



Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2007

Anand Satyanand, Governor-General

Order in Council

At Wellington this 21st day of May 2007

Present:

His Excellency the Governor-General in Council

Pursuant to section 73 of the Parental Leave and Employment Protection Act 1987, His Excellency the Governor-General, 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 2007.

2 Commencement

These regulations come into force on 1 July 2007.

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 \$391.28.

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 \$112.50.

5 Revocation and saving

- (1) The Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2006 (SR 2006/134) are revoked.
- (2) However, the Parental Leave and Employment Protection (Rate of Parental Leave Payment) Regulations 2006 continue to apply in relation to the period commencing on 1 July 2006 and ending on 30 June 2007 as if they had not been revoked.

Rebecca Kitteridge,
for 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 2007, 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—

- \$372.12 per week (as from 1 July 2006); 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—

- \$372.12 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 \$372.12 per week must be adjusted by 1 July 2007 by any percentage movement upwards in average ordinary time weekly earnings. These regulations adjust the amount to \$391.28.

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 \$112.50 per week.

The amounts apply to parental leave payments payable on and after 1 July 2007.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 24 May 2007.

These regulations are administered by the Department of Labour.
