

# **Parental Leave and Employment Protection Amendment Bill (No 2)**

Government Bill

As reported from the committee of the whole House

This bill was formerly part of the Relationships (Statutory References) Bill, as reported from the Justice and Electoral Committee. The committee of the whole House has further amended the bill and has divided it into the following bills:

- The Relationships (Statutory References) Bill, comprising subpart 20 of Part 1, Part 2, and Schedules 13, 13A, 14, and 15
- The Administration Amendment Bill (No 2), comprising subpart 1 of Part 1
- The Care of Children Amendment Bill, comprising subpart 1A of Part 1 and Schedule 1AA
- The Child Support Amendment Bill (No 3), comprising subpart 2 of Part 1 and Schedule 1
- The Deaths by Accidents Compensation Amendment Bill, comprising subpart 3 of Part 1
- The Estate and Gift Duties Amendment Bill, comprising subpart 4 of Part 1 and Schedule 2
- The Goods and Services Tax Amendment Bill, comprising subpart 5 of Part 1 and Schedule 3
- The Government Superannuation Fund Amendment Bill (No 4), comprising subpart 6 of Part 1 and Schedule 3A
- The Income Tax Amendment Bill, comprising subpart 7 of Part 1 and Schedule 4

- The Injury Prevention, Rehabilitation, and Compensation Amendment Bill (No 4), comprising subpart 7A of Part 1 and Schedule 4A
  - The Interpretation Amendment Bill, comprising subpart 8 of Part 1
  - The Life Insurance Amendment Bill (No 2), comprising subpart 9 of Part 1
  - The Marriage Amendment Bill, comprising subpart 10 of Part 1
  - The Minors' Contracts Amendment Bill, comprising subpart 11 of Part 1
  - The New Zealand Superannuation Amendment Bill (No 2), comprising subpart 12 of Part 1 and Schedules 5 and 6
  - The Parental Leave and Employment Protection Amendment Bill (No 2), comprising subpart 12A of Part 1 and Schedule 6A
  - The Property (Relationships) Amendment Bill, comprising subpart 13 of Part 1 and Schedule 7
  - The Real Estate Agents Amendment Bill, comprising subpart 14 of Part 1
  - The Social Security Amendment Bill, comprising subpart 15 of Part 1 and Schedules 8, 9, and 9A
  - The Tax Administration Amendment Bill, comprising subpart 16 of Part 1 and Schedule 10
  - The Trustee Amendment Bill, comprising subpart 17 of Part 1
  - The War Pensions Amendment Bill (No 3), comprising subpart 8 of Part 1 and Schedules 11 and 12
  - The Wills Amendment Bill, comprising subpart 19 of Part 1.
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## Key to symbols used in reprinted bill

### As reported from a select committee

#### New (majority)

Subject to this Act,

Text inserted by a majority

### As reported from the committee of the whole House

#### New

Subject to this Act,

Text inserted

~~(Subject to this Act,)~~

Words struck out

Subject to this Act,

Words inserted

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*Hon David Benson-Pope*

# Parental Leave and Employment Protection Amendment Bill (No 2)

Government Bill

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	Schedule 6A	<b>Employment Protection Act 1987</b>

**The Parliament of New Zealand enacts as follows:**

### **1 Title**

- (1) This Act is the Parental Leave and Employment Protection Amendment Act (No 2) **2005**.
- (2) In this Act, the Parental Leave and Employment Protection Act 1987 is called “the principal Act”.

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### **2 Commencement**

This Act comes into force on **26 April 2005**.

### **New (majority)**

#### **57B Interpretation**

- (1) Section 2(1) of the principal Act is amended by inserting, after the definition of “**parental leave**”, the following definition:  
“**partner**, in the phrase ‘spouse or partner’ and in related contexts, means a civil union partner or a de facto partner”.

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**New (majority)**

- (2) Section 2(1) of the principal Act is amended by repealing the definition of **spouse**, and substituting the following definition:  
“**spouse** means a husband or wife”.

**57C Dismissal for cause not affected**

Section 54 of the principal Act is amended by repealing paragraph (a), and substituting the following paragraph: 5

- “(a) the pregnancy of the employee or the pregnancy of the employee’s spouse or partner; or”.

**New****57CA Overview**

Section 71B(3) of the principal Act is amended by inserting, after the word “spouses”, the words “or partners”. 10

**57D Entitlement may be transferred to spouse**

Section 71E(3) of the principal Act is amended by repealing paragraph (a), and substituting the following paragraph:

- “(a) references in this Part to the employee’s entitlement to a parental leave payment are references to the entitlement of the employee’s spouse or partner to a parental leave payment; and”. 15

**57E Joint adoptions**

Section 71H(1) of the principal Act is amended by inserting, after the word “spouses” in both places where it appears, the words “or partners”. 20

**57F Amendments to principal Act in Schedule 6A**

The provisions of the principal Act specified in **Schedule 6A** are amended by inserting, after the word “spouse” wherever it appears, the words “or partner”. 25

**New (majority)**

*Parental Leave and Employment Protection Amendment  
Act 2004*

**57G Amendments to Parental Leave and Employment  
Protection Amendment Act 2004**

- (1) Section 4(1)(c) of the Parental Leave and Employment Protection Amendment Act 2004 is amended by inserting, after the word “spouse”, the words “or partner”. 5
- (2) Section 26(1)(c) of the Parental Leave and Employment Protection Amendment Act 2004 is amended by inserting, after the word “spouse”, the words “or partner”. 10

**New (majority)**

s 57F

**Schedule 6A**  
**Amendments to Parental Leave and Employment**  
**Protection Act 1987**

*Insertion of "or partner" after "spouse"*

Section 2B(3).

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Section 5 and the heading to section 5.

Sections 8(1)(a), 9(3), 10(b), 15(2), 17(a), 18(1)(a), 19A(1)(b), 20(a) and (b), 23(a)(ii), 24(1)(a), 26, 27, 28, 29(b)(i) and (d), 30(b), 31(3)(c), 32, 33(a) and (c), 39A, 45(1) and (4), ~~(49(1) and (2))~~ 49, and 54(b).

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The heading above section 71E.

Section 71E and the heading to section 71E.

Sections 71G(2), 71H(1)(b), and 71L(3)(b).

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**Legislative history**

10 March 2005

Divided from Relationships (Statutory References)  
Bill (Bill 151-2) as Bill 151-30

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