Revised Rates, Fees & Charges Hardship Policy

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1. Purpose

To provide a formal process for assisting ratepayers who may, due to exceptional circumstances, encounter difficulties with payment of their rates, fees and/or charges.

2. Objectives

To provide assistance to ratepayers including pensioners, experiencing genuine financial hardship, with the payment of rates, fees and annual charges.

To be sympathetic and helpful to such ratepayers experiencing financial hardship.

To provide an administrative process and decision making framework to determine and assess hardship applications.

To fulfil the statutory requirements of the *Local Government Act 1993* with respect to hardship applications

3. Scope of Policy

This policy shall apply to all ratepayers, businesses, individuals, and community groups within the Murrumbidgee Council Local Government Area.

4. Policy Implementation

4.1 Guidelines

Any ratepayer, business, individual or community group who cannot pay their rates, fees and/or annual charges for reasons of financial hardship can apply to Council for assistance at any time.

Each individual case will be considered on its merits.

Council will treat all people fairly and consistently under this policy.

Council will consider all matters relating to this policy with complete confidentiality.

Council will treat people with respect and compassion in considering their circumstances.

4.2 Hardship Criteria

Each case will be considered on merit, provided that an actual hardship exists and is genuine.

4.3 Application for Hardship

Consideration for hardship will only be given to cases on the following grounds:

Death/Terminal Illness: consideration will be given to waiving of interest on rates and annual charges for a specific term.

Temporary illness or serious accident: consideration will be given to waiving interest on rates and annual charges for a specific term.

Unemployment: consideration in structuring a hardship repayment plan that recognises financial constraints exist.

Financial Hardship: with extenuating circumstances beyond the control of the ratepayer - consideration in structuring a hardship repayment plan that recognises financial constraints exist and consideration of interest waiver on rates and annual charges for a specific term.

Natural Disasters: (bushfire, flooding, drought) – consideration will be given to waiving interest for rates and annual charges for a specific term.

Valuation Changes: Council has discretion under S601 of the Act to defer payment of the whole or any part of an increase in the amount of rates payable by the ratepayer for such period and subject to such conditions as it sees fit

Ratepayers seeking concessions for financial hardship are to submit an application to Council outlining their particular circumstances and providing supporting documentation which may include, but is not limited to:

- Copies of recent bank/financial institution statements
- Details of income and expenditure (including monthly budget analysis)
- Letter from a recognised financial counsellor or financial planner
- A letter with details of the extent of the losses of property will be required with regards to applications under the natural disaster clause.

In the case of a corporation, supporting documentation may include, but is not limited to:

- Details of ownership and directorship
- Subsequent details or further information if owner is another corporation
- Financial details and proof of hardship of corporation and directors.

Applications for hardship caused through revaluation must be received within 3 months of the issue of rates notice in the first year of the general revaluation for rating purposes has taken effect.

5. Procedures

The following procedures will be followed with all financial hardship concessions:

- All hardship applicants shall be advised in writing of Council's decision within 30 days of receipt of the application.

- Any applicant dissatisfied with Council's decision may request that the application be reconsidered. Such requests must be made within 7 days of being advised that the initial application was unsuccessful. After Council reconsiders the application and makes a determination, the ratepayer has no further right of appeal.

- Any mutually acceptable repayment schedule will have a maximum 24 month term.

- All repayment schedules are to be reviewed annually, and upon the raising of further rates and charges

- Any future rates and charges raised against the property are due and payable on the due dates.

- Interest will be charged and then written off where a repayment schedule is adhered to and the arrangement provides for accrued interest to be waived.

- Where a scheduled repayment default occurs, interest will be calculated and levied from the date of the last payment made in accordance with the repayment schedule. The ratepayer will be contacted in regard to the repayment default.

6. Amount of Hardship Concession

The amount of any financial hardship concession will be determined on the merits of each individual application, but will be limited to the waiving of interest charges that would otherwise be applicable during the period of a mutually acceptable repayment arrangement.

Council reserves the right to vary the terms and conditions within this policy.

7. Privacy

Personal information collected as a consequence of this policy will only be used for the purposes of assessing eligibility under the policy and will not be used for any other purpose or disclosed to any person unless we are required by law to do so, or authorised to do so by the person to whom the personal information relates.

8. Legislation

Local Government Act 1993
Local Government (General) Regulation 2005
Privacy and Personal Information Act 1998

9. Review

This policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).