



F.11 Rates and Utility Charges – Pensioner Rebate and Concession Policy

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1 OBJECTIVE

To establish guidelines to assess requests for rating and utility charge remissions in order to alleviate the impact of Local Government rates and charges for ratepayers who are in receipt of an approved Government pension.

2 SCOPE

This policy applies to any person seeking remissions for rating and/or utility charges.

3 STATEMENT

3.1 CONTEXT

Rate remissions will be considered for the following categories of ratepayers also noting that Council's prompt payment discount shall be calculated on gross rates prior to remission.

For the purpose of this scheme, the following definitions will apply: -

3.2 TENANCY

With the exception of life tenancies, tenancies of any other sort are not regarded as the type of tenure that would entitle the pensioner to the subsidy even though he/she might be responsible for the payment of rates and charges. Strict adherence to this principle is important to avoid breaking into areas, which are, or are very close to, normal lease or rental. (See note (b)).

3.3 RESIDENTIAL REQUIREMENTS

Recognising that many pensioners may reside some or all of the time in nursing homes, 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.

In cases where a pensioner owns a multi-unit property, which produces significant income and which is his/her principal place of residence, the applicant will qualify provided he/she qualifies in all other respects. The provision of a maximum subsidy has been included to prevent unduly large benefits in such cases.

3.4 TRUSTESHIPS

In the case of property held in trusteeship, the applicant, in order to be considered for eligibility, must be considered by Council to have legal responsibility for payment of all rates and charges levied in respect of the property, regardless of whether the applicant is the trustee or the beneficiary of the trust.

3.5 APPLICATION FOR RATE REMISSION

Applications for remissions will be considered at any time during the rating period (i.e. half year).

Applications must be made in writing using Council's approved form and a new application will need to be submitted where a change of address occurs.

3.6 PENSIONER REMISSION AMOUNT

Council's remission will be 50% on Council Rates and Charges (does not include the Queensland Government *Emergency Management Levy*) and to a maximum rebate of \$600.

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State subsidy of 20% of Rates and Charges to a maximum of \$200 or any other rate or amount set by the Queensland Government.

Note (a) In cases of co-ownership, the Council Subsidy will apply only to the approved pensioner's proportionate share of the gross rates and charges. For the purposes of determining proportionate share, Council shall have regard to conveyancing practice that requires the nature and extent of co-ownership to be recorded on the Transfer (Form 1) lodged with the Titles Office and the Property Transfer Information (Form 24) forwarded to Council for change of ownership and rates purposes.

Note (b) The criteria for determining Life Tenancy:

- the life tenancy must be created by a valid Will, which applies to the property in question, or by a Supreme or Family Court Order; and
- there must be no provision in the Will or Court Order which would relieve the life tenant of the obligation for the rates and charges levied in respect of the property.

4 HUMAN RIGHTS COMPATIBILITY STATEMENT

This Policy has been assessed as compatible with the Human Rights protected under the *Human Rights Act 2019*.

5 DEFINITIONS

Approved Pensioner

A Pensioner who:

- is the receipt of an Aged, Disability, Widow or Veterans Affairs pension; and
- is the registered owner or life tenant (either solely or jointly) of the property which is his/her principal place of residence (See note (a)); and
- the land must NOT be income producing.

Only one person in receipt of income to reside with the applicant; and has, either solely or jointly with a co-owner, the legal responsibility for the payment of rates and charges which are levied in respect of the said property by Quilpie Shire Council.

6 RELATED POLICIES | LEGISLATION | OTHER DOCUMENTS

Local Government Act 2009

Local Government Regulation 2012

IX #	Details
	F.04 Revenue Statement

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7 VERSION CONTROL

Version 1	20-Sep-11	Developed and adopted
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