

# RATES PAYMENT POLICY

## COMMUNITY POLICY



### 1 Scope

This policy applies to ratepayers of Rockhampton Regional Council who have been prevented, by special or extenuating circumstances beyond their control from paying their current half-yearly rates and utility charges within the stated discount period.

### 2 Purpose

The purpose of this policy is to ensure a consistent approach is applied in determining if special or extenuating circumstances exist.

### 3 Related Documents

#### 3.1 Primary

Nil

#### 3.2 Secondary

*Local Government Act 2009*

*Local Government Regulation 2012*

Change of Postal Address Form

### 4 Definitions

To assist in interpretation, the following definitions apply:

Council	Rockhampton Regional Council
Delegated Officer	An employee appointed to a position sub-delegated the power under section 130(1) the <i>Local Government Regulation 2012</i> .
Ratepayer	As defined in the <i>Local Government Regulation 2012</i> , a person who is liable to pay rates or charges.

### 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. Council recognises the importance of maintaining and building strong relationships with its ratepayers, particularly where there is a long history of on time payment, and this guides Council's actions in assessing claims under this policy (particularly where documentary evidence is not available).

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Adopted/Approved:	Adopted, 19 July 2022	Department:	Corporate Services
Version:	6	Section:	Finance
Reviewed Date:		Page No:	Page 1 of 3

The allowance of discount on rates is conditional upon Council receiving the full payment of rates by the due date shown on the rate notice, however, Council recognises that there may be occasions when payment by the due date is not achieved through circumstances beyond the ratepayer's control. In accordance with section 130 of the *Local Government Regulation 2012*, Council has the power to allow the discount if it is satisfied that the circumstances for not paying were out of the ratepayer's control. Discount may be allowed if the criteria explained in this policy are met.

Council acknowledges that from time to time special or extenuating circumstances may exist that prevent a ratepayer from paying their rates notice by the due date. To ensure continuity of services to the community it is important that ratepayers issued with a rates notice pay by the due date. Therefore in fairness to all ratepayers the discount should only be granted to ratepayers who do not pay by the due date where special or extenuating circumstances exist. Council may allow discount after the payment due date where the ratepayer can demonstrate special or extenuating circumstances that prevented payment.

Any ratepayer seeking to have the discount allowed for the late payment of rates, must make application to Council for this purpose. Other evidence/documentation is to be supplied if requested. The application and supporting documentation, must be lodged with the Chief Executive Officer or delegated officer, for consideration. Applications must be received within three weeks of the due date shown on the notice.

Before an application is considered, the net amount owing must be paid. Following consideration, the ratepayer is advised of the outcome of the application.

It is the ratepayer's responsibility to notify Council of a new address for service of notices. Where a ratepayer has notified Council of a new address for services of notices after the issue of the rate notices, Council endeavours to issue advice of the outstanding rates and charges to the new address, however it remains the ratepayer's responsibility in those circumstances to ensure payment is received by Council within the due date of the current rate notice.

Council considers the following scenarios (not an exhaustive list) to be examples of special or extenuating circumstances:

- (a) The sole ratepayer or all ratepayers are hospitalised or incapacitated due to illness during the discount period, and therefore unable to make payment by the due date. Medical evidence may be requested along with supporting documentation explaining that there was no one else that could act on behalf of the ratepayer/s (minor sickness just before the due date is generally not accepted as special or extenuating circumstances).
- (b) Death or serious trauma (accident, life threatening illness) of the ratepayer/s and/or spouse/dependent has occurred during the discount period. Medical evidence must be provided.
- (c) 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 rates notice until after expiry of the discount period (first notice issued for the new owner only).
- (d) Where a ratepayer claims that they did not receive a copy of their rates notice and they have had an on time payment history for a minimum of at least three years or since ownership in the case of a new ratepayer and the ratepayer pays the net amount when becoming aware of the outstanding balance or responds to a reminder notice or letter within 14 days of issue.

In this instance ratepayers are advised that unless a notice is returned to the sender (Council or an agent of Council), a notice is deemed to have been served and future occurrences of this nature would not qualify for discount.

- (e) A ratepayer claims they made payment by B-Pay or other electronic means on or before midnight on the payment due date and Council's payment record indicates the payment was received within two business days following close of discount.
- (f) A ratepayer with arrears of rates pays the amount owing on the notice and because of accrued interest charges is denied discount. (Interest charges may not necessarily be waived.)
- (g) A rate payment is received in the mail after the discount period and the envelope is date stamped with a date prior to the discount period.

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Adopted/Approved:	Adopted, 19 July 2022	Department:	Corporate Services
Version:	6	Section:	Finance
Reviewed Date:		Page No:	Page 2 of 3

- (h) A ratepayer states they have forwarded a Change of Postal Address Form or other written document such as e-mail or letter and the form or other written document has never been received by Council or if the ratepayer states they changed their address over the phone but no record can be found. The ratepayer must have an on time payment history for all previous rates notices or for a minimum period of three years, or in the case of a new owner on time history since ownership was registered if less than three years.

In this instance ratepayers are advised that unless a notice is returned to the sender (Council or an agent of Council), a notice is deemed to have been served and future occurrences of this nature would not qualify for discount.

- (i) The sole ratepayer or all ratepayers are prevented from making payment due to being flood bound or other natural disaster
- (j) A ratepayer is prevented from making payment due to delays or errors caused by Council.
- (k) 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 other delegated officer.

Council does not accept responsibility for third party errors (for example Australia Post delays) although the basic principal of this policy is where a ratepayer has had an on-time payment history for all previous rate issues for a minimum period of three years or in the case of a new owner on-time history since ownership was registered if less than three years, they will be allowed discount where special or extenuating circumstances can be demonstrated. Although a ratepayer will only be eligible for special circumstances assistance once in each three year period other than for the circumstance described in (a), (g), (i) and (j) above.

All applications for consideration under this policy should be in writing unless the requirement is waived by the Chief Financial Officer or other delegated officer.

## 6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by the Council.

## 7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Chief Financial Officer
Policy Quality Control	Legal and Governance

## OUR VALUES



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Adopted/Approved:	Adopted, 19 July 2022	Department:	Corporate Services
Version:	6	Section:	Finance
Reviewed Date:		Page No:	Page 3 of 3