

FINAL REPORT OF THE  
2010 BRITISH COLUMBIA  
JUDGES COMPENSATION COMMISSION

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Report to the Attorney General of British Columbia  
and the Chief Judge of the Provincial Court of British Columbia  
Pursuant to Section 5(3) of the Judicial Compensation Act

September 20<sup>th</sup> 2010

Justices, the Commission recognized the importance of minimizing the wage disparity between the two courts. The Commission also noted that the remuneration of Provincial Court Judges in British Columbia should keep pace with that of other provinces.

In 2007, the Commission found that the Province's economic outlook was "healthy". Accordingly, the Commission saw no reason why judges of British Columbia's Provincial Court should not receive salaries in keeping with B.C.'s relative economic position within the country.

The Commission made the following salary recommendations for the period April 1, 2008 – March 31, 2011:

<b>April 1, 2008 – March 31, 2009</b>	\$220,000.00 (an increase of 8.7%)
<b>April 1, 2009 – March 31, 2010</b>	\$225,500.00 (an increase of 2.5%)
<b>April 1, 2010 – March 31, 2011</b>	\$231,138.00 (an increase of 2.5%)

The Commission also recommended that the Chief Judge continue to receive a salary of a *puisne* judge plus 12%, and that the Associate Chief Judge continue to receive the *puisne* judge salary plus 6%.

The Government adopted the 2007 Commission's recommendations with respect to salary. In the present 2010/11 fiscal year, Provincial Court Judges earn a salary of \$231,138.00. As a result, British Columbia's Provincial Court Judges' salaries are currently the second highest in Canada (after Ontario), and approximately 85% of federally-appointed Supreme Court Justices' salaries.

## **Pension and Benefit Plans**

British Columbia's Provincial Court Judges are members of the Public Service Pension Plan (the "Pension Plan"). In 2004, the total annual cost to fund the judges' pension was 29.2% of their salary. Pursuant to the *Act* (and consistent with the obligations of other members of the Pension Plan), the judges' contribution rate was fixed at 7%, with the balance of 22.2% paid by the Government, or a ratio of 24:76.

By 2007, the trustees of the Pension Plan had increased the member contribution rate from 7% to 9.13%. The Government sought the 2007 Commission's approval of this change, and a recommendation that further changes to the Pension Plan by its trustees flow through to the judges without involvement of the Commission.

The Commission accepted that the trustees of the Pension Plan may make changes to the pension contribution rates from time to time, and that the provisions of the *Act* that fix the contribution rates for judges and the Government can be amended without compromising judicial independence. The Commission specifically recommended that the salary-based contribution rates in s. 18(1) of the *Act* be replaced by provisions requiring the judges to contribute 24% of the total premium cost of the Pension Plan, and the Government to contribute 76% of the premium cost. Any future increases or decreases in the overall contribution premiums required by the trustees would automatically flow through to the