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*Policy*

# Pensioner Concession

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***To provide eligible pensioners with the statutory pensioner concession relating to Rates and Charges under the provisions of Section 575 of the Local Government Act, 1993.***

<b>POLICY REGISTER</b>	
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<b>Accountable Director:</b>	Director Corporate & Community Services Group
<b>Responsible Officer:</b>	Finance Officer

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# 1 Background

## 1.1 Title of the Policy and Commencement Date

The Pensioner Concession Policy will be effective upon adoption by Council.

## 1.2 Purpose of the Policy

To provide eligible pensioners with the statutory pensioner concession relating to Rates and Charges under the provisions of *Section 575 of the Local Government Act, 1993*.

# 2 Objective

## 2.1 Objectives and Coverage of the Policy

To be fair & equitable according to the guidelines within this policy and the *Local Government Act, 1993*.

# 3 Application

## 3.1 Application of this Policy

Pensioners requesting a rebate are required to submit an application on the prescribed form and the production of a current Pension Concession Card.

# 4 Definitions

For the purposes of this policy:

Term	Meaning
Ratepayer	The person liable for payment of the rates and charges of the property for which the pensioner concession is claimed
Principal place of residence	The property that the ratepayer occupies as their sole or dominant residence
Eligible Pensioner	A person who is in receipt of the Pension Concession Card issued by Centrelink, or the Department of Veteran Affairs gold cards embossed with TPI or EDA.

## 5 Principles/Body

### 5.1 Procedural Statement

The policy applies to eligible pensioners and is pursuant to *Chapter 15, Part 8, Division 1* of the *Local Government Act, 1993* and *Part 5 Division 4* of the *Local Government (General) Regulation, 2005*.

- A mandatory rebate of Rates and Charges (includes Domestic Waste Management, Water & Sewerage Charges) to the maximum amount determined by *Section 575* of the *Local Government Act, 1993* will apply for eligible pensioners
- Where an owner becomes an eligible pensioner after the commencement of a quarterly instalment/billing period, the rebate will commence from the start of the next quarterly instalment/billing 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/billing 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 principal place of abode 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
- As provided by *Section 577* of the *Local Government Act 1993*, Council will grant a rate concession where an eligible pensioner, not the owner of the property, has a life interest in the property and is responsible for payment of rates. Council requires confirmation in writing preferably from a legal representative with a copy of the will of a deceased estate, copy of the certificate of title if the life tenancy is registered or relevant documentation to validate a life tenancy agreement
- Pensioner rebate concessions are to be granted only in the year the application is made.

#### 5.1.1 Assistance to eligible pensioners

- *Section 567* of the *Local Government Act, 1993* provides that accrued interest on rates or charges payable by a person may be written off under the provisions as detailed in Council's Hardship Policy
- *Section 577* of the *Local Government, 1993* enables Council to make an order deeming certain persons who are jointly liable with an eligible pensioner(s) or solely liable, but who are not themselves eligible, to be eligible pensioners for the purpose of a mandatory reduction in accordance with *Section 575* of the *Local Government Act, 1993*
- *Section 582* of the *Local Government Act, 1993* allows Council to waive or reduce rates, charges or interest due by any person prescribed by the regulations who is in receipt of a pension, benefit or allowance under the *Social Security Act, 1991* of the Commonwealth. This provision is not subsidised by the State Government and an additional concession is not available from Council.

#### 5.1.2 Application Process

- Application for a pension concession on a property must be made by completing the prescribed Application for Council Pensioner Concession Rates Rebate form and all information must be provided before the application can be assessed
- 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.

## 6 Relevant Legislation

*Local Government Act, 1993*

*Local Government (General) Regulation, 2005*

## 7 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.

### 7.1 Related Documents

Related documents, listed in **Table 7-1** below, are internal documents directly related to or referenced from this document.

Number	Title
16/58670	Singleton Council Delegation Register

*Table 7-1 – Related documents*

## 8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Finance Controller.

## 9 Responsibilities

Parties or Persons	Responsibilities
Revenue Staff	<ul style="list-style-type: none"> <li>• Enacting this policy</li> </ul>

## 10 Approval

As per cover sheet.

## 11 Monitoring

This policy will be monitored by the Finance Controller to ensure compliance.

## 12 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every two (2) years to ensure that it meets legislative requirements.

## 13 Last Review Date

February 2018

## 14 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

## 15 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.