

	POLICY NO:	1.8.15
	POLICY TITLE:	Rates & Charges Hardship Policy
	DATE ADOPTED:	21/01/2013
	RESOLUTION NO:	35/2013
	SUPERCEDES:	
	PROPOSED REVIEW DATE:	21/01/15

POLICY

Any ratepayer who cannot pay their rates or charges for reason of financial hardship can apply to Council for assistance at any time. Each individual case will be considered on its merits.

The assistance provided will be determined under the legal requirements of the Local Government Act 1993.

OBJECTIVE

- To provide assistance to ratepayers and other debtors, experiencing genuine financial hardship of their rates and charges.
- To provide an administrative process to determine hardship applications.
- Fulfill the statutory requirements of the Local Government Act with respect to hardship applications

STATUTORY COMPLIANCE CRITERIA:

- Local Government Act 1993
- Local Government (General) Regulation 2005

BACKGROUND

Council recognises that due to exceptional circumstances certain ratepayers do encounter difficulty in paying their rates and charges. The Local Government Act allows Council to provide a range of measures to assist those ratepayers in cases of genuine financial hardship.

ELIGIBILITY

The criterion for financial hardship involved an inability of the ratepayer to pay their rates, rather than an unwillingness to do so. Hardship may result from any of the following:

- Loss of employment by ratepayer or family member
- Family breakdown
- Illness of the ratepayer or family member

VERIFIED BY:

VERIFIED BY:

- Death in the family
- Loss of income due to natural disasters
- Increase in rate burden as a result of a revaluation section 601 Local Government Act

CONCESSION APPLICATION

To apply for the financial hardship concession the ratepayer must submit a signed and dated application (See Attached Rates and Charges application form) in writing to Council stating the nature of the hardship and the estimated time that the hardship will be experienced.

Evidence confirming the ratepayer's hardship status must accompany the application in one of the following forms:

- Evidence in writing from third parties such as the ratepayer's bank or accountant;
- Evidence in writing from a recognised financial counselor;
- Council may request additional information to confirm the ratepayer's hardship status if deemed necessary.

CONCESSION OPTIONS

Once the ratepayer has submitted the application, the Manager Corporate Services will make a recommendation to Council regarding the actions it should take in relation to the particular hardship case. Available options are:-

- Defer outstanding amounts for a set period of time
- Charge an interest rate of 0% on overdue amounts for a set period of time
- Arrange an appropriate payment schedule
- Any combination of the above

In all cases a commitment to pay the outstanding amounts by the ratepayer must enter into the form of an arrangement or a commitment to commence an arrangement if the amount outstanding is deferred.

Financial hardship cases will only be discussed in Closed Council or Committee meetings.

CONTINUING HARDSHIP

If the ratepayer continues to experience hardship after the concession period approved by Council has expired the new application must be made by the ratepayer. In such circumstances evidence provided with the initial application may be used to confirm the ratepayer's hardship status, however, Council may request additional information to confirm the ratepayer's hardship status if deemed necessary.

CONCESSION WITHDRAWAL

The Financial Hardship Concession may be withdrawn for any of the following reasons:

- The ratepayer no longer owns the land
- The ratepayer advises Council that hardship no longer applies
- Defaulting on payment arrangement if an arrangement has been entered into
- Council receives new information that proves the hardship no longer exists

The General Manager reserves the right to withdraw any Financial Hardship Concession. Written notification of the withdrawal is to be sent within 7 days of the decision.

DELEGATION

The General Manager is authorised, pursuant to Section 377 of the Local Government Act, 1993 to allow a matter that does not conform with a policy to proceed if the General Manager is of the opinion that the variation from the Policy is of minor nature.

DISPUTE PROCEDURE

In the event of a dispute over any aspect of this policy, immediate action will be taken to resolve the situation through effective and constructive consultation between the parties concerned. If a resolution cannot be reached, the services of a mediator will be requested to finalise the matter to the satisfaction of all parties concerned.

RELATED POLICIES

VARIATIONS

Council retains the right to review, vary or revoke this policy at any time.

The General Manager has the right to review or vary any related procedures.

Presented to Manex: 19/12/2012

Policy Adopted by Council: 21/01/2013



RATES AND CHARGES HARDSHIP APPLICATION FORM

Assessment No:.....

I, (name):

Of (address)

Phone:**Email:**

Apply for concession on the basis of financial hardship for the following property description:

Lot/Deposited Plan No:

I have been given a copy of the Council's Rates and Charges Hardship Policy and understand that the Policy only relates to people experiencing actual hardship and that a default on the proposed repayment schedule will involve interest being recalculated.

The information below is true and accurate to the best of my ability:

Nature of Application:

Estimated time hardship will be experienced?

DECLARATION

Signature:

Name:**Date:**/...../.....

FINANCIAL INFORMATION:

Suggest that the Budget Planner information on www.understandingmoney.gov.au is completed by the applicant.

Do you have the Exceptional Circumstances Declaration from Centrelink? **YES/NO**

BANK ACCOUNT DETAILS:

What are your current bank balances?

Bank Account	Balance \$

HARDSHIP:

What is the cause of your financial hardship?

.....

.....

.....

.....

How long have you been experiencing financial hardship?

.....

What debts are you looking for relief from (e.g. rates etc)?

.....

What is the amount outstanding?

\$.....

PROPOSED REPAYMENT SCHEDULE:

Date	Amount \$

PRIVACY STATEMENT:

The information contained in this application form will only be used for the purpose of evaluating the hardship status of the applicant.

Council will store the information appropriately and not use it for any other purpose, without the approval of the applicant.