

CAYMAN ISLANDS



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**THE JUDGES EMOLUMENTS AND ALLOWANCES LAW
(2018 REVISION)**

**THE JUDGES EMOLUMENTS AND ALLOWANCES (AMENDMENT)
ORDER, 2018**

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ORDER, 2018**

ARRANGEMENT OF PARAGRAPHS

1. Citation and commencement
2. Amendment of paragraph 1 of the Judges Emoluments and Allowances Order, 2005 - citation
3. Amendment of paragraph 2 - definitions
4. Amendment of paragraph 3 - emoluments
5. Amendment of paragraph 5 - pensions and other retirement benefits
6. Amendment of the First Schedule - Judicial Salaries
7. Amendment of the Second Schedule - General administrative provisions governing pensions under this Schedule

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**THE JUDGES EMOLUMENTS AND ALLOWANCES LAW
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**THE JUDGES EMOLUMENTS AND ALLOWANCES (AMENDMENT)
ORDER, 2018**

In exercise of the powers conferred by section 2 of the Judges Emoluments and Allowances Law (2018 Revision), I, Franz Manderson, Acting Governor of the Cayman Islands, make the following Order -

1. (1) This Order may be cited as the Judges Emoluments and Allowances (Amendment) Order, 2018. Citation and commencement

(2) This Order shall be deemed to have come into force on 1st January, 2016 immediately following the coming into force of the Judges Emoluments and Allowances (Amendment) Law, 2016.
2. The Judges Emoluments and Allowances Order, 2005, in this Order referred to as “the principal Order”, is amended in paragraph 1 by inserting after the word “Judges”, the words “and Magistrates’ ”. Amendment of paragraph 1 of the Judges Emoluments and Allowances Order, 2005 - citation
3. The principal Order is amended in paragraph 2 as follows - Amendment of paragraph 2 - definitions
 - (a) at the end of the definition of the word “Judge”, by deleting the word “and”; and
 - (b) by inserting, after the definition of the word “Judge”, the following definition -
“ “Magistrate” has the meaning assigned to it in the Summary Jurisdiction Law (2015 Revision); and”.
4. The principal Order is amended in paragraph 3 as follows - Amendment of paragraph 3 - emoluments
 - (a) by inserting after subparagraph (3), the following subparagraph -

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“(3A) The Magistrates shall be paid for the period from the 1st January, 2016 to the 31st August, 2017, the emoluments contained in Part 4 of the First Schedule.”; and

(b) by inserting after subparagraph (4), the following subparagraph -

“(4A). The emoluments set out in Part 4 of the First Schedule shall be reviewed in the year 2017 and thereafter at two-yearly intervals, and shall be increased by such percentage amount as the consumer price index prepared in and for the Islands shows an increase over the consumer price at the date of the last previous consumer price index increase awarded.”.

Amendment of
paragraph 5 - pensions
and other retirement
benefits

5. The principal Order is amended in paragraph 5(1) by inserting after the word “Judges”, the words “and Magistrates”.

Amendment of First
Schedule - Judicial
Salaries

6. The principal Order is amended in the First Schedule as follows -

(a) in the title of the First Schedule by deleting the word “Judicial”;
and

(b) by inserting after Part 3 the following Part -

“PART 4

Salaries with effect from 1st January 2016 to 31st August, 2017

Chief Magistrate -

On first appointment \$ 173, 917.20per annum

**Magistrates other
than the Chief
Magistrate -**

On first appointment \$ 147,829.68.....per annum

Salaries with effect from 1st September 2017 and thereafter (subject to paragraph 3(4A) of the Order)

Chief Magistrate

On first appointment \$177,221.64per annum

**Magistrates other than
Chief Magistrate**

On first appointment \$150, 638.40per annum.”.

7. The principal Order is amended in the Second Schedule as follows -

Amendment of the
Second Schedule -
General administrative
provisions governing
pensions under this
Schedule

- (a) in paragraph 1 in the definition of the words “Judicial Service”, by inserting after the words “on or after the 1st September 1997”, the words “or as a Magistrate of the Summary Court, on or after 1st January, 2016”;
- (b) in paragraph 12(8), by inserting after the words “ceases to be employed in Judicial Service”, the words “or on such date as the participant is deemed to have retired pursuant to paragraph 30(1), whichever is sooner”;
- (c) by renumbering paragraph 30 as paragraph 30(1);
- (d) in paragraph 30(1) as renumbered, by inserting after the words “and who is subsequently employed in the Judicial Service”, the words “or who remains employed in Judicial Service upon being deemed to have retired pursuant to paragraph 30(1),”;
- (e) by inserting immediately after paragraph 30(1) as renumbered, the following new subparagraph -

“(2) An active defined benefit participant who has accrued a right to a maximum pension entitlement or has attained normal retirement age, may, at the discretion of and with the written agreement of the Governor and for the purposes of this paragraph only, be deemed to have retired, to be receiving a pension and to have been re-employed upon the date upon which the active defined benefit participant achieved the participant’s maximum pension entitlement (whether that date is before or after the coming into force of this provision).”;

- (f) in paragraph 42 by inserting after the word “Order” the words “and to Magistrates from the 1st January, 2016” ;

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- (g) in paragraph 43 as follows -
 - (i) by inserting after the words “a judge”, the words “or a magistrate”; and
 - (ii) by inserting after the words “that judge”, the words “or that magistrate”; and
- (h) in paragraph 57 by inserting after the words “a judge”, the words “or a magistrate”.

Made this 23rd day of March, 2018.

Franz Manderson

Acting Governor.