



Parental Leave and Employment Protection Amendment Act 2017

Public Act 2017 No 45
Date of assent 4 December 2017
Commencement see section 2

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Amendments to come into force on 1 July 2020

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Parental Leave and Employment Protection Amendment Act 2017.

2 Commencement

- (1) Part 1 and Part 1 of Schedule 2 come into force on 1 July 2018.
- (2) Part 2 and Part 2 of Schedule 2 come into force on 1 July 2020.
- (3) The rest of this Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act

This Act amends the Parental Leave and Employment Protection Act 1987 (the **principal Act**).

4 Schedule 1AA amended

In Schedule 1AA, after Part 3, insert the Parts 4 and 5 set out in Schedule 1 of this Act.

Part 1**Amendments to come into force on 1 July 2018****5 Section 1A amended (Purpose)**

In section 1A(c), replace “18 weeks” with “22 weeks”.

6 Section 1B amended (Outline)

In section 1B(3)(a)(i) and (iii), (b)(i) and (iii), (c)(ii), and (d)(ii), replace “18 weeks” with “22 weeks”.

7 Section 9 amended (Duration of primary carer leave)

- (1) In section 9(1) and (3), replace “18 weeks” with “22 weeks”.
- (2) In section 9(2), replace “12 weeks” with “16 weeks”.

8 Section 26 amended (Duration of extended leave)

In section 26(3), replace “18 weeks” with “22 weeks”.

9 Section 32 amended (Requirements where extended leave sought)

In section 32(2)(a), replace “18 weeks” with “22 weeks”.

10 Section 45 amended (Early ending and extension of parental leave)

In section 45(4)(a), replace “18 weeks” with “22 weeks”.

11 Section 71A amended (Purpose)

In section 71A(a), replace “18 weeks” with “22 weeks”.

12 Section 71CE amended (Keeping-in-touch days)

In section 71CE(1) and (3)(b), replace “40 hours” with “52 hours”.

13 Section 71J amended (Duration of parental leave payment)

In section 71J(1)(a) and (b), replace “18 weeks” with “22 weeks”.

14 Section 71L amended (End of parental leave payment)

In section 71L(1)(a), replace “18 weeks” with “22 weeks”.

*Consequential amendments***15 Amendments to Parental Leave and Employment Protection Regulations 2016**

Amend the Parental Leave and Employment Protection Regulations 2016 as set out in Part 1 of Schedule 2.

Part 2

Amendments to come into force on 1 July 2020

16 Section 1A amended (Purpose)

In section 1A(c), replace “22 weeks” with “26 weeks”.

17 Section 1B amended (Outline)

In section 1B(3)(a)(i) and (iii), (b)(i) and (iii), (c)(ii), and (d)(ii), replace “22 weeks” with “26 weeks”.

18 Section 9 amended (Duration of primary carer leave)

- (1) In section 9(1) and (3), replace “22 weeks” with “26 weeks”.
- (2) In section 9(2), replace “16 weeks” with “20 weeks”.

19 Section 26 amended (Duration of extended leave)

In section 26(3), replace “22 weeks” with “26 weeks”.

20 Section 32 amended (Requirements where extended leave sought)

In section 32(2)(a), replace “22 weeks” with “26 weeks”.

21 Section 45 amended (Early ending and extension of parental leave)

In section 45(4)(a), replace “22 weeks” with “26 weeks”.

22 Section 71A amended (Purpose)

In section 71A(a), replace “22 weeks” with “26 weeks”.

23 Section 71CE amended (Keeping-in-touch days)

In section 71CE(1) and (3)(b), replace “52 hours” with “64 hours”.

24 Section 71J amended (Duration of parental leave payment)

In section 71J(1)(a) and (b), replace “22 weeks” with “26 weeks”.

25 Section 71L amended (End of parental leave payment)

In section 71L(1)(a), replace “22 weeks” with “26 weeks”.

Consequential amendments

26 Amendments to Parental Leave and Employment Protection Regulations 2016

Amend the Parental Leave and Employment Protection Regulations 2016 as set out in Part 2 of Schedule 2.

Schedule 1
New Parts 4 and 5 inserted into Schedule 1AA

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Part 4
**Provisions relating to Part 1 of Parental Leave and Employment
Protection Amendment Act 2017**

- 4 Application of Part 1 of Parental Leave and Employment Protection Amendment Act 2017**
- (1) This Act, as amended by Part 1 of the Parental Leave and Employment Protection Amendment Act 2017, applies to a person who takes parental leave or applies for a parental leave payment in respect of a child if,—
- (a) in the case of a child born to the person or to the person's spouse or partner,—
 - (i) the expected date of delivery of the child is on or after 1 July 2018; or
 - (ii) the child is born on or after 1 July 2018; or
 - (b) in any other case, the person or his or her spouse or partner becomes the primary carer in respect of a child on or after 1 July 2018.
- (2) A person referred to in subclause (1) may, before 1 July 2018,—
- (a) give notice of a request to take parental leave, in which case the person may begin the parental leave before 1 July 2018 as if those amendments were already in force; and
 - (b) apply for a parental leave payment under Part 7A as if those amendments were already in force.

Part 5
**Provisions relating to Part 2 of Parental Leave and Employment
Protection Amendment Act 2017**

- 5 Application of Part 2 of Parental Leave and Employment Protection Amendment Act 2017**
- (1) This Act, as amended by Part 2 of the Parental Leave and Employment Protection Amendment Act 2017, applies to a person who takes parental leave or applies for a parental leave payment in respect of a child if,—
- (a) in the case of a child born to the person or to the person's spouse or partner,—

- (i) the expected date of delivery of the child is on or after 1 July 2020; or
 - (ii) the child is born on or after 1 July 2020; or
 - (b) in any other case, the person or his or her spouse or partner becomes the primary carer in respect of a child on or after 1 July 2020.
- (2) A person referred to in subclause (1) may, before 1 July 2020,—
- (a) give notice of a request to take parental leave, in which case the person may begin the parental leave before 1 July 2020 as if those amendments were already in force; and
 - (b) apply for a parental leave payment under Part 7A as if those amendments were already in force.

Schedule 2
Amendments to Parental Leave and Employment Protection
Regulations 2016

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Part 1
Amendments to come into force on 1 July 2018

Regulation 9

In regulation 9(2)(a)(v), replace “18 weeks” with “22 weeks”.

Regulation 10

In regulation 10(2)(a)(iv), replace “18 weeks” with “22 weeks”.

Regulation 15

In regulation 15(3)(e), replace “18 weeks” with “22 weeks”.

Schedule 2

In Schedule 2, form 2, notes 3 and 4, replace “18 weeks” with “22 weeks”.

Part 2
Amendments to come into force on 1 July 2020

Regulation 9

In regulation 9(2)(a)(v), replace “22 weeks” with “26 weeks”.

Regulation 10

In regulation 10(2)(a)(iv), replace “22 weeks” with “26 weeks”.

Regulation 15

In regulation 15(3)(e), replace “22 weeks” with “26 weeks”.

Schedule 2

In Schedule 2, form 2, notes 3 and 4, replace “22 weeks” with “26 weeks”.

Legislative history

8 November 2017	Introduction (Bill 1–1), first reading, second reading
15 November 2017	Committee of the whole House (Bill 1–2)
30 November 2017	Third reading
4 December 2017	Royal assent

This Act is administered by the Ministry of Business, Innovation, and Employment.