, the Authority has made an increase of around 2.5% in salaries for judicial officers. That increase is broadly in line with the adjustments made by the Authority in 2012 in respect of the other groups and senior positions in the public sector for which it sets remuneration.

No change has been made to the yearly principal allowance for general expenses. The Authority recognises the need to review the ap-

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Explanatory  
memorandum

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propriateness and intended scope of this allowance and continues to work with the judiciary on this.

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Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 20 December 2012.

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## Reprints notes

### *1 General*

This is a reprint of the Judicial Salaries and Allowances Determination 2012 that incorporates all the amendments to that determination 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*

Judicial Salaries and Allowances Determination 2013 (SR 2013/498): clause 8  
Judicial Salaries and Allowances Determination 2012 (SR 2012/424): clause 3

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