



Bayside Council

Serving Our Community

Rates & Sundry Charges Recovery Policy

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Rates & Sundry Charges Recovery Policy

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1 Introduction

Throughout the year Council issues:

- 1 notices for rates and charges; and
- 2 tax invoices for sundry fees & charges.

This Policy and the processes in place provide:

- guidance to Council staff in order to enable an effective and consistent approach,
- greater transparency.

2 Scope

This policy is used by Council staff to ensure an effective and consistent approach is followed when recovering rate notices and tax invoices issued by Council.

3 Policy Statement

3.1 Rates & Charges

Council Rates & Charges are levied on the 1 July each year. Council rates are due for payment by the 31 August each year. However, a ratepayer is allowed the option to pay the total annual amount by quarterly instalments due for payment on the 31 August, 30 November, 28 February and 31 May.

Furthermore:

- Should an instalment not be paid by the due date, only that instalment becomes recoverable.
- Council allows for an instalment to be paid within the following month before accruing interest charges.
- Any arrears of rates (other than those mentioned in item 2) are due and payable immediately and subject to interest charges until they have been paid. This requirement is irrespective of the due date printed on any subsequent notice issued to a ratepayer.
- For the purposes of this policy, a rate account will be considered to be in arrears when two (2) or more instalments remain unpaid, and the sum of these instalments is at least \$750.00 (being the cost effective amount to recover).
- Rate accounts that are in arrears and who have failed to make alternative arrangements to pay the overdue amount will be referred to an external Agency for recovery action to be commenced.
- Rate accounts will be referred at least two times per year – in September following the due date of the 1st instalment and then in March following the due date of the 3rd instalment.

3.2 Pensioner Ratepayers

For the purposes of this policy, a pensioner ratepayer is one who currently satisfies the requirements of section 575 of the Local Government Act 1993 and therefore receives a pension rebate on their rate account.

Pensioner ratepayers who are in arrears are not to be subject to recovery procedures of any nature except for the posting of reminder notices. However, any unpaid rate arrears are still subject to the applicable interest charges (unless relief is provided under a Council policy).

3.3 Sundry Accounts

This section applies to all invoices issued other than Rates Notices.

A sundry account is a tax invoice issued to recover a miscellaneous fees payable under Council's adopted Fees & Charges document. Any such invoice issued is due for payment within thirty (30) days of the date of the invoice.

A sundry account will be considered in arrears when it is more than 60 days overdue. Accounts that are in arrears and who have failed to make alternative arrangements to pay the overdue amount will be referred to an external Agency for recovery action to be commenced.

3.4 Legal Costs

The recovery of any costs incurred in taking any of the above actions is limited by the relevant sections of the Local Government Act 1993.

As legal action is only commenced after prior warning has been given to the debtor, any requests for legal costs to be waived are to be denied except in instances where Council has failed to update its database correctly following:

- 1 the receipt of a change of address notification from the debtor or an authorised agent acting on their behalf but only where such a request is recorded as being received by Council's electronic records system (i.e. the onus is on the debtor or their authorised agent to ensure that any such request is received by Council); **or**
- 2 the downloading of notice of transfer information from LPI NSW.

4 Document control

4.1 Review

This policy should be reviewed every three (3) years, or where changes made to the relevant sections of the Local Government Act require it.

The Manager Governance & Risk may approve non-significant and/or minor editorial amendments that does not change the policy substance.

4.2 Related documents

This document should be read in conjunction with:

- Local Government Act 1993

- Rating & Revenue Raising Manual – issued by the Office of Local Government
- Debt Management and Hardship Guidelines – issued by the Office of Local Government (November 2018)

4.3 Version history

This policy was based on a former Rockdale City Council policy last approved on 7 June 2016.

Version	Release Date	Author	Reason for Change
1.0	12/06/2019	Coordinator Rates & Revenue	Harmonised document from former Councils