



PENSIONER RATES CONCESSION

Date Adopted:	25 March 2014
Council or Corporate Policy	Council Policy
Responsible Division:	Corporate and Information Services
Supporting documents, procedures & forms of this policy:	Pensioner Concession Application Form
References & Legislation:	http://www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/s575.html http://www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/s579.html http://www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/s584.html

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1 Purpose of Policy

This policy sets out the terms and conditions required to be met by eligible persons for a pensioner concession under the Local Government Act 1993, as well as the additional pensioner concessions provided by Leichhardt Council. For the purpose of this policy an eligible pensioner is defined in the dictionary in the Local Government Act 1993.

Related Policies:

Pensioners - Accruing Rates and Charges Policy

Rates Debt Recovery Policy

Rates Financial Hardship Policy

2 Policy Objective

To provide eligible pensioners with the statutory pensioner concession relating to rates and charges as specified in Section 575 of the Local Government Act 1993.

To provide eligible pensioners with additional rebates from Council regarding charges for domestic waste management and stormwater management.

3 Procedures

Council's procedure under Section 579 of the Local Government Act 1993 is that all pensioners are to make an application for rebate on the prescribed form, and that any backdating of the rebate be limited to only the financial year prior to the financial year in which the application is made.

Validation of eligible pensioner concession card holders will be carried out at least annually in conjunction with Centrelink and Department of Veteran Affairs.

Reversal of pensioner rebates will be made as required by Section 584 of the Local Government Act 1993. If circumstances occur that cause a person's entitlement to a reduction of rates or charges to cease, the entitlement is taken to cease on the last day of the quarterly instalment period during which those circumstances occurred.

4 Application

Pensioners requesting a rebate are required to submit an application on the prescribed form and hold a current Pension Concession Card issued by Centrelink or Department of Veteran Affairs to qualify for any reduction in Rates and Charges.

5 Eligibility

The Local Government Act 1993, Division 1, Part 8 of Chapter 15 provides concessions for eligible pensioners. Section 575 of the Local Government Act 1993 provides that:

If an eligible pensioner is the person solely liable, or a person jointly liable with one or more other persons, for a rate or charge levied on land on which a dwelling is situated, the rate or charge is, on application to the council and on production to the council of evidence sufficient to enable it to calculate the amount of the reduction, to be reduced in accordance with this Section.

6 Amount Of Pension Concession

Council currently provides two types of concession to eligible pensioners:

1. Statutory Concession

Eligible pensioners are entitled to a rebate on their rates and charges. The amount of the concession is set by the State Government up to a maximum of \$250.

2. Council Voluntary Concession

In addition to the statutory concession, Council rebates 100% of the domestic waste management charge and the stormwater management charge to pensioners who have continuously been a resident ratepayer of the Municipality of Leichhardt for 10 years or longer.

7 Administration

Calculating the Rebate

The amount by which the Rates and Charges are reduced is determined by the ownership of the property. If the person making the application is an eligible pensioner who is solely liable or jointly liable with one or more jointly eligible occupiers but with no other person (jointly eligible occupier is the spouse or de facto partner of that eligible pensioner) then a full rebate is granted. Otherwise a percentage of the rebate is calculated in relation to percentage of ownership.

Pension Rebate Amount

To receive the full year's rebate on rates the pensioner must be eligible at the date of service of the Rate Notice. If the pensioner becomes eligible after service of the Rate Notice they are entitled to a pro-rata amount of the rebate, which is determined as follows:-

Date of eligibility	Amount of Rebate
Eligible after service of Rates Notice but before - 30 September	$\frac{3}{4}$ (75%)
1st October – 31 December	$\frac{1}{2}$ (50%)
1st January – 31st March	$\frac{1}{4}$ (25%)
1st April – 30th June	NIL

The same eligibility applies to domestic waste management and stormwater management charges.

Aged Care Facility

If a ratepayer is in receipt of a Pension Concession Card, currently receiving a pension rebate on a property considered to be their sole and principal place of residence and is then required to enter an aged care facility for health or care reasons, the pension rebate will continue to apply as long as the property is occupied by the spouse or is not being rented.

Pension Rebate Cancellation

Where an owner ceases to qualify as an eligible pensioner, the rebate will cease at the end of the instalment period in which the eligibility ceased.

8 Policy Review

This policy will be reviewed by 25 March 2016.

9 Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	25 March 2014	Council	