

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, HOUSING, COMMUNITY SERVICES AND
INDIGENOUS AFFAIRS PORTFOLIO
2010-11 Additional Estimates Hearings

Outcome Number: 1

Question No: 36

Topic: Paid Parental Leave

Hansard Page: Written

Senator Ryan asked:

If a recipient is living overseas, can employers be compelled to pay the entitlement into overseas bank accounts?

If so, what arrangements are in place to protect employers from action taken against them by the government if there is a delay in recipients receiving payments paid through overseas' banking institutions.

Answer:

Under the *Paid Parental Leave Act 2010*, an employer can only be required to pay a long-term employee if the person is likely to be an Australian-based employee during the period they will be receiving Parental Leave Pay. If the employee is likely to be overseas at that time, the Family Assistance Office will pay the person. The Family Assistance Office requires recipients of Australian government family assistance, who are temporarily living overseas, to nominate an Australian bank account for the payment of their entitlements.

If an employer *chooses* to provide Parental Leave Pay to an eligible employee temporarily living overseas, they would do so in accordance with the employee's usual pay arrangements. An employer must provide Parental Leave Pay to an employee's nominated bank account.

In all cases where an employee advises Centrelink of a delay in receiving Parental Leave Pay from their employer, Centrelink will first work with the employee and their employer to establish the facts of the case. Where it is established that the delays are caused by factors outside of the employer's control, no penalties would be imposed upon the employer.