

90. RATES PENSIONER REMISSION POLICY

Intent

To establish a policy for the provision of rates remission to pensioner/s who reside in the Douglas Shire, are eligible for the State Government pension remission and who apply for the Council Pensioner Rate remission **in accordance with s 119 – 122 of the *Local Government Regulation 2012***.

Scope

To enable Council to process applications and provide pensioner remission for Council rates and charges on properties within the Douglas Shire Council boundaries.

Provisions

Under s 119 – 122 of the *Local Government Regulation 2012*, Council may resolve to grant a ratepayer a remission for rates and charges provided the specified criteria is met by the ratepayer.

1 Criteria

To be eligible for this remission, the following conditions must be met:

- 1.1 The applicant(s) must be a resident of the Douglas Shire and the owner/occupier of the property in respect of which remission is sought or be a Life tenant(s) under a Will with responsibility to pay all rates and charges;
- 1.2 The property must be their principal place of residence. If an applicant meets all the criteria on multiple properties for the full rating period, remission will be applicable to one property only.
- 1.3 The applicant must be an individual, not a Trust, Company or other non-individual entity
- 1.4 The applicant(s) must be the holder(s) of one of the following Queensland cards:
 - Centrelink, Pension Concession Card.
 - Department of Veterans' Affairs, Pension Concession Card.
 - Department of Veterans' Affairs, Repatriation Health Card. (Full Conditions only)
- 1.5 Either a Certificate of Occupancy or a Final Inspection Certificate has been issued for the residence. The approved structure must have a classification of 'Dwelling – 1a'. Pension remission is not applicable to vacant land.

Special consideration to grant Council pensioner remission is at Council's discretion for circumstances outside of the above criteria.

2 Application for the Rate Remission

- 2.1 All applications for rate remission must be made on the prescribed form and contain a declaration as to the accuracy of the information contained therein.
- 2.2 Supply a photocopy of a valid Pensioner Concession card with the application
- 2.3 Remissions will be calculated for new applicants from the date the application is received, once approved.
- 2.4 In regard to Ownership / Co-ownership, Council shall apply the same requirements as the Queensland Government Pensioner Rate scheme. Eligible pensioners who are co-owners shall be entitled to Pensioner Remission based on their percentage share of the property.
- 2.5 Once an application for remission is approved it shall remain in force from year to year without further renewal whilst the applicant remains owner/occupier of the property in question.
- 2.6 Where an applicant's circumstances alter it is incumbent upon the applicant to notify Council.
- 2.7 Council will conduct periodic audits to verify current entitlements.
- 2.8 If a pensioner becomes the owner of a new property, they must make a new application for remission in respect of that property.

3 Pensioner Remission Amount

Pensioners deemed eligible may be entitled to the following:

- 3.1 State Government remission up to twenty percent (20%), to a maximum of \$200.00 per property per annum. Where the State Government remission applies, Council will rebate the appropriate amount on the rate notice and claim reimbursement from the State Government.
- 3.2 Council's pensioner remission will be up to forty percent (40%) of the General Rate to a maximum of \$1,350.00 per annum.
- 3.3 State Government remission of Twenty Percent (20%) of the Emergency Management Levy

4 Additional Information

- 4.1 Should a property change ownership during a rating period, Pensioner Remission will only apply for the period of ownership by the approved applicant(s) and pro-rata Pension Remission reimbursements to Council will apply.
- 4.2 Recognising that many pensioners reside some or all of the time in hospitals, nursing homes, or with family or friends for ill health reasons, the residence may be regarded as the 'principal place of residence' if it is not occupied on a paid tenancy basis during the absence of the approved pensioner owner(s). A declaration may be requested by Council.

- 4.3 Where a sole pensioner is receiving pensioner remission and the person dies, pensioner remission will cease at the end of the rating period in which records obtained from Centrelink for entitlement purposes do not match Council's Records.
- 4.4 Where more than one pensioner is receiving pensioner remission in respect of a property owned by those pensioners under joint tenancy and one of the pensioners dies but the title hasn't been changed; then the remaining pensioner(s) will continue to receive the full pensioner remission until Council receives notification of transfer of ownership. If all pensioner owners are tenants in common, the remaining pensioners will receive their percentage entitlement only.
- 4.5 Whereby the ratepayer(s) is eligible for additional Council rate rebates or concessions, the pensioner remission shall apply first and subsequent rebates will be calculated on the reduced levy.

If Council becomes aware of any ratepayer providing false or misleading information in order to gain assistance for which he/she would otherwise not be eligible, the remission provided by Council will then become null and void. Any benefit provided to a pensioner through the Rates Pensioner Remission Policy must be repaid to Council from the date of cancellation/ineligibility.

Related Legislation and guidelines

Local Government Act 2009

Local Government Regulation 2012

Douglas Shire Council Revenue General Policy

Douglas Shire Council Revenue Statement

Douglas Shire Council Utility Charges and Associated Rating matters

Policy Review

This policy is to be reviewed every four years/whenever legislation changes, or at the direction of the Chief Executive Officer.

Policy Details

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Revoked/Superseded	

This policy is to remain in force until otherwise determined by Council.