



Coroners (Salaries and Superannuation) Determination 2010

Pursuant to section 110(1) of the Coroners Act 2006 and section 12B(1)(f) and (2) of the Remuneration Authority Act 1977, the Remuneration Authority, after consultation with the Government Actuary, makes the following determination (to which is appended an explanatory memorandum).

Contents

		Page
1	Title	1
2	Commencement	1
3	Expiry	2
4	Interpretation	2
5	Salaries of coroners	2
6	Limited application of clause 7	2
7	Eligibility for subsidy on contributions to registered superannuation scheme	2
8	Judicial determinations do not apply to coroners	3

Determination

- 1 Title**
This determination is the Coroners (Salaries and Superannuation) Determination 2010.

- 2 Commencement**
This determination is deemed to have come into force on 1 January 2010.

3 Expiry

This determination expires on 31 December 2010.

4 Interpretation

In this determination, unless the context otherwise requires,—
coroner—

- (a) means a person holding office under any of section 103, 104, or 105 of the Coroners Act 2006; but
- (b) does not include a person who, under section 8(d) of the District Courts Act 1947, is a coroner by virtue of holding office as a District Court Judge

new GSF Scheme means the new government service superannuation scheme established under Part 2A of the Government Superannuation Fund Act 1956

registered superannuation scheme means a superannuation scheme registered under the Superannuation Schemes Act 1989, other than the new GSF Scheme

year means a period of 12 months ending on 31 December.

5 Salaries of coroners

The salary payable to a coroner must be at the annual rate of \$216,000.

6 Limited application of clause 7

Clause 7 does not apply to a coroner who—

- (a) is a former coroner appointed under section 103(5) of the Coroners Act 2006; or
- (b) is a relief coroner appointed under section 104 of the Coroners Act 2006; or
- (c) is a current contributor under Part 5A of the Government Superannuation Fund Act 1956; or
- (d) is a current contributor to the new GSF Scheme.

7 Eligibility for subsidy on contributions to registered superannuation scheme

- (1) A coroner who chooses to contribute to a registered superannuation scheme is entitled to have a subsidy paid on his or her contribution.

- (2) The maximum amount of superannuation subsidy (inclusive of any tax liability) that is payable in any year is 20% of the gross salary actually paid to the coroner in that year.
- (3) In order to qualify for a superannuation subsidy, the contribution that the coroner must make to the registered superannuation scheme must, when expressed as a ratio of the superannuation subsidy to the coroner's contribution, be 5:1.

8 Judicial determinations do not apply to coroners

To avoid doubt,—

- (a) nothing in the Judicial Salaries and Allowances Determination 2009 applies to coroners; and
- (b) nothing in the Judicial Superannuation Determination 2006 applies to coroners to whom clause 7 applies.

Dated at Wellington this 3rd day of May 2010.

Michael Wintringham,
Chairman.

A Foulkes,
Member.

Explanatory memorandum

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

The Remuneration Authority's first remuneration determination for coroners came into force on 1 July 2007. On that date, the sections of the Coroners Act 2006 giving the Remuneration Authority responsibility for setting remuneration for coroners came into force. That determination set an initial salary rate of \$200,000 for coroners.

Since 1 July 2007, the Authority has twice considered coroners' remuneration. The salary of coroners was increased to \$208,000 with effect from 1 January 2008. The Authority held coroners' remuneration at the same level from 1 January 2009.

There were 2 main reasons for the nil adjustment in January 2009. First, at that time and in response to a worsening economic and fiscal outlook, many state sector organisations were announcing that there would be no remuneration adjustments for the following year. The Authority took the view that those individuals or groups for whom it set remuneration could not stand outside that reality.

Second, the Authority was not then in a position to make a judgement about the remuneration relationship between coroners and other branches of the judiciary.

With the passage of a further year the Authority is now better placed to make a judgement about fair relativity between the remuneration of coroners and other positions within the judiciary. The Authority is required by its Act to be fair to those whose remuneration is being determined, and to achieve fair relativity with remuneration being achieved elsewhere.

However, the Authority is also constrained by the reality of the economic and fiscal climate, and the requirement of the new section 18A of the Remuneration Authority Act 1977. That section requires the Authority to take into account prevailing adverse economic conditions when making a remuneration determination, and permits the Authority to determine remuneration at a rate lower than it would otherwise have determined.

This determination attempts to strike a balance between these statutory requirements. It should be regarded as a first step toward establishing a more stable remuneration relativity between coroners and other branches of the judiciary.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 6 May 2010.
