

POLICY		Responsible Department	Corporate Services
		Original Adoption Date	16.09.2005
		Current Adoption Date	28.02.2024
		Audit Committee Review Date	16.02.2024
		Date of Next Review	28.02.2027

RATE DEBT RECOVERY	
Latest Review Changes	Updated format, Content revised
Previous Council Reviews	19.11.12, 27.09.17, 19.06.19, 28.02.24
Previous Audit Committee Reviews	04.06.18

Applicable Legislation

Local Government Act 1999 ("the LG Act") Roxby Downs (Indenture Ratification) Act 1982 ("the Indenture")

Related Policies

Bad Debt Policy Customer Complaints Policy Municipal Rating Policy Rates Hardship Policy

Related Procedures

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Reference Documents

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1. INTRODUCTION

The *Local Government Act 1999* (Act) describes the general principles for payment, remission, postponement, and non-payment of rates.

2. POLICY OBJECTIVES

This policy outlines the circumstances under which debt collection will commence and continue through to sale of land for the recovery of unpaid rates. The policy ensures that there is a fair, equitable and consistent approach to Council's debt management and collection processes.

3. POLICY STATEMENTS

Rates instalment notices are issued between 30 and 60 days before the instalment due date in accordance with Section 181 of the *Local Government Act 1999*. Rates instalment notices include the billing of General rates, Regional Landscape Levy, and Service charges for Water access and Effluent (sewerage) access.

The following debt collection practices will be applied to rates in arrears without any payment plan in place:

- 1) Where the rates fall overdue after a quarterly rates instalment due date, an overdue letter is sent to the principal ratepayer requesting payment within 10 days or to contact Council to enter a payment plan.
- 2) After the overdue letter has been sent, and no payment has been received, a final notice will be sent requesting payment within 5 days.
- 3) Where no response is received and rates in arrears is the equivalent of two quarterly rates instalments, the outstanding debt will be forwarded to the Council's debt recovery agency for further action.
- 4) Where no payment is received, and rates in arrears are greater than the past three years rates. Council will start proceeding with Section 184 of the *Local Government Act 1999* the sale of property. The process of selling property for unpaid rates will be completed by Council's revenue team and debt collection agency lawyers.

Late payment penalties in the form of monthly interest and quarterly fines will be applied to overdue rates, in accordance with Section 181(8) of the *Local Government Act 1999*.

4. REVIEW AND EVALUATION

The effectiveness of this policy will be reviewed no less than once every 3 years.

5. AVAILABILITY OF POLICY

This Policy will be available for inspection at the Council office at 6 Richardson Place, Roxby Downs during ordinary business hours and is available to be downloaded, free of charge, from Council's website: www.roxbydowns.com.au.