



Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2006

Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 29th day of May 2006

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 73 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, 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 2006.

2 Commencement

These regulations come into force on 1 July 2006.

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 \$372.12.

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 \$102.50.

5 Revocation and saving

- (1) The Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2005 (SR 2005/136) are revoked.
- (2) However, the Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2005 continue to apply in relation to the period commencing on 1 July 2005 and ending on 30 June 2006 as if they had not been revoked.

Diane Morcom,
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 2006, 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)(a), the rate of parental leave payment payable to an employee is the lesser of—

- \$357.30 per week (as from 1 July 2005); 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)(a), the rate of parental leave payment payable to a self-employed person is the lesser of—

- \$357.30 per week; and
- the greater of—
 - 100% of the self-employed person's average weekly earnings; and
 - the minimum amount set under section 71OA.

The amount of \$357.30 per week must be adjusted by 1 July 2006 by any percentage movement upwards in average ordinary time weekly earnings. These regulations adjust the amount to \$372.12.

These regulations also set, for the purposes of section 71M(1A)(b)(ii) of the Act, the minimum amount payable to a self-employed person. The amount is set at \$102.50 per week.

The amounts apply to parental leave payments payable on and after 1 July 2006.

Issued under the authority of the Acts and Regulations Publication Act 1989.
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These regulations are administered by the Department of Labour.
