

**1.0 INTRODUCTION**

1.1 To develop a policy for financial hardship.

**2.0 PURPOSE**

2.1 This policy is designed to formalise the procedures relating to cases of Financial Hardship.

**3.0 SCOPE**

3.1 Ratepayers and Debtors of Moree Plains Shire Council.

**4.0 POLICY STATEMENT****4.1 Responsibilities**

Revenue Accountant, Rates Officer & Debt Recovery Officer.

**4.2 Eligibility**

4.2.1 The criteria for financial hardship involves an inability of the ratepayer to pay their rates or charges, rather than an unwillingness to do so. Hardship may result from any of the following:

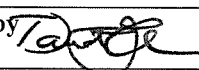
- 4.2.1.1 Loss of employment by principal ratepayer or key family provider;
- 4.2.1.2 Family breakdown;
- 4.2.1.3 Illness of the ratepayer, key family provider or immediate family member;
- 4.2.1.4 Death in the immediate family;
- 4.2.1.5 Loss of income due to natural disasters.
- 4.2.1.6 Implications associated with the Water Management Act 2000
- 4.2.1.6 Increase in rate burden as a result of a revaluation (section 601 LG Act).

**4.3 Concession Application**

4.3.1 To apply for the financial hardship concession the ratepayer must submit a signed and dated application (Attachment A) in writing to Council stating the nature of the hardship and the estimated time that the hardship will be experienced.

4.3.2 Evidence confirming the ratepayer's hardship status must accompany the application in one of the following forms:

- 4.3.2.1 Evidence in writing from third parties such as the ratepayer's bank or accountant;
- 4.3.2.2 Evidence in writing from a recognised financial counselor;
- 4.3.2.3 Statutory declaration from a person familiar with the ratepayer's circumstances who is qualified to provide Council with a clear unbiased assessment of the ratepayer's hardship status such as a carer or power of attorney.

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4.3.3 Council may request additional information to confirm the ratepayer's hardship status if deemed necessary.

#### 4.4 Concession Options

4.4.1 Once the ratepayer has submitted the application, the Revenue Accountant will make a recommendation to the General Manager regarding the actions it should take in relation to the particular hardship case. Available options are:-

- 4.4.1.1 Defer outstanding amounts for a set period of time;
- 4.4.1.2 Charge an interest rate of 0% on overdue amounts for a set period of time;
- 4.4.1.3 Arrange an appropriate payment schedule;
- 4.4.1.4 Any combination of the above.

4.4.2 In all cases a commitment to pay the outstanding amounts by the ratepayer must enter into the form of an arrangement or a commitment to commence an arrangement if the amount outstanding is deferred.

#### 4.5 Continuing Hardship

If the ratepayer continues to experience hardship after the concession period approved by the General Manager has expired then new application must be made by the ratepayer. In such circumstances evidence provided with the initial application may be used to confirm the ratepayer's hardship status, however, the General Manager may request additional information to confirm the ratepayer's hardship status if deemed necessary.

#### 4.6 Concession Withdrawal

4.6.1 The Financial Hardship Concession may be withdrawn for any of the following reasons:

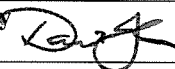
- 4.6.1.1 The ratepayer no longer owns the land;
- 4.6.1.2 The ratepayer advises Council that hardship no longer applies;
- 4.6.1.3 Defaulting on payment arrangement if an arrangement has been entered into;
- 4.6.1.4 Council receives new information that proves the hardship no longer exists.

4.6.2 The General Manager reserves the right to withdraw any Financial Hardship Concession. Written notification of the withdrawal must be sent within 7 days of the decision.

#### 5.0 Delegation

5.1.1 The General Manager is authorised under res: 05/04/19 sections 10 and 18 pursuant to Section 377 of the *Local Government Act 1993 NSW*, to grant extensions of time for payment of debtor accounts and make arrangements for the repayment of outstanding rates.

5.1.2 The General Manager is authorised under (resolution pending) pursuant to Section 377 of the *Local Government Act 1993 NSW*, to write-off and/or suspend interest on rates and charges in relation to matters of hardship as provided in this policy.

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5.1.3 The General Manager is authorised, pursuant to Section 377 of the *Local Government Act 1993 NSW*, to allow a matter that does not conform to a policy to proceed if the General Manager is of the opinion that the variation from the Policy is of a minor nature.

## 6.0 Dispute Procedure

6.1 In the event of a dispute over any aspect of this policy, immediate action will be taken to resolve the situation through effective and constructive consultation between the parties concerned. If a resolution cannot be reached, the services of a mediator will be requested to finalise the matter to the satisfaction of all parties concerned.

## 7.0 Review

7.1 This policy is to be reviewed on an annual basis from the date of its original adoption by Council.

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## HISTORY

Original Policy None

Policy reviewed and amendments made by: (Committee Name)  
On: (Date)

Policy reviewed and amendments made by: (Committee Name)  
On: (Date)

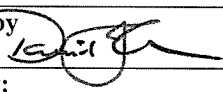
Adopted by Council on: 5 March 2009  
Resolution No: 09/03/12

This policy works in conjunction with the following policies:

- Nil

This policy supersedes the following policies:

- Nil

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