



Paid Parental Leave Amendment (More Support for Working Families) Rules 2024

I, Amanda Rishworth, Minister for Social Services, make the following rules.

Dated 6 June 2024

Amanda Rishworth
Minister for Social Services

Contents

1	Name	1
2	Commencement.....	1
3	Authority	1
4	Schedules.....	1
Schedule 1—Amendments		2
Part 1—Amendments consequential to the Paid Parental Leave Amendment (More Support for Working Families) Act 2024		2
<i>Paid Parental Leave Rules 2021</i>		2
Part 2—Other amendments		4
<i>Paid Parental Leave Rules 2021</i>		4

1 Name

This instrument is the *Paid Parental Leave Amendment (More Support for Working Families) Rules 2024*.

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 later of: (a) the start of the day after this instrument is registered; and (b) immediately after the commencement of the <i>Paid Parental Leave Amendment (More Support for Working Families) Act 2024</i> . However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	18 June 2024 (paragraph (a) applies)
2. Schedule 1, Part 1	The later of: (a) the start of the day after this instrument is registered; and (b) immediately after the commencement of the <i>Paid Parental Leave Amendment (More Support for Working Families) Act 2024</i> . However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	18 June 2024 (paragraph (a) applies)
3. Schedule 1, Part 2	1 July 2024.	1 July 2024

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Part 1—Amendments consequential to the Paid Parental Leave Amendment (More Support for Working Families) Act 2024

Paid Parental Leave Rules 2021

1 Section 7A

Omit “to 10”.

2 Section 7A

Omit “the total of 10 flexible PPL days”, substitute “that total”.

3 Subsection 7B(1)

Omit “of 10”, substitute “number of”.

4 Subsections 7B(2) and (5)

Omit “of 10”, substitute “number of”.

5 Section 8 (paragraph beginning “Subdivision C”)

Omit all the words after “prescribes”, substitute “conditions related to ineligibility for parental leave pay on a flexible PPL day for a child”.

6 Section 9 (heading)

Repeal the heading, substitute:

9 Prescribed conditions for persons other than special PPL claimants in exceptional circumstances

7 Subsection 9(1)

Repeal the subsection, substitute:

- (1) For the purposes of paragraph 31AA(4)(e) of the Act, the prescribed condition that the person must satisfy on the flexible PPL day is that the person satisfies subsections (2) and (3) of this section on the flexible PPL day.

8 Section 10 (heading)

Repeal the heading, substitute:

10 Prescribed conditions for special PPL claimants in exceptional circumstances

9 Subsection 10(1)

Repeal the subsection, substitute:

- (1) For the purposes of paragraph 31AA(5)(d) of the Act, the prescribed condition that the person must satisfy on the flexible PPL day is that the person satisfies subsections (2) and (3) of this section on the flexible PPL day.

10 Paragraph 13(1)(b)

Repeal the paragraph, substitute:

- (b) the eligibility day occurs within:
 - (i) for a child born before 1 July 2024—20 weeks of the day the child is born; or
 - (ii) for a child born between 1 July 2024 and 30 June 2025—22 weeks of the day the child is born; or
 - (iii) for a child born between 1 July 2025 and 30 June 2026—24 weeks of the day the child is born; or
 - (iv) for a child born on or after 1 July 2026—26 weeks of the day the child is born; and

11 Section 21 (heading)

Repeal the heading, substitute:

21 Prescribed conditions for claimants when partnered

12 Subsection 21(1)

Omit “subparagraph 31AB(3)(a)(iii)”, substitute “paragraph 31AB(3)(d)”.

13 Subsection 21(1)

Omit “circumstances”, substitute “conditions”.

14 Subsections 21(2) and (5)

Omit “referred to in subparagraph 31AB(3)(a)(i) of the Act”, substitute “at the time the relevant claimant made their first effective claim”.

15 At the end of Subdivision C of Division 2 of Part 2

Add:

21A Prescribed conditions for claimants—surrogacy arrangements

- (1) For the purposes of paragraph 31AB(5)(c) of the Act, the prescribed condition is that the relevant claimant satisfies subsection (2) of this section.
- (2) The relevant claimant satisfies this subsection if:
 - (a) the child is born because of a surrogacy arrangement; and
 - (b) the relevant claimant has a partner at the time the relevant claimant makes their first effective claim in relation to the child; and
 - (c) the relevant claimant does not satisfy any of subsections 21(2) to (7).

Part 2—Other amendments

Paid Parental Leave Rules 2021

16 Subsection 21(3)

Repeal the subsection, substitute:

- (3) The relevant claimant satisfies this subsection if:
- (a) the child is stillborn or has died; or
 - (b) the child and another child were born during the same multiple birth and the other child is stillborn or has died.

17 After subsection 21(6)

Insert:

- (6A) The relevant claimant satisfies this subsection if:
- (a) the child and another child were born during the same multiple birth and both of the following apply:
 - (i) the other child was required to remain in hospital after the other child's birth, or was hospitalised immediately after the other child's birth;
 - (ii) the other child has been or is likely to remain in hospital for a period of at least 18 weeks; or
 - (b) the child and another child were born during the same multiple birth and both of the following apply:
 - (i) the other child developed a complication or contracted an illness during the period of gestation, at birth or immediately following the birth;
 - (ii) because of the complication or illness, the other child has higher care needs, and requires medical care or treatment, for a period of at least 18 weeks.

18 In the appropriate position in Part 12

Insert:

Division 4—Paid Parental Leave Amendment (More Support for Working Families) Rules 2024

89 Application of amendments

The amendments made by Part 2 of Schedule 1 to the *Paid Parental Leave Amendment (More Support for Working Families) Rules 2024* apply in relation to a claim for parental leave pay for a child that specifies a flexible PPL day for the child that is on or after 23 March 2024, regardless of when the event or circumstance described in paragraph 21(3)(a) or (b) or (6A)(a) or (b), as inserted by that Part, occurs.