

Your answers suggest that you may be entitled to make a primary claim for PPL.

Parental leave pay is paid to a person for a particular period. That period is called the person's PPL period. The maximum period for which any person may be paid parental leave pay is 18 weeks. A person's PPL period may be the full 18 weeks or a lesser period (e.g. where the person is not eligible for parental leave pay for that full period).

54 Who can make a primary claim, secondary claim or tertiary claim

Primary claim

- (1) Only the following people can make a primary claim for a child:
 - (a) the child's birth mother;
 - (b) an adoptive parent of the child;
 - (c) a person who satisfies the circumstances prescribed by the PPL rules as being exceptional circumstances in which a primary claim can be made.

2.28 Exceptional circumstances for primary claimants — general

- (1) Subject to rule 2.30, the circumstances are that the person:
 - (d) if rule 2.29 applies to the person — satisfies the circumstances mentioned in subrule 2.29 (2).

(Paid Parental Leave Rules 2010)

2.29 Exceptional circumstances — primary claimants who have no specific relationship with child

- (1) This rule is made for paragraph 2.28 (1) (d) and applies to a person who is not:
 - (a) the partner of the birth mother of the child; or
 - (b) for an adopted child — the partner of the adoptive parent of the child; or
 - (c) for parents who are divorced or separated:
 - (i) the other legal parent of the child; or
 - (ii) the partner of the other legal parent of the child.
- (2) For a person to whom this rule applies, the circumstances are as follows:
 - (a) the partner of the birth mother, or of the adoptive parent, is incapable of caring for the child;
 - (b) the child was not entrusted to the care of the person, or to the care of the person's partner, under a decision by a State or Territory child protection agency under legislation dealing with child protection in the State or Territory;
 - (c) the Secretary is satisfied on reasonable grounds that:

	<ul style="list-style-type: none">(i) the person became the primary carer of the child in special circumstances; and(ii) it would be unreasonable for the partner of the child’s birth mother, or the partner of the child’s adoptive parent, to care for the child; and(iii) it is in the interests of the child for the person to care for the child. <p><i>Note</i> For what is unreasonable and in the interests of the child, see rule 2.31.</p>
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