

**2002 Civil Service Pay Adjustment
Public Officers Pay Adjustment Bill
Pay Adjustment for Judges and Judicial Officers**

Purpose

This paper briefs Members on the existing pay adjustment mechanism for judges and judicial officers.

The Judicial Service Pay System

2. Prior to 1987, matters pertaining to pay and conditions of service for both judges and judicial officers and directorate civil servants were subject to the advice of the same advisory committee, i.e. the Standing Committee on Directorate Salaries and Conditions of Service. In May 1987, in view of the independent status of the Judiciary, it was decided that the Judiciary should be a self-administering body with pay and conditions of service for judges and judicial officers dealt with separately from those of the civil service. The Standing Committee on Judicial Salaries and Conditions of Service (Judicial Committee) was subsequently established in December 1987. On the advice of the Judicial Committee and upon approval of the Finance Committee of the Legislative Council, the Judicial Officers Salary Scale (now re-titled as the Judicial Service Pay Scale) was established in November 1988 as a new and separate pay scale to cater specifically for judges and judicial officers. In approving the establishment of the new pay scale, the Finance Committee agreed that the salaries for judges and judicial officers should, initially, remain the same as transferred to the new scale. These salaries would be subject to an annual review separate from that carried out in respect of the rest of the civil service. The principles governing such a review may, initially, be those applicable to the review of civil service salaries but would likely be varied in due course as special factors affecting the Judiciary were identified.

New Institutional Structure, Mechanism and Methodology for the Determination and Revision of Pay and Conditions of Service for Judges and Judicial Officers

3. In recognition of the independent status of the Judiciary and the fact that the pay and conditions of service of the judges and judicial officers are determined separately from the civil service, the Administration has been discussing with the Judiciary for some time the establishment of a new institutional structure and mechanism as well as the appropriate methodology for the determination and revision from time to time of the pay and conditions of service for judges and judicial officers. We understand that the Chief Justice intends to make a proposal in early 2003 to the Administration for consideration. The proposal will be based on a consultancy study which the Judiciary has commissioned on overseas practice and will be made after consultation with judges and judicial officers.

4. In view of the above considerations, the Chief Executive in Council has decided not to apply the pay reduction to judges and judicial officers in the Public Officers Pay Adjustment Bill. However, when the new institutional structure, mechanism and methodology are in place, an assessment will be made within that structure as to whether the pay reduction currently proposed for civil servants should also be applied to judges and judicial officers and if so, as from what date.

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