



## European Network of Councils for the Judiciary (ENCJ)

### Réseau européen des Conseils de la Justice (RECJ)

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Attractiveness of the Judicial Career  
11-12 March Riga, 2024

## Similarities in the method for defining judges' salaries

On the basis of information provided by the Request for Information  
– NCA Norway

### **Established in the Law**

The main principles regarding judicial salaries are established in law (Austria, Spain, Croatia, Italy, Germany, Portugal, Romania and Lithuania).

In Austria, the salary depends on the level of court the judge adjudicates in and on the length of service. All changes in the level of salaries, require a change of law. In Austria, annual negotiations between the Union of Public Servants and the government, represented by the Minister of Public Service and the Minister of Finance, are held.

In Spain, the salary of judges is set out in Law 15/2003 of 26 May. The said law regulates the remuneration regime of judicial and fiscal careers.

In Croatia, it is the Law on Salaries and Other Material Rights of Judicial Officials that defines the salary of judges. There is a basic salary that is multiplied by coefficients depending on the rank of the judicial body. The salary is also increased by 0.5% every year of service, with a maximum of 20%.

In Italy, judicial salary is also established by law, in relation to the length of service and the judicial position held. The law of 2 April 1979 states that there is no bargaining regarding the salary of magistrates. Law no. 27 of 19 February 1981, introduced the automatic adjustment system, which calculates and adapts the salary of magistrates to the cost of living, taking into consideration the variation of salaries of public employees.

In Germany, the salary is also regulated by law. The remuneration of judges consists of the basic salary, that is determined in accordance with the pay grade of the office that is held or was assigned, the family allowance, allowance in specific cases and in some cases an annual special payment and capital-forming benefits.

In Romania, the salary of judges is established in Framework Law no.153 of 28 June 2017. The salary of the judges depends on the seniority of the magistrate, the type of court and the type of function that is being performed. For magistrates active in harmful or dangerous conditions, an increase up to

15% of the basic salary is offered. For those who run the risk of neuropsychic overload, an increase up to 25% is available and for magistrates who maintain confidentiality an increase up to 5% is offered.

In Lithuania, the salaries of judges and the procedure around the calculations are laid down by the Law of Remuneration of Judges of the Republic of Lithuania.

In Portugal the salary system for judges is provided for in Law No.21/85.

In Finland, judicial salaries are determined by a collective agreement, but determination by law is being discussed. The salary is composed of the class of the judicial position and a percentage which is based on the years of experience.

## **Factors that have impact in determining judicial remunerations**

### **1. Seniority**

Austria, France, Italy, Denmark, Romania, Hungary, Portugal and Finland all take seniority/experience or length of service into consideration when calculating the salary of judges. As a result, magistrates who are longer in service, will receive a higher salary than newly appointed judges.

In Croatia, with each completed year of service, the salary is increased by 0.5%, with a maximum of 20%.

CSM Italy reports that in Italy, the salary of magistrates is increased first by 6% every two years. After several years of service, that increase is reduced to a 2,5% increase every two years.

### **2. Bonusses**

In France, judges are eligible to receive compensations and bonusses in accordance with the nature of their activities. For example, magistrates who have to work during the nights or in the weekends will get a compensation (bonus) for this. Monthly bonuses are available from 34% to 50% depending on the function of the job, a bonus for jobs that have a certain responsibility and technicality and a bonus for anti-terrorism. Finally, there is a possibility to receive a bonus that is based on the magistrate's contribution to the judiciary.

In Slovakia, bonusses are awarded for managerial functions, for being visiting judges, for managing interns, for service on standby (hourly rate). When judges are entitled to maternity compensation, they shall receive a bonus in the amount of 55% of judicial salary.

In Lithuania there are no additives or bonusses, except two: magistrates get payment when work is done on festive and/or rest days; the judge that replaces the President of the Court in case of absence, receives a salary that is calculated by applying the coefficient of the President of the Court.

In Denmark, judges receive supplements, which depend on functions and seniority.

In England & Wales, judicial pay awards are subject to an annual review by the Senior Salaries Review Body (SSRB), which takes into consideration a broad range of factors including evidence from the Government on affordability, recruitment and the wider justice system, as well as the wider macroeconomic environment. The SSRB makes recommendations to the Lord Chancellor, that are taken into account when determining the annual judicial pay award.

### **3. Court instance**

In France the salary depends on the court instance. In Croatia, the rank of the judicial bodies has corresponding coefficients, for example the first instance rank has coefficient 4,21. In Germany there is a clear distinction in salaries between first instance judges and second instance judges. In Romania the salary of judges is determined partly according to the type of court in which the magistrate is active. Also in Portugal a difference is visible between judges of first instance courts and those of courts of appeal, of Supreme Courts and other Courts.

# Request for Information: NCA Norway:

## Method for defining/negotiate salary for judges

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## **Request**

The Norwegian Court Administration has recently requested information on the method for defining/calculating/negotiating salary for judges apply in other countries.

## Answers

### 1. Members

### 2. BULGARIA - ВИСШ СЪДЕБЕН СЪВЕТ - Supreme Judicial Council

According to Art. 163 of the Judiciary System Act the judicial, prosecutorial and investigative positions are:

1. judge in the Supreme Court of Cassation, judge in the Supreme Administrative Court, prosecutor in the Supreme Cassation Prosecutor's Office, prosecutor in the Supreme Administrative Prosecutor's Office and investigator in the National Investigation Service;
2. a judge in an appellate court, a judge in a military appellate court, a prosecutor in an appellate prosecutor's office and a prosecutor in a military appellate prosecutor's office;
3. a judge in a district court, a judge in an administrative court, a judge in a military court, a prosecutor in a district prosecutor's office, a prosecutor in a military district prosecutor's office and an investigator in a district investigation department;
4. a judge in a regional court and a prosecutor in a regional prosecutor's office;
5. junior judge, junior prosecutor and junior investigator.

**The basic salaries of judges, prosecutors and investigators in Bulgaria, referred to as magistrates for short, are formed and determined by the Supreme Judicial Council /SJC/ periodically - quarterly, depending on the reported level of the average salary in the public sector of the economy, the personal contribution of the magistrates in this period and the range, formed with the maximum amount of basic salaries, established for each position in Table No. 1, confirmed by a decision of the Plenum of the SJC.**

*Under these requirements, the individual basic monthly salary of magistrates is determined in two stages, by determining:*

1. **Maximum basic monthly salaries for positions, legally approved by decision of the SJC in Table No. 1;**
2. **Individual basic monthly salary of the person/basic salary determined by individual employment contract/.**

#### 1. Determination of maximum basic monthly salaries of magistrates

*The establishment of the maximum amount of the basic salaries by position and rank for the magistrates by basic positions is carried out in absolute amount, and for the rest with coefficients to them, subject to the following conditions:*

- *The amounts of the maximum basic monthly salaries, determining the framework of labor remuneration in the judicial system and the range between the highest and the lowest position for magistrates in Table No. 1 are determined in compliance with the provisions of Art. 218 of the Civil Code, which states that "The presidents of the Supreme Court of Cassation and the Supreme Administrative Court, the chief prosecutor and the director of the National Investigation Service receive a basic monthly remuneration equal to 90 percent of the remuneration of the president of the Constitutional Court".*
- *The basic monthly remuneration for the lowest position of a judge, prosecutor and investigator is determined in the amount of twice the average monthly salary of the employed persons in the budgetary sphere according to the data of the National Statistical Institute;*

- remunerations for the other positions in the bodies of the judiciary are determined by the plenary session of the Supreme Judicial Council;

## **2. Determining individual basic monthly salaries of magistrates.**

*The individual basic monthly salaries of magistrates are specified and determined by the SJC, subject to the following procedures and legal restrictions:*

*The individual basic monthly salary of magistrates is formed in the range defined in the limits between the maximum basic salary determined for the relevant position and a minimum level equal to the maximum basic salary approved for the lower magistrate position in **Table No. 1**.*

## **3. CROATIA- Državno sudbeno vijeće - State Judicial Council**

Salaries of judges, as well as their other material rights, are prescribed by the Law on Salaries and Other Material Rights of Judicial Officials. Law prescribes the basis of the salary calculation (706,50 euro for all judges) and the coefficients for the salary calculation depending on the rank of the judicial bodies (first instance rank 4,21, county rank 4,55, high rank 5,70 and the Supreme Court 6,42). Higher coefficient is prescribed for the court presidents as well as county court judges who solve corruption and organized crime cases. The salary of all judicial officials is additionally increased by 0.5% for each completed year of service, and by a maximum of 20%.

In the Republic of Croatia, judicial officials implemented „two weeks" warning measures which lasted until February 2. 2024., given that the basis is prescribed by the Law proposed by the executive power (Ministry of Justice and Administration), and the Law is enacted by the legislative power (Croatian Parliament). They believe that the independence of the judiciary is violated because the basis depends on the "good will" of politics and is not regulated by objective criteria. They request that the base be linked to an objective criteria, i.e. the average gross salary of employees in legal entities of the Republic of Croatia.

## **4. DENMARK - Domstolsstyrelsen**

The salary of the Danish judges is composed of a salary based on a salary scale (corresponding to basic salary) and a supplement. In addition, they receive pension.

Judges are employed as civil servants.

### **The salary scale:**

In the salary scale system judges are placed in the salary scale on levels 38 – 42+. There are no levels above 42+.

- District Court judges are placed on level 38. This corresponds to a head of section, deputy director similar in a state agency.
- High Court judges are placed on level 39. This corresponds to a head of section in a department in a ministry or a director in a smaller state agency.
- The District Court Presidents are also placed on level 39. However, the President of the District Court of Copenhagen is placed on level 40 corresponding to a director of a bigger state agency.
- The Presidents of the two Higher Courts are placed on level 41. This level is also used in the state for heads of departments in the central administration.

- Supreme Court judges are placed on level 41, and the Supreme Court President is placed on level 42+. Salary scale level 42+ is used in the central administration only for a few heads of departments.

#### **Supplement:**

In addition to the basic salary mentioned above, Danish judges are granted a supplement.

The size of the supplement (and thus the aggregated salary) is the same for all Supreme Court judges. The same applies to the District Court judges. For Higher Court judges, the supplement can vary depending on the functions of the judge (e.g. presiding judge, assistant presiding judge or third judge). These functions, and thus the supplement, depends on seniority.

With a few exceptions, District Court Presidents also receive the same supplement, as do the two High Court Presidents.

The supplements are provided by the so-called chief salary pool. This pool is established after negotiations between the Ministry of Finance and trade unions. The pool is usually increased in connection with the collective employment negotiations that take place every 2 to 3 years. When the pool is increased, it is possible to raise some or all of the supplements for the judges. The Danish Courts Administration and the Association of Judges negotiate and decide how the increased amount will be used.

#### **Pensions:**

Judges earn civil service pension from the basic salary according to the rules of the Civil Service Pension Act. In the case of retirement due to age, pension is paid based on the judge's seniority as a civil servant and placement on the salary scale levels at the time of dismissal.

In addition, judges earn an additional pension of 17.1% of the supplement.

## **5. FINLAND - Tuomioistuinvirasto/ Domstolsverket - National Courts Administration**

The salary system for judges in Finland was reformed in 2000. Judges' salaries are determined based on a collective agreement, similar to other civil servants.

However, the structure of the judicial salary system differs from that of other civil servants. Typically, civil servants' salaries consist of a base salary determined by the complexity of their tasks and a performance-based component determined by the individual's personal performance. When reforming the judicial salary system, it was considered that the constitutional protection of judges' independence prevents the evaluation of their personal performance as a basis for salary. A judge's salary is composed of the salary class of the judicial position and a percentage-based experience increment based on years of work experience (0 - 30 percent, detailed collective agreement attached *på svenska*<sup>1</sup>).

The reform of the judicial salary system is currently under discussion in Finland, and, among other things, the Judges' Association strongly advocates a transition to a system where judges' salaries are regulated by law.

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<sup>1</sup> Please see the annex in Finnish at the end of this compilation.



## **6. FRANCE - Conseil Supérieur de la Magistrature**

In France, the CSM doesn't play any role in the remunerations of judges and prosecutors.

The judges and prosecutors have a specific status in the public office in order to ensure the independence of the judiciary but still, they remain civil servants, although they have a specific status. Judges and prosecutors working in courts of first instance and courts of appeal are paid by a dedicated administrative service of the court of appeal they belong to. As for prosecutors working in the central services of the Ministry of Justice, they are paid by a dedicated service of the Ministry of justice.

In 2020, the median gross salary for judges and prosecutors in France corresponded to 4447 euros per month. The gross salaries for judges and prosecutors were between 1816 euros per month and 7076 euros per month.

To sum up, the amount of the salary of judges and prosecutors depends on several factors, namely:

- Seniority and length of service (rise of the salary based on a salary scale) ;
- Nature of activities (for example, a prosecutor who has to work during the nights and the week-ends will get a bonus in addition to its salary).

The rules governing pay are very complex, so they are not further enumerated. Below is reproduced the extract from the CSM France contribution to the Justice Scoreboard 2024.

### **1.6.4. What are the main components/structure of judges' salaries? [several answers possible]**

Basic salary, including components that depend on court instance, seniority, age, and personal factors: basic salary - seniority (indexed scale) - personal factor related to dependent children

Additional components that depend on managerial or other function (please specify who decides on them): monthly flat-rate bonus from 34% to 50% depending on the job held – new index bonus : set up for jobs involving a particular responsibility and technicality- anti-terrorism bonus - (who decides: the head of the court)

Additional components that depend on performance (please specify who decides on them): monthly adjustable bonus based on the magistrate's contribution to the proper functioning of the judicial institution, calculated as a percentage of the gross salary - the national reference rate is set at 12% (who decides: the head of the court)

## **7. HUNGARY- Országos Bírói Tanács - National Judicial**

### **Council**

In the Hungarian public sector system, the basic rate of automatic pay adjustment is linked to the average monthly gross earnings in the national economy for the year before the year in question. If this increases, the salary adjustment is automatically applied at the level of substantive administration and management in the above-mentioned branches of government and offices from 1 March each year.

**Among the branches of government, only the salaries of judges - and prosecutors - will not change under this system.**

However, judges must receive a salary commensurate with the weight of their responsibilities and to ensure that they can carry out their duties without being influenced.

Unlike all other branches of government, only the salaries of judges and prosecutors do not follow inflation.

Act CLXII of 2011 on the Legal Status and Remuneration of Judges provides for the rules on the remuneration of judges.

The judge is entitled to a salary, other remuneration, allowances and reimbursement of expenses.

The salary of a judge shall consist of a basic salary and an allowance. The increment for the post, the management increment and the title increment shall be of a basic salary nature.

The basic salary of a judge shall be determined on the basis of the length of service calculated in accordance with the Act, multiplied by the judicial salary base and the multiplication factors set out in Annex 2 to the Act for each grade.

The salary base for judges shall be determined annually by the Central Budget Act but shall not be less than the amount for the preceding year. A judge moves up one step for every 3 years of service. Besides this judges are entitled to a career allowance.

The amount of this allowance shall be equal to the amount of the judge's basic salary. 20% for a district court judge, 40% for a county court judge and 70% for a judge of the High Court of Appeal, and 120 % for judges of the Curia.

Act LV of 2023. on the 2024 central budget of Hungary the salary base of judges and prosecutors has thus been increased to HUF 566 660 from 1 January 2022 (about 1400 euros).

Two years have passed since then, but judicial salaries have neither kept pace with inflation nor with the average earnings of the national economy. The primary reason for this is Article 169 (2) of the Law on the Legal Status and Remuneration of Judges – as mentioned above -, which states that, the salary base of judges shall be determined annually by the Act on the Central Budget, so that its amount shall not be lower than the amount of the previous year.

Accordingly, this year's budget law set the salary base for judges at HUF 566 660, as in 2022 and 2023, which is not lower than the previous year's amount, but not a single cent more.

The judiciary is united in its view that a wage increase to counter inflation is justified and essential.

The European Commission's Rule of Law Report 2023 pointed out that the impact of previous salary increases for judges and prosecutors has been adversely affected by high inflation, the financial situation of judges and court staff has deteriorated, even compared to significant salary increases in other segments of society, and low salaries have made it difficult for courts to recruit and retain non-judicial staff.

On 7 June 2023, the National Judicial Council (NJC) submitted a formal legislative proposal to the Minister of Justice to ensure that judges and court staff receive a salary increase at least in line with inflation from 1 September 2023. The NJC recalled that remuneration that reflects the dignity and responsibility of judges is an important element of judicial independence and that the turnover of judicial staff also affects the functioning of the courts.

## **8. ITALY– Consiglio Superiore della Magistratura**

Salaries of magistrates are a key topic in defining the independence of the judiciary. The Constitutional Court has repeatedly and clearly reiterated its assessment on the issue. It stated that the pay of magistrates, dealing with jurisdictional functions, corresponds with “the essential reason to implement the constitutional principle concerning the independence and avoid that the judiciary is subject to recurring claims towards other powers (see Judgements no. 42/1993, no. 409/1995; see also Order no.346/2008).

The salary structure of magistrates represents a legacy of the pre-constitutional judicial system. The career advancement was based on competitions for upgrading to higher level positions and salaries were calculated in relation to the period worked with the previous professional level.

The reforms adopted at the end of the Seventies (the so-called “Breganza” and “Breganzone” law reforms) provided automatic career advancements. More specifically, the higher-level competitions have been eliminated; an “open staff” promotion has been envisaged (i.e. previously it was possible to become appeal court judge regardless of the appeal court vacancies); above all the positions have been separated from the functions actually performed.

The professional promotion took place after a CSM assessment and over a period of some years spent in the previous professional level (after two years of service the trainee judge became first instance court judge; after 13 years of service, he/she became second instance court judge; after 20 years of service he/she became court of cassation judge; after 28 years of service he/she was qualified to perform high level directive functions). Apart from the “pay progression” which was obtained after a three-years period from the appointment as a first instance court judge (resulting from the previous competition system regarding the position of deputy head of first and second instance court).

The 2007 judiciary reform dropped judicial levels, but the salary structure was unchanged. It provided for professionalism assessments every four years (up to 28 years). However, not all professionalism assessments have economic consequences.

In order for professionalism assessments to correspond with former status levels, an economic increase was foreseen only for the first, the third (i.e. one year after the third, i.e. after 13 years), the fifth (20 years) and the seventh (28 years) professionalism assessment.

The Law of 2 April 1979, no. 97, lays down 'Rules regarding the legal status of magistrates and the economic treatment of ordinary and administrative judges, military justice magistrates and State lawyers'. In other terms, there is no collective bargaining concerning the salary of magistrates who are to all intents and purposes non-contractual civil servants. In addition to 'career advancements', the remuneration increases 'automatically' every two years, i.e. by biennial grades of 6% and biennial increases of 2.5%. The system of grades and increments is extremely complicated to calculate, however, what could be asserted is that in the first phase of the career there is 6% growth every two years, while after a certain seniority period only two-year increments at 2.5% take place.

A fundamental mechanism within the structure of the magistrates' salaries is the automatic adjustment system introduced by Law No. 27 of 19 February 1981. This is a complex mechanism regulated by law (and implemented by decree of the Ministry of Justice) which, considering the overall variation in per capita salaries of public employees (for those having a special collective bargaining agreement), calculates and adapts the salaries of magistrates' staff to the cost of living. In brief, magistrates' salaries are regulated by law.

## **9. ITALY- Consiglio di Presidenza della giustizia**

### **amministrativa**

In Italy the amount of the salaries of the magistrates is established by law, in relation to the length of service and the position held. It is not referred to the rate of the salary of some other state (executive) officer (-s), and does not depend on the working time or the amount of work done nor is it conditioned by the actual presence of the magistrate in court.

The financial compensation is not commensurate with the number of sentences or provisions drawn up by the magistrate, with the exception of what is provided for in the art. 16 of provisions implementing the Code of the administrative trial (and the implementing decree of 2013) which governs the conduct of "clearing hearings" of the arrears, with optional participation, remunerated with the gross remuneration of 1,300 euros for each hearing and for a minimum of 6 sentences per hearing.

Salaries are periodically updated according to salary trend in the public sector. The payment of the so called "judicial allowance", which is not due for periods of leave, is added to the salary of the magistrate, which is subject to automatic progression by class (advancement of qualification) and periodic increments.

Therefore, in Italy administrative magistrates are paid without any consideration of the working hours or the increased workload. The number of the working hours is irrelevant, there is no provision for payment of extra hours (overtime).

## **10. LITHUANIA- Teisėjų Taryba**

In Lithuania, the salaries of judges and the procedure for calculating them are laid down by the Law on Remuneration of Judges of the Republic of Lithuania, which is adopted by the Parliament. In Lithuania in 2023 the reorganization of the public sector remuneration was carried out. On May 25, 2023, the Law on Amending the Law No. X-1771 on Remuneration of Judges of the Republic of Lithuania was adopted. This law entered into force on the 1<sup>st</sup> of July 2023. Additional funding for the implementation of the law was provided to the courts. At the same time, the laws governing the remuneration for other officials and civil servants were amended.

We add this law in Lithuanian, as Google Translator is able to translate a little. The table of approved coefficients in appendix of the Law, according to all the hierarchy of the courts.

We note that in the last few years the Judicial Council has repeatedly addressed the legislative and executive authorities of the Republic of Lithuania on the issue of insufficient remuneration of judges, stressing the need for the State to have a systematic approach to the remuneration of state authorities, officials, and law enforcement bodies.

The law adopted on May 25, 2023, took into account constantly repeated declaration of the Judicial Council that the State should have a systematic approach to the remuneration of state authorities, officials, and law enforcement bodies and the need to respect the constitutional principle of division of the state powers, which presupposes, that all state authorities - legislative, executive and judicial - are considered equal to their status. This was taken into account, therefore, the salary coefficients of the Chairman of the Parliament, the Prime Minister of the Government, the President of the Constitutional Court and the President of the Supreme Court of Lithuania were unified, (i.e., the salary coefficient of all these positions is equal to 4.9) and, accordingly, the salary system of other officials is placed down from these values, respectively. A higher coefficient is only for the President of Lithuania.

In the assessment of the salary structure, the salary of the judge comprises only the salary coefficient multiplied by the statutory basic amount approved by the law, which is equally applied throughout the public sector. Currently, the basic amount is EUR 1785.4, so the gross salary of the President of the Supreme Court is 4,9x1785,4. There are no additives or bonuses, except for one exception - payment for work on festive and rest days when it comes to the Code of Criminal Procedure of the Republic of Lithuania, the Code of Civil Procedure of the Republic of Lithuania and other laws. Also, in the absence of a court leadership the judge who replaces the President of the Court receives a salary calculated by applying the coefficient of the President of the Court.

## **11. PORTUGAL - Conselho Superior da Magistratura**

The retributive system for judges is exclusive, of one's own and shall comprise a basic remuneration and the supplements expressly provided for in their statute ([Law No. 21/85, of July 30<sup>th</sup>](#)).

The remuneration of judges must be adjusted to the dignity of their sovereign functions and the responsibility of those who exercise them, in order to guarantee the conditions of independence of the judiciary.

The structure of the basic remuneration to be paid monthly to judges is that developed in the indicative scale of the map contained in Annex I to their Statute, of which it forms an integral part.

Seniority, for the purposes of measuring the judicial level, is counted from the date of entry as a justice auditor at the Centre for Judicial Studies.

Judges are paid according to index 135 on the index scale of the map contained in annex I to their Statute, from the date on which they take office as judges.

The **base remuneration is annually and automatically reviewed**, without pending any formality, by updating the value corresponding to index 100, in accordance with the provisions of article 2 of Law no. 26/84, of 31 July, in its current wording (in accordance with and in proportion to the changes to the gross monthly remuneration fixed for the post of Director-General in the Public Administration).

The annual basic salary is paid in 14 monthly instalments, 12 of which correspond to the monthly salary, including holiday pay, and the remainder to a Christmas allowance, paid in November of each year, equal to the salary earned in that month, and a holiday allowance, paid in June of each year, equal to the salary earned in that month.

Judges are also entitled to a compensation allowance, set out in Annex IA to their Statute, of which it is an integral part, equated to cost allowances and which is also intended to compensate for their absolute availability and exclusivity. It is integrated into the basic remuneration, being paid 14 times a year and subject only to the deduction of the corresponding contribution (11%) to the general state pension fund or social security fund. **This allowance has been set at 927.5 euros for 2024.**

## PAY SCALE FOR 2024:

### I - Remuneration

President of the Supreme Court of Justice	i)	260			
	r)	<b>7 119,50</b>			
Supreme Court Judge	i)	260			
	r)	<b>7 119,50</b>			
Appeal Court Judge w/ 5 years	i)	250			
	r)	<b>6 845,68</b>			
Appeal Court Judge	i)	240			
	r)	<b>6 571,85</b>			
Judge of Specialised Jurisdiction Courts	i)	220			
	r)	<b>6 024,19</b>			
Judge of the Local Civil, Criminal and Petty Crime Courts / Public Prosecutor in the DIAP and in the Local Civil, Criminal and Petty Courts crime	i)	175	(w/15 years) 190	(w/18 years) 200	
	r)	<b>4 791,97</b>	<b>5 202,71</b>	<b>5 476,54</b>	
Judge of First instance Court	i)	(w/ 3 years) 135	(w/ 7 years) 155	(w/ 5 years) 175	(w/ 11 years) 175
	r)	<b>3 696,66</b>	<b>4 244,32</b>	<b>4 791,97</b>	<b>4 791,97</b>
Trainee Judge	i)	100			
	r)	<b>2 738,27</b>			

*i) Index*

*r) Remuneration*

## **12. ROMANIA - Consiliul Superior al Magistraturii**

Currently, the remuneration of Romanian judges is carried out in accordance with the provisions of the Framework Law no.153 of 28 June 2017 on the remuneration of staff paid from public funds, Annex V – Occupational family of budgetary functions “Justice” and the Constitutional Court.

Thus, the salary of judges is determined according to the seniority in profession and type of court (first instance court, tribunal, court of appeal, High Court of Cassation and Justice), as well as the type of function performed (regular or managerial).

According to the provisions of the law, the salary and other ancillary salary rights shall also be determined taking into account the place and role of justice in the rule of law, the balance of powers in the state, the social importance of work, the participation of staff within each category in the proper functioning of the judicial system, the liability, complexity, risks of each function, the obligation of confidentiality, professional training, the prohibitions laid down by law for these categories of staff and the requirements laid down in international documents on the efficient functioning of the judicial system and the status of magistrates.

The law also stipulates that the remuneration of judges and prosecutors must ensure real economic independence, a necessary condition for their protection against any interference with their independence and impartiality in carrying out the act of justice.

For heavy, harmful or dangerous working conditions, an increase of up to 15 % of the basic salary or, as the case may be, of the employment allowance may be granted, but not more than 1,500 RON gross monthly, corresponding to the time worked. The conditions for granting this increase shall be approved by the principal authorising officer within the limits of the provisions of the regulation drawn up in accordance with this law, based on the expertise documents issued by the competent authorities in this regard.

Judges also benefit from an increase for risk and neuropsychic overload of up to 25 %, respectively an increase for maintaining confidentiality of up to 5 %, applied to the monthly salary.

## **13. SLOVAKIA - Súdna rada Slovenskej republiky**

### **TITLE SEVEN**

#### **SALARIES OF JUDGES**

Section 65

##### **Salary of Judge**

(1) under the conditions laid down by this Act, Judge is entitled to the following:

- a) base salary of Judge,
- b) bonus:
  - 1. functional,
  - 2. for execution of judicial office as visiting Judge
  - 3. during temporary assignment,
  - 4. for managing an intern
  - 5. for standby service,
  - 4. special bonus,
- c) pay for execution of judicial office overtime,
- d) additional pay,
- e) salary adjustment,
- f) Repealed as of 1.1.2021.

(2) Judge is entitled to reimbursement of expenses and other material benefits, if laid down by this Act.

(3) If Judge is commissioned to perform duties in body of European Union, beginning from the first day of such delegation, in addition to their salary as Judge pursuant to Para 1 they are also entitled to reimbursement of expenses laid down in special regulation.<sup>18a)</sup> Ministry shall reimburse the Judge expenses laid down in special regulation.<sup>18a)</sup> and it shall reimburse the personnel office of the Judge the difference between judicial salary increased pursuant to Section 88(3) and the judicial salary prior to such increase.

(4) If Judge is delegated to perform duties in crisis management activities outside the territory of the Slovak Republic<sup>6a)</sup> beginning from the first day of such delegation, in addition to their salary as Judge pursuant to Para 1 they are also entitled to reimbursement of expenses laid down in special regulation.<sup>18b)</sup> Ministry shall reimburse the Judge expenses laid down in special regulation.<sup>18b)</sup> and it shall reimburse the personnel office of the Judge the difference between judicial salary increased pursuant to Section 88 Para 4 and the judicial salary prior to such increase.



(5) Responsibility for satisfaction of salary entitlements of Judge rests with the State.

**Base judicial salary, salary groups and salary levels**

Section 66

(1) Base judicial salary of Supreme Court Judge, Supreme Administrative Court Judge, and Specialised Criminal Court Judge is the salary equal to multiple of 1.3 that of salary of Member of the National Council monthly, which they are entitled to from the first day of the month, during which they were assigned or reassigned the Supreme Court, Supreme Administrative Court or Specialised Criminal Court.

(2) For the purpose of determining base salary, Judges of District and Regional Court are included into two salary groups and seven salary levels.

(3) District Court Judges and visiting Judges are included into salary group No. I and Regional Court Judges are included into salary group No. II.

(4) Judges referred to in Para 2 are included into salary levels in accordance with the length of their professional service, which is decisive for inclusion into appropriate salary level.

Section 67

(1) Average judicial salary pursuant to special regulation <sup>19)</sup> is understood salary in salary group No. I and 3<sup>rd</sup> salary level.

(2) Base judicial salary of Judges included into specific salary levels and individual salary groups is determined from average salary pursuant to special regulation in the following manner:

	I	II
1. until completion of 3 <sup>rd</sup> year of service	90 %	95 %
2. from beginning of 4 <sup>th</sup> year of service	95 %	100 %
3. from beginning of 8 <sup>th</sup> year of service	100 %	105 %
4. from beginning of 12 <sup>th</sup> year of service	105 %	110 %
5. from beginning of 16 <sup>th</sup> year of service	110 %	115 %
6. from beginning of 20 <sup>th</sup> year of service	115 %	120 %
7. from beginning of 24 <sup>th</sup> year of service	120 %	125 %

Section 68

**Functional bonus for management work**

(1) The following persons are entitled to a functional bonus monthly from average judicial salary for management work pursuant to Section 67(1):

- a) President of District Court with up to ten Judges in the amount of 8%, with more than ten Judges in the amount of 10%,
- b) Vice-President of District Court with up to ten Judges in the amount of 5%, with more than ten Judges in the amount of 8%,
- c) Presidents of Regional and Specialised Criminal Court in the amount of 15%,
- d) Vice-President of Regional and Vice-President of Specialised Criminal Court in the amount of 10%.

(2) While acting on behalf of President of the Court the Vice-President of appropriate Court is entitled to functional bonus for management work in the amount belonging to President of the Court or proportionate part thereof; the same applies to Judge of appropriate Court mandated to act on behalf of President of such Court, if no Vice-President is not appointed, is reassigned to another Court or is carrying out internship of Judge.

(3) President of the Court and Vice-President are not entitled to functional bonus for management work while they are temporarily assigned to execute judicial office at another Court or are carrying out internship of Judge.

(4) Vice-President acting on behalf of President of the Court or Judge mandated to act on behalf of President of the Court is entitled to functional bonus pursuant to Para 2 only in case the President of the Court has not been carrying out their function for longer period of time exceeding six weeks, beginning with the first day following the day after six weeks of such representation had passed.

(5) President of the Court is not entitled to functional bonus for management work if they have not been carrying out their function for longer period of time exceeding six weeks, beginning with the first day following the day after six weeks.

(6) Functional bonuses of President of the Supreme Court, President of the Supreme Administrative Court, Vice-President of the Supreme Court and Vice-President of the Supreme Administrative Court are regulated by special regulation.<sup>19)</sup>

#### Section 69

##### **Functional bonus for function**

(1) The following persons are entitled to functional bonus monthly from average judicial salary for higher judicial office:

a) Chairman of Panel of Regional Court and Chairman of Panel of Specialised Criminal Court in the amount of 5%,

b) Regional Court Judge and Specialised Criminal Court Judge ruling as single Judge in the amount of 3%,

c) Chairman of Supreme Court College and Chairman of Supreme Administrative Court College in the amount of 25%,

d) Chairman of Panel of Supreme Court Panel and Chairman of Supreme Administrative Court Panel in the amount of 20%,

e) Chairman of Regional Court College in the amount of 8% and Chairman of District Court Board in the amount 5%.

(2) Specialised Criminal Court Judge and Supreme Court Judge, ruling on recourse in cases with jurisdiction of Specialised Criminal Court as the first instance Court, is entitled to monthly functional bonus for carrying out function in the amount equal to that of double of average nominal monthly salary of an employee in the economy of the Slovak Republic over the preceding calendar year.

(3) Chairman of Court Board and Chairman of College, if they are temporarily assigned to execute office at another Court, or is carrying out internship, is not entitled to bonus for executing function; during their absence such bonus belongs to Judge who is acting on their behalf.

(4) Supreme Court Judge who, in accordance with work schedule, is ruling on recourse in cases with jurisdiction of Specialised Criminal Court as the first instance Court, is entitled to bonus for executing function pursuant to Para 2 under the condition that during the preceding month they had a minimum of one case assigned to them on which the Specialised Criminal Court had proceeded as the first instance Court. Judge, acting on behalf of another Judge according to the previous sentence is only entitled to such bonus if circumstances occur due to which the Judge of the Panel, to which the case was randomly assigned, is unable to proceed in such case.

(5) Bonus for executing function pursuant to Para 1(c) or (e) also belongs to the Chairman of the Regional Court Panel, the Chairman of the Supreme Court Panel or the Chairman of the Supreme Administrative Court Panel, who is authorized by the President of the Regional Court, President of the Supreme Court or President of the Supreme Administrative Court to perform tasks under a special regulation until the election of a new President.19aa)

#### Section 69a

##### **Functional bonus for execution of function of a member or a Chairman of the Disciplinary Panel**

(1) Functional bonus for execution of function of a member or a Chairman of the Disciplinary Panel belongs to a Judge who is

- a) member of Disciplinary Panel in the amount of 44.26 EUR monthly,
- b) Chairman of the Disciplinary Panel in the amount of 66.39 EUR monthly

(2) Functional bonus pursuant to Para 1 does not belong to such member of Disciplinary Panel and Chairman of the Disciplinary Panel who is a proxy to the Disciplinary Panel.

#### Section 70

##### **Concurrence of functional bonuses**

In case of concurrence of functional bonuses pursuant to Section 68 and Section 6(1) Judge is entitled to the functional bonus, which is more beneficial to them.

#### Section 71

##### **Functional salary**

(1) Base salary of Judges and functional bonus pursuant to this Act comprise functional salary of Judge.

(2) Judge shall be notified in writing of functional salary, its amount and composition by the court administration.

#### Section 71a

##### **Functional bonus for execution of judicial office as visiting Judge**

Visiting Judge executing their judicial office as a Judge at a District Court shall receive functional bonus in the amount of 5% of base salary per month.

#### Section 72

##### **Salary and bonus during temporary assignment**

(1) During temporary assignment, Judge is entitled to functional salary in accordance with original assignment. That does not apply to temporary assignment of Judge to Specialised Criminal Court, in which case Judge is entitled to functional bonus pursuant to Section 69(2).

(2) If Judge is temporarily assigned to higher instance Court, they are entitled to functional bonus for the period of temporary assignment in the amount of 5% of base salary per month. If Judge is temporarily assigned to a Court higher by two instances, they are entitled to functional bonus for the period of temporary assignment in the amount of 10% of base salary per month; the sum of bonus for executing a function at court of certain instance together with bonus for the period of temporary assignment and base salary of Judge may not exceed 130% of base salary of Judge. That does not apply to temporary assignment to Specialised Criminal Court.

Section 72

**Bonus for managing an intern**

Judge, performing the activity of a trainer to an intern is entitled to a special bonus in the amount of 100 EUR monthly.

Section 73

**Repealed as of 1.5.2011.**

Section 74

**Bonus for standby service**

(1) For each hour of standby service mandated pursuant to Section 40 in accordance with work schedule, Judge is entitled to bonus for standby service in the following amount:

- a) 50 % from the amount which is 1/165<sup>th</sup> of their judicial salary if the standby service is carried out at the Court, and 100% from this amount, if carried out during public holiday,
- b) 15 % from the amount which is 1/165<sup>th</sup> of their judicial salary if the standby service is carried out at the permanent or temporary residence address, or at another agreed upon location, and 25 % from this amount, if carried out during public holiday.

(2) Judge is not entitled to standby service bonus for time during which he executed judicial office over the duration of standby service; such execution is execution of office overtime.

Section 75

**Special bonus**

Judge authorised with performing activity pursuant to Section 27(1), may be granted special bonus whose amount shall not exceed 165.97 Eur. Decision on granting such bonus and its amount shall be made by President of appropriate Court after the approval of Court Council.

Section 76

**Pay for execution of office overtime**

If Judge is not granted compensatory time pursuant to Section 40, for each hour of executing office overtime they are entitled to 1/165<sup>th</sup> of judicial salary increased by 20 %, and if is executing office during night, on Saturday, Sunday, or during public holiday, it is increased by 50 %.

Section 77

**Additional salary**

(1) Each half-year of a calendar year Judge is entitled to additional salary in the amount of judicial salary belonging to either May or November if by 31<sup>st</sup> of May and by 30<sup>th</sup> of November of appropriate half-year they:

- a) executed judicial office for minimum of 75 business days,
- b) special relationship of Judge to the State shall continue to apply; that does not apply if Judge died after meeting the condition pursuant to a),

- c) no disciplinary measure was imposed upon the Judge for serious disciplinary violation.
- d) no redistribution occurred in their instance of cases assigned to them due to long-term absence exceeding six weeks.19a)

(2) Salary pursuant to Para 1 is payable on salary date designated to pay for salary for May and November. If the condition stipulated in Para 1a) is met by 30<sup>th</sup> of June or 31<sup>st</sup> of December, salary pursuant to Para 1 is payable on the salary date for June and December.

(3) Execution of judicial office for the purposes of paying additional salary pursuant to Para 1a) is also the time of:

- a) drawing holiday,
- b) paid leave of absence,
- c) absence due to injury, which had occurred during execution of office or in relation with execution of office,
- d) temporary suspension of judicial office pursuant to Section 22 or 22a, if Judge shall become entitled to back pay of salary pursuant to Section 22(9) or 22a(7); in such case any additional salary shall be back paid together with back pay of the salary difference,
- e) deepening of qualification, drawing study leave of absence during increasing of qualification.

#### Section 78

##### **Salary adjustment**

If Judge was relieved from higher judicial office upon their own request, during which they were entitled to functional bonus, they are entitled to salary adjustment in the amount of the difference between the previous and current judicial salary for the period of three months. That does not apply if Judge was disqualified from office as result of decision of Disciplinary Panel.

#### Section 79

**Repealed as of 1.5.2011.**

#### Section 80

**Repealed as of 1.5.2011.**

#### Section 81

##### **Reimbursement of costs and material benefits**

(1) During execution of their office, the President of the Supreme Court as well as the President of the Supreme Administrative Court have the right to use appropriately equipped apartment only if their permanent residence is outside of the seat of the Supreme Court or Supreme Administrative Court. Flat rate reimbursement and reimbursement during trips abroad, which relate to execution of function, shall belong them in the same amount as to the Member of the Government. During execution of their function, they have the right to use official motor vehicle free of charge and the right to activation and use of subscription telephone station free of charge.

(2) Vice-President of the Supreme Court and Vice-President of the Supreme Administrative Court has the right of use of one official mobile telephone free of charge.

(3) During mandated standby service, Judge shall be allocated mobile telephone.

Section 82

**Contributing service**

(1) The following time shall be counted towards work experience (hereinafter only as : “contributing service”) in order to determine inclusion of Judge into appropriate salary level:

- a) preparation of judicial candidate and professional judicial internship,
- b) execution of judicial office pursuant to Section 62,
- c) other legal work experience proven by the Judge after having obtained university law degree in function or occupation prescribed for such education attained.

(2) The following time shall also be counted towards contributing service:

- a) carrying out of mandatory military service in scope stipulated by special regulation applicable at the time of such military service or carrying out substitute civilian service in the maximum duration of 12 months,
- b) taking care of child in duration equal to that of maternity leave and additional maternity leave stipulated by special regulation, no longer than over six years from the sum of these years,
- c) during which Judge was unable to execute their office due to reasons stipulated in special regulation, <sup>21)</sup>
- d) suspension of office due to some of the reasons pursuant to Section 24(1)b) and (3),
- e) temporary suspension of office pursuant to Section 22 or 22a, if Judge shall become entitled to back pay of salary pursuant to Section 22(9) or 22a(7).

(3) Due to reasons worthy of special consideration, Minister, with the approval of Judicial Council, may decide on counting other time after obtaining university degree towards contributing service.

Section 83

**Granting base salary and bonus**

(1) District Court Judge is entitled to base salary from the day of administering oath. Regional Court Judge is entitled to base salary from the day of reassignment to Regional Court.

(2) First instance Court Judge is entitled to base salary of Judge assigned to higher salary level from the first day of the month following the day, on which the determining fact had occurred for awarding such salary; if such day is the first day of the month, this day shall apply.

(3) Judge is entitled to functional bonus and bonus pursuant to Section 72 from the day, on which the determining fact had occurred for awarding such bonuses.

Section 84

**Decreasing judicial salary**

Judge may have their official salary reduced only pursuant to final decision of Disciplinary Panel.

Section 85

**Repealed as of 1.1.2011.**

Section 86

**Reduction of judicial salary**

(1) If Judge is provided unpaid leave of absence their salary shall be reduced proportionally to the number of days during which they did not execute their office.

(2) Judge with reduced working hours is entitled to judicial salary appropriate to such working hours.

**Payability and payment of salary**

Section 87

(1) Salary particulars of Judge pursuant to this Act (hereinafter only as “salary”), unless stipulated otherwise, are payable in arrears for monthly period, namely no later than by 15<sup>th</sup> day of the following calendar month. Before the end of calendar month, Judge has the right to advance pay.

(2) If salary is payable at the time of drawing holiday of Judge, it shall be paid upon written request prior to commencing holiday. The same applies to commencing extraordinary service or alternative service.

(3) Personnel office of Judge shall pay their payable salary in case of expiry of judicial office on the salary day designated for payment of salary for that particular calendar month.

Section 88

(1) Salary is paid in Euros.

(2) Salary is paid during working hours stipulated by work schedule at the appropriate Court, except as otherwise stipulated by special legislation. Upon written request of Judge the personnel office is obliged to remit their salary or any other performance to their bank account in the Slovak Republic or to mail it to them via postal services. Judge may authorise another person to take their salary.

(3) Salary of Judge commissioned to perform duties in body of European Union shall be paid by personnel office of Judge in two instalments. First instalment, comprising 25% of salary multiplied by salary index pursuant to special regulation<sup>21a)</sup> shall be remitted to their bank account opened at the location of their temporary assignment after making salary deductions, and second instalment, comprising 75% of salary shall be remitted to their bank account in the Slovak Republic after making salary deductions.

(4) Salary of Judge delegated to perform crisis management-related work outside of the territory of the Slovak Republic shall be paid by personnel office of Judge in two instalments. First instalment, comprising 50% of salary multiplied by salary index pursuant to special regulation<sup>21a)</sup> shall be remitted to their bank account opened at the location of crisis area after making salary deductions, and second instalment, comprising 50% of salary shall be remitted to their bank account in the Slovak Republic after making salary deductions.

Section 89

If laid down by special regulation, Judge is obliged to designate bank account to which their salary shall be remitted; otherwise, their salary shall be mailed to them via postal service. Costs of such payment of salary may not be borne by Judge.

Section 90

(1) Personnel office of Judge is obliged to issue to Judge a receipt listing the breakdown of individual components of their salary and deductions made. Upon their request, the personnel office of Judge is obliged to enable them to examine the background papers used to calculate their salary.

(2) Decisions on matters of salaries are made by President of the Court, at which the Judge is executing their office.

#### Section 91

##### **Deductions from salary**

(1) Deductions from salary may only be made based on written consent of Judge on salary deductions. Otherwise, the personnel office of Judge may only deduct the following from the salary:

- a) premium for medical insurance, pension premium, and premium for health insurance, which they are obliged to pay, eventually contribution to unemployment benefit insurance, if Judge is a payer thereof,
- b) advance on income tax,
- c) advance on salary, which the Judge is obliged to pay back because conditions were not met to awarding such salary,
- d) amounts affected by enforcement of decision or by execution pursuant to special regulation, <sup>22)</sup>
- e) salary for holiday the Judge had lost their entitlement to or which they were not entitled to,
- f) unaccounted advance payments for travel expenses reimbursement pursuant to special regulation,
- g) amounts accrued to the State as a result of disciplinary measure, pecuniary penalty, or compensation imposed by enforceable decision of appropriate bodies.

(2) Order of salary deductions is stipulated by special regulation.

#### Section 92

##### **Title repealed as of 1.1.2009.**

(1) Protection of personal data of Judge is provided by personnel office of Judge.<sup>14a)</sup>

(2) Protection of personal data stated in asset declarations of Judges is provided by Judicial Council.<sup>14a)</sup>

## **TITLE EIGHT**

### **SOCIAL WELFARE OF JUDGE**

#### Section 93

##### **Salary compensation bonus and sickness benefit bonus**

(1) If, due to illness or injury, Judge is declared as temporarily unfit to execute their office, they are entitled to salary compensation<sup>20)</sup> or to sickness benefit pursuant to special regulation,<sup>20a)</sup> they are entitled to salary compensation bonus or sickness benefit bonus in the amount of the difference between judicial salary, after making deductions for advance income tax, health insurance premium, medical insurance premium, pension insurance premium, disability insurance premium, and provided salary compensation or sickness benefit.

(2) Judge is not entitled to salary compensation bonus and sickness benefit bonus if temporarily inability to execute their office had occurred due to injury inflicted during execution of their office or due to occupational illness.

(3) Judge is entitled to salary compensation bonus and sickness benefit bonus during sick leave, however no longer than for 60 days.



Section 94

**Maternity compensation bonus**

If Judge becomes entitled to maternity compensation, they shall be entitled to maternity compensation bonus in the amount of 55 % of judicial salary.

Section 95

**Bonus for execution of judicial office and widower pension bonus**

(1) For each year of executing judicial office, Judge is entitled to bonus for execution of judicial office, if they are entitled to pension, early pension, or disability pension pursuant to special regulation<sup>20a)</sup> and

- a) at the same time had requested the Minister to suspend the execution of their judicial office pursuant to Section 24(4) and the Ministry to grant them bonus for execution of judicial office, or
- b) at the same time had requested the Ministry to grant them bonus for execution of judicial office if their judicial office had expired as a result of:
  - 1. disqualification from judicial office pursuant to Section 18(2),
  - 2. Abdication from judicial office pursuant to Section 19.
  - 3. Pursuant to Section 17g.

(2) The following persons are entitled to widower pension bonus:

- a) wife to her widower pension after her deceased husband who was a Judge, in the amount 60% of bonus for execution of judicial office, the Judge was entitled to as of the day of their death,
- b) husband to their widower pension after their deceased wife who was a Judge, in the amount 60% of bonus for execution of judicial office, the Judge was entitled to as of the day of her death,
- c) unsupported child to orphan's annuity after their deceased parent or adoptive parent who was a Judge, in the amount 30% of bonus for execution of judicial office, the Judge was entitled to as of the day of their death. If it concerns such unsupported child which had no second parent, the amount of their orphan's annuity bonus is 60 % from the bonus for execution of judicial office, the Judge was entitled to as of the day of their death.

(3) Condition stipulated in Para 1a) and b) is not required to be met for the purposes of widower pension bonus pursuant to Para 2 if the judicial office had expired as a result of death or declaration of person as dead.

(4) The amount of monthly bonus for execution of judicial office for each year of execution of judicial office is 0.8% of the average judicial salary.<sup>19)</sup> If the execution of judicial office did not last the entire year, Judge is entitled to proportional part of bonus for execution of judicial office for each month, including each month which had begun, of execution of judicial office.

(5) Judge is entitled to bonus for execution of judicial office for maximum of 35 years of service.

(6) Bonus for execution of judicial office and widower pension bonus shall be increased if the average salary of Judge is increased. Eligible persons shall be entitled to increased bonus from the day of increase of average salary of Judge.

(7) Ministry shall decide on bonus for execution of judicial office and widower pension bonus within 30 days from the day of receiving the application for granting thereof. Bonus for execution of judicial office and widower pension bonus shall be paid by bank transfer to bank account or branch of foreign bank designated by the beneficiary.

(8) For the purpose of calculating bonuses pursuant to Paras 1 and 2, pension pursuant to special regulation <sup>20a)</sup> is also considered retirement pension or disability retirement pension, including retirement pensions of surviving relatives pursuant to special regulation.<sup>23a)</sup> Retirement pension or disability retirement pension together with bonus for execution of judicial office may not exceed the amount of judicial pension together with bonus for execution of judicial office, which that Judge had been executing over the same number of years.

**Procedure on Salary compensation bonus and sickness benefit bonus, on maternity compensation bonus and on bonus for execution of judicial office**

Section 96

The total of salary compensation bonus and salary compensation, total of sickness benefit bonus and sickness benefit, and total of maternity compensation bonus and maternity compensation may not exceed the amount of judicial salary after making deductions for advance income tax, health insurance premium, medical insurance premium, pension insurance premium, disability insurance premium, and unemployment benefit insurance premium, if Judge is payer of unemployment benefit insurance.

Section 97

Decisions on bonuses pursuant to Section 93 and 94 (hereinafter only as “bonus”) are made by personnel office of Judge.

Section 98

(1) Entitlement to bonus shall rise by meeting the conditions laid down by this Act.

(2) Procedure on awarding bonus shall commence upon written application of Judge, or surviving relative of Judge; application is submitted on a form designated by the Ministry.

(3) If it is discovered afterwards that bonus was awarded or paid in lower amount as the amount the Judge was entitled to, or that the bonus was unjustly refused, or that it was awarded from later date as the entitlement date, the bonus shall be increased or awarded on the day, from which the bonus of its increase belongs the Judge, however up to the maximum of three years in arrears from the day of such discovery or enforcement of the bonus or increase thereof.

(4) If entitlement to bonus had expired or if it is discovered that bonus was awarded unjustly, bonus shall be lifted.

(5) If it is discovered that bonus was awarded in a higher amount as the amount the Judge was entitled to, such bonus shall be decreased. Judge or surviving relative is obliged to return the bonus or part thereof, if it discovered that bonus was awarded unjustly or in a higher amount, however up to the maximum of three years in arrears from the day of such discovery.

(6) If circumstances determining for entitlement of receiving bonus shall change, its payment shall be stopped or renewed, or the bonus shall be paid in smaller or higher amount.

(7) Entitlement to bonus does not expire by elapsed time.

(8) Entitlement to bonus or a part thereof shall lapse after three-year period of limitation from the day, from which the bonus or a part thereof belongs.

#### Section 99

(1) Salary compensation bonus, sickness benefit bonus and maternity compensation bonus is paid in arrears for appropriate calendar year together with salary.

(2) Bonus for execution of judicial office is paid by the Ministry in advance in regular monthly terms scheduled by the Ministry, however no later than the 15<sup>th</sup> day of such calendar month in which the bonus is payable.

(3) Amount of bonuses stipulated in Paras 1 and 2 is rounded up to the next 50 Euro cents.

(4) Bonus stipulated in Para 2 is paid to abroad in arrears in three-monthly terms after having provided proof that the Judge or their surviving relative is permanently residing abroad.

(5) Beneficiary of bonus to retirement pension of surviving relatives after Judge is either the surviving relative or their legal guardian.

#### Section 100

(1) The right to bonus expires on the day of death of Judge or surviving relative, if they are entitled to bonus.

(2) If Judge died after having enforced their entitlement to bonus, persons included in further procedure on bonus and acquiring entitlement to amounts payable before the death of Judge are progressively husband (wife), children and parents, if they shared the same household with the Judge at the time of their death.<sup>13)</sup> Condition of shared household does not have to be met by children who are entitled to orphan's annuity bonus after deceased Judge.

(3) If bonus was granted before the death of Judge, payable amounts shall be paid, which were not paid before the day of death of Judge to their relatives according to progression and under conditions stipulated in Para 2.

(4) Entitlements passing onto persons stipulated in Paras 2 and 3 are not subject to inheritance; they become subject to inheritance if there are no such persons.

#### Section 101

(1) Appeal against decision of personnel office of Judge pursuant to Sections 93 and 94 may be lodged within 15 days from delivery of decision, which shall be decided by the Ministry.

(2) Remonstrance may be lodged against decision of Ministry concerning entitlement to bonus pursuant to Section 95(5), which shall be decided by the Minister.

(3) Judge and persons listed in Section 100(2) may lodge motion at Court on examination of decision concerning matters of bonuses within 30 days from delivery of final decision.

#### Section 102

(1) For the purposes of health insurance<sup>24)</sup>, medical insurance, and pension insurance<sup>25)</sup>, Judge is considered an employee; personnel office of Judge is considered an employer.

(2) Judge does not make contributions to unemployment benefit insurance. Personnel office of Judge is not paying contributions to unemployment benefit insurance on behalf of Judge.

## **14. SLOVENIA - Republika Slovenija Sodni Svet**

The Constitutional Court of Slovenia declared that many paragraphs of Public Sector Salary System Act concerning judges' salaries in Slovenia are inconsistent with the Constitution of Slovenia (decision U-I-772/21 as of 1st June 2023).

The decision (please see attached) includes guidelines for the National Assembly to amend the salary system of the judges, however the National Assembly failed to comply with the decision within six months. Salary system for Slovenian judges is at the moment unconstitutional and there are unfortunately no activities (on the side of the Government or National Assembly) to remedy the established inconsistencies any time soon.

Therefore, in January 2024 Sodni svet filed another request for assessment of the constitutionality of the provisions of the Public Salary System Act which regulate the salaries of the judges including the proposal that the Constitutional Court itself determines the manner of the execution of its decision no. U-I-772/21 and thereby ensuring the effectiveness of judicial protection.

## **15. SPAIN - Consejo General del Poder Judicial**

In Spain, Law 15/2003 of 26 May, regulating the remuneration regime of judicial and fiscal careers, develops the mandate assumed by the organic legislature in 1985 and articulates the remuneration regime of the members of the Judicial Career which, within the framework of article 403 of the Organic Law of the Judiciary, constitutes a vertebration element of their economic independence, linked instrumentally to independence in the exercise of the jurisdictional power enshrined in article 117.1 of the Constitution.

Questions on salary were raised in a two-fold previous consultation by Lithuania in 2021, to which the following response was attached.

Attached: *"It is very difficult to give concrete figures as the salaries of judges in Spain depend on many factors. At approximate level, we can say that after approving the oppositions and during the first year of practice at the Judicial School, the judges earn approximately 1100 euros per month, and when they are already in their first destination between 2,500 to 2,700 euros per month approximately. Perhaps in more detail we could say that the annual gross salary of the new judges is 38,705.88 euros (12 monthly payments of 3,225.48 euros), plus the 2,880.22 euros of the two extraordinary payments, which makes a total of 41,586.1 gross per year. When judges are promoted to the status of senior judge, they can generally earn about 4000 euros on average per month. It depends on the specific post. Then there are many variables. Thus, for example, a senior judge with a trajectory of between 15 and 20 years and working in the Community of Madrid will be around 4,000 euros net per month. Those who reach high standards such as the Supreme Court or the Constitutional Court will receive between 7,000 and 8,000 euros."*

## **16. Observers**

## **17. AUSTRIA- Ministry of Justice**

The salary of judges (different grades of income depending on level of court and length of service) is regulated in the law. A change in the size of the salaries requires an amendment to the law. Normally there are (annual) negotiations between the Union of Public Servants on the one side and the government represented by the Minister of Public service and the Minister of Finance. The section for judges and prosecutors and the Judges association normally is consulted by the Union.

## **18. ESTONIA - Ministry of Justice**

A judge's salary is provided by the Salaries of Higher State Servants Act. According to this act, judges of all courts are considered higher state servants. The salary of higher state servants is the highest salary rate multiplied by the coefficients applicable to salaries of higher state servants. The coefficients for the salary of judges' are the following: Chief Justice of the Supreme Court 1.0, justice of the Supreme Court 0.85, judge of a circuit court 0.75, judge of a district or administrative court 0.65.

The highest salary rate will be indexed by April 1 of the following year with the index specified by law. After indexation the highest salary rate resulting from the indexation in the previous year is considered to be the highest salary rate next year. The value of the index is dependent 20% on the annual increase in consumer prices index and 80% on the annual increase in the receipt of the pension insurance part of social tax. The judges' pensions are also indexed with the same index.

This procedure for indexation has applied to judges since 01.04.2018.

## **19. GERMANY – Ministry of Justice**

Concerning the salary of judges in Germany, the following information was provided:

The basis for remuneration is the so-called maintenance principle, which is one of the principles of the professional civil service guaranteed by the Constitution [Art. 33 para. of the Basic Law]. According to this, the employer is obliged to provide suitable maintenance commensurate to the office assigned (but not the specific function) to active judges, also if they become disabled or reach retirement age. Remuneration is intended to ensure that judges are able to devote themselves entirely to their jobs; only a financially independent judiciary is able to fulfil the functions assigned to it by the Constitution. Unlike that of public employees, the remuneration of civil servants and judges is not a direct payment for individual work done, but compensation for their service as a whole, in other words for civil servants and judges making their entire working capacity available to the general public and carrying out their duties to the best of their ability.

In a judgment pronounced 2015, the Second Senate of the Federal Constitutional Court defined the criteria for assessing whether the salary of judges and prosecutors complies with the principle of appropriate support (Grundsatz der amtsangemessenen Alimentation). The standard for determining the constitutionality of the legal bases for the salaries of judges and prosecutors results from Art. 33 sec. 5 GG. These principles are equally applicable to officials. On a first level of review, five parameters shall be analysed that have indicative value; if at least three of them are fulfilled, the salary is presumed to be below the constitutional requirements. The parameters are: a clear discrepancy between the development of salaries of judges and prosecutors on the one hand and the developments of standard wages in public service, the money wage index as well as the consumer price index on the other, furthermore an internal comparison of salaries as well as a cross-comparison with salaries paid by the

Federation or, respectively, by other Länder. On a second level, this presumption may be further corroborated or rejected by taking into account further criteria in order to strike an overall balance. On a third level of review, one shall – if applicable – balance the need for appropriate support with conflicting constitutional values like the prohibition on taking on new debt; in exceptional cases, insufficient support may be justified under the Constitution.

The further details of the salaries of judges in federal courts and in the courts of the Länder are regulated by law (for the federal level and each Land separately). The elements of the remuneration and the mechanism to fix the salary of judges is stipulated by law.

Remuneration, which is paid monthly in advance, consists primarily of the basic salary. This is supplemented by the family allowance, as well as allowances in specific cases. In addition, at the federal level and in some of the Länder judges receive annual special payments and capital-forming benefits.

Basic salary: The basic salary is the main element of remuneration; it is determined in accordance with the pay grade of the office held. It is therefore not a matter of which function the civil servant actually performs, but solely of the pay grade of the office assigned to him/her. The offices and their pay grades are governed by the Federal Remuneration Schemes (Judges at federal level) or the respective Land Remuneration Schemes (Judges at the Länder level), which are laws. Remuneration scheme R governs the remuneration of judges and public prosecutors. Remuneration scheme R (for judges and public prosecutors) contains both incremental and fixed salaries (depending on the office assigned).

In all German Länder, the remuneration of judges and prosecutors is closely interconnected with the salaries of government employees (Beamte) with a formal university training (teachers, administrators, engineers ea.). However, considering their special position and duties within the state judges' and prosecutors' salaries are fixed in a special salary scale which differs from the salary scale of government employees. The amount of salary is predetermined according to the level of judicial office and the time in office. This design of remuneration scheme protects judicial independence, because judges are not dependent on promotions.

Attached:

*“the remuneration of judges is different in each of Germany’s Länder. The attached Data is from 2017 and the remuneration has increased slightly since then.*

*To explain the data:*

*R 1 neu ledig means 1st instance judge remuneration, when he/she starts working and is not married*

*R 1 10 Jahre verheiratet 2 Kinder means 1st instance judge, who worked for ten years and is married and has two children*

*R 2 20 Jahre verheiratet 2 Kinder means 2nd instance judge, who worked for twenty years and is married and has two children*

*R 1 Endstufe verheiratet 2 Kinder means the highest remuneration for a 1st instance judge, who is married and has two children*

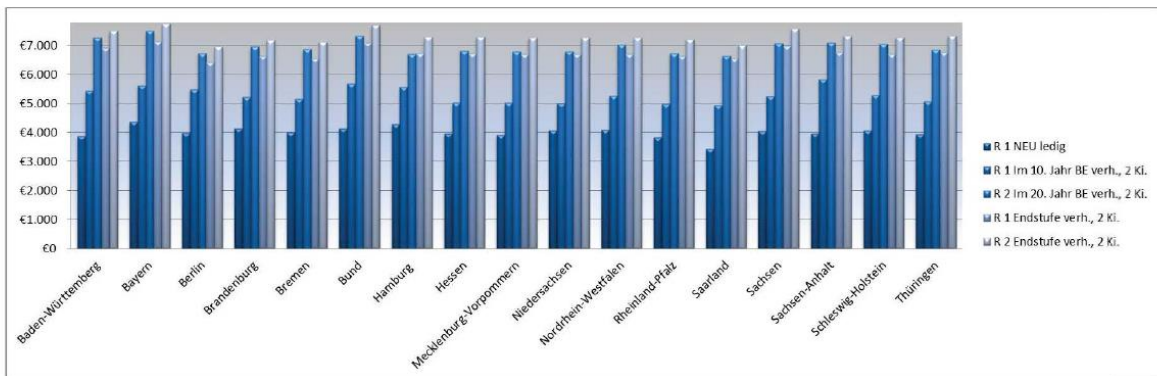
*R 2 Endstufe verheiratet 2 Kinder means the highest remuneration for a 2nd instance judge, who is married and has two children”*

# Musterfälle R-Besoldung in Deutschland

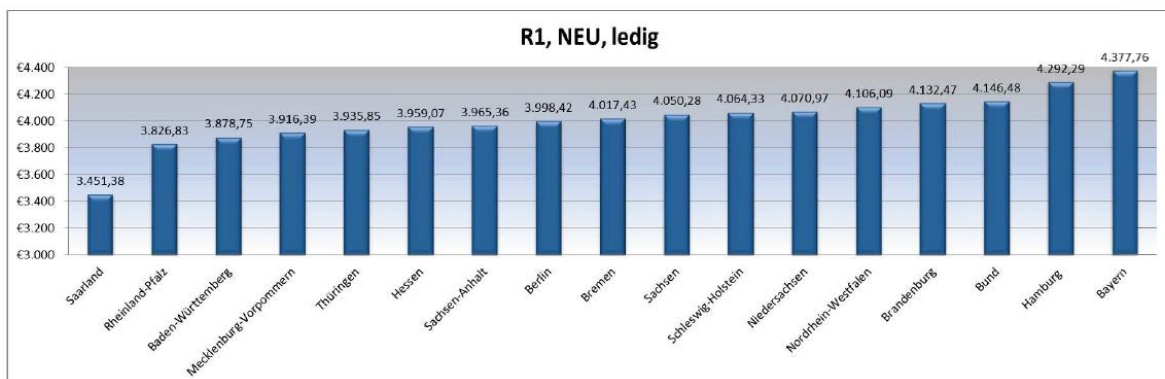
## Stand: Dezember 2017

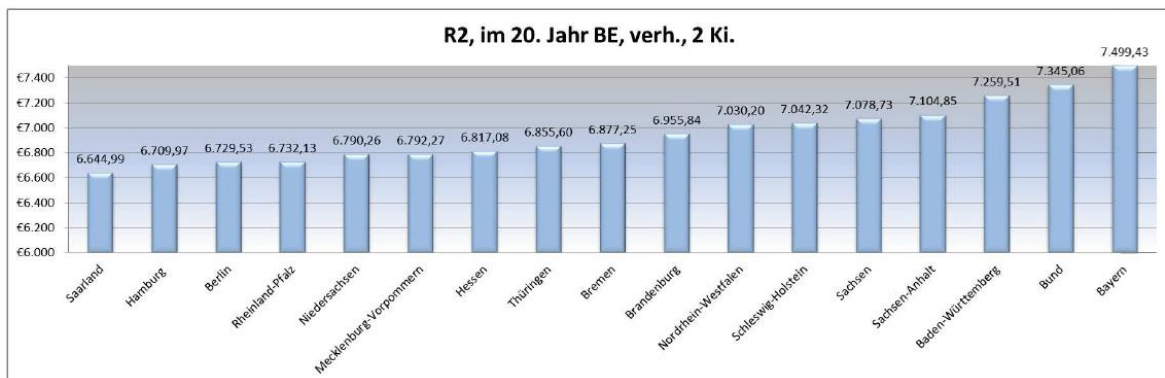
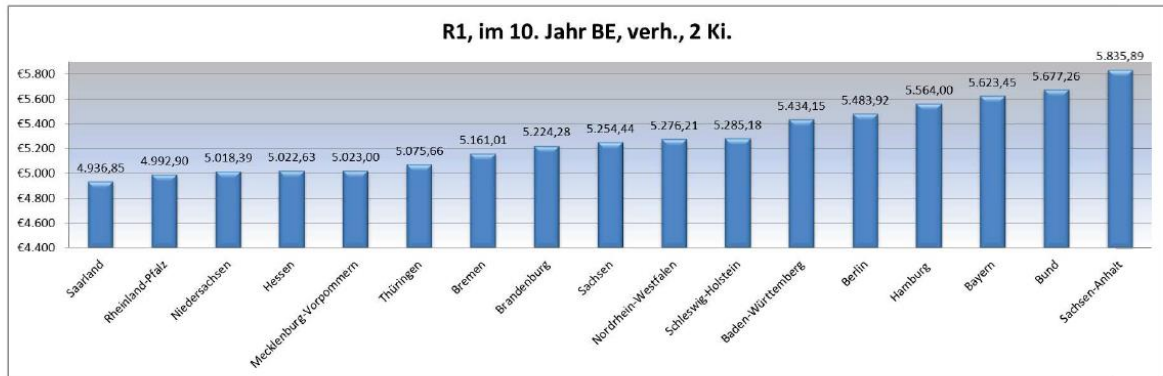


Musterfälle R-Besoldung in Deutschland  
Stand: Dezember 2017

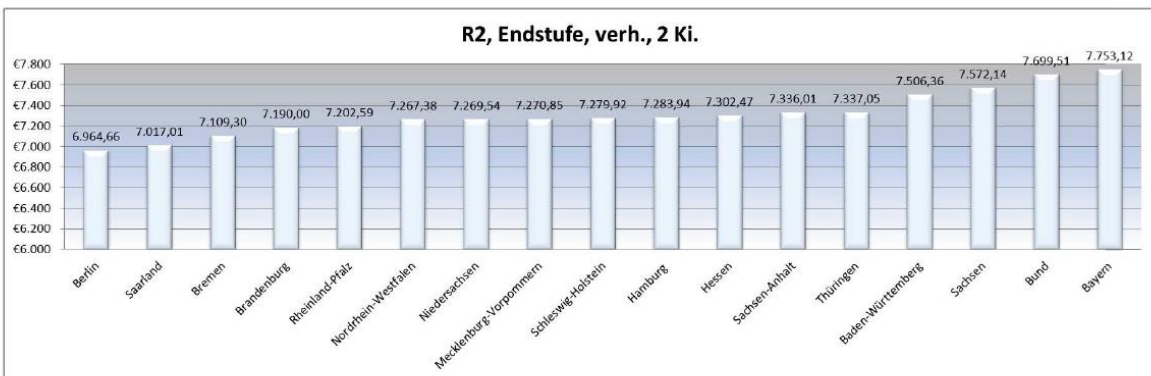
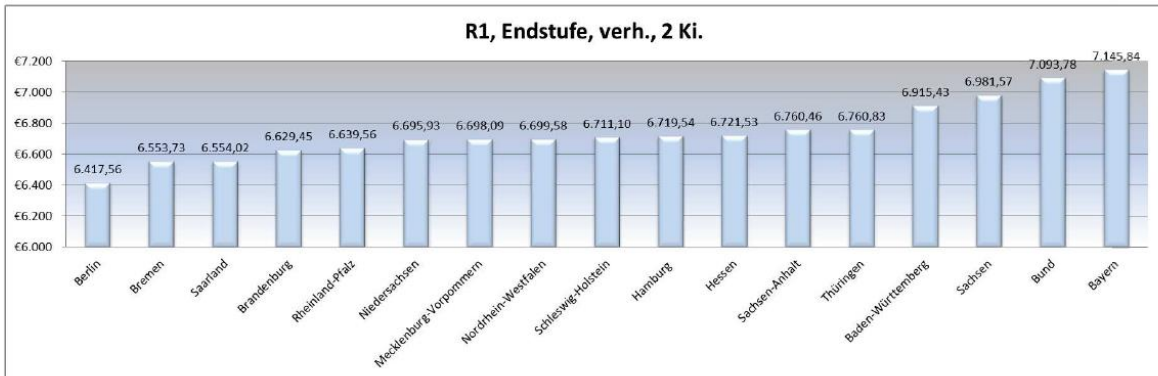


Seite 2









## 20. NORTHERN – IRELAND - Judges’ Council

The Review Body on Senior Salaries (SSRB) provides independent advice to the Prime Minister, the Lord Chancellor, the Secretary of State for Defence, the Secretary of State for Health and the Home Secretary on the pay of Senior Civil Servants, **the judiciary**, senior officers of the armed forces, senior managers in the NHS in England and Department of Health and Social Care (DHSC) arm’s length bodies, Police and Crime Commissioners and chief police officers.

The SSRB usually compiles and publishes an annual report (with evidence submitted by key stakeholders). The 2023 report can be viewed at this link:

<https://www.gov.uk/government/publications/senior-salaries-review-body-report-2023>.

“This Report sets out the SSRB’s analysis of evidence and makes recommendations on the remuneration of senior civil servants, senior officers in the Armed Forces, **members of the judiciary**, and senior leaders in the NHS in England”.

Usually every 5 years, the SSRB carries out a ‘Major Review’. A link to the most recent ‘Major Review of the Judicial Salary Structure’, and the Government’s response to this, are available to view here: <https://www.gov.uk/government/publications/government-response-to-ssrb-major-review> .

The current UK judicial salary scales are available online at this link: [Judicial Salaries 2023 to 2024](#)

General information on the work of the SSRB, including previous reports, is available online at this link: <https://www.gov.uk/government/organisations/review-body-on-senior-salaries> .

## 21. The United Kingdom

Judges in the three UK jurisdictions have the same pension scheme. A new judicial pension scheme took effect in 2022, with all benefits accrued under previous schemes being preserved.

The guide to the Judicial Pension Scheme is here: [jps-2022-scheme-guide-2022-v1.pdf \(mypension.com\)](#). Further information is available on the Ministry of Justice website.

Judges’ salaries in England & Wales are not directly linked to an economic metric. Judicial pay awards (i.e. pay rises) are subject to an annual independent review by the judiciary’s pay review body, the Senior Salaries Review Body, taking into account a broad range of factors including evidence from the Government on affordability, recruitment, and the wider justice system, as well as the wider macroeconomic environment.

The SSRB provides recommendations for pay uplifts as part of this process which the Lord Chancellor, a Government Minister, takes into account when determining the annual judicial pay award.

Their annual reports, as well as the government’s evidence, are published on [GOV.UK](#):

[Senior Salaries Review Body - GOV.UK \(www.gov.uk\)](#)

**Preciserande tjänstekollektivavtal gällande lönen för domstolarnas domare och jurister** som ingicks den 4 mars 2021 mellan Domstolsverket och Förhandlingsorganisationen för offentliga sektorns utbildade FOSU rf.

**1 § Avtalets grunder**

Detta avtal har ingåtts med stöd av statens tjänste- och arbetskollektivavtal för avtalsperioden 2020–2022 av den 8 april 2020 samt finansministeriets förhandlings- och avtalsföreskrifter för avtalsperioden 2020–2022 av den 13 maj 2020 (VN/8606/2020).

Detta avtal ersätter det preciserande tjänstekollektivavtalet gällande lönen för domstolarnas domare och jurister som ingicks den 15 april 2019 jämte senare ändringar.

**2 § Tillämpningsområde**

Avtalet tillämpas på domstolarnas domare, jurister och assessorer.

Avtalet tillämpas emellertid inte på de högsta domstolarnas presidenter och ledamöter, arbetsgivartjänstemän, anställda i deltidstjänster eller anställda som anställts med hjälp av sysselsättningsanslag.

**3 § Lönegrunder**

Till en tjänsteman betalas en grundlön, erfarenhetstillägg, språktillägg, språkkunskapstillägg och ledningstillägg enligt detta avtal.

**4 § Grundlön**

Grundlönen bestäms enligt tjänstens löneklass. Tjänsterna som omfattas av avtalet specificeras i bilaga 1.

(Lönefaktorkod: 02031, Prima: 1000)

Grundlönen för en (extraordinarie) tjänsteman som anställs för viss tid fastställs enligt tjänstetypens löneklass (bilaga 1) när anslaget beviljas.

Om tjänsteförhållandet för viss tid gäller ett vikariat eller skötsel av en vakant tjänst för över tre månader, bestäms grundlönen för tjänsteförhållandet enligt löneklassen för tjänsten i fråga. När det gäller tjänsteförhållanden som varar en kortare tid än tre månader bestäms grundlönen enligt tjänstetypens lägre löneklass.

**5§****Erfarenhetstillägg**

Erfarenhetstillägg betalas enligt följande:

2 års arbetserfarenhet	5% av grundlönen
5 års arbetserfarenhet	10% av grundlönen
9 års arbetserfarenhet	15% av grundlönen
15 års arbetserfarenhet	20% av grundlönen
22 års arbetserfarenhet	25% av grundlönen
26 års arbetserfarenhet	30% av grundlönen

(Lönefaktorkod: 02296, Prima:1640)

Som arbetserfarenhet godkänns efter avlagd examen rättskipningsarbete på heltid vid en domstol samt annan tjänstgöring eller arbetserfarenhet som väsentligt är till nytta för domstolsarbete.

I deltidsarbete berättigar till erfarenhetstillägg den andelen som motsvarar deltidsarbetets proportionella andel av heltidsarbetet.

**6 §****Språktillägg**

Till de tjänstemän som tjänstgör vid ämbetsverk och inrättningar, till vilkas tjänsteområde hör tvåspråkiga kommuner, och vilkas tjänsteuppgifter förutsätter behärskaandet av båda inhemska språken och som har ett intyg enligt statsrådets förordning om bedömning av kunskaper i finska och svenska inom statsförvaltningen (481/2003) över goda språkkunskaper i det andra inhemska språket som inte är hens modersmål, eller ett intyg som med stöd av sagda förordning motsvarar detta intyg, kan betalas som språktillägg

- 35 euro i månaden för goda muntliga kunskaper, eller
- 50 euro i månaden för goda muntliga och skriftliga kunskaper.

Till en sådan ovan nämnda tjänsteman som utmärkt (tidigare fullständigt) behärskar båda inhemska språken (SRF 481/2003) kan betalas som språktillägg 80 euro i månaden.

Språktillägget betalas ändå inte till en sådan tjänsteman vars huvuduppgifter består av översättningsuppgifter mellan de inhemska språken.

(Lönefaktorkod: 02787, Prima: 1692)

## **7 § Språkkunskapstillägg**

Om kunskaper i ett annat språk än finska eller svenska är till anseelig nytta för fullgörandet av tjänstemannens uppgifter och om hen hela tiden måste använda språket i fråga i tjänstgöringen, kan till hen betalas som språkkunskapstillägg

- för goda muntliga och skriftliga kunskaper i främmande språk 50 euro i månaden, eller
- för goda muntliga eller skriftliga kunskaper i främmande språk 35 euro i månaden för varje språk.

Språkkunskapstillägg betalas ändå inte om tjänstens eller befattningens behörighetsvillkor eller om tjänsten eller befattningen till sin art förutsätter kunskaper i främmande språk. För genomgång av litteratur eller publikationer på främmande språk som har samband med tjänsteuppgifterna betalas inte språkkunskapstillägg.

(Lönefaktorkod: 02071, Prima: 1693)

## **8 § Ledningstillägg**

Till resultatansvarsenhetens chef betalas ett ledningstillägg om det i enheten utöver chefen finns minst fem domare eller jurister. Ledningstillägg betalas emellertid inte till en ämbetsverkschef, kanslichef, förvaltningschef, hovrättslagman, lagman vid försäkringsdomstolen eller en assessor, eftersom dessa befattningar till sin art förutsätter ledning.

Ledningstillägget är 5 procent. Om det i enheten utöver chefen finns minst 20 anställda, är ledningstillägget 10 procent. Ledningstillägget bestäms enligt det totala beloppet som utgörs av grundlönen och erfarenhetstilläggen.

(Lönefaktorkod: 02700, Prima: 1684)

## **9 § Lön för frånvarotid**

I lönen för frånvarotid ingår tjänstemannens grundlön, erfarenhetstillägg, ledningstillägg samt lönetillägg och tilläggsarvoden till en viss storlek som betalas ut i form av regelbundet återkommande månatliga belopp.

## **10 § Lönehöjningar och lönebestämmelser under den nya avtalsperioden**

Lönen för de tjänstemän som omfattas av detta avtal justeras i enlighet med statens tjänste- och arbetskollektivavtal av den 8 april 2020 från och med den 1 maj 2021 med en ämbetsverkspott på 1,00%. Potten riktas till justering av vissa lönegrunder som följer:

Nivåhöjning till löneklasserna T 11 och T 12 i lönetabellen fr.o.m. 1.5.2021 samt höjning av det 6:e erfarenhetstillägget från 27,7 procent till 30 procent.

Dessutom justeras lönetabellen i enlighet med statens tjänste- och arbetskollektivavtal av den 8 april 2020 med en generell höjning på 0,97%, dock minst med ett belopp på 20,37 euro från och med den 1 juni 2021.

Tabellen över grundlöner i T-löneklasserna, som ingår i bilaga 2, och tabellen över de sammanlagda beloppen av grundlöner och erfarenhetstillägg, som ingår i bilaga 3, gäller från och med den 1 maj 2021.

Tingsdomarna som nämns i bilaga 4 har rätt till en individuell lön enligt löneklass T 13, så länge var och en av dem är i en tingsdomartjänst som placerats i löneklass T 11.

## **11 §**      **Fredsplikt**

Den som är bunden av detta avtal får inte under avtalets giltighetstid vidta stridsåtgärder för avgörande av en tvist om avtalets bestånd, giltighet eller rätta innebörd eller på avtalet grundat anspråk, för ändring av det gällande avtalet eller för åstadkommande av ett nytt avtal.

En förening som är bunden till detta avtal är dessutom skyldig att se till att underlydande föreningar och personal som omfattas av avtalet inte bryter mot den fredsplikt som avses i föregående moment eller överträder bestämmelser i avtalet. Denna skyldighet som åligger en förening innebär även att föreningen inte får stödja eller bistå vid en förbjuden stridsåtgärd eller på något annat sätt medverka till en sådan åtgärd, utan är skyldig att försöka avveckla den.

## **12 §**      **Giltighet**

Detta avtal träder i kraft den 1 maj 2021 och gäller till den 31 mars 2022. Avtalet fortsätter därefter att gälla ett år i sänder, om inte någondera avtalsparten säger upp det minst sex veckor innan avtalsperioden eller förlängningstiden på ett år upphör.

Genom uppsägning av statens tjänste- och arbetskollektivavtal för avtalsperioden 2020–2022 uppsägs samtidigt detta preciserande tjänstekollektivavtal.

DOMSTOLSVERKET

FÖRHANDLINGSORGANISATIONEN FÖR OFFENTLIGA SEKTORNS UTBILDADE  
FOSU RF

**TILLÄMPNINGSSANVISNING 1.5.2021**

(preciserande tjänstekollektivavtal gällande lönen för domstolarnas domare och jurister 4.3.2021)

**Erfarenhetstillägg (5 §)**

Med **examen** avses examen som förutsätts enligt tjänstens behörighetsvillkor. I flesta fall betyder examen juris kandidatexamen. I tjänsten som jordrättsingenjör avses med examen diplomingenjörsexamen vid en teknisk högskola inom utbildningsprogrammet för lantmäteri.

Övriga examina som kan godkännas är annan högre högskoleexamen (t.ex. förvaltningsmagisterexamen) eller lägre högskoleexamen (t.ex. vicensnotarie, rättsnotarie, förvaltningsnotarie), som förutsätts för tjänsten, om tjänstgöring i denna tjänst väsentligt är till nytta för domstolsarbete (t.ex. arbete som föredragande som notarie vid förvaltningsdomstolen).

Tjänstgöring före avlagd examen kan inte räknas till godo även om detta skulle vara till nytta för arbetet.

Det är inte möjligt att upprätta en uttömmande förteckning över **annan tjänstgöring eller arbetserfarenhet som väsentligt är till nytta för domstolsarbete**. I regel kan följande tjänstgöring och arbetserfarenhet räknas till godo:

- andra än rättsskipningsuppgifter vid domstolen, t.ex. informations- och administrativa uppgifter
- arbete som advokat eller offentligt rättsbiträde
- åklagararbete, inklusive uppgifter som rättsofficer
- arbete som utmättningsman
- lagberedningsuppgifter och arbete vid riksdagen
- förvaltningsrättsliga uppgifter inom den offentliga förvaltningen (t.ex. ministerierna, centralmyndigheterna, lokala myndigheter såsom magistraten, kommunerna, kyrkan) och offentligrättsliga föreningar (t.ex. Trafikskyddet)
- arbete som bankjurist, försäkringsjurist och motsvarande arbete inom den privata eller offentliga sektorn
- när det gäller de ledamöter i specialdomstolarna som inte är jurister arbete inom ett speciellt område (t.ex. tjänstgöring vid en lantmäteribyrå eller kommunen)

För att tjänstgöringen eller arbetserfarenheten ska kunna räknas till godo måste alla villkoren uppfyllas. För att kunna godkännas måste tjänstgöringen eller arbetserfarenheten ha omfattat minst 18 dagar under respektive månad (lördag och söndag räknas till godo). När tiden som berättigar till erfarenhetstillägg räknas avdras inte den tid som tjänstemannen har varit tjänstledig och under denna tid fått lön eller moderskaps-, eller faderskaps- eller föräldrapenning.

## **SPRÅKTILLÄGG (6 §)**

### **1. Allmänna förutsättningar**

Ett ämbetsverk eller en inrättning kan på ansökan betala språktillägg till tjänstemannen, om alla nedanstående villkoren uppfylls

- tjänsteområdet är *tvåspråkigt*
- tjänsteuppgifterna förutsätter till sin natur behärskan av båda inhemska språken, t.ex. kundtjänst, telefonrådgivning och annan rådgivning
- tjänstemannen måste *ständigt* (dagligen eller minst flera än en gång i veckan) använda båda inhemska språken i tjänstgöringen
- kunskaper i båda inhemska språken är till *ansenlig nytta* för utförandet av uppdragen.

För genomgång av litteratur eller publikationer på finska eller svenska som har samband med tjänsteuppgifterna betalas inte språktillägg.

### **2. Språkkunskaper som krävs och visande av dem**

Betalning av språktillägget på grund av *goda muntliga* kunskaper förutsätter att personen på sitt yrkesområde väl förstår tal på språket i fråga och utan svårigheter kan diskutera på språket i olika situationer.

*Goda muntliga och skriftliga* kunskaper förutsätter därutöver att personen lätt kan läsa och förstå skriven text samt också kan använda språket skriftligt så som utförandet av tjänsteuppgifterna förutsätter.

Språkkunskaperna ska visas genom *språkexamina för statsförvaltningen* om vilka det bestäms i statsrådets förordning om bedömning av kunskaper i finska och svenska inom statsförvaltningen (481/2003; 1 och 2 §) eller genom *allmänna språkexamina* på det sättet som det föreskrivs i 13–14 § i nämnda förordningen. *Språkkunskaper kan också visas genom ett intyg som ingår i högskoleexamen*. I de allmänna språkexamina används det en 6-gradig färdighetsnivåskala som infördes år 2002 och som ersätter den tidigare 9-gradiga färdighetsnivåskalan. De färdighetsnivåer som nämns nedan betyder färdighetskraven enligt det nya systemet.

Om motsvarigheten av språkexamina enligt de bestämmelser som gällde vid denna förordnings (481/2003) ikraftträdande (1.1.2004) och de vitsord de bedömts med har föreskrivits i förordningens 22 §.

#### **språktillägg för goda muntliga kunskaper**

- språkexamen för statsförvaltningen:
  - \* god eller utmärkt förmåga att använda språket i tal
- allmän språkexamen:
  - \* färdighetsnivå minst 4 i muntlig framställning och hörförståelse

#### **språktillägg för goda muntliga och skriftliga kunskaper**

- språkexamen för statsförvaltningen:
  - \* god eller utmärkt förmåga att använda språket i tal och god eller utmärkt förmåga att använda språket i skrift
- allmän språkexamen:
  - \* färdighetsnivå minst 4 i muntlig framställning och hörförståelse samt i förmåga att använda språket i skrift och förmåga att förstå skriven text (alltså minst färdighetsnivå 4 i alla, om någon förmåga är lägre, uppfylls kraven inte)



## **språktillägg för utmärkt behärskande av båda inhemska språken**

- språkexamen för statsförvaltningen:
  - \* utmärkt förmåga att använda språket i tal och utmärkt förmåga att använda språket i skrift (m.a.o. fullständigt behärskande)
- allmän språkexamen:
  - \* färdighetsnivå 6 i muntlig framställning och hörförståelse samt i förmåga att använda språket i skrift och förmåga att förstå skriven text (alltså färdighetsnivå 6 i alla, om någon förmåga är lägre, uppfylls kraven inte)

För förmågan att *förstå* det andra inhemska språket (språkexamen för statsförvaltningen) eller hör- och textförståelse (allmän språkexamen) *betalas inget* språktillägg.

Vid ansökningen om språktillägg kan ämbetsverket förutsätta att intyget inte är äldre än två år. Har tjänstemannen beviljats språktillägg innan detta tjänstekollektivavtal trädde i kraft, kan hen beviljas ett språktillägg som motsvarar det tidigare språktillägget utan att tjänstemannen behöver visa ett nytt intyg.

Ämbetsverket kan kräva att intyget förnyas, om ämbetsverket anser att det finns anledning till detta.

## **SPRÅKKUNSKAPSTILLÄGG (7 §)**

### **1. Allmänna förutsättningar**

Språkkunskaperna måste betyda en anseelig fördel när det gäller utförandet av tjänsteuppgifter, t.ex. så att tid och / eller kostnader kan sparas när t.ex. ingen tolk behövs.

Tjänstemannen måste ständigt (dagligen eller minst flera än en gång i veckan) använda det främmande språket i tjänstgöringen.

### **2. Språkkunskaper som krävs och visande av dem**

Språkkunskapstillägget betalas för

- \* **god förmåga att använda det främmande språket i tal och skrift**, om tjänstemannen förstår tal och skriven text på språket i fråga och kan använda det muntligt och skriftligt så pass bra som utförandet av tjänsteuppgifterna förutsätter. Språkkunskaperna ska visas genom ett intyg över den allmänna språkexamen där färdighetsnivån skall vara minst 4 i delproven för muntlig framställning och hörförståelse samt minst 4 i förmåga att använda språket i skrift och förmåga att förstå skriven text.
- \* **god förmåga att använda det främmande språket i tal**, om tjänstemannen förstår tal på språket i fråga och kan använda det så pass bra som utförandet av tjänsteuppgiften förutsätter. Språkkunskaperna ska visas genom ett intyg över den allmänna språkexamen där färdighetsnivån ska vara minst 4 i delproven för muntlig framställning och hörförståelse.
- \* **god förmåga att använda det främmande språket i skrift**, om tjänstemannen förstår skriven text på språket i fråga och kan skriva det så pass bra som utförandet av tjänsteuppgifterna förutsätter. Språkkunskaperna ska visas genom ett intyg över den allmänna språkexamen där färdighetsnivån ska vara minst 4 i delproven för förmåga att använda språket i skrift och förmåga att förstå skriven text.

Ämbetsverket kan förutsätta att intyget över språkkunskaperna inte är äldre än två år. Ämbetsverket kan kräva att intyget förnyas, om ämbetsverket anser att det finns anledning till detta.

## BILAGA 1 TJÄNSTER SOM OMFATTAS AV AVTALSOMRÅDET

Antal/Personalundergrupp	Sektor					Alla sammanlagt
	HD	HFD	FD	Hov TR	SD	
<b>T05</b>			<b>5</b>	<b>3</b>	<b>150</b>	<b>158</b>
Tingsnotarier			5	3	150	148
<b>T08</b>			<b>4</b>			<b>5</b>
föredragande vid förvaltningsdomstolen			1			1
förvaltningsrättssekreterare			3			3
föredragande vid försäkringsdomstolen					1	1
<b>T09</b>			<b>77</b>	<b>82</b>		<b>177</b>
föredragande vid förvaltningsdomstolen			25			25
förvaltningsrättssekreterare			54			54
föredragande vid hovrätten				82		82
beredare vid marknadsdomstolen					1	1
föredragande vid försäkringsdomstolen					17	17
<b>T10</b>				<b>1</b>		<b>9</b>
föredragande vid hovrätten				1		1
beredare vid marknadsdomstolen					4	4
föredragande vid arbetsdomstolen					1	1
föredragande vid försäkringsdomstolen					3	3
<b>T10,5</b>			<b>15</b>	<b>30</b>	<b>1</b>	<b>8</b>
Assessor			15	30	1	8
<b>T11</b>	<b>10</b>	<b>17</b>	<b>90</b>		<b>177</b>	<b>23</b>
förvaltningsrättsdomare			90			90
tingsdomare					177	177
marknadsrättsdomare					4	4
justitiesekreterare	10	17				27
föredragande vid arbetsdomstolen					2	2
försäkringsrättsdomare					17	17
<b>T12</b>	<b>8</b>	<b>11</b>		<b>56</b>	<b>7</b>	<b>2</b>
referendarieråd		11				11
hovrättsråd				56		56
jordrättsingenjör					7	7
marknadsrättsingenjör					2	2
äldre justitiesekreterare	8					8
<b>T13</b>	<b>13</b>	<b>13</b>	<b>126</b>		<b>304</b>	<b>31</b>
referendarieråd	13	13				26
förvaltningsrättsdomare			126			126
förvaltningsdomare					1	1
tingsdomare					303	303
marknadsrättsdomare					12	12
försäkringsrättsdomare					19	19
<b>T14</b>				<b>106</b>		<b>106</b>
hovrättsråd				106		106
<b>T15</b>					<b>3</b>	<b>3</b>
arbetsdomstolsråd					1	1
lagman vid försäkringsdomstolen					2	2
<b>T16</b>				<b>3</b>		<b>3</b>
hovrättslagman				3		3
<b>T17</b>					<b>1</b>	<b>1</b>
lagman					1	1
<b>Alla sammanlagt</b>	<b>31</b>	<b>41</b>	<b>317</b>	<b>281</b>	<b>640</b>	<b>94</b>

## **BILAGA 2**

1) Grundlönen i T-löneklasserna fr.o.m. 1.5.2021, euro/mån

<b>Löneklass</b>	<b>€/mån</b>
<b>T 5</b>	2 290,46
<b>T 7</b>	3 269,79
<b>T 8</b>	3 534,26
<b>T 9</b>	3 820,48
<b>T 10</b>	4 025,00
<b>T 10,5</b>	4 284,21
<b>T 11</b>	4 801,11
<b>T 12</b>	5 001,40
<b>T 13</b>	5 096,94
<b>T 14</b>	5 370,12
<b>T 15</b>	5 666,70
<b>T 16</b>	5 982,19
<b>T 17</b>	6 593,72

2) Grundlönen i T-löneklasserna fr.o.m. 1.6.2021, euro/mån

<b>Löneklass</b>	<b>€/mån</b>
<b>T 5</b>	2 312,68
<b>T 7</b>	3 301,50
<b>T 8</b>	3 568,55
<b>T 9</b>	3 857,54
<b>T 10</b>	4 064,05
<b>T 10,5</b>	4 325,77
<b>T 11</b>	4 847,68
<b>T 12</b>	5 049,91
<b>T 13</b>	5 146,38
<b>T 14</b>	5 422,21
<b>T 15</b>	5 721,66
<b>T 16</b>	6 040,22
<b>T 17</b>	6 657,68

Tabellerna i bilagan innehåller ämbetsverkspotten på 1,00% av 1.5.2021 (tabell 1) och den allmänna höjningen på 0,97%, minst 20,37 euro (tabell 2) av 1.6.2021.

### BILAGA 3

1) kombinerad tabell över T-grundlöner och erfarenhetsdelar fr.o.m. 1.5.2021, euro

#### Antalet erfarenhetstillägg

Löneklass	0	1	2	3	4	5	6
T 5	2 290,46	2 404,98	2 519,51	2 634,03	2 748,55	2 863,08	2 977,60
T 7	3 269,79	3 433,28	3 596,76	3 760,25	3 923,74	4 087,23	4 250,72
T 8	3 534,26	3 710,98	3 887,69	4 064,40	4 241,12	4 417,83	4 594,54
T 9	3 820,48	4 011,50	4 202,53	4 393,55	4 584,57	4 775,60	4 966,62
T 10	4 025,00	4 226,25	4 427,50	4 628,75	4 830,00	5 031,25	5 232,50
T 10,5	4 284,21	4 498,42	4 712,63	4 926,84	5 141,05	5 355,26	5 569,47
T 11	4 801,11	5 041,16	5 281,22	5 521,27	5 761,33	6 001,38	6 241,44
T 12	5 001,40	5 251,47	5 501,53	5 751,60	6 001,67	6 251,74	6 501,81
T 13	5 096,94	5 351,78	5 606,63	5 861,48	6 116,32	6 371,17	6 626,02
T 14	5 370,12	5 638,62	5 907,13	6 175,64	6 444,14	6 712,65	6 981,15
T 15	5 666,70	5 950,03	6 233,36	6 516,70	6 800,03	7 083,37	7 366,70
T 16	5 982,19	6 281,30	6 580,41	6 879,52	7 178,63	7 477,74	7 776,84
T 17	6 593,72	6 923,41	7 253,09	7 582,78	7 912,47	8 242,15	8 571,84

2) kombinerad tabell över T-grundlöner och erfarenhetsdelar fr.o.m. 1.6.2021, euro

#### Antalet erfarenhetstillägg

Löneklass	0	1	2	3	4	5	6
T 5	2 312,68	2 428,31	2 543,95	2 659,58	2 775,21	2 890,85	3 006,48
T 7	3 301,50	3 466,58	3 631,65	3 796,73	3 961,80	4 126,88	4 291,95
T 8	3 568,55	3 746,97	3 925,40	4 103,83	4 282,26	4 460,68	4 639,11
T 9	3 857,54	4 050,41	4 243,29	4 436,17	4 629,04	4 821,92	5 014,80
T 10	4 064,05	4 267,25	4 470,45	4 673,65	4 876,86	5 080,06	5 283,26
T 10,5	4 325,77	4 542,06	4 758,34	4 974,63	5 190,92	5 407,21	5 623,50
T 11	4 847,68	5 090,06	5 332,44	5 574,83	5 817,21	6 059,60	6 301,98
T 12	5 049,91	5 302,40	5 554,90	5 807,40	6 059,89	6 312,39	6 564,88
T 13	5 146,38	5 403,70	5 661,01	5 918,33	6 175,65	6 432,97	6 690,29
T 14	5 422,21	5 693,32	5 964,43	6 235,54	6 506,65	6 777,76	7 048,87
T 15	5 721,66	6 007,75	6 293,83	6 579,91	6 865,99	7 152,08	7 438,16
T 16	6 040,22	6 342,23	6 644,24	6 946,25	7 248,26	7 550,27	7 852,28
T 17	6 657,68	6 990,56	7 323,45	7 656,33	7 989,22	8 322,10	8 654,99

Tabellerna i bilagan innehåller ämbetsverkspotten på 1,00% av 1.5.2021 (tabell 1) och den allmänna höjningen på 0,97%, minst 20,37 euro (tabell 2) av 1.6.2021.