



# Victoria Government Gazette

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## State Concessions Act 2004

### CONCESSION (LOCAL GOVERNMENT) ORDER 2012 (NO. 2)

I, Mary Wooldridge, Minister for Community Services, make the following Order:

Dated 20 July 2012

HON MARY WOOLDRIDGE MP  
Minister for Community Services

#### PART 1 – INTRODUCTORY

1. **Objective**

The objective of this Order is to determine concessions available in relation to municipal rates and charges.

2. **Authorising provision**

This Order is made under section 5 of the **State Concessions Act 2004**.

3. **Commencement**

This Order takes effect on the date that it is published in the Government Gazette.

4. **Revocation of Concession (Local Government) Order 2012**

The Concession (Local Government) Order 2012 is revoked.

5. **Definitions**

In this Order –

**annual cap**, in relation to the municipal rates and charges concession community service benefit in respect of a financial year, means \$198 or, if that amount has been increased in accordance with clause 6, that amount as last so increased;

**domestic partner** of a person means a person with whom the person is in a domestic relationship that is –

- (a) a domestic relationship that is registered under the **Relationships Act 2008**; or
- (b) a relationship between two persons who are not married to each other but who are living together as a couple on a genuine domestic basis (irrespective of gender);

**eligible recipient** has the same meaning as in the **State Concessions Act 2004**;

**Gold Card** has the same meaning as in the definition of eligible pensioner or eligible recipient in the Act;

**municipal council** means a council within the meaning of the **Local Government Act 1989**;

**pensioner concession card** has the same meaning as in the definition of eligible pensioner in the Act;

**rateable land** has the same meaning as in section 154 of the **Local Government Act 1989**;

**rate notice** means an invoice issued by a municipal council to a person in respect of rateable land;

**ratepayer** means a person named on a rate notice issued by a municipal council in respect of the person's principal place of residence;

**rates and charges** means rates and charges declared by a municipal council under section 155 of the **Local Government Act 1989** and interest payable on such rates and charges payable under section 172 of that Act;

**the Act** means the **State Concessions Act 2004**.

**SPECIAL**

**6. Indexation**

- (1) The annual cap must be increased by 2.5% in respect of –
  - (a) the financial year beginning on 1 July 2013; and
  - (b) each succeeding financial year beginning on 1 July.
- (2) If the annual cap as increased in accordance with subclause (1) includes a fraction of a dollar, the annual cap, as so increased, is deemed to have been calculated to the nearest whole dollar.

**PART 2 – COMMUNITY SERVICE CONCESSIONS****7. Municipal rates and charges concession community service benefit**

- (1) Subject to subclause (3), the municipal rates and charges concession community service benefit is a reduction in the amount of rates and charges in a rate notice issued to a person or persons calculated –
  - (a) if the rate notice is issued –
    - (i) to one person only and that person is an eligible recipient; or
    - (ii) to 2 or more persons, each of whom is an eligible recipient or one of whom is an eligible recipient and the other person is the domestic partner of the eligible recipient –

in accordance with the formula –

$$A = 50\% \times B$$

where –

A is the amount of the benefit in dollars;

B is the amount of the rates and charges payable under the rate notice;
  - (b) if the rate notice is issued to an eligible recipient, or an eligible recipient and the domestic partner of that eligible recipient, and to other persons –

in accordance with the formula –

$$A = \frac{50\% \times B}{C}$$

where –

A is the amount of the benefit in dollars;

B is the amount of the rates and charges payable under the rate notice;

C is the number of persons (not including a domestic partner of an eligible recipient) to whom the rate notice is issued.
- (2) The municipal rates and charges concession community service benefit is provided to an eligible recipient in respect of the amount payable under a rate notice if –
  - (a) the eligible recipient is the holder of a pensioner concession card or Gold Card as at the date of the rate notice; and
  - (b) the eligible recipient claims the benefit on or before the day on which the amount payable, or an instalment of the amount payable, is due; and
  - (c) when the eligible recipient pays the amount due under the rate notice, the municipal council or an officer of the municipal council –
    - (i) if the payment is made in person, sights the eligible recipient's current pensioner concession card or Gold Card by reason of which he or she is an eligible person; or
    - (ii) if the payment is made by telephone, records the type, number and code of the current pensioner concession card or Gold Card quoted by the eligible recipient; or

- (iii) if the payment is an internet payment, checks that the details of the type, number and code of the eligible recipient's current pensioner concession card or Gold Card are included.
  - (3) The amount of the municipal rates and charges concession community service benefit provided to a person in respect of a financial year must not exceed the annual cap for that year.
  - (4) A person who;
    - (a) receives a rates notice dated between 1 July 2012 and the day before the date that this Order commences, as specified in section 3; and
    - (b) was an eligible person under the Concession (Local Government) Order 2012 as at the date of that rate notice; and
    - (c) is not an eligible recipient under this Order as at the date that that person claims the benefit or otherwise pays the amount due under the rate notice –is not entitled to receive the municipal rates and charges concession community service benefit in respect of that rates notice.
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