

Division 6—Primary carer

47 When a person is the *primary carer* of a child

- (1) A person is the *primary carer* of a child on a day in the person's reference period if:
 - (a) the child is in the person's care in that period; and
 - (b) the person meets the child's physical needs more than anyone else in that period.
- (2) A person's *reference period* is the period that is determined by the Secretary for the purposes of making a payability determination on the person's claim.
- (3) Only one person can be a child's primary carer on a particular day.
- (4) Despite subsection (1), a person is not the *primary carer* of a child on a day if, before that day, the child has died.