RATE PAYMENT POLICY

(COMMUNITY POLICY)

1. Scope

The Rate Payment Policy (this 'Policy') applies to all ratepayers of Livingstone Shire Council.

2. Purpose

To provide clear guidelines to assist in determining if special or extenuating circumstances have prevented a person, liable to pay a rate, paying in the time frame to benefit from discount.

3. References (legislation/related documents)

Local Government Regulation 2012 s 130(9)

4. Definitions

To assist in interpretation, the following definitions shall apply:

Another Employee	All employees of Council including Senior Executive Officers, but excluding the Chief Executive Officer.
CEO	*Chief Executive Officer* Means a person who holds an appointment under section 194 of the *Local Government Act 2009.* This includes a person acting in this position.
Council	Livingstone Shire Council.
Senior Executive Officer	A senior executive employee, of a local government, is an employee of the local government - a) who reports directly to the chief executive officer; and b) whose position ordinarily would be considered to be a senior position in the local government's corporate structure. This includes a person acting in this position.
The Act	*Local Government Act 2009.*
The Regulation	*Local Government Regulation 2012.*

5. Policy Statement

Council acknowledges the importance of maintaining robustness and integrity in its systems to ensure ongoing viability and to ensure residents and ratepayers as a whole are not disadvantaged.

Rate Payment Policy
Adopted/Approved: Adopted, 5 April 2018
Version: 2
Portfolio: Office of the CEO
Business Unit: Finance and Business Excellence
Page 1 of 3

Council recognises the importance of maintaining and building strong relationships with its constituents, particularly where there is a long history of on time payment, and this will guide our actions in assessing claims under the Policy (particularly where documentary evidence is not available).

Council acknowledges that special circumstances will exist that prevent a person from paying their rate bill in the timeframe allowed for discount from time to time. To ensure continuity of services to the community it is important that those persons issued with a rate notice pay on time. Therefore in fairness to all ratepayers discount should only be granted to persons who do not pay by the due date where special or extenuating circumstances exist.

5.1 Council will allow discount after the due date for payment where the ratepayer can demonstrate special or extenuating circumstances that prevented payment. Council would consider the following scenarios (not an exhaustive list) to be examples of special or exceptional circumstances:

(1) A ratepayer or one of their immediate family has been hospitalised for a serious condition or deceased during the discount period (minor sickness just before the due date will generally not be accepted as special or extenuating).

(2) Where a change of ownership has occurred and the rates notice was issued in the previous owner's name, the debt remained unpaid, and the new owner did not receive a copy of the notice until after expiry of the discount period (first notice issued for the new owner only).

(3) A ratepayer claims they did not receive a copy of their rate notice and in the past they have had an on-time payment history for all previous rate issues and/or for a minimum period of at least three (3) years, and the person responds to a reminder letter within 14 days of issue. (In this instance ratepayers are to be advised that unless a notice is returned to sender a notice is deemed to have been served and future occurrences of this nature would not qualify for discount.)

(4) A ratepayer claims that they made payment by B-Pay or other electronic means on or before the due date for payment and Council's electronic payment record confirms.

(5) A ratepayer with arrears of rates pays the amount owing on the notice and because of accrued interest charges is denied discount. (Interest charges will not necessarily be waived.)

(6) A rate payment is received in the mail after close of discount and the envelope is date stamped with a date prior to close of discount.

(7) A ratepayer states that they have forwarded a change of address notification and this form has never been received by Council, or if the ratepayer states that they changed their address over the phone or via electronic lodgement but no record can be found. The ratepayer must have had an on time payment history for all previous rate issues and/or for a minimum period of three (3) years.

(8) A ratepayer is prevented from making payment due to being flood bound or other natural disaster.

(9) A ratepayer is prevented from making payment due to delays or errors caused by Council (e.g. wrong mailing address).

(10) Other situations where circumstances beyond the control of the ratepayer prevented payment and/or the ratepayer has made a genuine attempt to affect payment satisfactory to the Chief Financial Officer or Coordinator Revenue.

Rate Payment Policy

Adopted/Approved: Adopted, 5 April 2018   **Portfolio:** Office of the CEO
Version: 2   **Business Unit:** Finance and Business Excellence

Page 2 of 3

Council does not accept responsibility for third party errors (e.g. Australia Post delays) although the basic principal of this Policy will be that where a ratepayer has had an on-time payment history for all previous rate issues for a minimum period of (3) three years they will be allowed discount where special circumstances can be demonstrated.   A ratepayer will only be eligible for special circumstances assistance once in each three year period other than for the circumstance described in Item One (1), Eight (8) and Nine (9) above.

All applications for consideration under the Policy should generally be in writing unless the requirement is waived by the Chief Financial Officer.

6. Changes to this Policy

This Policy is to remain in force until any of the following occur:

(1) The related information is amended/replaced; or

(2) Other circumstances as determined from time to time by the Council

7. Repeals

This Policy repeals the former Livingstone Shire Council Policy titled 'Rate Payment Policy'.

Version	Date	Action
1	11/04/2014	Adopted
2	05/04/2018	Amended Policy Adopted

CHRIS MURDOCH
CHIEF EXECUTIVE OFFICER

Rate Payment Policy
Adopted/Approved: Adopted, 5 April 2018   **Portfolio:** Office of the CEO
Version: 2   **Business Unit:** Finance and Business Excellence
Page 3 of 3