



## Judicial Salaries and Allowances Determination 2001

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 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 Judge of the Employment Court and the other Judges of the Employment Court, to section 206 of the Employment Relations Act 2000:
- (c) 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:
- (d) 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:
- (e) in relation to the Masters of the High Court, to section 26F(1)(a) and (b) of the Judicature Act 1908,—

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

### Contents

1 Title 2 Commencement 3 Expiry 4 Salaries of judicial officers 5 Principal allowances of judicial officers		6 Revocation  <hr style="width: 10%; margin: 0 auto;"/> <p style="text-align: center;"><b>Schedule</b> <b>Salaries and principal allowances</b></p>
---	--	---

---

## Determination

### 1 Title

This determination is the Judicial Salaries and Allowances Determination 2001.

### 2 Commencement

This determination is deemed to have come into force on 1 October 2001.

### 3 Expiry

This determination expires on 30 September 2002.

### 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 Revocation

The Judicial Salaries and Allowances Determination 2000 (SR 2000/273) is revoked.

---

cls 4, 5

## Schedule Salaries and principal allowances

	Yearly rate of salary payable on and after 1 Octo- ber 2001	Yearly rate of principal allow- ance for general expenses pay- able on and after 1 October 2001
Chief Justice	305,200	7,900
President of the Court of Appeal	295,600	6,500
Judge of the Court of Appeal	272,600	5,600
Judge of the High Court	253,900	5,600
Chief District Court Judge	251,100	5,000
Principal Family Court Judge	215,300	5,000
Principal Youth Court Judge	208,600	5,000
Principal Environment Judge	208,600	5,000
District Court Judge	194,400	4,100
Chief Judge of the Employment Court	250,400	5,600
Judge of the Employment Court	226,600	4,700
Chief Judge of the Maori Land Court	220,800	5,000
Deputy Chief Judge of the Maori Land Court	208,900	4,700
Judge of the Maori Land Court	194,400	4,100
Master of the High Court	194,400	4,100

Dated at Wellington this 10th day of December 2001.

H. D. Peacock, Chairman.

B. A. Wakem, Member.

W. R. Mulholland, Member.

---

### Explanatory memorandum

In addressing the issue of judicial offices, the Higher Salaries Commission is guided by the statutory requirements of its Act, which enjoin it to have regard to—

- the need to achieve and maintain fair relativity with the levels of remuneration received elsewhere; and
- the need to be fair to the persons concerned and to the taxpayer; and
- the need to recruit and retain competent persons.

Other key factors taken into account when considering the level and appropriateness of remuneration are the critical need to preserve the principle of judicial independence and changes in workload and degree of complexity.

Recruitment, particularly to the High Court, continues to be an issue. Remuneration is only 1 factor affecting this. Others have to do with the restrictions placed on lifestyle, the unremitting pressure of the workload, support services that do not match those found in chambers, the perception that the current superannuation scheme gives less certainty of income on retirement than the previous defined pension scheme, and the degree to which the judiciary has, in recent times, become the target for media and public criticism.

These can affect the judiciary and influence the attitude of those who might otherwise respond to an invitation to serve in its ranks.

That said, there are many positive aspects to the role, not least of which are security of tenure, a generous superannuation scheme, the opportunity for sabbatical leave, the mana of holding high public office, and the respect for the role in society.

While the Commission cannot match salaries achieved by leading members of the Bar, it is important that the judiciary is recruited from the most able candidates. The Commission also considers comparable senior public service salaries and related private sector salaries when reviewing rates for the judiciary and, in particular, for the executive roles within the judiciary.

The Commission received a great deal of evidence from the various benches and undertook its own inquiries. It also reviewed the latest remuneration schedules of other jurisdictions, notably Australia and the United Kingdom.

In setting the levels of salary for each of the benches and the executive judicial roles, the Commission has taken account of all of these factors.

---

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*: 13 December 2001.

---