

Paid parental leave application for a self-employed person

Department of Labour
TE TARI MAHI



Parental Leave and Employment Protection Act 1987

- Do you meet the definition of being self-employed?* (see note 2)
- Do you know when your parental leave will start?
- If you're an employee and are applying for PPL, use a *Paid parental leave application for an employee (IR 880)*.
- If you wish to transfer part or all of your entitlement please complete *Paid Parental Leave transfer to an employee (IR 881)* or

Paid Parental Leave transfer to a self-employed person (IR 889) as well as this form

- You must apply for the PPL payments before you return to work.
- The payments will be direct credited to your bank account every fortnight.
- **The maximum payment is \$475.16 a week before tax.**

What is paid parental leave?

Paid parental leave is a government-funded entitlement paid to **working mothers** while they take parental leave from their job(s). These payments go towards the loss of income that working mothers experience when they take parental leave from work to care for a new baby.

Who qualifies for paid parental leave?

- Mothers who are expecting a baby and who have worked for an average of 10 hours a week for either the 6 or 12 months before their due date.
- A parent who adopts a child aged under 6 years and who has worked for an average of 10 hours a week for either the 6 or 12 months before the date of assuming the care of a child they intend to adopt.

Are you self-employed?

You're entitled to PPL if you've been self-employed for 6 months or more on your expected date of delivery or the date you assume care of a child you intend

to adopt, and you've worked an average of 10 or more hours a week in the 6 or 12 months before the due date or adoption of your child and you are taking parental leave away from your self-employment.

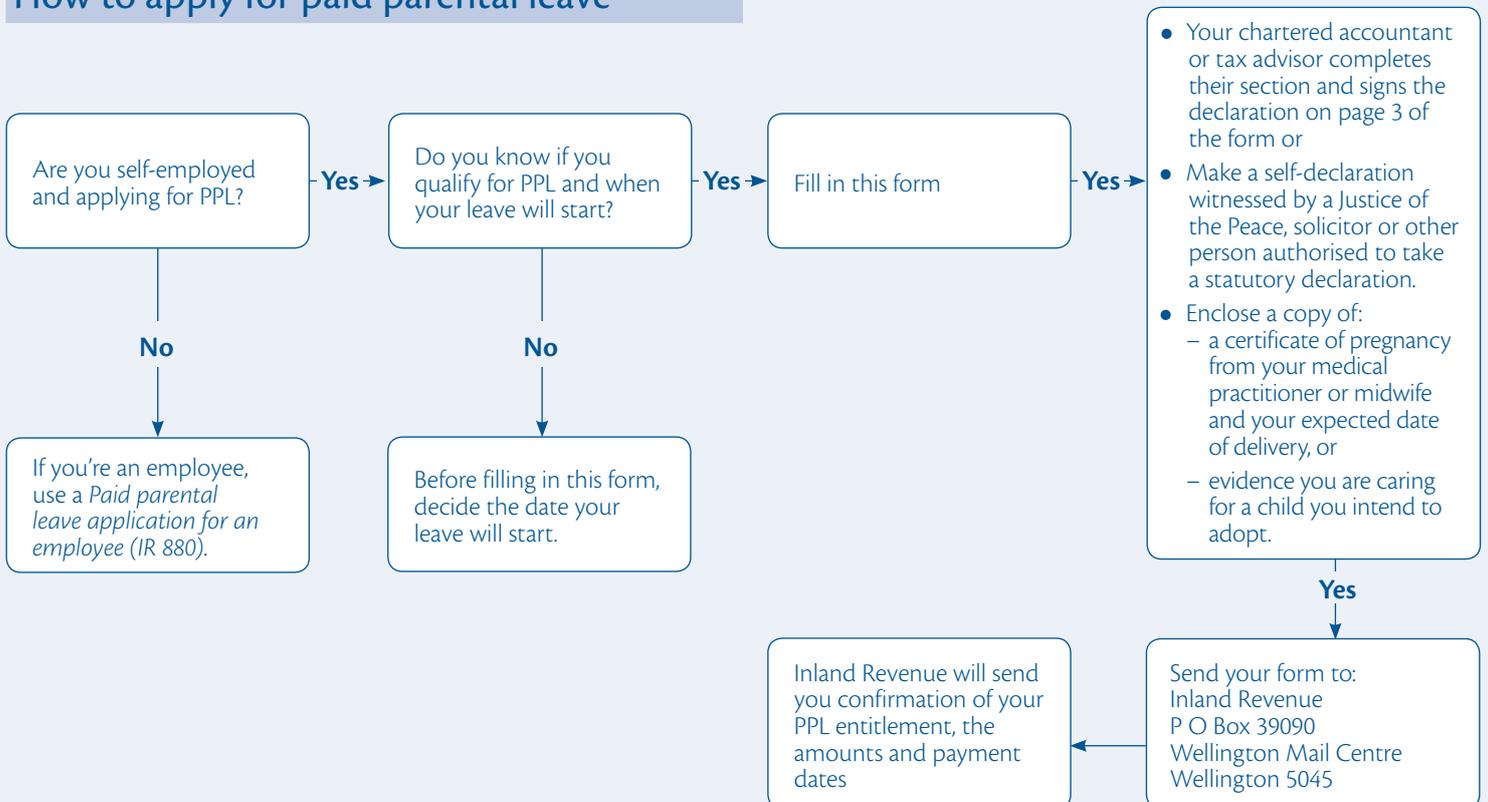
Transfer of payments in special circumstances

Where the mother would have qualified for PPL but has died or no longer has legal guardianship of the child, the entitlement may be transferred to their spouse or partner provided they are eligible for PPL. If you're a spouse or partner applying for one of these reasons please call Inland Revenue.

Who doesn't qualify for PPL?

- Mothers who are not taking parental leave away from their self-employment
- Mothers applying whose previous period of parental leave ended within the last 6 months.
- Mothers where the family is already receiving parental tax credit for the child.
- Mothers who have been self-employed for less than 6 months.

How to apply for paid parental leave



Please read the following notes before filling in this form

You can download PPL forms from www.dol.govt.nz or www.ird.govt.nz/forms-guides or by calling the Department of Labour on 0800 20 90 20 or Inland Revenue on 0800 377 777

General information

You can apply for PPL before the date your parental leave commences, or at any time while you're on leave. You must, however, apply for the payments before you return to work or cease your self-employment.

Call **0800 20 90 20** to find out about your entitlements and requirements prior to applying for payments.

Periods of self-employment

If you work in multiple self-employed roles for an average of 10 or more hours a week, you need to have worked:

- concurrently during a 6 or 12-month period, **or**
- consecutively during a 6 or 12-month period, with the break between types of roles being no more than 30 days.

If you're engaged in multiple types of work, they'll be treated as a single period of self-employment. You'll need to let us know if the types of work are concurrent or consecutive.

- **Concurrent** is more than one type of work over the same period. For example, you work on one contract with Company X from 1 January to 30 June and on another contract with Company Y during that same period.
- **Consecutive** is more than one type of work during different periods, as long as the break between working is 30 days or shorter. For example, you have a contract with Company X from 1 January to 30 June and, following that, you have another contract with Company Y starting on 15 July.

You must be taking parental leave from your self-employment to qualify for PPL payments. If you cease being self-employed before your parental leave starts, or during your PPL, you're no longer eligible to receive paid parental leave payments and must inform Inland Revenue of the change in your situation.

When to apply

You can apply for paid parental leave before the date your parental leave commences, or at any time while you're on leave. You must, however, apply for the payments before you return to work or cease your self-employment.

Length of time you will be paid

You can receive PPL for a maximum of 14 weeks.

If you return to the work you've taken leave from, or resign while you're still receiving PPL payments, your entitlement to payments will end. This applies even if you return to work for a short time to work on a casual basis, part-time (limited hours), a one-off basis (eg, for one day), or work from home while on parental leave. You must call Inland Revenue in any of these situations.

How much you'll receive

The maximum amount paid is \$475.16 a week before tax.

If you earn less than this on a weekly basis from your self-employment, your payments will be the same as the income you earn from your self-employment. You are entitled to \$135 a week before tax if your average weekly earnings over the previous six or 12 months are less than the equivalent of 10 hours pay at the highest rate of minimum wage. This rate also applies if you made a loss.

In this case, you'll be paid at a flat rate of \$135 a week before tax, equivalent to 10 hours of work at the minimum wage rate.

Earners' levy will not be deducted from PPL payments.

When your payments begin

PPL payments are paid fortnightly from the payday after you start your leave and backdated if necessary. Inland Revenue will send you confirmation within 14 days that your application has been processed, the date of your first payment and how much you'll receive.

Notes for the applicant

You must fill in the parts of the application form marked "Applicant to complete". Your chartered accountant or tax advisor must verify your status as self-employed, your net income and average weekly earnings. If you don't have a chartered accountant or tax advisor, you must make a self-declaration witnessed by a Justice of the Peace, solicitor or other person authorised to take a statutory declaration. In either case, when you send the form to Inland Revenue, you must enclose a copy of a certificate from your medical practitioner or midwife stating that you're pregnant and your expected date of delivery.

In case of adoption, send a copy of your evidence that you're caring for a child you intend to adopt. If you're not sure what papers to send, call the Department of Labour.

The role of your chartered accountant or tax advisor or a Justice of the Peace

Your chartered accountant or tax advisor must complete their part of the form and sign the "Declaration by chartered accountant or tax advisor".

Your chartered accountant or tax advisor must be a member of an organisation with approved advisor group status as stated in the tax Administration Act 1994.

Currently two organisations have approved advisor group status. These are:

- The New Zealand Institute of Chartered Accountants
- The TaxAgents Institute of New Zealand

To check whether your tax advisor is a member of the TaxAgents Institute of New Zealand, go to the Institute's website www.tinz.co.nz

To check whether your chartered accountant is a member of the New Zealand Institute of Chartered Accountants, go to the Institutes website www.nzica.com

If you do not have a chartered accountant or tax advisor please complete the self-declaration. This must be witnessed by a Justice of the Peace, solicitor or other person authorised to take a statutory declaration.

Notes to help you fill in the form

Note 1: Postal address

If your address is a PO Box number, please show your box lobby. If you're unsure of your box lobby please contact New Zealand Post.

Note 2: Self-employment categories

When you apply as a self-employed person, you must identify on the application form which of the following categories you belong to.

- Contractor (you're providing goods or services for hire or reward under a contract for services).
- Carrying on a business (including a profession, trade, manufacture or other undertaking carried out for profit), including being in partnership with another person.
- Working for a trust in a business (see paragraph b) above) carried on by the trust.

Note 3: Child's date of birth or expected due date

Enter either your child's date of birth, or the expected due date if your child is yet to be born.

If you're applying for leave for a child you intend to adopt, enter the date you first assume care of the child and their date of birth.

You need to provide evidence of pregnancy or that you have assumed the care of a child under six, whom you intend to adopt.

Evidence of pregnancy is a certificate, or a copy of a certificate, from a medical practitioner or midwife stating that you're pregnant and the expected date of delivery.

Note that an adoption must be intended to be a legal adoption pursuant to the Adoption Act 1955. Guardianship arrangements, and informal arrangements such as whangai, are not legal adoptions under that Act. Contact your social worker, Child Youth and Family or the Department of Labour for further information.

Note 4: Bank account details

All PPL payments will be paid into a NZ bank account. Please enter the bank account number you want the payments to go to.

Note 5: Parental tax credit (PTC)

PTC is one type of working for families tax credits. This is a maximum of \$150 a week for the first eight weeks after a baby is born. PTC can't be paid for a child PPL is paid for, so you need to choose between the two types of payment.

When you've chosen which payment you'd like to receive, you can't change your mind.

To help you choose which payment is better for you, answer the questions in the form. It may be more beneficial for you to receive the PTC if:

- you earn less than \$24,708.32 a year before tax from your job (the one you're taking leave from), or
- for this application, you're expecting three or more children (from multiple birth or adoptions), or
- you're taking less than 14 weeks' parental leave.

If you ticked "Yes" to any of these questions or you've ticked that you want to be contacted, we'll get in touch with you to help you work out which payment would be better for you.

If you've ticked "No" to all three questions, PPL is better for you. Tick the PPL circle.

Note 6: Do you want to transfer any of your entitlement to your spouse or partner?

If your spouse or partner is also taking parental leave from their job or self-employment, you can transfer all or some of your PPL entitlement to them, provided they are eligible for PPL. You can do this when you first apply for PPL or at any time while you're receiving the PPL payments.

You can transfer your entitlement to your husband, civil union partner, or de facto partner—they don't have to be the biological father of the child (provided they are assuming care of the child.). Your entitlement can't be transferred to other family members or caregivers, such as grandparents.

To transfer your entitlement you must fill in a *Paid parental leave transfer to an employee (IR 881)* or a *Paid parental leave transfer to a self-employed person (IR 889)* showing your spouse's or partner's details.

Note 7: Do you pay child support?

If you make payments to Inland Revenue Child Support, you can't choose to have child support deductions taken out of your PPL payments. You'll need to make voluntary child support payments. Child Support will contact you to start a new arrangement if you have outstanding child support.

If your income has reduced by 15% or more, you may want to estimate your income for child support purposes. If this applies to you, enter your new estimated annual income and the current financial year on this form. Child Support will calculate your assessment and send you a new notice of assessment.

Note 8: PPL commencement date

Enter the commencement date of your parental leave. Note that parental leave for self-employed persons is a temporary period of time, around the time of the birth or impending birth of your child or the assumption of care of a child by you or your spouse or partner, during which you do not work.

Note 9: Your average weekly earnings

Your PPL payments will be based on your current income.

Calculate your average weekly earnings as follows:

- If you qualify for parental leave on the basis of the previous 12 months' self-employment, enter 1/52th of your net income for the 12 months ending on the baby's expected due date or, if adopting, the date you assume care of the child.
- If you qualify for parental leave on the basis of your previous six months' self-employment, enter 1/26th of your net income for the six months ending on the baby's expected due date or, if adopting, the date you assume care of the child.

Calculate your average weekly earnings based on the number of weeks you were present at work over the relevant period taking into consideration if you were:

- absent from work on ACC, or
- unable to work because of other circumstances, or
- on parental leave before the expected date of delivery.

If you need help, go to <http://www.dol.govt.nz/er/holidaysandleave/parentalleave/self-employed/index.asp>

Note 10: Length of self-employment and average weekly hours

To be eligible for PPL as a self-employed person, you must have been self-employed for 6 months or more at the expected date of delivery or the date you have assumed the care of a child you intend to adopt. You must also have worked for an average of 10 hours or more a week in your self-employment in the six or 12 months before the due date or the date you have assumed the care of a child you intend to adopt.

It's your decision whether to apply under the six or 12 month criteria. In both cases you will be entitled to 14 weeks' PPL. If you have an inconsistent work pattern over the immediately preceding 12 months and don't meet the average hours of work criteria for this period, you may still meet the criteria over the six month period or vice versa. In both cases you will be entitled to 14 weeks' PPL (provided you are taking 14 or more weeks parental leave from your self-employment.) The level of your PPL may also differ, depending on whether your average income is determined over six or 12 months.

Note 11: Current or estimated tax code

Being self-employed, you don't necessarily use a tax code when operating your business, however you'll need to choose a tax code for your PPL payments. This tax code will determine the rate of tax and student loan deductions (if relevant) that will be made from your PPL payments, so you'll need to choose the tax code that fits your situation the best.

If you're receiving any other income while receiving PPL payments, please contact Inland Revenue to discuss which tax code to use. Other income includes salary, wages, a benefit, accident compensation payments, New Zealand Superannuation or a student allowance.

To find out more about tax codes and which one to choose, visit www.ird.govt.nz for the *Tax code declaration (IR 330)* or call Inland Revenue on **0800 377 777**.

Note 12: What are voluntary student loan repayments?

Voluntary repayments are payments you make on top of what you have to repay for a tax year. These payments can be made either as a single lump sum or by smaller amounts throughout the year. Any student loan repayments you make directly to Inland Revenue will first be credited towards any overdue and current repayment obligations you may have. Any amount left over will be treated as a voluntary payment.

You can make voluntary repayments either directly to Inland Revenue or through your salary and wages, by indicating repayment amounts on this form, you will be making payments from your paid parental leave as above.

You can get more information on voluntary student loan repayments from www.ird.govt.nz

Note 13: Statements

Self-employed applicant

You must fill in the parts of the application form marked "Applicant to complete". Read the "Applicant's statement" carefully before signing. Your chartered accountant or tax advisor must verify your net income, your average weekly earnings and your self-employed status by signing the "Chartered accountant or tax advisor's declaration".

Then you can send the form to Inland Revenue with a certificate or a copy of a certificate from your medical practitioner or midwife stating that you're pregnant and your expected date of delivery, or evidence that you're caring for a child you intend to adopt.

If you don't have a chartered accountant or tax advisor, you must make a self-declaration witnessed by a Justice of the Peace, solicitor or other person authorised to take a statutory declaration.

Chartered accountant or tax advisor

If you're a chartered accountant or tax advisor being asked to verify a person's net income, their average weekly earnings and self-employment status, you only need to fill in your details in the "Chartered accountant or tax advisor to complete" section of the application form and sign the "Declaration by a chartered accountant or tax advisor" to verify the information provided by the applicant.

You must be a member of an organisation that has approved advisor group status as stated in the Tax Administration Act 1994. Please read these notes and the "Declaration by a chartered accountant or tax advisor" carefully before signing the form. Return the form to your client.

Justice of the Peace

If you are a Justice of the Peace (or other person authorised to take a statutory declaration) being asked to verify a self-employed person's application for parental leave payments, you'll need to witness the applicant's self-declaration. The applicant must declare their self-employment status, net income and average weekly earnings. You'll need to sign the declaration. Please read these notes carefully before signing the form.

For more information

Penalties

It's an offence to give false or misleading information, or failing to provide information with the intention to mislead, to enable you or another person to be entitled to PPL. There is a fine of up to \$5,000 for anyone convicted of this offence.

Privacy

Meeting your tax obligations means giving us accurate information so we can assess your liabilities or your entitlements under the Acts we administer. We may charge penalties if you don't.

We may also exchange information about you with:

- some government agencies
- another country, if we have an information supply agreement with them
- Statistics New Zealand (for statistical purposes only).

If you ask to see the personal information we hold about you, we'll show you and correct any errors, unless we have a lawful reason not to. Call us on **0800 377 774** for more information. For full details of our privacy policy go to www.ird.govt.nz

If you disagree

If you don't agree with a decision about your application for parental leave payments you may contact the Department of Labour (**0800 20 90 20** or via the website at dol.govt.nz) for more information including how and when to apply to the Employment Relations Authority.

Paid parental leave application for a self-employed person

Department of Labour
TE TARI MAHI



Parental Leave and Employment Protection Act 1987

Office use

Applicant to complete Read the notes before completing this form

Name
First name(s) Surname

IRD number (8 digit numbers start in the second box. 1 2 3 4 5 6 7 8)

Postal address

Please put street address or PO Box number and suburb, box lobby or RD Town or city above (see note 1)

Phone number
Home Work

Self-employment category (tick all that apply) (see note 2) Contractor Running a business (carrying on a business) Trust

If you're engaged in multiple types of work, tick the options that apply (see note 2) Concurrent Consecutive

Birth date of your child or expected due date (see note 3)
Day Month Year

Date of adoption (see note 3)
Day Month Year

Adopted child's date of birth DoB EDD
Day Month Year

Have you received paid parental leave for a previous child? Yes No

Bank or building society account number (see note 4)
Bank Branch Account number Suffix

Are you expecting three or more children? (from multiple birth or adoptions) (see note 5) Yes No

Is your income from your job less than \$24,708.32 (before tax)? Yes No

Are you planning to take less than 14 weeks parental leave? Yes No

If you've answered "Yes" to any of these questions, we'll get in touch with you to help you work out which is better for you.

If you've answered "No" to all three questions, PPL is better for you.
 Please tick the circle to show you're choosing to receive PPL payments instead of PTC. Yes

If you're unsure about any of these questions please tick this circle and we will contact you.

Do you want to transfer any of your entitlement to your spouse or partner? (see note 6) Yes No

You might have a spouse or partner who's also taking parental leave from their job or self-employment and you may want to transfer your entitlement to them for some or all of the period (up to the 14 weeks' entitlement). If you do you'll also need to fill in a *Paid parental leave transfer to an employee (IR 881)* form or a *Paid parental leave transfer to a self-employed person (IR 889)* form.

Do you make payments to Inland Revenue Child Support? (see note 7) Yes No

If you'd like to estimate your income for child support, enter your new income estimate for the current financial year \$:
For the financial year ending
Day Month Year

Applicant to read and complete (continued)

Your paid parental leave commencement date (see note 8)

Day	Month	Year
		2 0

Your average weekly earnings as self-employed (see note 9)

\$:	
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Are you taking less than 14 weeks' leave?

Yes No

Supply your return date to work

Day	Month	Year
		2 0

Have you been self-employed for 6 months or more? (see note 10)

Yes No

Over the past 6 months, have your average weekly work hours been 10 hours or more? (see note 10)

Yes No

Over the past 12 months, have your average weekly work hours been 10 hours or more? (see note 10)

Yes No

Current or estimated tax code (see note 11)

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Do you want to make voluntary student loan payments on top of your required payments (see note 12)

Yes No

If you'd like to make voluntary payments, enter the amount here

\$ fortnightly payment

\$:	
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% fortnightly payment

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The following information is collected for statistical purposes. This question is optional.

Please select the ethnic group(s) you belong to

- | | | |
|-----------------------------------|---|---|
| <input type="radio"/> NZ European | <input type="radio"/> Cook Island Māori | <input type="radio"/> Chinese |
| <input type="radio"/> Māori | <input type="radio"/> Tongan | <input type="radio"/> Indian |
| <input type="radio"/> Samoan | <input type="radio"/> Niuean | <input type="radio"/> Other
(please specify) |

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Please select the industry group you belong to

- | | | | |
|--|--|---|---|
| <input type="radio"/> Accommodation, restaurant | <input type="radio"/> Cultural and recreational | <input type="radio"/> Government | <input type="radio"/> Personal and other services |
| <input type="radio"/> Agriculture, forestry, fishing | <input type="radio"/> Education | <input type="radio"/> Health and community services | <input type="radio"/> Transport and storage |
| <input type="radio"/> Communication | <input type="radio"/> Electricity, gas, water supplier | <input type="radio"/> Manufacturing | <input type="radio"/> Wholesale and retail |
| <input type="radio"/> Construction | <input type="radio"/> Finance, business services, property | <input type="radio"/> Mining | |

Applicant's statement

There are penalties if you give false or misleading information. (see note 13 before signing this statement)

I understand that the information in this application form is true and correct to the best of my knowledge. I have worked, or will have worked, as a self-employed person for at least an average of ten hours a week over the six or twelve months immediately preceding the expected date of delivery or adoption of the child, as will my spouse or partner in the case of transfer of the entitlement. I understand that I have elected to receive paid parental leave payments and cannot receive parental tax credit for the children this application relates to and that my spouse or partner, in case of transfer of entitlement, cannot receive parental tax credit for the children this application relates to either. Except for oversight or occasional administrative tasks, I will not work in my business while receiving parental leave payments and if I return to my self-employed role before I have received all of my payments, I will notify IR immediately.

Self-employed applicant's signature

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/ /
Date

NEXT STEP:

- Either give this form to your chartered accountant or tax advisor to complete, or
- Complete the "Self-employed applicant's self-declaration" witnessed by a Justice of the Peace, solicitor or other person authorised to take a statutory declaration.
- Attach a copy of a certificate from your medical practitioner or midwife stating that you are pregnant, or evidence you are caring for a child you intend to adopt.

Chartered accountant or tax advisor to complete

Chartered accountant's or tax advisor's business name

Business name

Chartered accountant's or tax advisor's business IRD number

(8 digit numbers start in the second box. 1 2 3 4 5 6 7 8)

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Postal address

Please put street address or PO Box number and suburb, box lobby or RD, Town or city above (see note 1)

Chartered accountant's or tax advisor's name (contact person)

First name(s)

Surname

Phone number

Work/daytime

Chartered accountant's or tax advisor's statement

Please complete the statement below by deleting whichever is inapplicable (*) and continue to sign the chartered accountant's or tax advisor's declaration below.

There are penalties for giving false or misleading information or failing to provide information with the intention to mislead. (see note 13 before signing this statement)

_____ [state name of self-employed person]

of _____ [state place of abode and occupation]

(a) is self-employed because he or she is working, other than as an employee, doing 1 or more of the following:

* (i) providing goods or services for hire or reward under a contract for services:

* (ii) carrying on business (including a profession, trade, manufacture, or undertaking carried on for pecuniary profit), including in partnership with another person:

* (iii) working for a trust in a business (as defined in paragraph (ii)) carried on by the trust; **and**

(b) his or her net income in the *6 months/*12 months immediately preceding the *expected date of delivery of his or her child (or children)/ *date on which he or she will assume the care of a child (or children) with a view to adoption is or will be \$_____ [state amount]; **and**

(c) his or her average weekly earnings in the *6 months/*12 months immediately preceding the *expected date of delivery of his or her child (or children)/ *date on which he or she will assume the care of a child (or children) with a view to adoption are or will be \$_____ [state amount].

* Delete if inapplicable.

Declaration by chartered accountant or tax advisor

I, _____ [state name], am a chartered accountant or tax advisor for the person named above and I declare that I have nothing in my knowledge or possession to suggest that the information provided above is incorrect.

Signature of chartered accountant or tax advisor

/ /

Date

Name of chartered accountant or tax advisor

NEXT STEP:

Return this form to the applicant.

Self-employed applicant's self-declaration Only complete if you don't use a chartered accountant or tax advisor.

There are penalties if you give false or misleading information. (see note 13 before signing this statement)

I, _____ [state name of self-employed person]

of _____ [state place of abode and occupation]

solemnly and sincerely declare that:

(a) I am self-employed because I am: [tick all that apply]

- (i) providing goods or services for hire or reward under a contract for services;
- (ii) carrying on business (including a profession, trade, manufacture or undertaking carried on for pecuniary profit), including in partnership with another person;
- (iii) working for a trust in a business (as defined in paragraph (ii)) carried on by the trust; **and**

(b) to the best of my knowledge my net income in the: [tick whichever applies]

- 6 months; **or**
- 12 months

immediately preceding the

- expected date of delivery of my child (or children); **or**
- date on which I will assume the care of a child (or children) with a view to adoption
- is or will be \$ _____ [state amount]; **and**

(c) to the best of my knowledge my average weekly earnings in the: [tick whichever applies]

- 6 months; **or**
- 12 months

immediately preceding the

- expected date of delivery of my child (or children); **or**
- date on which I will assume the care of a child (or children) with a view to adoption

are or will be \$ _____ [state amount] **and** I make this solemn declaration conscientiously believing the same to be true by virtue of the Oaths and Declarations Act 1957.

Signature of applicant

/ /

Date

Declared at _____ [place] _____ [date]

Justice of the Peace

/ /

Date

[or other person authorised to take a statutory declaration]

CHECK LIST

Have you included your?

- Bank account details
- Paid parental leave commencement date
- Medical certificate or note from midwife or medical practitioner, or evidence you are caring for a child you intend to adopt
- Signed declaration from chartered accountant, tax advisor or Justice of the Peace