



Paid Parental Leave Amendment (Waiting Period Exemptions) Rules 2019

I, Paul Fletcher, Minister for Families and Social Services, make the following rules.

Dated 16 March 2019

Paul Fletcher
Minister for Families and Social Services

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1 Name

This instrument is the *Paid Parental Leave Amendment (Waiting Period Exemptions) Rules 2019*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	22 March 2019
2. Schedule 1	1 July 2019.	1 July 2019

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Paid Parental Leave Act 2010*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Paid Parental Leave Rules 2010

1 At the end of Division 2.3.1 of Part 2-3

Add:

Subdivision 2.3.1.4—When a person is exempt from newly arrived resident’s waiting period

2.22B Purpose

This Subdivision is made for subsection 31A(6) of the Act and prescribes circumstances in which subsection 31A(1) of the Act does not apply to a person.

2.22C Prescribed circumstances—certain primary and secondary claimants

- (1) The circumstances are:
 - (a) the person is the primary claimant or secondary claimant in relation to a child to whom paragraphs 15(1)(a), (b) and (c) of the Act apply; and
 - (b) if the secondary claimant’s PPL period would start on the day the child was born:
 - (i) subrule (2) applies to the primary claimant on the day the child was born; and
 - (ii) subrule (2) applies to the secondary claimant on the day before the day the child was born; and
 - (c) if paragraph 15(4)(a) of the Act would apply in making a payability determination in relation to the child:
 - (i) subrule (2) applies to the primary claimant on each day during the period referred to in that paragraph; and
 - (ii) subrule (2) applies to the secondary claimant on the day before the secondary claimant’s PPL period would start; and
 - (d) if paragraph 15(4)(b) of the Act would apply in making a payability determination in relation to the child:
 - (i) subrule (2) applies to the secondary claimant on each day during the period referred to in that paragraph; and
 - (ii) subrule (2) applies to the primary claimant on the day the child was born; and
 - (e) if paragraph 15(4)(c) of the Act would apply in making a payability determination in relation to the child:
 - (i) subrule (2) applies to the primary claimant on each day during the first part of the period as referred to in subparagraph 15(4)(c)(i) of the Act; and
 - (ii) subrule (2) applies to the secondary claimant on each day during the last part of the period as referred to in subparagraph 15(4)(c)(ii) of the Act.
- (2) This subrule applies to a person on a day if:
 - (a) the person is receiving either of the following payments on the day:

- (i) a social security pension (within the meaning of the *Social Security Act 1991*) or a social security benefit (within the meaning of that Act);
- (ii) farm household allowance under the *Farm Household Support Act 2014*; or
- (b) the day is in a newly arrived resident's waiting period the person is subject to under section 31A of the Act and subsection 31A(7) or (7A) of the Act applies to the person on the day; or
- (c) the person is not subject to a newly arrived resident's waiting period under section 31A of the Act on the day.