

JUNEE SHIRE COUNCIL

POLICY REGISTER

SUBJECT: RATES AND CHARGES

POLICY TITLE: RATES AND CHARGES HARDSHIP POLICY

1.0 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.
- To fulfil the statutory requirements of the Local Government Act 1993 with respect to hardship applications.

2.0 STATUTORY COMPLIANCE CRITERIA:

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

3.0 POLICY:

Any ratepayer who cannot pay their rates or charges for reason of financial hardship can apply to Council for assistance at any time.

In particular, ratepayers who incur a rate increase resulting from the implementation of a special rates variation can apply for rate relief if the increase in the amount of rates payable causes them substantial financial hardship.

Each individual case will be considered on its merits.

The criteria used to determine eligibility is the following:

- The amount of any rate increase when compared to the average rate increase for the rate category.
- The amount of rates levied compared to the average rate of the category.
- The ratepayer must own the property and also occupy the property as their principal place of residence.
- The ratepayer will suffer financial hardship if required to pay rates and charges when they fall due.

The information required to determine eligibility is the following:

- Details of the ratepayer's income and expenses from all sources, with supporting evidence as required by Council.
- Current bank account statements.
- An estimated value of ownership of property and investment assets.
- Reasons and reasonable proof of financial hardship.

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

4.0 BACKGROUND:

Council recognizes that due to exceptional circumstances certain ratepayers do encounter difficulty in paying their rates and charges. The Local Government Act 1993 allows council to provide a range of measures to assist those ratepayers in cases of genuine financial hardship.

5.0 HARSHIP PROVISIONS:

The Local Government Act 1993 provides Council with two options for providing assistance to ratepayers who are finding it difficult to pay their rates and charges because of financial hardship. A summary of the options is as follows:

Section 601 of the Local Government Act 1993

Any ratepayer who incurs a rate increase in the first year following a revaluation of land values can apply to Council for rate relief if the increase in the amount of rates payable would cause them substantial hardship.

Council has the discretion to waive, reduce or defer the payment of the whole or any part of the increase in the amount of the rate payable.

Council set the period of time for when ratepayer applications can be made under this Section be limited to within three months of receipt of their first instalment notice.

Section 564 and 567 of the Local Government Act 1993

Council can enter into payment agreements with ratepayers who cannot meet their instalments payments and may write off interest charges.

OFFICE USE ONLY:

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