

Based on your responses you may not be entitled to compassionate leave for this person.

104 Entitlement to compassionate leave

- (1) An employee is entitled to 2 days of compassionate leave for each occasion (a permissible occasion) when:
 - (a) a member of the employee's immediate family or a member of the employee's household:
 - (i) contracts or develops a personal illness that poses a serious threat to his or her life; or
 - (ii) sustains a personal injury that poses a serious threat to his or her life; or
 - (iii) dies; or
 - (b) a child is stillborn, where the child would have been a member of the employee's immediate family, or a member of the employee's household, if the child had been born alive; or
 - (c) the employee, or the employee's spouse or de facto partner, has a miscarriage.
- (2) Paragraph (1)(c) does not apply:
 - (a) if the miscarriage results in a stillborn child; or
 - (b) to a former spouse, or former de facto partner, of the employee.

Note: For the definition of a *stillborn* child, see subsection 77A(2).

Division 2—The Dictionary

12 The Dictionary

In this Act:

miscarriage means a spontaneous loss of an embryo or fetus before a period of gestation of 20 weeks.