

**Council's Hardship Policy – Pensioners
RATES & DEBT RECOVERY**

1. Should the application of Council's policy cause undue hardship to eligible pensioners, then in such cases, upon application by the pensioner, Council give consideration to allowing the rates to accumulate against the pensioners' property.

2. It be noted that interest will be charged on such accumulated rates in accordance with Section 566 of the Local Government Act.

Abandonments - Reduction of Rates & Charges
RATES & DEBT RECOVERY

1. **It be noted that Council has delegated under Section 564 of the Local Government Act to the General Manager and he in turn has delegated to the Council's Manager Corporate Finance and Planning and Chief Rates Officer its permissive power under Section 564(1) of the Local Government Act, where a ratepayer complies with the terms and conditions of an agreement of Section 564 of the Local Government Act to "write off or reduce extra charges in respect of those rates."**
2. **The Council has further delegated under Section 355 of the Local Government Act to the General Manager and he in turn has delegated to the Manager Corporate Finance and Planning and Chief Rates Officer, in any case where a ratepayer can establish hardship or incapacity beyond his or her control to pay rates, its powers under Section 567 of the Local Government Act, which reads -**

"The Council may write off accrued interest on rates payable by a person if, in its opinion:-

- a. **the person was unable to pay the rates or charges when they became due and payable for reasons beyond the person's control; or**
- b. **the person is unable to pay the accrued interest for reasons beyond the person's control; or**
- c. **payment of the accrued interest would cause the person hardship."**

Rating - Hardship Provisions RATES & DEBT RECOVERY

In recognition of hardship conditions ratepayers may experience. Council has adopted a Policy to provide financial relief to rate payers in certain circumstances.

1. Council continue with its existing policy in respect of the abandonment of extra (interest) charges in cases of hardship and the accumulating of pensioners rates as set out in Appendix "A" below.
2.
 - i. Provided substantial hardship can be proven, residential and rural ratepayers, together with eligible pensioners, be allowed to enter into suitable instalment agreements to ensure that current rates are cleared within the current rating year or within twelve (12) months of the date of levy in the case of supplementary rate issues.
 - ii. Extra (interest) charges incurred be written off if the ratepayer complies with the agreement as set out in (I)(i) above. Fulfilment of the instalment agreement is to be determined by the Rates Supervisor or Debt Recovery Clerk.
 - iii. Applications are to be received by Council within thirty (30) days of the date of the Rate Notice. Late applications to be received at the discretion of the Chief Rates Officer and Debt Recovery Clerk. Upon receipt, the success or otherwise of the application to be determined and advised in writing as soon as possible.
 - iv. Any ratepayer dissatisfied with the decision relating to the application may request, within ten (10) days, that Council review its decision.
3. Provided hardship can be proven, eligible pensioner ratepayers be subject to Council's general hardship policy as set out in (a) above. That is, extra (interest) charges will be waived if a suitable arrangement is entered into and the rate account is cleared within the current rating year.
4. In the case of general hardship, the Chief Rates Officer and Debt Recovery Clerk be empowered to request from ratepayers any information he deems reasonable to allow a decision to be made with regard to their application.
5. The Council has delegated to the General Manager and he in turn has delegated to the Rates Supervisor, the power to implement Council's policy in respect of Sections 564 and 567 of the Local Government Act and its general and pensioner hardship policies.

Appendix "A"

- i. Council has delegated to the General Manager and he in turn has delegated under Section 355 of the Local Government Act to Council's Chief Rates Officer or Debt Recovery Clerk, its permissive power under Section 564(2) of the Local Government Act, where a ratepayer complies with the terms and conditions of an agreement of Section 564(1) of the Local Government Act to "write off or reduce extra charges in respect of those rates".
- ii. The Council has further delegated to the General Manager and he in turn has delegated under Section 355 of the Local Government Act to the Chief Rates Officer and Debt Recovery Clerk, in any case where a ratepayer can establish hardship or incapacity beyond his or her control to pay rates, its powers under

Section 567 of the Local Government Act which reads as follows:-

"The Council may write off accrued interest on rates or charges payable by a person if, in its opinion:

- a. the person is unable to pay the rates or charges when they became due and payable for reasons beyond the person's control; or**
- b. the person is unable to pay the accrued interest for reasons beyond the person's control, or**
- c. payment of the accrued interest would cause the person hardship.**