

COUNCIL POLICY – COVID-19 Financial Hardship Policy	
Reference Number	704117
Responsible Business Unit	Finance
Responsible Officer	General Manager Corporate Services
Legislation	Local Government Act 1999 South Australian COVID-19 Emergency Response Act 2020. Local Government General Regulations 1999 Local Government Financial Management Regulations 2011 Local Government Finance Authority Act 1983 Rates and Land Tax Remissions Act 1986 As found on Legislative Register Reference Number 792726 National Cabinet Mandatory Code of Conduct—SME Commercial Leasing Principles During COVID-19
Relevant Delegations	Chief Executive Officer General Manager Corporate Services
Related Policies Management Guidelines Frameworks	Financial Sustainability Policy Rating Policy Rates Debt Recovery Policy Debt Recovery Policy Rates Senior Postponement Policy Rate Debt Recovery Management Guideline Rates Financial Hardship Management Guideline Privacy Policy
Link to Strategic Plan	5.4 – Transparent
Council resolution	100.6
Date Adopted	9 June 2020
Review Date	7 December 2020
Previous Revisions	Formerly Rates Financial Hardship Policy 14 August 2017, item 137.1 September 2015, item 220.1 September 2014, item 122.9
POLICY STATEMENT	

This policy is to assist customers of the Rural City of Murray Bridge who are experiencing temporary financial hardship, due to impacts of COVID-19, and provides flexibility for eligible ratepayers, lessees and licensees.

To ensure that all applications for the postponement of rates, lease or license payments due to COVID-19 financial hardship are considered in an equal and fair manner as per the provisions set out under section 182 of the Local Government Act 1999 and the South Australian COVID-19 Emergency Response Act 2020.

OBJECTIVES

Local Government is an essential service provider to the broader South Australian community. The Rural City of Murray Bridge is committed to providing ongoing services to the community and assisting the community who may be impacted by COVID-19 resulting in temporary financial hardship.

Section 192 of the Local Government Act 1999 allows that postponement of rates may be considered if Council is satisfied that the payment of rates would cause extreme hardship. This Policy extends the provisions in section 192 of the Local Government Act to lessees and/or licenses who meet Council's assessment criteria.

SCOPE

This policy is set to establish the guidelines for the assessment of financial hardship applications that applies to ratepayers, lessees or licensees who are experiencing temporary financial hardship due to impacts of COVID-19m (where the criteria contained in this policy are met.)

This policy does not address customers who may believe that the property valuation is incorrect, which are addressed via the objection process with the State Valuation Office.

This policy does not relate to Seniors postponement of rates, only to applications from the principal ratepayer, lessee or licensee who has requested consideration relating to financial hardship and only after all other options of payment consideration have been explored.

This policy is intended to temporarily supersede Council's Rates Financial Hardship Policy due to the COVID-19 pandemic. The policy will be reviewed for its consistency and currency in relation to the South Australian Legislation, community need and external circumstances.

PRINCIPLES

As a Council:

- We are committed to continuing delivery of ongoing services to the community through rates income and fee based charges, while ensuring targeted relief to those in greatest need.
- Taking a customer centric approach undertaking a case by case assessment of circumstances, taking account of available Commonwealth and State support programs and Commercial Lease Mandatory Code of Conduct.
- When considering the individual circumstances providing the following relief options
 - Payment arrangements considered as a first option
 - Deferment or postponement
 - Waving of interest or fines
 - Waiving of lease/license fees where appropriate
 - Extension of leases/licenses where appropriate
- We are committed to being open and transparent with the public display and availability of our financial hardship assistance process.

- We are committed to providing regular, consistent and proactive communications and messaging on the options available to customers in financial stress. This could include the provision of information on such things as:
 - Payment options available to customers, including monthly payments and direct debit options; and
 - The level and availability of concessions (where applicable) and the steps to apply for and retain them.
- We are committed to using clear and easy to understand language free of technical jargon when we are working with people under financial stress.
- We are committed to treating customers in financial stress with respect and compassion.
- We are committed to providing support to people to help them maintain control over their financial situation for the mutual benefit of both parties.
- We are committed to investigating the potential for new and innovative products within Council that might assist people in meeting their financial commitments.

Principal ratepayers, lessees or licensees may be eligible for financial hardship consideration relating to the payment of rates where:

- They are unable to pay rates, fees/charges and any accrued fines and interest when due for reasons beyond their control
- There is a gap with other support packages available through other levels of government
- Payment of rates, fees and charges when due, would cause extreme hardship for the principal ratepayer

Assessment criteria for COVID-19 financial hardship consideration will be, but not limited to, the following:

- State and Federal Government support packages and grants available
- Commercial Leases Mandatory Code of Conduct requirements
- Income from all sources
- Living and/or general expenses
- Reasons for financial hardship
- Compliance with any previous periodic payment arrangements

Postponement of rates longer than 3 years will be reviewed under Council's Rates Debt Recovery Policy.

IMPLEMENTATION

Ratepayers, lessees or licensees may apply for postponement of rates, fees and charges where their financial circumstances do not allow them the means to meet their financial liability when due.

All financial hardship applications must be in writing on Council's COVID-19 Financial Hardship Application form and will only be legitimate after written confirmation of approval is provided by Council.

All financial hardship application requests will be treated in confidence in accordance with Council's Privacy Policy.

Applications for financial hardship are required to be supported by documentation with evidence of financial hardship.

Information regarding payment arrangement plans and progress payments of overdue accounts will be made available to the ratepayer, lessee and licensee upon written application.

Council may at its discretion remit penalties and related expenses for late payment of rates, fees and charges where genuine financial hardship can be substantiated.

DEFINITIONS

"Default" means where a Council approved payment arrangement is in place and payments are not made as agreed by the principal ratepayer, lessee or licensee.

"Financial Hardship" means a circumstance of experiencing a lack of financial means, which may be either ongoing or temporary, but does not include circumstances where a person chooses not to meet a liability for an unpaid debt.

"Payment arrangements" means where the principal ratepayer, lessee or licensee forwards a written proposal for alternative arrangements for payment of rates to the instalment of rates defined on the rates notices for the financial year and Council provides written approval of the proposal.

"Principal ratepayer" means the nominated person, organisation or other party that is responsible for ensuring rates are paid and accurate contact details are provided for the rateable property.

"Lessee" means the nominated person, organisation or party who is responsible for ensuring payments and conditions of a lease agreement with Council are paid and met.

"Licensee" means the nominated person, organisation or party who is responsible for ensuring payments and conditions of a license agreement with Council are paid and met.