



# **RATES – PENSIONER REBATES AND DEFERMENT POLICY**

Public Document

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**Purpose/Explanations**

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To set out Mosman Council's adopted policy position in respect of its fair and reasonable recovery of pensioner's rates and associated rebates.

**Scope**

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Council staff who are involved directly or indirectly with the raising, receipting and recovery of rates and charges.

**Rates – Rebates for Pensioners**

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**Commonwealth Government Pensioner Concession Card Holders and Department of Veteran Affairs recipients of Gold Card embossed as TPI or EDA**

That:

1. In accordance with the Act, eligible pensioners for the purpose of determining pensioner concessions are:
  - (a) 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,
  - (b) persons who receive a pension from the Commonwealth Department of Veterans' Affairs as:
    - (i) a war widow or war widower within the meaning of the Veterans' Entitlements Act 1986 of the Commonwealth, or
    - (ii) the unmarried mother of a deceased unmarried member of the Australian Defence or Peacekeeping Forces, or
    - (iii) the widowed mother of a deceased unmarried member of the Australian Defence or Peacekeeping Forces,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),
  - (b1) 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),
  - (c) persons who receive 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,
  - (d) 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.

2. A war widow under 60 years of age will not have a pensioner concession card however, may:
  - a. Apply for rebate on the grounds of financial hardship, as too may a non-eligible war widow over 60 years
  - b. Apply for a special Council rebate of \$125 - (refer to Australia Remembers Rebate below)
3. Council not write-off or reduce Rates and charges payable by eligible pensioners, pursuant to Sec 582 of the *Local Government Act, 1993* unless after completion of a Hardship Rate Relief application, the General Manager (under delegated authority is satisfied that the payment of the full amount would cause extreme financial hardship).
4. Legal action not be commenced against pensioners for the recovery of outstanding rates.

*NB: Application for reduction of rates and charges by pensioner ratepayers under Items 1, 2 (a) and 3 must be in accordance with the Act and in the prescribed form.*

### **Australia Remembers Rebate – Department of Veteran Affairs – War Widows Gold Card Holders**

Council in association with Australia Remembers celebrations and in recognition of those who served in the armed forces provide war widows an annual rebate of \$125 against their general rates subject to the following:

- They hold a current Department of Veterans Affairs War Widows Gold Card and are not entitled to a Commonwealth Government Pensioner Concession Card
- the Mosman property they are claiming the rebate on is their sole or principal place of living
- they have not claimed a pensioner rates concession on any other property in that financial year
- the amount of the rebate is based on the percentage of the ownership of the property
- They sign an application form confirming the above

### **Rates - Retrospective Pensioner Rebates**

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Retrospective pensioner rate rebates be granted for no more than two years prior to the current year of issue, subject to the presentation of substantiating documents, being:

#### **1. Substantiating Documentation**

- Usually the pensioner concession card will show a date of grant, or a letter from Social Security or Veterans' Affairs stating the date of pension grant
- Proof of residential qualification

#### **2. Pro Rata Pension Rate Rebate**

Where 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 under Section 575, 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 for which the rate or charge is made.

The same, or reverse may apply where an eligible pensioner sells or purchases a property within the Council Area.

**Rates - Pensioner Deferment**


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Council not write off or reduce rates or extra charges payable by pensioners pursuant to Section 582 of the *Local Government Act, 1993*, but that if any aged pensioner who is eligible for a rebate of rates under Section 575 or is a War Widow pensioner if upon completion on an annual basis of an “Application For Hardship Rate Relief”, Council is satisfied that the payment of the full amount of rates and charges levied on a property owned by and is the principle place of residence of the applicant pensioner would cause hardship, such balance of rates excluding the domestic waste service charge (after deducting the rebates under Section 575 (if any) of the *Local Government Act*) be permitted to accumulate during the life time of the pensioner and be recouped by Council on the sale of the property or at the time of death of the pensioner ratepayer. The current domestic waste service charge being required to be paid annually.

**Related Information/Glossary**


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Application Form – Pensioner Concession  
 Application Form - Hardship Rates Relief  
 Application Form – Australia Remembers Concession

**Review**


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This policy will be reviewed every four years unless otherwise directed by Council or senior management.

**Contact**


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Enquiries should be directed to the Chief Financial Officer on 9978 4011.

**Amendments**


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<b>Date</b>	<b>Amendment</b>	<b>Reference</b>
18 July 1995	Adopted – Rates/Pensioner Rebate/ Australia Remembers War Widows	MM/2
16 February 1993	Reviewed – Rates/Pensioner Deferment	F/30
9 September 1994	Rate Rebates and Retrospective Rebates for Pensioners a	F/188