

## 16 Determination on a secondary claim made after the primary claim

- (2) However, the Secretary cannot make a determination on the secondary claim under this section until the Secretary has first made a determination on the primary claim.

### *When parental leave pay is payable to secondary claimant*

- (3) The Secretary must determine that parental leave pay is payable to the secondary claimant for the secondary claimant's PPL period if, when making the determination, the Secretary is satisfied that:
- (a) a determination under section 13 or 14 that parental leave pay is payable to the primary claimant was or will be in force on the day before the start of the secondary claimant's PPL period; and
  - (b) the secondary claimant was or will be eligible for parental leave pay for the child on each day in the secondary claimant's PPL period.

Note: The Secretary is prevented from making a determination under this subsection in certain circumstances: see Division 3.

### *Secondary claimant's PPL period*

- (4) The Secretary must specify in the determination under subsection (3) that the secondary claimant's PPL period:
- (a) starts on the first day after the primary claimant's PPL period ends; and
  - (b) ends on:
    - (i) if the Secretary is satisfied that the secondary claimant was or will be eligible on each day that remains in the child's maximum PPL period—the child's maximum PPL period end day; or
    - (ii) otherwise—the last day in the child's maximum PPL period that the Secretary is satisfied the secondary claimant was or will be eligible.

## 11 The determination must specify the person's *PPL period*

- (2) A person's PPL period must be the same as, or within, the maximum PPL period for the child.
- (3) The **maximum PPL period** for a child is the period that:
- (a) starts on the child's maximum PPL period start day; and
  - (b) ends on the child's maximum PPL period end day.
- (4) The **maximum PPL period start day** for a child is:
- (a) if, on or before the day (the **relevant day**) that is 28 days after the day the child was born, the primary claimant both made an effective claim for parental leave pay for the child and verified the child's birth—the later of the following days:
    - (i) the day the child was born;
    - (ii) the primary claimant's nominated start date; and

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|  | <ul style="list-style-type: none"><li>(b) if, on or before the relevant day, the primary claimant made an effective claim for parental leave pay for the child but did not verify the child's birth—the later of the following days:<ul style="list-style-type: none"><li>(i) the day the primary claimant verifies the child's birth;</li><li>(ii) the primary claimant's nominated start date; and</li></ul></li><li>(c) if the primary claimant makes an effective claim for parental leave pay for the child after the relevant day—the later of the following days:<ul style="list-style-type: none"><li>(i) the day the claim is made;</li><li>(ii) the primary claimant's nominated start date.</li></ul></li></ul> <p>(5) The <b><i>maximum PPL period end day</i></b> for a child is the earlier of the following days:</p> <ul style="list-style-type: none"><li>(a) the day that is 125 days after the maximum PPL period start day (which is 18 weeks from (and including) that start day);</li><li>(b) the day before the child's first birthday.</li></ul> |
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