

 <p>CENTRAL GOLDFIELDS SHIRE COUNCIL</p>	Policy Title:	Debt Collection Policy
	Policy Number.	
	Version Number/Date.	No.1 December 2015

Purpose

The purpose of this policy is to ensure the efficient and fair collection of revenue and general debts in accordance with documented processes.

Scope

This policy applies to all staff who are involved in collecting revenue and general debts, including Council's contracted Debt Collection Agency.

Policy Statement

Overview

The purpose of this policy is to ensure that the Council has clearly documented guidelines for the efficient and consistent collection of all outstanding accounts.

It will take into account all payment options and aims to:

- Establish principles to apply to the overall collection of accounts
- Establish options of payment
- Identify the type of assistance that may be offered by Council; and
- Establish guidelines for the assessment of financial hardship applications.

Objectives

- To ensure all debts owed to Council are paid, where possible, by the due date and followed up with within specified timeframes;
- To ensure a fair, equitable and accountable approach to Council's debt management and collection decisions and practices;
- Council has a responsibility to recover monies owing to it in a timely and efficient manner to finance its operations and ensure effective cash flow management
- Council aims to minimise the amount of outstanding monies that it is owed
- Rate debtors are expected to take responsibility of their debt obligations and to organise their affairs in such a way as to be able to discharge these obligations when required
- Council and its officers will explain the debtors rights and obligations in relation to any action that Council might take to recover debt
- Council will not instigate legal action without the debtor first being advised of such action. However Council will proceed with legal action without further notice where:
 - A debtor fails to respond to communications from council;
 - Fails to enter into realistic arrangements to meet outstanding debt; or
 - Fails to meet repayments as agreed.
- Establish the framework for the Council and ratepayers to consider applications for financial hardship

Procedure

Rate Debtors

Central Goldfields Shire Council (Council) operates a computerised rates billing system which records financial information on a transactional basis and maintains debtor information in accordance with established principles of rating in local government.

Annual rate notices will be issued not less than one month prior to the due date of the first instalment. Subsequent instalment rate notices will be issued not less than 14 days before the due date of payment.

The Legislated payment options for Property Rate accounts are as follows:

- 1st Instalment – 30 September
- 2nd Instalment – 30 November
- 3rd Instalment – 28 February
- 4th Instalment – 31 May

- Full Payment – 15 February

If any of the above dates fall on a non-business day, the payment date is moved to the next business day.

All notices will be clear, concise and provide sufficient information to enable the debtor to be aware of their obligations. Returned mail will be investigated to a stage whereby the debtor has been given every opportunity to be made aware of their obligations.

Collection

Instalments

After the issue of the annual *Valuation Rate and Charge Notice*, those ratepayers who have elected to pay their rates via the instalment method will be issued with reminder notices for the remaining three instalments after the first, at least 14 days prior to the payment date.

The week prior to each instalment due date, a small reminder notice will be placed in the Maryborough Advertiser or equivalent local paper, reminding ratepayers of the instalment due date.

Where a ratepayer pays the first instalment, and fails to pay the second instalment, it is assumed that the ratepayer now wishes to pay in full, and the Full Payment collection procedure will then occur.

Full Payment (Lump Sum)

Approximately two weeks prior to the full payment due date, an advertisement will be placed in the appropriate local papers reminding ratepayers of their obligations to pay their annual rates and charges by the due date.

Accounts outstanding after the due date will be issued with a reminder notice which contains sufficient information regarding the original debt, any interest penalties imposed and proposed action to be taken by the Council should the account remain unpaid after a further 14 days.

The debtor will be given the opportunity to dispute the amount owing or make alternative arrangements for payments within that 14 day period. If no contact is made by the debtor, Council will then attempt phone/email contact.

Where phone/email contact has been unsuccessful, those accounts still outstanding after the 14 day final notice period, will be referred to a debt collection agency chosen by Council. The collection agency will issue a final demand at the negotiated cost.

Those accounts in excess of \$1,000 still outstanding after the expiry of the final demand letter will be recovered through court proceedings, unless an arrangement for payment of the outstanding rates has been approved by the Revenue Officer.

All legal costs incurred as a result of instigation of recovery through court action will be charged onto the property in accordance with Section 180 of the Local Government Act 1989 (the Act).

Payment Arrangements

Ratepayers experiencing financial difficulties who are unable to pay outstanding rates and charges via the legislated full payment or instalment option can apply to Council for a payment arrangement using the **Application for Payment Arrangement form (Attachment A)**.

Payment Arrangement accounts must maintain regular payment structure (weekly, fortnightly or monthly payments) and if entered into early enough can ensure that penalty interest is not incurred.

Arrangements which continue past the legislated payment dates will incur penalty interest. Rate Debtors will be able to apply for waiver of penalty interest in accordance with provisions within this policy.

Calculation of Interest

Council will charge penalty interest on rates and charges in accordance with Section 172 of the Act as follows:

Lump Sum

If payment was payable in a lump sum, and the lump sum was not paid by the legislated payment date, on and from the date on which each instalment was due, interest will calculate at the prescribed rate until the debt is paid in full.

Instalments

If the first instalment was paid by the legislated payment date and subsequent instalments were not paid by the legislated payment dates, on and from the date on which each instalment was due, interest will calculate at the prescribed rate until the debt is paid in full.

Rate of Interest

The rate charged is a predetermined rate and is set by the Attorney-General and gazetted each year in accordance with Section 2 of the Penalty Interest Rates Act 1983.

Pension Rebate

The Local Government Act 1989 provides that eligible pensioners shall receive a rebate of rates and charges levied. Pensioners who hold eligible concession cards may be entitled to receive a rebate, at the amount prescribed by the Department of Health and Human Services.

The rebate applies only to the principal place of residence of the pension card holder, which is determined by the address appearing on the ratepayer's pension card.

The Health Care Card, certain senior's cards and certain Department of Veteran Affairs cards are not eligible cards. Proof of entitlement is required on presentation of an eligible concession card. Application forms are available from the Council's administration office.

Late Payment and Escalation of Rates and Charges

Once Council's Rates Department has been through the Council documented process of escalation, Council may then recover any outstanding rate or charge via the Magistrates Court.

This process entails the lodgement of outstanding accounts with the Debt Collection Agency appointed by Council, who then take the following steps to attempt to recover the outstanding debt:

- Letter of Demand
 - Sent to each property as notified by Council. Letter allows seven days for the ratepayer to make full payment or enter into a suitable payment arrangement with the Collection Agency.
- If no response to the Letter of Demand, the account will be further escalated and issued with a Complaint
 - A complaint is issued by the appropriate Court and once legal costs have been incurred, the complaint is then issued to the Process Server for serving of the documents on the registered owner(s)
 - Once the documents are services, ratepayer(s) have rights under the court processes to resolve or further dispute the debt
- If account remains unresolved or there has been no action by the ratepayer(s), a Judgement Order will be issued
 - Letter sent to ratepayer(s) advised order registered and requesting payment
- If account remains unpaid after this point, Council can then further escalate via civil proceedings available through the Court processes.

All costs incurred from the Debt Collection Agency are levied back to the property rate account and are a secured charges against the property as are rate transactions.

Due to the costs associated with the Magistrates Court, rate accounts with balances below \$1,000 will not be escalated to the Magistrates Court. The debt will remain outstanding and continue to accrue interest until the balance outstanding reaches \$1,000 at which point the debt will be escalated.

Deferral of Rates, Charges and Interest

Ratepayers may have rates and charges or part thereof, deferred in accordance with the Local Government Act. Ratepayers will be encouraged to enter into and maintain a payment arrangement as a commitment to reduce the debt.

The above arrangement can be co-ordinated and implemented by the Rates Department.

If the above is not viable or suitable for the ratepayer(s), a further process is available in accordance with the Application for Financial Hardship section of this policy.

Waiver of Rates, Charges, Interest and Costs

Rates and Charges

Any decision to waive rates and charges will be in accordance with the provisions of the Application for Financial Hardship section of this policy

Interest and Debt Collection Costs

Ratepayers may have interest or debt collection costs waived where the reason for the late payment, although not related to financial hardship, is considered reasonable, subject to the following:

- **Request for Waiver of Interest and/or Costs** must be in writing on the prescribed form (**Attachment B**) which is in the form of a Statutory Declaration.

The following items will be considered when reviewing an application for the waiver of penalty interest and/or costs:

Acceptable Circumstances	Non-Acceptable Circumstances
<ul style="list-style-type: none">• Ratepayer has maintained a payment arrangement and is showing commitment to reduce debt• If ratepayer has a proven payment history• At the completion of an agreed payment arrangement, waiver of penalty interest may be considered• Failure by Council to update a postal address after formal written notification• Incorrect contact details provided in a Notice of Acquisition/Disposition• Compassionate Grounds (family illness or death)	<ul style="list-style-type: none">• Mere oversight of due date for payment will not be accepted• Failure to contact Council prior to the due date to advise of financial difficulties• Previous arrangements not being maintained• Previous history of late payments• Lack of communication from ratepayer to alter contact mail address

The application for waiver of interest and/or costs will be assessed and approved in accordance with the delegated authority section of this policy and will consider:

- A 3 year good payment history (if owner has owned the property for this period of time);
- No previous waivers of interest and/or costs;
- Special circumstances (Health, Family etc); and
- No other money owing to Council.

Application for Financial Hardship

For the purposes of this policy “financial hardship” means a situation where a ratepayer is unable, reasonably, because of prolonged illness or unemployment, or other reasonable cause, to discharge their financial obligations to the Council and the ratepayer reasonably expects to be able to discharge those obligations if payment arrangements were changed.

Financial hardship means an inability to fulfil a financial obligation, not an unwillingness to do so. The hardship may be short or long term.

Cases of financial hardship will be considered on an individual basis and always with a view to the ratepayer re-establishing financial capability and, wherever possible, meeting their financial obligations.

Financial Hardship Principles

- Early identification of financial hardship is key and where there is no communication from the ratepayer it can be very difficult to identify financial hardship
- Accessibility of information about Council hardship provisions, including material on council websites and rate brochures
- Referral of financial hardship applications to qualified financial counsellors. If the ratepayer is experiencing financial difficulties with their rate account, there are generally other accounts which they are having difficulty paying

Financial Hardship Application

Council recognises that financial hardship can arise with some ratepayers and will consider applications for financial assistance in the following circumstances:

- A confidential statement must be submitted by the ratepayer as evidence that the payment of the outstanding rates and charges would cause hardship to the person(s)
- The confidential statement must be on Council's prescribed form and must be signed as a Statutory Declaration of that person(s) circumstances
- Financial Hardship will only be considered for residential, owner occupied properties
- Financial Hardship will not be considered for:
 - Investment properties;
 - Commercial or Industrial properties;
 - Vacant Land properties
- If full disclosure is not made by the applicant or it is found that incorrect disclosures were deliberately made, Council reserves the right to collect any interest previously foregone or waived
- The privacy of the applicant's information is paramount and every application for assistance under this policy will be treated confidentially and all assessments will be made on a case by case basis.

Financial Hardship Application Referral

When a completed Financial Hardship application is received by Council's Rates Department an overview of the property will be completed including the:

- Property number, address locality, municipal ward;
- The rate category the property is rated under;
- The current Capital Improved Value of the Property; and
- The total rate arrears, current year rates and a grand total of both.

This overview will then be provided to the General Manager of Corporate and Community Services for consideration. Rates, interest and charges will only be deferred, in whole or part, subject to the following conditions:

- the ratepayer must be able to demonstrate financial hardship. For example, a statutory declaration from a person familiar with the applicant's circumstances (family doctor, bank officer, financial counsellor);
- for a debt exceeding \$500, the ratepayer will be expected to provide a confidential statement from a recognised financial counsellor, or similarly qualified person, in support of the application for relief;
- the ratepayer must enter into an alternative arrangement with Council to pay the debt and meet the terms of such an arrangement; and
- if interest has been waived and the ratepayer defaults on the agreed terms for repayment, the interest waiver may be withdrawn and interest will then accrue under normal payment arrangements.

The following items should also be taken into consideration:

- What the offered payment arrangement will cover if the arrangement was maintained for a period of 12 months
- Waiver of any interest incurred on current year rates after the arrangement has been maintained for the 12 month period
- Regular payments to continue beyond the 12 month period if the ratepayer wants Council to consider any further applications for financial hardship
- If the ratepayers financial position does not improve in future years that they re-apply for financial hardship provisions
- At the end of the 12 month period with the consent of the property owner that any remaining outstanding rate debt be deferred as a charge against the property

If deferment is approved the following will occur:

- the property will be flagged as a deferred property;
- rates and interest will still accrue (although interest may be waived); and
- no debt recovery action will be taken while the terms for payment are met.

Deferment will be withdrawn if:

- the ratepayer advises financial hardship no longer exists; or
- the ratepayer ceases to own or occupy the property; or
- the ratepayer has defaulted in meeting the agreed terms for payment of the debt; or
- the ratepayer has provided false or misleading information in support of the application for relief.

Financial Hardship – Ratepayer obligations and deferral of rate debt

It is the ratepayer's responsibility to advise Council of their financial difficulties as soon as they are aware that they will not be able to meet the rate debt.

If Council adopts the recommended resolution, the ratepayer will be advised of the outcome and the requirement to maintain agreed arrangement for a period of 12 months. At the end of the 12 month period if the arrangement has been maintained the ratepayer will be issued with a form which they will be required to sign consenting to the remaining debt to be raised as a charge against the property.

The deferral of the remaining rate account will no longer show on the ratepayers annual rate notices and will not incur ongoing penalty interest.

The ratepayer would only be required to pay the deferred rate charge if:

- The ratepayers circumstances change, which would no longer result in the ratepayer suffering hardship as a result of repaying the debt; or
- the ratepayer ceases to own or occupy the property; or
- the ratepayer defaults in any agreement associated with the deferral; or
- the ratepayer has provided false or misleading information in support of the application for relief.

Council will only defer rates and charges as a charge against the property up to 10% of the Capital Improved Value of the property. The deferral of rates and charges as a charge against the property in subsequent years must ensure that the total charge does not exceed 10% of the Capital Improved Value of the property.

Where the deferral of rates and charges is in excess of 10% of the Capital Improved Value, the ratepayer will be required to pay a portion of the rates and charges.

All applications for financial hardship must be made on the prescribed Financial Hardship Application form (Attachment C).

Sale of Property for Unpaid Rates and Charges

The Local Government Act allows Council to sell property for the purposes of collecting outstanding rates and charges. To enable this process to occur:

- There must be rates and charges outstanding for a period of 3 or more years
- Council must pass a resolution to sell the property for the recovery of outstanding rates and charges
- Council must obtain appropriate Court orders
- Council must not have an existing current arrangement for the payment of outstanding rates and charges
- Must obtain a written valuation of land by a valuer
- Serve a notice on anyone appearing from the Land Title Register as an interest in the land
- Give public notice of Council's intention to sell
- Notify interested/registered parties of auction details

Once all of the above requirements are achieved, Council's Debt collection Agency will issue a pre Section 181 letter to the property owner advising that Council will proceed to sell the property if no action is taken.

Once Council's Rates Department exhausts all other collection options, a report will be generated outlining details of the property and the steps taken to recover the outstanding debt. It will be the decision of Council to sell the property.

Delegation of Authority

Below are details of authority on each of the items covered in this policy

Type/Function	Authority Limit	Delegation
Payment Arrangements	Not applicable	Rates Department
Escalation of Accounts to Debt Collection Agency	All outstanding accounts	Rates Department and General Manager Corporate & Community Services
Waiver of interest	Up to \$100	Rates Department
Waiver of interest and/or costs	Up to \$500	Rates Department and General Manager Corporate & Community Services
Waiver of interest and/or costs	>\$500 and <\$1,000	General Manager Corporate & Community Services
Waiver of interest and/or costs	>\$1,000	General Manager Corporate and Community Services
Waiver of Rates and Charges	Not applicable	General Manager Corporate and Community Services
Deferral of Rates, Charges and Interest	Not applicable	General Manager Corporate and Community Services
Application for Financial Hardship	All applications	General Manager Corporate and Community Services
Appeal of Decision	All appeals	General Manager Corporate and Community Services
Sale of property for unpaid rates and charges	All property rate accounts	General Manager Corporate and Community Services

Right of Appeal

A delegated decision made can be appealed by the applicant by making a formal request to Council for a review of the decision.

Such applications must be made by the applicant themselves (not a third party) and will be reviewed by the CEO. **Right of Appeal applications must be on the prescribed application form (Attachment D).**

Reporting

The Revenue Officer will prepare a monthly report detailing all outstanding rates income. This will then be reported to Council on a monthly basis by the Finance Manager.

General Debtors

Council operates a computerised debtor accounts system which records financial information on a transactional basis and maintains debtor information in accordance with the principles of commercial business.

Council will issue monthly accounts for money owing, or on a time basis which is applicable to the class of debtor (eg. Aged Care – 4 week cycle, Childcare – weekly cycle).

The tax invoice will contain sufficient information so that the debtor can recognise the transactions included on the invoice and reconcile the debt if required.

The account shall generally be due and payable within 30 days of its issue (Childcare within 7 days of its issue).

Interest

Council will not charge interest on any general debtor accounts unless permitted under specific legislation.

Collection

The procedure for collecting outstanding general debtor accounts is –

- Invoice is due for payment
- 1st Reminder statement is sent
- 2nd Reminder statement is sent and the debtor account is also followed up with the responsible Manager who requested the invoice to be raised (this process then continues unless debt is considered for additional collection action)

Referral to debt collection agency

Before referral to a debt collection agency, the Debtors Officer must compile a list by category of those debtors being referred for review by the Finance Manager. A memo will be sent to the responsible Manager or General Manager notifying them of the intention to refer the debt for collection. The Manager is encouraged to make contact with the debtor to see whether the outstanding debt can be paid.

There is one exception to this collection procedure: Aged Care debtors must first be presented to the Manager, Aged and Disability Services for review, and only those approved by the Manager or the responsible General Manager will be referred to a debt collection agency.

Arrangements on default of a general debt

Council will consider all requests for alternative payment arrangements. However, full payment of the debt in the shortest reasonable time is preferred.

An application form confirming the alternative arrangement will be completed in all cases except:

- where the debt will be paid in full within one month; or
- where a sale has occurred and a settlement date is provided.

Deferment

Council will consider an application for deferment of an outstanding amount. Council will not take any action against a debtor if deferment has been approved. All deferments will be subject to a timetable for periodic review.

Waiving a general debt

General debtor accounts will only be waived with the approval of the General Manager Corporate and Community Services, which must be based on a written request.

Reporting

The Debtors Officer will prepare a monthly report for the Finance Manager at the end of each month. The report will contain the reconciliation between the General Debtors ledger and the Debtors Trial Balance and break the amount outstanding into terms of current, 30 days, 60 days and 90+ days.

Parking and Animal Control

The collection of outstanding Parking and Animal Control infringements is governed by regulation. The collection policy and related procedures are separately maintained by the Local Laws Coordinator.

The general debt collection process for Parking and Animal Control is as follows:

- fine issued on the spot
 - client has 28 days to pay (according to the ticket),.
- fine issued and sent by mail
 - client has 42 days to pay.
- after 42 days,
 - the infringement is referred to the Infringements Court.

Receipting

Official receipts for payments will only be issued in the following instances:

- (a) where payment is made in person.
- (b) where the customer requests a receipt in writing.
- (c) where payment is made at a Council designated payment agency.
- (d) where cash is sent through the mail or not paid in person (eg. Aged Care Debtors)

Other than for cash payments, official receipts will not be issued for payments made through the mail or not made in person.

Definitions

Act means the Local Government Act 1989

CEO means the Chief Executive Officer of the Council

CIV means Capital Improved Value

General Debtors means all debts owed to the Council except rates

Responsibilities

CEO <ul style="list-style-type: none">• To review Financial Hardship Appeal applications
General Manager Corporate & Community Services <ul style="list-style-type: none">• Assess Deferral applications• Assess Financial Hardship applications• To assess applications for waiver of General Debtors• Oversee implementation of this Policy
Finance Manager <ul style="list-style-type: none">• Oversee implementation and review of this Policy
Revenue Officer <ul style="list-style-type: none">• Implement procedures in accordance with this Policy
Debtors Officer <ul style="list-style-type: none">• Implement procedures in accordance with this Policy
Local Laws Coordinator <ul style="list-style-type: none">• Implement procedures in accordance with this Policy

Legislation and other references

Legislation

- **Local Government Act 1989**
- **Penalty Interest Rates Act 1983**
- **Infringements Act 2006**
- **MAV Hardship Policy Guidelines 2013**

Documents

- Arrangement for Payment of Rates (Attachment A)
- Application for Rate Waiver (Attachment B)
- Hardship Application Assessment Form (Attachment C)
- Hardship Application Appeal Form (Attachment D)

Human Rights Consideration

The implications of this Policy have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

Information Privacy

This Policy has been developed to correspond with the four basic principles embedded in the *Information Privacy and Data Protection Act 2014*, those principles being;

- The public has a legal right of access to information.
- Local governments are required to publish information concerning the documents they hold.
- People may request that inaccurate, incomplete, out-of-date or misleading information in their personal records be amended.
- People may appeal against a decision not to give access to the information or not to amend a personal record.

Risk Assessment Reference

This Policy aligns to the core Risk Management Standards as outlined in the Central Goldfields Shire Council Risk Management Policy.

Control Information

Policy Category:	Finance
Author	Finance Manager
Responsible Officer	General Manager Corporate & Community Services
Date adopted by Council:	8 December 2015
Review Date	8 December 2017
Revision History	No 1. December 2015



ARRANGEMENT FOR PAYMENT OF RATES

PROPERTY NUMBER: _____

PROPERTY ADDRESS: _____

PERSON RESPONSIBLE FOR PAYMENT OF RATES: _____

TELEPHONE NUMBER: _____

TOTAL AMOUNT CURRENTLY OUTSTANDING: _____ AS AT _____

I hereby agree to make the following commitment in order to clear the above property of all outstanding rates and charges.

I understand that interest will accrue on such amounts until fully paid.

I agree to pay the Central Goldfields Shire Council an amount not less than \$_____ per week/fortnight commencing on _____.

I understand that if at any time I am in default of this agreement the Shire may initiate legal proceedings, immediately and without notice, at my expense in order to recover the total amount of the debt outstanding plus interest accrued.

I require a Payment booklet - Yes/No

SIGNED: _____

WITNESS: _____

DATE: _____

Privacy Notification

The personal information requested on this form is being collected by Council to arrange payment of outstanding rates and charges. The information will be used solely by Council and placed on your property file. You may apply to Council for access to and/or amendment of this information.



Local Government Act 1989

Section 170/171

Application for Rate Waiver or Deferral and Statutory Declaration thereon for persons where payment would cause those persons to suffer financial hardship.

The personal/health information requested on this form is being collected by Council to assess your application for rate waiver or deferral. The information will be used solely by Council for this primary purpose and only for a directly related purpose if you provide consent. This information will be treated as **strictly confidential**.

You can apply to Council for access or amendment to this information in accordance with Council's Information Privacy Policy.

I,-

 (Name in Full)

of

 (Address in Full)

Occupation _____

Do solemnly and sincerely declare that:

- I am the owner and occupier of the property known as:

- The following are the particulars of other persons with a financial interest in the above-mentioned property:

Name	Address	Relationship	Occupation
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- I own the following assets:

<u>Asset Value</u>	<u>Estimated</u>
Bank Account	\$
Land and Buildings	\$
Car	\$
Other assets _____	\$
_____	\$
_____	\$
_____	\$

Note: Examples of other assets are such things as cars, boats, caravans, land buildings, bank accounts, investments, insurance policies, superannuation funds or any other substantial asset.

4. My fortnightly income from all sources is as follows:

From Wages/Salary	\$
From Property (rental/board etc)	\$
From Interest	\$
From Investments	\$
From Capital Gains	\$
From Pension Payments	\$
From Other Sources (give details)_____	\$
_____	\$
Total per fortnight:	\$

5. My fortnightly payments are as follows:

Rent/Mortgage/Board	\$
Food	\$
Gas/Electricity	\$
Clothing	\$
Car Expenses	\$
Telephone	\$
Other (give details)_____	\$
_____	\$
_____	\$
_____	\$
Total per fortnight:	\$

6. Details of other debts:

I have the following commitments:

Lender	Asset	Term of Loan	Balance	Interest Rate
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

7. If you are married or have a defacto spouse, please complete the following:
 My spouse's name is _____
 and he/she resides at _____
 and a similar declaration in respect of his/her circumstances is lodged herewith.

8. I have been receiving the _____ pension for _____ years.
 I hold a _____ pension concession card.

9. I have owned the property since _____ (Year only).

10. I request that the Council waive/defer* the following:
 (*Delete whichever is not applicable)

Rates	\$
Municipal Charge	\$
Interest	\$
Other amount _____	\$
Other amount _____	\$
Total	\$ _____

Application is hereby made for consideration by the Council of a rate waiver/deferral in respect of the above property.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing the same to be true and by virtue of the provisions of an Act of Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

SIGNED _____

DECLARED AT _____ in the State of Victoria this _____ day of _____ in the year Two Thousand and _____.

BEFORE ME: _____ Justice of the Peace.

-
- N.B. A person who –
- a) gives the Council any information which is false or misleading in any material particular in respect of this application; or
 - b) fails to notify the Council of any change in circumstances which are relevant to this application or to any waiver granted is guilty of an offence.

The information supplied in this form is to be used only for the purposes of the Local Government Act 1989.

APPENDIX C

Assessment of Application for Assistance to Rates Debtor Due to Financial Hardship

FINANCIAL ASSESSMENT

Net Income	
Gross Expenses	
Difference	

COMPLIANCE WITH COUNCIL POLICY

Council officers may be required to conduct a basic hardship assessment and should have information and a preliminary plain English verbal questionnaire prepared.

Criteria of Policy	YES /NO	Comment – if required	Required Answer
Is this house where you live?			YES
Do you run a business from home?			YES
Do you owe rates money for more than one year?			YES
Are these payments hard to make?			YES
Can you make regular smaller payments?			YES
Do you want to keep your home or do you want to sell it?			NO
Can you provide a financial statement that outlines your income and expenses?			YES

REPAYMENT CAPACITY

Based upon information provided in the application, the applicant has financial capacity to make repayments	YES / NO
If YES, how much could be paid per week?	\$

ASSESSMENT SUMMARY

Applicant complies with Policy criteria (specify number of criteria met)	Of 7
Applicant has identified capacity to make repayments	YES / NO

RECOMMENDATION

Based upon:

- (a) compliance with Council’s Policy
- (b) a capacity by the applicant to make regular repayments of outstanding rates principal
- (c) the above offer to make such repayments

it is recommended that financial assistance *be / not be* granted by:

- (a) waiving % of interest raised to date, and / or
- (b) not raising further interest on this account.

Signed:
Revenue Officer

Date: / /20

Signed:
General Manager, Corporate Services

Date: / /20



APPENDIX D

Template Hardship Application Appeal Form

IF YOU ARE NOT HAPPY WITH THE DECISION, YOU CAN APPEAL BY COMPLETING THIS FORM

I/We hereby lodge our Right to Appeal against a decision made in accordance with Council's adopted Debt Collection Policy

Name of applicant/s

Preferred Contact Number _____

Property Address _____

Why I disagree: _____

Signature of Applicant/s _____

Date / /