

1 Policy History

Revision No.	Council Meeting Date	Minute No.	Adoption Date
1	Before 24/04/1990	-	Before 24/04/1990
2	14/01/2003	25	14/01/2003
3	14/03/2006	92	14/03/2006
4	11/05/2010	0142	11/05/2010
5	24/08/2010	0294	24/08/2010
6	27/01/2015	15/005	27/01/2015
7	13/02/2018	18/046	16/03/2018
8	14/06/2022	22/151	15/07/2022

2 Policy Objective

To provide eligible pensioners with the Statutory Pensioner Concession relating to rates and charges as specified in Section 575 of the Local Government Act 1993

3 Policy Statement

- 3.1 Pensioners requesting a rebate are required to submit an application on the prescribed form and the production of a current Pension Concession Card as sufficient evidence to calculate the amount of the rate reduction allowed under the Act.
- 3.2 Validation of eligible pensioner reference card holders will be carried out at least annually in conjunction with Centrelink and the Department of Veteran Affairs.
- 3.3 The amount of a pensioner concession is to be granted as listed in Section 575 (3) of the Local Government Act. The maximum amounts of pensioner rebates allowed are adjusted downwards proportionally subject to whether the person making the application is solely liable or jointly liable with eligible dwelling occupiers.
- 3.4 Persons who become or cease to become pensioners during the year will receive a pension concession proportionate on the number of full quarters in which they are an eligible pensioner.
- 3.5 The component of the pension rebate granted to Water & Sewer Billing accounts will be limited to the billing period in which the application is submitted.
- 3.6 Retrospective concessions shall not be granted, the concession is for the current financial year only. It is the sole responsibility of the eligible Pensioner to apply for the concession upon receipt of their Concession Card. Council clearly displays information on the reverse side of its Annual and Instalment notices that concessions are available to eligible Pensioners.

- 3.7 As provided by Section 577 of the Local Government Act 1993, Council will grant a rate concession where an eligible pensioner, not the owner of a property, has life interest in the property. This must be the pensioner's sole principal place of living and they must be solely or jointly liable with one or more persons for rates and charges levied. Council will require a signed statutory declaration and also written documentation that a life tenancy agreement is in place.
- 3.8 Council receives a Pension Concession Subsidy of 55% of all concessions granted for a rating year. The subsidy represents both State and Commonwealth funding. Council funds the balance of 45% of the pension concession granted.
- 3.9 Council is required to submit an independent Audit Certificate prepared by Council's auditor to the Division of Local Government on an annual basis when applying for payment of Pensioner Concession Subsidy.
- 3.10 Council reserves the right to vary the terms and conditions of this policy, subject to a report to Council.

4 Definitions

Entitlement to Statutory Pensioner Concession

The Local Government Act 1993 Division 1 Part 8 of Chapter 15 provides concessions for eligible pensioners.

Entitlement is granted under section 575 of the Local Government Act 1993 which provides that if an eligible pensioner is the person solely liable, or a person jointly liable with one or more other persons, for a rate or charge levied on land on which a dwelling is situated, the rate or charge is, on application to the council and on production to the council of evidence sufficient to enable it to calculate the amount of reduction, to be reduced in accordance with this section.

Section 134 of the Local Government (General) Regulation 2005 defines eligible pensioners as:

- a) *persons who receive a pension, benefit or allowance under Chapter 2 of the Social Security Act 1991 of the Commonwealth, or a service pension under Part III of the Veterans' Entitlements Act 1986 of the Commonwealth, and who are entitled to a pensioner concession card issued by or on behalf of the Commonwealth Government,*
- b) *persons who receive a pension from the Commonwealth Department of Veterans' Affairs as:*
 - I. *a war widow or war widower within the meaning of the Veterans' Entitlements Act 1986 of the Commonwealth, or*
 - II. *the unmarried mother of a deceased unmarried member of the Australian Defence or Peacekeeping Forces, or*

III. *the widowed mother of a deceased unmarried member of the Australian Defence or Peacekeeping Forces, and do not have income and assets that would prevent them from being granted a pensioner concession card (assuming they were eligible for such a card),*

- b1) *persons who have received a lump sum mentioned in section 234 (1) (b) of the Military Rehabilitation and Compensation Act 2004 of the Commonwealth or are receiving a weekly amount mentioned in that paragraph, and do not have income and assets that would prevent them from being granted a pensioner concession card (assuming they were eligible for such a card),*
- c) *persons who receive a general rate of pension adjusted for extreme disablement under section 22 (4) of the Veterans' Entitlements Act 1986 of the Commonwealth, or a special rate of pension under section 24 of that Act,*
- d) *persons who receive, or who at some point in their life have been eligible for, a Special Rate Disability Pension under the Military Rehabilitation and Compensation Act 2004 of the Commonwealth.*

5 Exceptions

None

6 Legislation

Local Government Act 1993
Local Government (General) Regulation 2021

7 Related Documents

Pension Concession Application Form

8 Directorate

Business Cultural & Financial Services