

POLICY

Rates & Valuations – Pensioners

Date adopted by Council	14 December 2020
Minute number	H.12.3
Endorsed by	Council
CM Ref	CD-215/20
Due for review	October 2024
Related documents	INT-31117/16
Responsible officer	Manager Finance
Department/Section	Corporate Services
Category	Rates Management
Community Strategic Plan goal	Goal 8 Provide Community leadership
	<p>CS 30 Effectively and efficiently manage the business of Council, while encouraging an open and participatory Council with an emphasis on transparency, Community engagement, action and response.</p> <p>CS 30 Ensure long-term financial sustainability through short, medium and long term financial planning</p>



Policy Statement

Council is permitted under sections 575 to 584 of the Local Government Act 1993 to grant mandatory rate rebates to eligible pensioners. This policy is to provide the criteria for eligibility and the procedures to provide the rebate to pensioners.

Objective

The objective of this policy is to:

- clearly state the circumstances under which Council will grant a pensioner rate rebate.
- ensure rebates are granted in accordance with the Local Government Act 1993.

Scope

This policy provides the criteria that defines the granting of rebates to eligible pensioners under sections 575 to 584 of the Local Government Act 1993.

Definitions

Act	Local Government Act 1993
Eligible Pensioners	A person who is in receipt of a pensioner Concession Card issued by Centrelink, the Department of Veterans' Affairs or is the holder of a Gold Total Physical Incapacity (TPI), War Widow/er (WW) or an Extreme Disablement Adjustment (EDA) card. Who is solely liable, or jointly liable for a rate or charge levied on land who occupies the land as their sole or principle place of residence.
Rebate	is a partial reduction in the total rating cost for the pensioner.

Policy Details

Council will:

- grant mandatory pensioner rate rebates to eligible pensioners under sections 575 to 584 of the Local Government Act 1993;
- grant pensioner rate rebates to eligible pensioners under section 575 of the Local Government Act 1993 for previous year where:
 - the pensioner has resided on the property for all year being claimed,
 - the pensioner is eligible to a pension for all of the year being claimed,
 - the pensioner has not been granted a pension rebate previously in the year being claimed;
- not grant any discretionary pension rebate to eligible pensioners under Section 582 of the Local Government Act 1993

The following procedures are required to be adhered to when assessing the eligibility of the rate rebate for pensioners.

Application



Pensioners requesting a rebate are required to submit an application on the prescribed form, approved by the Office of Local Government, in accordance with Clause 135 of the Local Government (General) Regulation 2005 under the Local Government Act 1993 and produce a current Pension Concession Card issued by Centrelink or Veteran Affairs as evidence to calculate the amount of the pension rebate allowed under the Local Government Act 1993.

The application must be signed by the applicant or a person with power of attorney for the applicant.

Where a pensioner, who is not the owner of the property, is subject to a legal agreement, such as a life tenancy, to be solely responsible for the rates, they may apply for and be granted a pensioner rate rebate under section 577 of the Local Government Act 1993. Sufficient evidence of responsibility for rates or legal agreement must be provided with the application form. Each application will be assessed by staff.

The Rebate

Pension rebates will be granted to pensioners who met the eligibility criteria and will be limited to the current rating year and rating year prior to the application.

Where an owner becomes an eligible pensioner after the commencement of the financial year, the rebate will commence from the start of the next quarterly instalment period.

Where an owner ceases to qualify as an eligible pensioner, or sells the property to which the rebate applies, the rebate will cease at the end of the current instalment quarter.

If a ratepayer is in receipt of a pension concession card, currently receiving a pension rebate on the property considered to be their sole or principle place of residency and is then required to enter an aged care facility for health or care reasons, the pension rebate will continue to apply as long as the property is not being rented or occupied.

Verification

Each year in June, Council staff will verify the eligibility of Council's pensioners with Centrelink in order that a pension rebate may be calculated in the main rate levy and put on the rate notice at the time of printing.

Council may verify eligibility of individual pension applications with Centrelink online when applications are received.

Not all eligible pensioners are able to be verified. War Widows and totally and permanently incapacitated pensioners (TPI's) are not verified by Centrelink.

Eligible pensioners who are not able to be verified with Centrelink, or those which become eligible after the annual verification, are to complete a pensioner rate rebate form for each year that they are eligible, and upon that form being processed by Council staff they are granted a pensioner rate rebate by Council.

Responsibilities



Council

Council will review and adopt the Policy.

Director

The Director Corporate Services will act as per Delegations of Authority.

Manager

The Manager Finance will adhere to the Policy.

Coordinators and Supervisors

The Senior Revenue Officer will adhere to the Policy.

References and Related Legislation

1. Local Government Act 1993 - Sections 575 to 584

Version History

Version No.	Date	Reason for Review
1	8/12/20	Policy expiry date due for review.