

CORPORATE
SERVICES
POLICY

PENSIONER POLICY
(Rates and Domestic Waste Charges)

Date of Adoption: 16 June 2009

Effective Date: 16 June 2009

Objectives

- To ensure compliance with the relevant parts of the Local Government Act 1993, (the Act) Regulations and other applicable legislation;
- Outline the principles and guidelines that apply to the management of Rates and Domestic Waste Charges for properties owned and occupied by pensioners;
- Ensure a fair and equitable approach to the management of Rates and Domestic Waste Charges levied on Pensioners.

Compliance

- Local Government Act 1993
- Local Government Regulations 2005
- Council's relevant Rating Policies

Introduction

In managing Council's Rates and Domestic Waste Charges, it is important to ensure that a fair and equitable standard in policy development exists to support and assist particular sections of the community, who may experience difficulty in meeting the payment of these annual charges.

This policy has been developed to outline the principles and guidelines to managing the levy and collection process of Rates pertinent to properties owned by pensioners.

In general, compliance with Part 7 & 8 of Chapter 15 of the Local Government Act, Payment of Rates and Charges and Concessions, is assumed when administering this Policy.

Concessions for Pensioners

In accordance with Sec 575 of the Local Government Act, eligible Pensioners are entitled to a reduction in the Rates and Charges. Initially, an application in accordance with the Regulations needs to be submitted in order for Council to grant any rebate.

A rebate of \$250.00pa, is to be applied to each assessment.

In granting the rebate, Council is required to assess and apply the rebate in accordance with the proportionate level of ownership by the Pensioner(s) and where required, apply the pro-rata provisions of Section 575(4) and 584(1) of the Act.

Where granted, sufficient evidence is to be obtained in determining the amount of the reduction in accordance with Section 575 of the Act.

Should an eligible pensioner fail to apply/be confirmed by Centrelink in any year, Council upon application, will grant rebates under this Section of the Act pertaining to the current year and previous year only.

Pensioner Concession Card Eligibility Changes

Council confirms all pensioners' eligibility once a year, usually in late May or early June. At this time some pensioners' eligibility is not confirmed (no reason is given by Centrelink), and Council is therefore not able to grant a rebate on their Rate Assessment issued in July.

In these circumstances pensioners must re-apply upon issue of their new rate assessment. A common reason for rejection of a rebate at the annual confirmation run is that the pensioner is overseas at the time of confirmation, and accordingly is ineligible to receive a Pensioner Concession Card. As part of the application process, it is required that in addition to the supply of a copy of their PCC card, information regarding their length of stay overseas in the form of a statutory declaration, will need to be given. If the pensioner is unable or unwilling to divulge such information, a check using the Centrelink online confirmation service will be made to confirm the eligibility status. Adjustments to any rebate granted or about to be granted, will then be made.

Accruing Rates and Charges

In further supporting eligible Pensioners:

1. Council will allow applicable Rates and Charges to be accrued and that no action be taken to recover outstanding amounts (Age Pensioners/ Invalid Pensioners only) until the property is sold, passes to the beneficiary of the estate or the Ratepayer no longer is an eligible pensioner.
2. Subject to paragraph (1) above, should an eligible pensioner move from their principal place of abode, Council will allow such deferment to continue for up to one (1) year, provided that the property remains untenanted. Council may require evidence to support such deferment.

Internal Delegation Process

In administering this Policy, the following delegation exists in managing the process:

Process	Delegation
Granting of Rebates	Rates Staff
Acceptance of arrangements	Rates Staff
Commencement of Legal Action	Rates Co-ordinator and Manager Finance

Dispute Resolution

In cases where ratepayers object to the decisions made, they will have the opportunity to escalate their matter(s) for further consideration to the following Officers:

1. Manager Finance
2. Director, Corporate Services
3. General Manager.