

Amendments to the Rates Remission and Postponement Policies

Decision-making, general conditions, definitions and administrative matters related to these policies

In clause 4:

In g) replace “Rates Policies 11 and 12” with “Rates Policy 11”.

Add “h) Applications under Rates Policy 12 may be received at any time and be applied at any time during the rating year”

Rates Policy 12: Voluntary targeted rate

Sections 85 and 87 of the Local Government (Rating) Act 2002; regulation 18 Credit Contracts and Consumer Finance Regulations 2004

Objectives of the policy

The objectives of this policy to provide specific remission and postponement criteria for any voluntary targeted rate scheme offered, and in particular:

- To provide a remission of remaining rates of a voluntary targeted rate where the ratepayer has repaid the outstanding balance, and
- To provide a postponement of remaining rates of a voluntary targeted where the ratepayer’s ability to pay their rates is impaired because they are in financial difficulty

A: Remission of outstanding rates upon full repayment

Conditions and criteria

1. Where a ratepayer repays the total outstanding balance of their loan being repaid via a voluntary targeted rate, all further payments of that voluntary targeted rate shall be remitted.
2. The total outstanding balance being paid to be eligible for this remission shall be adjusted in accordance with the payable interest as of the time of repayment.

B: Postponement of voluntary targeted rate for financial difficulty

Conditions and criteria

1. A ratepayer with a voluntary targeted rate on their property may apply to Council to postpone that voluntary targeted rate where the ratepayer's ability to pay their rates is impaired because they are in financial difficulty.
2. When considering whether financial difficulty exists, all of the ratepayer's personal circumstances will be relevant including, but not limited to, the following factors: age, physical or mental disability, injury, illness and family circumstances.
3. Council must be satisfied that the ratepayer's ability to pay their rates is impaired because they are in financial difficulty. Evidence of financial circumstances resulting in this impairment must be provided by the applicant.
4. The Council will only postpone the voluntary targeted rate under this Policy. All other rates shall continue to be charged to the ratepayer.
See Rates Policy 3 for when Council may postpone all rates for ratepayers under extreme financial hardship.
5. Conditions of the postponement under this Policy are:
 - a. The ratepayer must agree to pay all other rates by direct debit for the term of the postponement,
 - b. The ratepayer must notify the Council if their financial circumstances materially improve such their ability to pay their rates is no longer impaired because they are in financial difficulty, and
 - c. The ratepayer is no longer eligible for any further voluntary targeted rate scheme loans from Council in the future.
6. The voluntary targeted rate shall be postponed for an agreed time of no more than three years.
7. At the end of the agreed period, or if the conditions of the postponement are breached, or the ratepayer notifies Council that the financial impairment is no longer in place, the ratepayer shall restart repayment (with the repayment term adjusted in accordance with term of the postponement) unless the ratepayer otherwise seeks and receives Council's agreement to postponement of all rates in accordance with Rates Policy 3.

8. The Council shall add a postponement fee to the postponed rates for the period between the due date and the date they are paid. This fee will not exceed an amount which covers the Council's administration and financial costs of the postponement.
9. A rating charge will be registered on the certificate of title. The postponed rates will remain as a charge against the property until the loan is repaid.
10. All postponed rates must be paid in full if the property is sold during the postponement period or the extended repayment period following postponement.
11. For the avoidance of doubt, any postponement of rates under Rates Policy 3 shall include the postponement of any voluntary targeted rates.