

PENSIONER CONCESSION

CS210



NARRANDERA SHIRE COUNCIL POLICY

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PENSIONER CONCESSION



Policy No:	CS210
Policy Title:	Pensioner Concession
Section Responsible:	Corporate Services
Minute No:	14/333
MagiQ No:	8357
Next Review Date:	December 2019

Objective

This policy seeks to:-

1. Provide clear and equitable guidelines for the granting of statutory pensioner concessions on rates and charges for eligible pensioners under Section 575 of the Local Government Act, 1993 (LGA), also the reversal of statutory pensioner concessions on rates and charges where circumstances occur that a person's entitlement ceases in accordance with Section 584 of the LGA;

Policy Statement

1. This policy applies to eligible pensioners, as described in Chapter 15, Part 8, Division 1 of the LGA;
2. The Local Government Act, 1993 defines an 'eligible pensioner' as:-
 - (a) who is a member of a class of persons prescribed by the regulations, and
 - (b) who occupies that dwelling as his or her sole or principal place of living;
3. The Local Government (General) Regulation, 2005 defines an 'eligible pensioner' as:-

'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' the person, being the holder of a current pension concession card issued by either Centrelink or Veterans Affairs, is solely liable, or jointly liable for a rate or charge levied on land on which a dwelling is situated and who occupies that dwelling as their sole or principal place of living;

4. The Local Government Act, 1993 defines 'jointly eligible occupier' as:-
 - (a) is the spouse or de facto partner of that eligible pensioner, or
 - (b) is another eligible pensioner, or
 - (c) if another eligible pensioner and his or her spouse or de facto partner have the same sole or principal place of dwelling, is the spouse or de facto partner of that other eligible pensioner, and whose sole or principal place of living is the same as that of that first mentioned eligible pensioner.
5. Applications for pensioner concessions must be made by completing the prescribed pensioner concession application process
6. The total amount by which reductions can be granted are detailed by Section 575 (3) of the LGA
7. Application for a new pensioner concession rebate is to be granted to an eligible pensioner for the current rating year only, no retrospective rebates shall be granted as it is the responsibility of the eligible pensioner to advise Council that they are the holder of a pensioner concession card at the date of grant;
8. If an owner becomes an eligible pensioner after the commencement of a quarterly instalment period, the rebate will commence from the start of the next quarterly instalment period in accordance with section 575(4) of the LGA;
9. If 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 quarter in accordance with section 584(1) of the LGA;
10. Council will confirm the eligibility of all pensioners with Centrelink (inclusive of Veterans Affairs card holders) annually and where an individual is determined as no longer being eligible for a pensioner concession a letter shall be issued stating this;
11. This policy does not exclude the levying of interest charges on overdue rates and charges where a pensioner concession has been granted; nor does this policy exclude the commencement of legal action for the collection of overdue rates and charges where a pensioner concession has been granted; nor does this policy prevent Council from initiating sale of land proceedings rates and charges remain unpaid for more than five (5) years where a pensioner concession has been granted.

Scope

This policy applies to registered property owner(s) that are eligible pensioners for the purpose of receiving a concession on rates and charges.

Definitions

As contained within the Policy Statement.

Roles and Responsibilities

The overseeing position of this policy shall be the Rates Officer.

Related Legislation/Guidelines/Narrandera Policies and Associated Procedures

1. Local Government Act, 1993
2. Local Government (General) Regulation, 2005
3. Council Rating And Revenue Raising Manual issued by the Office of Local Government - 2007

Policy History

Adopted by Council	5 March 2015 - (Final date of exhibition period with no submissions received – resolution was that policy automatically adopted if no submissions received)
Reviewed	As required
Reviewed	15 May 2018
Endorsed by ELT	15 May 2018



Signed: General Manager

Date: 15 May 2018