

31 When a person is *eligible* for parental leave pay

- (1) This section sets out when a person is eligible for parental leave pay for a child on a day.
- (4) Third, a person is *eligible* for parental leave pay for a child on a day if, on that day:
 - (b) if the person is a secondary claimant or tertiary claimant—the person satisfies the conditions prescribed by the PPL rules.

2.8 Conditions — secondary claimants in normal circumstances

- (d) the person:
 - (i) is the primary carer of the child; or
 - (ii) satisfies the requirements of rule 2.9 or rule 2.10; and

2.10 Care requirements for secondary claimants — loss of care for child

For subparagraph 2.8 (2) (d) (ii), the requirements are that:

- (a) the person previously was the primary carer of the child; and
- (b) an event occurs in relation to the child without the person's consent that prevents the child being in the person's care; and
- (c) the person takes reasonable steps to have the child again in the person's care; and
- (d) the person, or the person's partner, is the child's legal parent or is otherwise legally responsible for the child; and
- (e) if the child is in the care of another legal parent — the person, or the person's partner, has a court order or a parenting plan to the effect that the child is to live with the person or the person's partner; and
- (f) there is no determination in force under the Act that parental leave pay is payable for the child to another person for the same day.