

Judicial Officers (Extension of Retirement Age) (Amendment) Ordinance 2019 comes into effect

The following is issued on behalf of the Judiciary:

The Judicial Officers (Extension of Retirement Age) (Amendment) Ordinance 2019 (the Amendment Ordinance) has come into effect today (December 6) upon gazettal.

The Amendment Ordinance, which was passed by the Legislative Council on November 27, generally extends the retirement ages of Judges at the High Court and above as well as Magistrates by five years. This is to enable the Judiciary to sustain its judicial manpower across different levels of court, which is crucial to the efficient and effective operation of the Judiciary.

"It is believed that an extension of statutory retirement ages for Judges and Judicial Officers (JJOs) will encourage recruitment of the best legal talents to the Judiciary, as well as help retain for as long as practicable the benefit of the experience and skills of serving JJOs, particularly at the level of the Court of First Instance (CFI) of the High Court given the persistent recruitment difficulties," a Judiciary spokesman said.

More specifically, the following changes have been introduced after the Amendment Ordinance came into effect:

(a) the normal retirement ages for Judges of the Court of Final Appeal as well as the Court of Appeal and the CFI of the High Court have been extended from 65 to 70;

(b) the normal retirement ages for Members of the Lands Tribunal, Magistrates and other Judicial Officers at the magistrate level have been extended from 60 to 65; and

(c) other consequential changes have been introduced, e.g. the early retirement age for the relevant categories of JJOs has also been extended by five years as well.

For District Judges, their normal retirement age is maintained at 65.

The extension of the normal retirement ages for Judges at the CFI level and above from 65 to 70 is expected to enable the retention of experienced senior Judges and attract experienced and quality private practitioners to join the Bench.

Setting the retirement age for JJOs below the CFI level at 65 can facilitate the injection of new blood and avoid creating career blockages.

Generally, serving JJOs may exercise the option of joining the new retirement arrangements during an option period of two years, or until their existing normal retirement age/expiry of extension of service, whichever is the earliest.

The legal profession was consulted and supported the legislative amendments.