



Financial Assistance (Rates & Charges) Policy

Version No.	V4.0, 23 January 2015
Endorsement	General Manager Corporate Services, 10 December 2014 Executive, 17 December 2014 Policy Review Panel, 5 February 2015
Authorisation	Council, 10 March 2015
Expiry date	31 December 2016
Responsible officer	Finance Manager
Policy owner	Debt Recovery Officer

1. Purpose

To process applications by ratepayers for deferment or waiver of rates, charges and /or interest on the grounds of financial hardship, compassion, special or necessitous circumstances.

2. Scope

This policy applies to ratepayers of Melton City Council in accordance with Sections 170, 171 and 171A of the Local Government Act 1989.

3. Definitions

Word/Term	Definition
Financial hardship	Unable to pay the outstanding rates or charges due to adverse financial condition.
Compassionate grounds	Short term circumstances of a compassionate nature that if deferment of payment is not granted would lead to Financial hardship.
Necessitous circumstances	Circumstances beyond the control of the ratepayer that makes the payment of rates and charges impracticable on a short-term basis only.
“Market Rate of Interest”	This will be the opportunity cost of interest income forgone by Council i.e. Official 180 day bank bill rate as at 1 July each year.
Primary residence	The property which is considered to be the main living location.
Independent Financial Counsellor	A free service provided to ratepayers in financial difficulty that is independent of the Council.

4. Policy

4.1 Deferring of Rates and Charges –Section 170 of the Act

Ratepayers may have rates and charges, or part thereof, deferred although rates and charges will continue to be levied subject to compliance with the following conditions and approval by the Chief Executive:

- Available only to individuals experiencing hardship with regard to the rates on their primary residence
- The ratepayer must be experiencing undue and unavoidable hardship
- The applicant must be able to provide additional information such as Concession Card issued under State Concession Act, evidence of low income, Centrelink Healthcare Card etc
- Council is satisfied on the application of the ratepayer that the payment of rates and charges will cause undue hardship to the ratepayer
- Interest on deferred rates will be levied at the “market rate”, rather than the penalty interest rate
- Council may defer payment or part payment for such period as Council thinks fit.

4.2 Waiving of Rates and Charges – Section 171 of the Act

Ratepayers may have rates and charges, or part thereof, waived subject to the following conditions and approval by Council or by delegated authority:

- Available only to individuals experiencing hardship with regard to the rates on their primary residence
- Ratepayer is an eligible recipient within the meaning of State Concessions Act 2004
- The applicant is under Financial hardship and must be able to provide additional information to prove hardship on a needs basis
- Maximum of 30% of the current years rates and charges, with a minimum waiver of \$100 per property per year due to financial hardship
- Waiver must be recommended by Council appointed independent Financial Counsellor.

4.3 Waiving of Interest – Section 171A of the Act

Ratepayers may have interest or part thereof, waived where they have demonstrated compassionate grounds for a payment being late and/or financial hardship subject to compliance of the following conditions and approved by the General Manager, Corporate Services or delegated officer:

- Ratepayer experiencing undue financial hardship (in necessitous circumstances)
- Ratepayer is on a payment arrangement to catch up the outstanding rates and charges
- Maximum of 12 months waiver.

5. Responsibility /Accountability

5.1	Finance Manager <ul style="list-style-type: none">• For ensuring the policy is applied consistently.
5.2	Debt Recovery Officer <ul style="list-style-type: none">• For the collection of Council's overdue rates and charges.
5.3	General Manager, Corporate Services <ul style="list-style-type: none">• Determining deferrals of rates and charges under Section 170 of the Local Government Act 1989.• Determining the waiving of interest under Section 171A of the Local Government Act 1989.
5.4	Council <ul style="list-style-type: none">• Determining the waiving of rates under Section 171 of the Local Government Act 1989.

6. References and links to legislation and other documents

Name	Location
Sections 170,171,171A of the Local Government Act 1989 (VIC)	http://www.legislation.vic.gov.au/
Municipal Association of Victoria- Hardship Policy Guidelines	http://www.mav.asn.au/policy-services/finance/documents/mav hardship policy guidelines.doc