

# **Pensioner Concession Policy 2023**

**POL009**



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<b>Policy No:</b>	<b>POL009</b>
<b>Policy Title:</b>	<b>Pensioner Concession Policy</b>
<b>Section Responsible:</b>	<b>Finance</b>
<b>Minute No/Ref:</b>	<b>Item 5.17</b>
<b>Doc ID:</b>	<b>504683</b>

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## **1. INTENT**

This policy seeks to provide clear and equitable guidelines for the granting of statutory pensioner concessions on rates and charges for eligible pensioners under the Local Government Act 1993 (the Act). It also provides guidelines for the reversal of statutory pensioner concessions on rates and charges where a person's entitlement ceases in accordance with the Act.

## **2. SCOPE**

This policy applies to ratepayers who are eligible pensioners and is pursuant to Chapter 15, Part 8 Division 1 of the Act and Part 5 Division 4 of the Local Government (General) Regulation 2005.

## **3. OBJECTIVE**

The objective of this policy is to provide eligible pensioners with the statutory pensioner concession relating to Rates and Charges under the provisions of the Act.

## **4. POLICY STATEMENT**

Concessions are available to eligible pensioners on Ordinary Rates, Domestic Waste Management Service, Water and Wastewater (Sewer) Charges under the provisions of the Act.

## **5. PROVISIONS**

### **5.1 APPLICATIONS**

- Application for a pension concession on a property must be made by completing the prescribed pensioner rebate application form. All information must be provided before

the application can be assessed including either a copy of the pension concession card or an electronic version of the pension concession card sighted and verified by a Council officer.

- The application must be signed by the applicant or a person with power of attorney for the applicant.
- The property must be the applicant's sole or principal place of abode.
- Once assessed, the applicant will be notified in writing of Council's decision and the amount of rates and charges payable.

## **5.2 ASSESSMENT**

- Council will confirm the eligibility of all pensioners (inclusive of Veterans Affairs card holders) annually with Centrelink.
- Where an individual is determined as no longer being eligible for a pensioner concession a letter shall be issued stating this.

## **5.3 SUCCESSFUL APPLICATIONS**

- The total amount by which reductions can be granted is detailed by Section 575 (3) of the Local Government Act.
- Application for a new pensioner concession rebate is to be granted to an eligible pensioner for the current rating year only. No retrospective rebates shall be granted as it is the responsibility of the eligible pensioner to advise Council that they are the holder of a pensioner concession card at the date of grant.
- If an owner becomes an eligible pensioner after the commencement of a quarterly instalment period, the rebate will commence from the start of the next quarterly instalment period in accordance with section 575(4) of the Local Government Act.
- If 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 in accordance with section 584(1) of the Local Government Act.

## **5.4 OVERDUE RATES AND CHARGES**

This policy does not exclude:

- levying of interest charges on overdue rates and charges where a pensioner concession has been granted
- commencement of legal action for the collection of overdue rates and charges where a pensioner concession has been granted
- Council from initiating sale of land proceedings rates and charges remain unpaid for more than five years where a pensioner concession has been granted.

## **6. DEFINITIONS**

- **Eligible pensioner** as described in Chapter 15, Part 8, Division 1 of the Local Government Act 1993:
  - a. member of a class of persons prescribed by the regulations, and
  - b. who occupies that dwelling as his or her sole or principal place of living.

- **Eligible pensioner** as described in the Local Government (General) Regulation 2021: *‘persons who receive a pension, benefit or allowance under Chapter 2 of the Social Security Act 1991 of the Commonwealth, or a service pension under Part III of the Veterans’ Entitlements Act 1986 of the Commonwealth, and who are entitled to a pensioner concession card issued by or on behalf of the Commonwealth Government’* the person, being the holder of a current pension concession card issued by either Centrelink or Veterans Affairs, is solely liable, or jointly liable for a rate or charge levied on land on which a dwelling is situated and who occupies that dwelling as their sole or principal place of living.
- **Jointly eligible occupier** as described in the Local Government Act 1993:
  - a. is the spouse or de facto partner of that eligible pensioner, or
  - b. is another eligible pensioner, or
  - c. if another eligible pensioner and his or her spouse or de facto partner have the same sole or principal place of dwelling, is the spouse or de facto partner of that other eligible pensioner, and whose sole or principal place of living is the same as that of that first mentioned eligible pensioner.
- **NSC:** Narrandera Shire Council.
- **Principal place of residence:** the property that the ratepayer occupies as their sole or dominant residence.
- **Ratepayer:** the person liable for payment of the rates on the property for which the pensioner concession is claimed.

## 7. ROLES AND RESPONSIBILITIES

### 7.1 GENERAL MANAGER

- To lead Councillors and staff (either directly or through delegated authority) in their understanding of and compliance with this policy.

### 7.2 DEPUTY GENERAL MANAGER CORPORATE & COMMUNITY

- To communicate, implement and comply with this policy.

### 7.3 FINANCE MANAGER

- To review (either directly or through delegated authority) any request and previous determination that has been denied.

### 7.4 REVENUE OFFICER

- To assess and make determinations on applications in accordance with statutory requirements and this policy.

## 8. RELATED LEGISLATION

- Local Government Act 1993
- Local Government (General) Regulation 2021

## 9. RELATED POLICIES AND DOCUMENTS

- Council Rating and Revenue Raising Manual, Department Local Government 2007
- POL017 Debt Recovery Policy
- POL019 Rates and Charges Financial Hardship Policy

## 10. VARIATION

Council reserves the right to review, vary or revoke this policy in accordance with legislation, regulation and award changes, where applicable. Council may also make changes to this policy and the relevant procedures from time-to-time to improve the effectiveness of its operation.

## 11. PREVIOUS VERSIONS

Reference to a superseded policy number and/or name is also considered a reference to the new policy number. This policy was previously named:

- CS210 Pensioner Concession Policy

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### POLICY HISTORY

<b>Responsible Officer</b>	<b>Deputy General Manager Corporate &amp; Community</b>		
<b>Approved by</b>	<b>General Manager</b>		
<b>Approval Date</b>	<b>23 February 2023</b>		
<b>GM Signature (Authorised staff to insert signature)</b>			
<b>Next Review</b>	<b>1 December 2024</b>		
<b>Version Number</b>	<b>Endorsed by ELT</b>	<b>Adopted by Council</b>	<b>Date signed by GM</b>
<b>1 Adopted</b>	-	5/03/2015	5/03/2015
<b>2 Reviewed</b>	15/05/2018	-	15/05/2018
<b>3 Reviewed</b>	4/05/2020	-	4/05/2020
<b>4 Reviewed</b>	24/01/2023	-	02/02/2023

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