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## POLICY

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# PARENTAL LEAVE POLICY

The Victorian Bar Council has adopted a policy intended to assist those taking leave to care for children by reason of pregnancy or a child (or children) coming into their care and custody.

Members in division AI of the Bar Roll who are financial and will not be engaged in and available for work as a barrister more than 16 hours per week by reason of:

- pregnancy; and/or
- commencing substantial full-time personal responsibility for the care of one or more children who will be, throughout the period for which a subsidy or discount is sought:
  - younger than 12 months old; or
  - in the case of adopted or foster children, under 13 years of age –

may receive:

- a) a chambers rental subsidy; and
- b) a discount on Bar subscriptions –

for a period up to six months for each such child, with the periods being able to be taken cumulatively in cases concerning the birth or care of multiple children.

### *Chambers rental subsidy*

1. The Bar Council will pay 75% of the chambers rental of qualifying members (capped at \$1,422 per month\*), for a period up to six months, subject to the following conditions:
  - (a) the period of the subsidy shall commence:
    - (i) (in respect of pregnancy) not more than 6 months before the estimated birth of the child (or children) nor more than 6 months after the birth of the child (or children); and
    - (ii) (in respect of care) immediately following the date on which the child (or children) comes into the care and custody of the barrister;
  - (b) for the period of the subsidy, the barrister shall pay to the manager of the chambers the total residual rental balance otherwise payable in respect of those chambers, after taking into account the subsidy receivable under this policy;

Policy Name:	Parental Leave	Author:	The Victorian Bar Council
Published by:	The Victorian Bar Incorporated	Date of Publication: 7 October 2008 (Amended 17 March 2011, 14 June 2012, 16 August 2012, 19 November 2015, 4 October 2019 and 17 May 2021)	
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2. Notwithstanding condition 1 above:
  - a) where the barrister has sub-let his or her chambers, the subsidy receivable will only apply to that part of the rental which is not the subject of any sub-leasing recoveries; and
  - b) where the barrister shares chambers with another person, the subsidy receivable will only apply to the proportionate share of the total rental for that chambers that that barrister would normally pay for his or her share (so, for example, if 2 persons share a room equally and 1 person seeks the subsidy, the subsidy will only be for 75% of 50% of the total rental for that room, with the cap of \$1422\* applying to 75% of that 50%).
3. In any case they consider appropriate the Treasurer and Executive Director together may modify the conditions in (1) and (2) above.

\* On 1 July each year commencing 1 July 2020, the cap will be increased by the average proportionate rental increase across all BCL chambers for that financial year.

#### *Bar Subscription Discount*

Any member who qualifies for a rental subsidy is also entitled to a Bar subscription discount of 75% of the member's subscription for the period of the rental subsidy.

#### *Procedure*

The procedure to apply for a rental subsidy and subscription discount is as follows:

1. Any request must be in writing to the Bar Council, through the Executive Director, describing how the barrister meets the qualifying conditions and the period for which the barrister seeks the subsidy and discount.
2. The Executive Director must consider the request by reference to the criteria described above.
3. If the application is approved, the Executive Director must:
  - a) advise the applicant in writing of the approval;
  - b) forward a copy of the approval letter to the manager of the chambers as authority for the Bar to be charged with the amount of the subsidy.
4. If the application is not approved, the Executive Director must advise the applicant in writing.

#### *Contact*

For information and assistance, please contact the Manager of Finance and Membership at the Bar Office on 9225 7111.

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