

Reprint
as at 1 October 2020



**Judicial Officers Salaries and Allowances (2019/20)
Amendment Determination 2020**
(LI 2020/29)

Judicial Officers Salaries and Allowances (2019/20) Amendment Determination 2020: revoked (after expiring on 30 September 2020), on 1 October 2020, pursuant to clause 13 of the Judicial Officers Salaries and Allowances (2020/21) Determination 2020 (LI 2020/266).

Pursuant to section 110(1) of the Coroners Act 2006 and section 12B(1)(f) of the Remuneration Authority Act 1977, the Remuneration Authority makes the following determination (to which is appended an explanatory memorandum).

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Part 1

Salaries and principal allowances payable on and after 1 October 2019

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint. Note 4 at the end of this reprint provides a list of the amendments incorporated.

Part 2
Salaries payable on and after 1 January 2020

9 Revocation 4

Determination

1 Title

This determination is the Judicial Officers Salaries and Allowances (2019/20) Amendment Determination 2020.

2 Commencement

This determination is deemed to have come into force on 1 January 2020.

3 Expiry

This determination expires on 30 September 2020.

4 Principal determination

This determination amends the Judicial Officers Salaries and Allowances (2019/20) Determination 2019 (the **principal determination**).

5 Enacting statement amended

In the enacting statement, paragraph (e), replace “chief coroner, to section 110(1)(a)” with “coroners, to section 110(1)”.

6 Clause 2 amended (Commencement)

- (1) In clause 2, after “1 October 2019”, insert “(except as provided in subclause (2))”.
- (2) In clause 2, insert as subclause (2):
- (2) Clauses 7 to 7B and Part 2 of the Schedule are deemed to have come into force on 1 January 2020.

7 Clause 7 replaced (Salary payable to District Court Judge who is chief coroner)

Replace clause 7 with:

7 Definition of coroner for purposes of clauses 7A and 7B

In clauses 7A and 7B, unless the context otherwise requires, **coroner**—

- (a) means a person holding office under any of sections 103, 104, 105, and 105A of the Coroners Act 2006; but
- (b) does not include 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.

7A Salaries of chief coroner, deputy chief coroner, and coroner

- (1) The salary payable to a chief coroner is set out in the Schedule, but if the chief coroner is also a District Court Judge, the chief coroner must be paid the higher of the following:
 - (a) the salary payable to a chief coroner set out in the Schedule; and
 - (b) the salary payable to a District Court Judge set out in the Schedule.
- (2) The salaries payable to a deputy chief coroner and coroner are set out in the Schedule.
- (3) If a chief coroner or deputy chief coroner ceases to hold that office but continues to hold office as a coroner, their salary and allowances must be reduced by the amount of any salary or allowances received solely because of their being a chief coroner or deputy chief coroner.
- (4) A relief coroner appointed under section 104 of the Coroners Act 2006 is entitled to an additional payment of up to \$42,500 per annum by way of salary, in recognition of the fact that a relief coroner is not entitled to receive superannuation contributions under the Judicial Officers Superannuation Determination 2019, provided that the annual sum of the following amounts does not exceed \$325,600:
 - (a) the salary payable under subclause (2); and
 - (b) any additional payment under this subclause; and
 - (c) any superannuation subsidy (inclusive of any tax liability) that the coroner is entitled to be paid by the Crown otherwise than under the Judicial Officers Superannuation Determination 2019.

7B Allowance of chief coroner, deputy chief coroner, and coroner

The chief coroner, the deputy chief coroner, and each coroner must be paid a taxable National Duty Coroner allowance at the rate of \$11,000 per annum, in recognition of the fact that each is, from time to time, rostered to act as National Duty Coroner.

8 Schedule amended

- (1) In the Schedule heading, replace “cls 4, 5, 7” with “cls 4, 5, 7A”.
- (2) In the Schedule, before the table, insert:

Part 1
Salaries and principal allowances payable on and after
1 October 2019

- (3) In the Schedule, after the item relating to a Judge of the Māori Land Court, insert:

Part 2	
Salaries payable on and after 1 January 2020	
Judicial officer	Yearly rate of salary payable on and after 1 January 2020 (\$)
Chief coroner	362,800
Deputy chief coroner	303,100
Coroner	283,100

9 Revocation

The Coroners (Salaries and Superannuation) Determination 2019 (LI 2019/6) is revoked.

Dated at Wellington this 3rd day of March 2020.

Fran Wilde,
Chairperson.

Geoff Summers,
Member.

Len Cook,
Member.

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 January 2020 and expires on 30 September 2020, amends the Judicial Officers Salaries and Allowances (2019/20) Determination 2019 (the **principal determination**).

It amends the principal determination to include the salaries and allowances of coroners. Previously the salaries and allowances of coroners were included in an annual determination known as the Coroners (Salaries and Superannuation) Determination. As coroners are judicial officers, the Remuneration Authority has decided to include the coroners' salaries and allowances in the principal determination, which covers all other judicial officers whose remuneration is determined by the Authority.

In making this determination, the Authority is required to have regard to the following when setting remuneration for coroners and other judicial officers:

- 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.

In addition, the Authority must take into account—

- the requirements of the position concerned; and
- the conditions of service enjoyed by the persons or members of the group of 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 whose remuneration is being determined.

The Authority must also take into account 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.

To inform the above criteria and make its determination, the Authority took a wide range of information into account, including submissions made by the coroners.

Reprints notes

1 *General*

This is a reprint of the Judicial Officers Salaries and Allowances (2019/20) Amendment Determination 2020 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, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

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 Officers Salaries and Allowances (2020/21) Determination 2020 (LI 2020/266): clause 13

Judicial Officers Salaries and Allowances (2019/20) Amendment Determination 2020 (LI 2020/29): clause 3