

# REMUNERATION AND ALLOWANCES AND OTHER TERMS AND CONDITIONS OF APPOINTMENT OF JUDGES OF SENIOR COURTS

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## SALARY

Your salary is \_\_\_\_\_ per annum payable from \_\_\_\_\_ your commission date.

Enclosed is a copy of the latest *Judicial Salaries and Allowances Determination* with effect from \_\_\_\_\_ for your information.

## THE JUDICIAL SUPERANNUATION DETERMINATION

You have superannuation entitlements currently provided for in the *Judicial Superannuation Determination* [year].

## TRAVELLING ALLOWANCES

### (a) Reimbursement/allowance for expenses

You may claim reimbursement for actual and reasonable expenses you incur when away at a court other than your home court or when away on official business.

When sitting at a court other than your home court, you may, alternatively, claim \$240 for any day when it is necessary for you to be away overnight from your home court.

If you elect to claim the allowance but it is inadequate to meet the expenses you incur, the Ministry will reimburse you for all actual and reasonable expenses over and above the daily allowance.

## **(b) Daily Rate: Judges Partner**

You are entitled to claim an additional allowance of \$96 per day where you are accompanied by your partner when sitting at a court other than your home court and required to be absent overnight from your home court.

## **(c) Air Travel**

You are entitled to free air travel when travelling within New Zealand on official business and for your partner when this is (a) because you are required to sit in a court other than your home court or (b) attending the senior courts annual conference.

If you are a Judge of the Court of Appeal or Supreme Court whose primary residence is not in Wellington, you are entitled to reimbursement for the actual cost of travelling between your home city and Wellington, to a maximum of 15 return air trips per year. The same allowance is available to your partner if they wish to accompany you. If your partner does not take up their full entitlement, then you may use the unused trips for your own travel.

If you are a Judge of the Supreme Court, Court of Appeal or High Court, free air travel while not on official business is available but limited to a total of **5,360** kms per financial year for each of you and your partner. This entitlement is not available to Associate Judges.

## **(d) Taxis or Government Cars**

As a High Court, Court of Appeal or Supreme Court Judge you are entitled to use a government car and driver:

- for transport between home location and airport or other transport and between airport or other transport and a location at your destination (e.g. hotel, court, other venue) when travelling on official business
- for transport between home location and airport or other transport and between airport or other transport and a location at your destination (e.g. hotel, court, other venue) when travelling to sit at a court other than your home court
- for transport to and from official functions
- for transport between home and the court outside normal working hours when transport by taxi or other means is difficult or inconvenient.

If taxis are used when travelling on official business, taxi fares will be reimbursed.

For Associate Judges of the High Court, when travelling on official business taxi fares are met as an official charge. Taxis may be used for transport to and from the court, attending

functions in the capacity as an Associate Judge and any travel to and from the airport.

**(e) Motor Vehicle Allowance**

If you are making a journey for official purposes and public transport is not available or is unsuitable, you may use your own car and claim the standard mileage rate of \_\_\_\_\_cents per kilometre.

This rate can be used for up to a maximum of 14,000 km of travel for official purposes per year.

**(f) Laundry and Dry-Cleaning Expenses**

Laundry and dry-cleaning expenses may be refunded where a Judge is absent from home in excess of seven (7) consecutive nights on any one occasion.

**TRANSFER EXPENSES**

If you are required to relocate (a) to take up your appointment or (b) as a result of a transfer to another district to meet the operational requirements of the Court, the Ministry of Justice will meet the actual and reasonable costs of doing so but subject to limits to be agreed from time to time between the Director of the Office of the Chief Justice and the Ministry of Justice:

- Moving to a new house and the legal cost of selling and buying a house
- Personal expenses on removal of household effects
- Removal of furniture and effects.

Costs associated with transitional arrangements (such as renting accommodation in the new location pending purchase of a house there and travelling between the Judge's old and new locations) will be met subject to limits to be agreed either (a) from time to time between the Ministry of Justice and the Director of the Office of the Chief Justice or (b) agreed between the Ministry of Justice and the Director of the Office of the Chief Justice in relation to your particular circumstances.

**EQUIPMENT**

**(a) Contribution to work-related expenditure when first appointed**

On first appointment legal texts and/or other work materials may be chosen for your personal use at a total cost not to exceed \$500. Reimbursement of this expenditure

should be arranged with the local Court Manager.

**(b) Ceremonial robes**

The Ministry will on request supply you with ceremonial robes. Other robes are provided by Judges themselves.

**PRIVATE TELEPHONE, HOME COMPUTER AND INTERNET**

You are entitled to be paid \$50 per month as a contribution towards expenses associated with telephone / or internet connections to your home. This rate will be reviewed from time to time by the Ministry of Justice and the Director of the Office of the Chief Justice. You will be supplied with work related IT equipment in accordance with arrangements to be agreed by the Ministry of Justice and the Director of the Office of the Chief Justice.

**SABBATICAL AND RETIREMENT LEAVE**

A judge is entitled to take 12 months sabbatical leave after each 10 years of service, but it has become an established practice to allow up to 6 months sabbatical leave to be taken after 5 years of service or for up to 3 months sabbatical leave to be taken after 2 ½ years' service.

Sabbatical leave arrangements must be approved by your head of bench.

Untaken but accrued (at the rate of 1.2 months of leave for each completed year of service) sabbatical leave may be taken ahead of retirement.

**LUMP SUM OPTION AT RETIREMENT IN LIEU OF LEAVE**

In lieu of taking the leave ahead of retirement, a retiring judge may elect to accept a lump sum for unused/accrued sabbatical leave (if any), but with the following limits.

Complete years of Total Service	Limit of lump sum
Less than 5 years	1/10 <sup>th</sup> of 12 months' salary for each complete year
5 years and less than 15 years	5/10 <sup>th</sup> of 12 months' salary
15 years and less than 20 years	1/10 <sup>th</sup> of 12 months' salary for each complete year in excess of 10
20 years and over	12 months' salary

## ANNUAL LEAVE AND SICK LEAVE

There is in no statutory entitlement to leave but in practice, and subject to the discretion of the head of bench, judges are not generally required to sit during court vacations (albeit they are expected to attend to any outstanding judgments) and may take a week's leave between June and Christmas.

## HEALTH

A Judge may be reimbursed the costs of the following health related expenses:

- An eye test every two years (plus a one-off contribution of \$300 or such sum as may be agreed between the Ministry of Justice and the Director of the Office of the Chief Justice) towards the cost of glasses or contact lens
- An annual medical examination
- Professional counselling for personal or work-related issues.