

263 Rates – Discount for Late Payments

General Policy



PURPOSE

This policy outlines the authority to allow discount and write off any relevant interest charges on payment of rates and charges received after the due date.

SCOPE

POLICY STATEMENT

Application of the Policy

This policy will apply when the payment of rates and charges by a ratepayer is not received by Council by the due date as set on the rates notice, resulting in loss of discount.

Background and Considerations

Council recognises that there are occasions when payment of rates and charges by the due date is not able to be achieved through circumstances beyond the control of the ratepayer. The Local Government Regulation 2012 provides Council with the discretionary power to allow discount in such circumstances.

Payments made after the Due Date

Discount will not be allowed when payments are made by electronic means on or before the due date but received after the designated processing cut-off time of the councils financial institution, resulting in that payment being processed by the financial institution after the due date.

Discount may be allowed (via application only), if the full payment of the overdue rates and charges has been made or will be made within a period specified by Council AND the applicant provides proof of any of the following:-

- (a) Illness involving hospitalization and/or incapacitation of the ratepayer at or around the time of the rates being due for discount.
- (b) The death or major trauma (accident/life threatening illness/emergency operation) of ratepayer and/or associated persons (Spouse/Children/Parents) at or around the time of the rates being due for discount.
- (c) The loss of records resulting from factors beyond their control (Fire/Flood etc).

Further, that Council is satisfied that the event is the cause of the applicants' failure to make full payment by the due date.

Late Payments due to Postal Difficulties

Discount may be allowed under authority of Council's Chief Executive Officer (via application only) if the non-receipt of the rate notice or rate payment or late receipt of the payment by Council's authorised person where the reason for such non-receipt or late payment is separately substantiated by:-

- (a) Written concurrence of the applicable mail carrier that problems existed with the mail deliveries, or
- (b) Written evidence that a mail re-direction was current at that location at the time that the rate notice was issued, or when the rates were due for payment, or
- (c) The return of the rate notice to Council although correctly addressed, or
- (d) Other evidence that payment of the rates was made by the ratepayer at that time (allowing reasonable time prior to due date), but did not reach Council due to circumstances beyond the control of the ratepayer. In such circumstances, Council will consider the past payment history of the ratepayer, and whether such circumstances have been claimed before, or
- (e) Where an administrative error occurred at the Department of Natural Resources and Mines that resulted in the rate notice being incorrectly addressed by Council.

Discount will NOT be allowed if the circumstances above are:-

- As a result of the failure of the Ratepayer to ensure that Council was given the correct notification of the address for service of notices prior to the issue of the rate notice, or
- As a result of a change of ownership, where Council received notification of the change of ownership after the issue of the Rate Notice (From Department of Natural Resources and Mines),or
- If payment is received by post more than three working day after the close of discount, regardless of the postmarked date.

Dishonoured Payments

Discount will not be allowed if a payment by Cheque or Direct Debit is dishonoured by a financial institution.

Administrative Errors

An extended discount period will be allowed if Council has failed to correctly issue the rate notice in sufficient time to permit the ratepayer to make payment before the expiration of the discount period. The extended discount period will be equivalent to that period provided to other ratepayers and will commence from the date of the replacement notice.

Other Errors

Where there is an apparent accidental short payment of the rates resulting from a miscalculation of the net amount due on the part of the ratepayer, arising from the payment of a number of Rate Notices at one time (i.e. Addition error) OR the tendering of an incorrect amount for a single rate notice (i.e. Transposition error) then Discount will be allowed in the following manner:-

- (a) Where the amount of the error is \$10.00 or less - Full Discount will be allowed and the underpaid amount will be treated as 'Arrears of Rates' (interest will not be incurred).
- (b) Where the amount of the error is more than \$10.00 - The ratepayer will be advised in writing of the error and given 14 days to pay the shortfall. If the shortfall is paid by the extended due date, then full discount will be allowed and no interest charged.

The allowing of discount under these circumstances will **NOT** be allowed if any transposition error or addition error exceeds 10% of the total net rates payable.

Discount will not be allowed if payment is made by cheque and the cheque is subsequently dishonoured unless the rates are paid in full by alternate means within the discount period.

Discount will not be allowed where a rate or charge has been purposely excluded from the payment.

RELEVANT LAW

Local Government Act 2009

Local Government Regulation 2012 (LGR)

RELATED FORMS

Nil

APPROVAL

Council approved this policy on 27 June 2018.

REVIEW

This policy will be reviewed every two years by Corporate Services Manager, Corporate and Community and is due for review in July 2020.

REVISION HISTORY

Version	Meeting	Date	History
1	General Meeting	19/09/2014	New Policy
2	Special Budget Meeting	05/07/2017	Biennial Review
3	General Meeting	27/06/2018	Review