

Division 2—When parental leave pay is payable to a person

9 For the determination to be made, the person must be eligible

The Secretary cannot make a determination that parental leave pay is payable to a person for a child for a period unless the person was or will be eligible for parental leave pay during the period.

Note: See Part 2-3 for the rules about when a person is eligible for parental leave pay.

10 For the determination to be made, the person must claim

The Secretary cannot make a determination that parental leave pay is payable to a person for a child for a period unless the person has made:

- (a) an effective primary claim for the child (in which case the person is the primary claimant); or
- (b) an effective secondary claim for the child (in which case the person is the secondary claimant); or
- (c) an effective tertiary claim for the child (in which case the person is the tertiary claimant).

Note: See Part 2-4 for the rules about how to make an effective claim.