



Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2015

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 25th day of May 2015

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 73(1)(ac) and (ada) of the Parental Leave and Employment Protection Act 1987, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for Workplace Relations and Safety made after complying with section 73(3) of that Act, makes the following regulations.

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Regulations

1 Title

These regulations are the Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2015.

2 Commencement

These regulations come into force on 1 July 2015.

3 Amount of parental leave payment adjusted

For the purposes of section 71M(1)(a) and (1A)(a) of the Parental Leave and Employment Protection Act 1987, the adjusted amount is set at \$516.85.

4 Minimum amount of payment for self-employed persons

For the purposes of section 71M(1A)(b)(ii) of the Parental Leave and Employment Protection Act 1987, the minimum amount of parental leave payment for a self-employed person is \$147.50.

5 Revocation and saving

- (1) The Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2014 (LI 2014/174) are revoked.
- (2) However, the Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2014 continue to apply in relation to the period commencing on 1 July 2014 and ending on 30 June 2015 as if they had not been revoked.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 2015, adjust the amount specified in section 71M(1)(a) and (1A)(a) of the Parental Leave and Employment Protection Act 1987 (the Act).

Under section 71M(1) of the Act, the rate of parental leave payment payable to an employee is the lesser of—

- \$504.10 per week (as from 1 July 2014); and
- the greater of—
 - 100% of the employee's ordinary weekly pay before the commencement of the parental leave; and
 - 100% of the employee's average weekly earnings.

Under section 71M(1A) of the Act, the rate of parental leave payment payable to a self-employed person is the lesser of—

- \$504.10 per week (as from 1 July 2014); and
- the greater of—

- 100% of the self-employed person's average weekly earnings; and
- the minimum amount set under section 71OA of the Act.

The amount of \$504.10 per week must be adjusted by 1 July 2015 by any percentage movement upwards in average ordinary time weekly earnings. These regulations adjust the amount to \$516.85. These regulations also set, for the purposes of section 71M(1A)(b)(ii) of the Act, the minimum amount of parental leave payment payable to a self-employed person. The amount is set at \$147.50 per week. The amounts apply to parental leave payments payable on and after 1 July 2015.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 28 May 2015.

These regulations are administered by the Ministry of Business, Innovation, and Employment.