



Name	FIN06 Rates Concession
Policy Type	Council
Responsible Officer	Chief Executive Officer
Approval Date	16/08/2022
Review Date	15/08/2026

1. Purpose

Litchfield Council is committed to transparent and accountable decision making. As per the Local Government Act, Council has the ability to provide a concession for rates and/or remission of interest accrued on overdue rates.

This policy outlines the process for application and consideration of rate concessions other than rate concessions stipulated by the Northern Territory Government.

2. Scope

Policies of Litchfield Council are guided by principles of sustainability, good governance, advocacy, regulation and service provision. Council is also committed to providing a transparent, impartial and consistent process of recognition and consideration of applications for rate concessions and/or remission of interest accrued.

3. Definitions

For the purposes of this Policy, the following definitions apply:

Term	Definition
Rate concession	A rate concession can be a deferment of payment and/or waiver of rates and/or waiver of legal fees and/or remission of interest accrued on overdue rates. Rate concessions can be granted as a singular concession or as a recurring concession. The rate payer applying for a rate concession is to identify the scope of the concession in the application.
Ratepayer	Is the registered owner of the property. Applications of third parties, other than the ratepayer, require written approval from the property owner.
Deferment	A deferment of payment can be provided in whole or in part and can be for a specified period and subject to any conditions determined.
Waiver	A waiver removes the liability to pay and may be offered to include the whole or part of rates and/or legal charges.

Relevant interest rate	The relevant interest rate is a rate of interest fixed by Council as the relevant interest rate and outlined in the Fees and Charges in line with the Local Government Act.
Remission	A remission of interest is a waiver of interest wholly or in part as per Local Government Act.
Financial Hardship	Financial hardship is defined as a situation where a customer is found to be unable, because of illness, unemployment or other reasonable cause, to discharge their financial obligations towards Litchfield Council. Financial hardship is of a long-term duration. Financial hardship basically involves an inability of the rate payer to pay rates, rather than an unwillingness to do so. Financial hardship shall be proven by providing evidence from an approved Financial Counsellor of such circumstances. Ratepayers must enter into a feasible payment schedule and maintain such agreement. Such payment schedule shall not result in the debt growing larger.
Temporary Hardship	Temporary Hardship is a situation where a customer is experiencing temporary payment difficulties through a natural disaster or a public health emergency. Temporary hardship needs to be proven by providing evidence of government subsidies received or other relevant evidence.
Public Benefit Concessions	<p>As per the Local Government Act, Council may grant a rate concession if satisfied that the concession will advance one or more of the following purposes:</p> <ul style="list-style-type: none"> a) Securing the proper development of its area b) Preserving buildings or places of historical interest c) Protecting the environment d) Encouraging cultural activities e) Promoting community health or welfare f) Encouraging agriculture g) Providing recreation or amusement for the public

4. Policy Statement

4.1. Remission of Interest accrued on overdue rates

- 4.1.1 As per the Local Government Act, Council charges a relevant interest rate on a daily basis on overdue rates. The complete annual rates fall overdue if an instalment date is not met.
- 4.1.2 Ratepayers can request a remission of interest. Council officers under delegation can consider applications for remission of interest for reasons that fall under the following two categories:
 - 4.1.2.1 Administrative reasons, error or omissions which caused or significantly contributed to the failure to pay rates in a timely manner; or
 - 4.1.2.2 Proven Financial Hardship or temporary hardship.
- 4.1.3 All applications need to be made in writing to Council and be supported by requested evidence.

4.2. Deferment of Rates

- 4.2.1. As per the Local Government Act, a rate concession can be a deferment in whole or part of an obligation to pay rates or a component of rates.
- 4.2.2. Ratepayers may have rates and charges or a part thereof postponed, although rates and charges will continue to be levied subject to compliance with the following conditions:
 - 4.2.2.1 The ratepayer must be experiencing financial or temporary hardship.
 - 4.2.2.2 An application in writing must be submitted to Council.
 - 4.2.2.3 The postponement can be on a fixed or on an ongoing basis until the property is disposed of or sold.
- 4.2.3. Interest on postponed rates will be levied, unless an application for remission under 4.1 has been approved.

4.3. Waiving of Rates, Charges or Legal Fees

- 4.3.1 As per the Local Government Act, a rate concession can be a waiver in whole or part of rates or a component of rate.
- 4.3.2 Council may grant a rate concession unconditionally or on conditions determined by the Council. If the ratepayer fails to comply with a condition, the Council may by notice to the ratepayer withdraw the concession and require the ratepayer to pay an amount, on or before a date specified in the notice, to neutralise any benefit to the ratepayer of the rate concession.

4.3.3 Any waiver of rates, charges or legal fees of the current financial year shall be determined by the Chief Executive Officer or delegate. Waivers for rates, charges or legal fees of prior years will be presented to Council for consideration in a confidential report. Applications are to be submitted in writing.

4.3.4 Any waiver is a one-off waiver in response to circumstances presented at the time. Waivers can be requested for any of the following reasons:

4.3.4.1 Financial Hardship

4.3.4.2 Temporary Hardship;

4.3.4.3 Correction of anomalies in the operating of the rating system as prescribed under the Local Government Act; or

4.3.4.4 Administrative reasons, error or omissions

4.4. Public Benefit Concessions

4.4.1 Council may grant a rate concession if satisfied that the concession will advance one or more of the following purposes:

4.4.1.1 Securing the proper development of its area

4.4.1.2 Preserving buildings or places of historical interest

4.4.1.3 Protecting the environment

4.4.1.4 Encouraging cultural activities

4.4.1.5 Promoting community health or welfare

4.4.1.6 Encouraging agriculture

4.4.1.7 Providing recreation or amusement for the public.

4.4.2 Any rate concession under 4.4 shall be presented to Council for consideration in a report. An application for a rate concession requires a written submission.

4.5. Confidentiality

4.5.1 Any information provided will be treated as strictly confidential. Information will be securely retained by Council officers.

5. Associated Documents

Litchfield Council FIN02 Rating Policy

6. References and Legislation

Northern Territory Local Government Act 2019

Northern Territory Local Government (General) Regulations 2021

Ministerial Guidelines

By-laws

Fines and Penalties (Recovery) Act 2001

Goods and Services Tax Act 1999

7. Review History

Date Reviewed	Description of changes (Inc Decision No. if applicable)
18/10/2017	Policy review new Council
17/09/2015	Policy adopted by Council
15/04/2020	Adjustments to cater for public health emergency related concession applications and Local Government Act
09/05/2021	Minor administrative changes made, including formatting and new regulation titles. Policy review date to remain the same.
16/08/2022	Minor administrative changes made, including formatting and new regulation titles. Policy review date changed to 2026.