

Your responses suggest that you may not be able to make an effective secondary claim for PPL.

4 Guide to this Act

Parental leave pay is paid to a person for a particular period. That period is called the person's PPL period. The maximum period for which any person may be paid parental leave pay is 18 weeks. A person's PPL period may be the full 18 weeks or a lesser period (e.g. where the person is not eligible for parental leave pay for that full period).

54 Who can make a primary claim, secondary claim or tertiary claim

Secondary claim

- (2) Only the following people can make a secondary claim for a child:
 - (a) the partner of a primary claimant;
 - (b) a person who:
 - (i) is a parent of the child; and
 - (ii) is not the primary claimant;
 - (c) a partner of a person covered by paragraph (b);
 - (d) a person who satisfies the circumstances prescribed by the PPL rules as being exceptional circumstances in which a secondary claim can be made.

2.33 Exceptional circumstances for secondary claimants — general

- (1) The circumstances are as follows:
 - (d) if the person is not the partner of the primary claimant for the child — the person is covered by subrule (2).
- (2) For paragraph (1) (d), a person is covered by this subrule if any of the following apply:
 - (a) the primary claimant and the primary claimant's partner are incapable of caring for the child and are likely to be incapable of caring for the child for at least 26 weeks;
 - (b) the Secretary is satisfied on reasonable grounds that:
 - (i) the person became the primary carer of the child in special circumstances; and

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.