

Rating

Policy Owner: Corporate Services
Person Responsible: Executive Manager Corporate Services
Rates Officer
Date of Approval: 19 August 2009
Amended:

Objective

To provide guidelines for the collection of rates and to authorise the Chief Executive Officer to apply alternative instalment options, to appoint debt collection agencies and to comply with all other requirements of the **Local Government Act 1995**.

Policy

1. Rates Collection

A copy of the rate assessment marked “Final Notice” shall be issued approximately forty days after issue of the original assessment, allowing fourteen days for payment of the account.

If payment is not received after this time, the debt may be forwarded to the debt collection agency and a letter advising of impending legal action for recovery of outstanding rates and service charges shall be issued fifty nine (59) days after issue of the original assessment, allowing five (5) business days for payment.

Outstanding rate accounts for which satisfactory arrangements to pay have not been made within sixty days after issue of the original assessment, the debt collection agency appointed by the Chief Executive Officer will be advised to proceed with legal action.

Legal action to recover overdue rates is also subject to the Magistrates Court of WA legislation and procedures.

2. Alternative payment arrangements

The Shire of Chittering encourages ratepayers to contact the Rates Department if they are not able to pay their rates in full, or in instalments as set out on their original rate notice, in order to negotiate an acceptable payment arrangement.

Ratepayers can apply to the Shire for a payment arrangement. An **application form** is to be completed. The outstanding balance can be paid by making regular payments weekly, fortnight or monthly.

In order for The Shire to accept this arrangement, the regular payments must cover the amount of the rates and service charges levied for the year, including rates arrears by 31 May of the rating year. Other conditions may apply

Payment arrangements are subject to a “special arrangement fee”, plus late payment interest, as set by Council in its Annual Financial Budget; which will accrue over the arrangement period until paid in full.

Missed or late payments will result in this payment arrangement being cancelled, and further debt recovery action may be taken.

3. Where rates or service charges remain unpaid

Where rates remain outstanding, a caveat may be lodged to preclude dealings in respect of the land to protect Council’s interests.

Where previous actions to collect outstanding rates and service charges have not been successful and the rates and/or service charges remain unpaid for at least three years, Council in accordance with S6.64 of the Local Government Act 1995 may take possession of the land and hold the land as against a person having an estate or interest in the land and:

- a) from time to time lease the land; or
- b) sell the land; or
- c) cause the land to be transferred to the Crown; or
- d) cause the land to be transferred to the Shire of Chittering.

4. Pensioners and Seniors

Persons registered to receive a pensioner or senior rebate under the *Rate sand Charges (Rebates and Deferments) Act 1992* have until 30 June of the current financial and rating year to make payment.

Pensioners who hold only a partial ownership of their property or who hold only the WA Seniors card are not eligible to defer their rates and ESL.

Debt collection may commence where there is another ratepayer on the account who is not an eligible Pensioner or Senior and the account remains unpaid after the end of the financial year. Debt collection may commence against eligible Pensioners and Seniors if the rubbish and any other fees and charges remain unpaid for a period of two (2) years or more.

5. Rates Incentive Scheme – Terms & Conditions

- 5.1. Payment in full to be made by mail or electronic format (date of receipt at the Council Office is the date of payment), or in person at the Shire Offices, 6177 Great Northern Highway, Bindoon.
- 5.2. Payment in full is to be receipted at Council’s office on the due date stated on the front of the original rate notice.
- 5.3. No responsibility will be accepted for late service of any rate notice.
- 5.4. Only one entry per rate notice.
- 5.5. The winner will be determined by random selection.
- 5.6. The winner will be notified and published in the Northern Valleys News, Chatter, eChatter, Shire of Chittering Website and Facebook.
- 5.7. Decision of the Council is final and no correspondence will be entered into.

- 5.8. Once the prize has been collected by the winner, the Shire of Chittering accepts no responsibility for any costs or associated administration with the prize, including warranty.
- 5.9. All other costs and expenses and expenses associated with the prize, beyond the specified prize, will be the responsibility of the winner. The winner is not entitled to any compensation if they are unable to use all or any part of the prize for whatever reason.
- 5.10. If the prize, or any part of the prize, becomes available due to circumstances beyond the Shire of Chittering's control, then the Shire of Chittering may – at its absolute discretion – substitute a different prize in place of any prize as they see fit.