

*Your responses suggest that the parent of the child is legally not incapable to care for the child. You may not be able to make an effective secondary claim for PPL.*

#### **4 Guide to this Act**

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**

##### *Secondary claim*

- (2) Only the following people can make a secondary claim for a child:
- (a) the partner of a primary claimant;
  - (b) a person who:
    - (i) is a parent of the child; and
    - (ii) is not the primary claimant;
  - (c) a partner of a person covered by paragraph (b);
  - (d) a person who satisfies the circumstances prescribed by the PPL rules as being exceptional circumstances in which a secondary claim can be made.

#### **2.33 Exceptional circumstances for secondary claimants — general**

- (1) The circumstances are as follows:
- (c) if the person is the partner of the primary claimant for the child — the primary claimant is incapable of caring for the child and will be incapable, or is likely to be incapable, of caring for the child for at least 26 weeks;