

A BILL

FOR AN ACT TO AMEND THE JUDGES' REMUNERATION AND EMOLUMENTS ACT

ENACTED by the Parliament of Fiji.

Short title and commencement

1. This Act may be cited as the Judges' Remuneration and Emoluments (Amendment) Act, 1996 and shall be deemed to have come into force on the first day of January, 1996.

Sections "2" and "2A" amended

2. Sections "2" and "2A" of the Judges' Remuneration and Emoluments Act are repealed and replaced by the following new section 2:

"Salaries and allowances"

2—(1) The Chief Justice, the President of the Court of Appeal, a resident Justice of Appeal and each other Judge shall receive such annual salary and entertainment allowance as may from time to time be prescribed by the Higher Salaries Commission by notification in the *Gazette*: provided that such salary and entertainment allowance shall respectively be not less than:—

- (a) in relation to the Chief Justice, \$78,925 and \$1250;
- (b) in relation to the President of the Court of Appeal, \$73,000 and \$1800;
- (c) in relation to each Resident Judge of Appeal, \$67,650 and \$1,658;
- (d) in relation to each other Judge, \$64,575 and \$1,575.

Judges' Remuneration and Emoluments (Amendment) — of 1996

(2) The Chief Justice, the President of the Court of Appeal and each other Judge shall be entitled to Government housing during his service and in respect of such housing shall pay the rent prescribed in the Schedule as being applicable to the grade of housing occupied: provided that if any Judge is not allocated Government housing he shall be entitled to such housing allowance as the Judicial and Legal Services Commission shall, with the approval of the Minister responsible for Finance, from time to time determine.

(3) When the President of the Court of Appeal is not normally resident in Fiji he shall receive, instead of the emoluments set out in subsection (1), such salary as may from time to time be determined by the Higher Salaries Commission, being not less than:-

(a)	Salary	\$28,000 per annum;
(b)	Entertaining	\$850 per annum;
(c)	Salary session of the court	\$200 per day;
(d)	Travelling allowances during session of the court.....	The equivalent of return business class air fare, and all other local travel expenses.

(4) An *ad hoc* Justice of Appeal and an *ad hoc* Justice of the Supreme Court shall be paid such *per diem* allowance as the Higher Salaries Commission may from time to time, determine, being not less than:-

- (a) in relation to a Justice of Appeal, \$340;
 (b) in relation to a Justice of the Supreme Court, \$500.

(5) In this section " Higher Salaries Commission" means the Commission established by the Higher Salaries Commission Act".

Attorney-General and Minister for Justice's Chamber,
Government Buildings,
Suva

September, 1996

JUDGES' REMUNERATION AND EMOLUMENTS (AMENDMENT) BILL, 1996

OBJECTS AND REASONS

[This is not part of the Bill and are intended only to indicate its general effect].

In August 1994 the Report of the Commission of Inquiry on the Courts of Fiji (known as "the Beattie Report") recommended *inter alia* that "the remuneration of judges should be fixed by the Higher Salaries Commission and that legislation should be passed to allow this change" (Recommendation 113). The Report also recommended (Recommendation 114) that the remuneration package, made up of salary allowance and pension, should be sufficient to attract the required number of judges and magistrates to enable the courts function efficiently and that the 1994 Deloitte Touche Tohmatsu Report relating to salaries of judicial officers be implemented.

- 2.00 In a debate in the House of Representatives in November 1995, the Attorney-General and Minister for Justice indicated that the Government broadly accepted the proposals in that Report, and Provisions for the cost of the Salary increases was made in the 1996 Budget Estimates (Judicial Department Head II Programme I, Activity I, SEG I). The above Bill therefore is intended to give effect to the relevant recommendation in the Report and at the same time to make appropriate adjustments to existing salaries and allowances.
- 3:00 This Bill is the responsibility of the Prime Minister.

E. V. TAVAI
Attorney-General and Minister for Justice