



## RATES & CHARGES, PENSIONERS REDUCTION POLICY

### PURPOSE

The purpose of this Policy is to provide eligible pensioners concessions on rates and charges.

### SCOPE

This Policy applies to situations where the Council levies rates and charges.

Section 575 of the Local Government Act 1993 provides guidelines for Councils in respect of providing rates and charges concessions to eligible pensioners. This policy is necessary to ensure that Hunter's Hill Council implements this Section of the Act.

Clause 134 of the Local Government (General) Regulation 2005 under the Local Government Act defines eligible pensioners for the purpose of determining pensioner concessions.

This Policy applies to situations where the Council levies rates and charges.

### DEFINITIONS

- Eligible pensioners** In relation to a rate or charge levied on land on which a dwelling is situated, an eligible pensioner is a person who occupies that dwelling as his or her sole or principal place of living, and
- (a) receives 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, or
  - (b) receives a pension from the Commonwealth Department of Veterans' Affairs as:
    - (i) the war widow or war within the meaning of the [Veterans Entitlements Act 1986](#) of the Commonwealth, or



- (ii) the unmarried mother of a deceased unmarried member of either of the Australian Defence or Peacekeeping Force, or
- (iii) the widowed mother of a deceased unmarried member of the Australian Defence or Peacekeeping Force,

and do not have income and assets that would prevent them from being granted a pensioner concession card (assuming they were eligible for such a card), or

- (c) persons who have received a lump sum mentioned in section 234 (1) (b) of the [Military Rehabilitation and Compensation Act 2004](#) of the Commonwealth or are receiving a weekly amount mentioned in that paragraph, and do not have income and assets that would prevent them from being granted a pensioner concession card (assuming they were eligible for such a card)
- (d) receives a general rate of pension adjusted for extreme disablement under section 22 (4) of the [Veterans' Entitlements Act 1986](#) of the Commonwealth, or a special rate of pension under section 24 of that Act.
- (e) persons who receive, or who at some point in their life have been eligible for, a Special Rate Disability Pension under the [Military Rehabilitation and Compensation Act 2004](#) of the Commonwealth



## POLICY STATEMENT

### PART 1 POLICY GUIDELINES

#### 1. GRANTING OF PENSIONER RATES AND CHARGES REDUCTION

**1.1** Council will provide a rebate of 50% of the combined rates and annual charges up to a maximum amount as prescribed from time to time under the Local Government Act (currently \$250.00) to eligible pensioners in the currency of the year the first application is received and processed in accordance with the provisions of Section 575 of the Local Government Act, namely;

- The eligible pensioner must own and occupy the property as his or her sole or principal place of living.
- If the property is owned by more than one eligible pensioner, they are to be treated as a solely eligible pensioner.
- If the property is owned by one pensioner and one non-pensioner, provided that the non-pensioner is the spouse of the eligible pensioner, they are to be treated as a solely eligible pensioner.
- If the other person is not the spouse of the eligible pensioner and does not hold a Pensioner Concession card, the rebate is divided by the share of ownership held by the eligible pensioner.
- If a person becomes an eligible pensioner after the day on which a rate or charge is made and levied, the person is entitled to a reduction of the rate or charge proportionate to the number of full quarters remaining after the day on which the person becomes an eligible pensioner in the year in which the rate or charge is made.
- Should an eligible pensioner have to enter a Nursing Home or other Care Facility on a permanent basis and still retain ownership of their property all concessions will cease.



An eligible pensioner can only claim a maximum rebate dating back to the 1st July in the current year if entitled.

The ratepayer is required to complete the prescribed Pensioner Concession Application form (Attachment 1).

**1.2** Retrospective rebates will not be paid.

## RELATED RESOURCES

Hunter's Hill Council Debt Recovery Policy (GOV-Pol.06)

Hunter's Hill Rates and Charges Hardship Policy (GOV-Pol.16)

## POLICY OWNER

The policy authority is the General Manager.

## AUTHORISATION AND REVIEW

### Next Review Date

This policy is to be reviewed in 2014 or with any changes to relevant legislation or Council policy.

### Version Control Table

Date	Version	Res. No.	Key Changes	Author
12.02.2007	1.0	25/07 OM 4225	Policy adoption	D McFadyen
10.10.2011	1.1	361/11 OM 4314	Policy adoption	D McFadyen