

<b>POLICY</b>		Responsible Department	Executive
		Original Adoption Date	24.02.2011
		<b>Current Adoption Date</b>	<b>31.08.2022</b>
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## ELECTRICITY, WATER & RATES PAYMENTS POLICY

<b>Latest Review Changes</b>	<p>Minor formatting and editorial changes.</p> <p>Removal of reference to auto pay and direct debit from a credit card throughout the document.</p> <p>Removal of “<i>Monthly/Quarterly</i>” as a payment option Section 4. <b>ELECTRICITY 4.2 - “Discretionary Option - Payment under which a customer pays in advance towards future accounts”</b> &amp; Section 5. <b>WATER &amp; SEWERAGE 5.2 – “Discretionary Option - Payment under which a customer pays in advance towards future accounts.”</b></p> <p>Removal of Section 6. <b>RATES 6.2 “Discretionary Option - Payment arrangements under which a customer pays instalments over a specified period.”</b></p>
<b>Previous Council Reviews</b>	24.02.11, 24.02.12, 30.05.13, 23.06.16

### Applicable Legislation

Essential Services Commission of South Australia (ESCOSA) Pricing Principles  
*Local Government Act 1999*  
 National Energy Retail Law (South Australia) Act 2011  
*Ombudsman Act 1972*  
 Office of the Technical Regulator (OTR)  
*Roxby Downs (Indenture Ratification) Act 1982*  
 Water Industry Act 2012

### Related Policies

Rate Debt Recovery Policy  
 Roxby Council Municipal Rates Hardship Policy  
 Roxby Power Hardship Policy  
 Roxby Power Supply Terms and Conditions  
 Roxby Water Hardship Policy  
 Roxby Water Supply Terms and Conditions

### Related Procedures

Bad Debt Policy, Electricity Bond Policy

### Reference Documents

Reference to the Strategic Plan 2021-25: ES2, IES1, IES2

## Contents

<b>1. INTRODUCTION</b>	<b>3</b>
<b>2. PAYMENT ALTERNATIVES</b>	<b>3</b>
2.1. Payment Options	3
2.2. Payment Arrangements	3
<b>3. PAYMENT METHODS</b>	<b>3</b>
3.1. Default Options	3
3.2. Discretionary Options	3
<b>4. ELECTRICITY</b>	<b>4</b>
4.1. Default Option - Quarterly billing in arrears	4
4.2. Discretionary Option - Payment under which a customer pays in advance towards future accounts	4
4.3. Payment Arrangements	4
<b>5. WATER &amp; SEWERAGE</b>	<b>4</b>
5.1. Default Option - Quarterly billing in arrears	4
5.2. Discretionary Option - Payment under which a customer pays in advance towards future accounts	5
5.3. Payment Arrangements	5
<b>6. RATES</b>	<b>5</b>
6.1. Default Option – Payment in Full or Quarterly Rates Billing	5
6.2. Payment Arrangements	5
<b>7. DISPUTE HANDLING</b>	<b>6</b>
<b>8. REVIEW</b>	<b>6</b>
<b>9. AVAILABILITY</b>	<b>6</b>

## 1. INTRODUCTION

The purpose of this policy and procedures is to outline the various legislative requirements and policy provisions that relate to the payments of accounts for the provision of electricity supply (Roxby Power) water & sewerage services (Roxby Water) and municipal rates (Council)

Each aspect has different legislative requirements, and this policy provides appropriate guidance so as to create and understanding for relevant officers, consumers and public

## 2. PAYMENT ALTERNATIVES

Council has a range of alternative methods for customers to pay accounts, but each can vary slightly according to the relevant legislative controls. Broadly speaking they are classified as follows:

### 2.1. Payment Options

Payment Options for consumers to pay regular accounts and should not be confused with arrangements that may be required to pay any outstanding arrears above a normal billing. These options are defined as what is acceptable to the Council as the minimum terms of payment and should be advertised as such in all communications.

### 2.2. Payment options can be by either as;

- i. Default option as laid down in the relevant legislation.
- ii. Discretionary option which Council is prepared to offer to assist customers generally. Any such discretionary option must be under the terms and conditions as determined by Council. Should a customer fail to agree to that laid down by Council then the default option applies

### 2.3. Payment Arrangements

Payment Arrangements refers to a situation where a customer pays amounts relating for outstanding arrears above a normal billing. Payment arrangements can be individually tailored to suit individual circumstances. As such they are usually for a specified period. They can be voluntary or as a result of debt recovery action.

## 3. PAYMENT METHODS

Acceptable payment methods are outlined as follows:

### 3.1. Default Options

- In person by cash, cheque, EFTPOS, MasterCard or Visa at the Council Office Richardson Place Roxby Downs during business opening hours only. Payments will not be received outside of these times.
- Post - cheques to be mailed to Roxby Council, PO Box 124, Roxby Downs SA 5725.
- Online Payments via direct payment into Roxby Council's Bank Account.

Confirmation of payment must be forwarded to [roxby@roxbycouncil.com.au](mailto:roxby@roxbycouncil.com.au) with the account reference number clearly visible.

- Payment over the phone with credit card by contacting the Council Office phone 08 8671 0010
- BPay through participating banks.

### 3.2. Discretionary Options

Direct Debit (monthly/quarterly) whereby by agreement Council directly debits an account holder's nominated bank account. The terms of any such agreement are established by Council. It is the customer's responsibility to ensure that there are sufficient funds in the account to meet the agreed payment plan. Should the customer default then Council may rescind the payment arrangement whereby payments revert to the default option (only available to Electricity and Water customers).

## 4. ELECTRICITY

Council's electricity Business Unit Roxby Power operates in accordance with an electricity retailer and distribution licence issued by the Essential Services Commission. The following payment options are offered.

### 4.1. Default Option - Quarterly billing in arrears

In this instance power meters are read quarterly, and the customer sent an account for payment in full by a specified date. If the account is not paid by the due date a reminder notice is sent with a late fee attached. Should the account remain unpaid by the new specified date than a disconnection pending notice is sent by registered mail. If payment in full is not received, then the properties power is disconnected. Additional fees and charges apply for reconnection

### 4.2. Discretionary Option - Payment under which a customer pays in advance towards future accounts.

In this instance an automatic direct debit from a nominated bank account payment is made. Customers must complete a formal agreement, which details the amount that Council deems satisfactory to be paid. This will typically be determined from examination of the history of electricity consumption at the premises. Under this option, Late Fees are not applied unless the customer defaults in payment.

Repayment options offered are as follows:

- Payments in full when the quarterly accounts are due
- Monthly payments with any residual to be paid at the end of the quarter

### 4.3. Payment Arrangements

Payment Arrangements for outstanding arrears above a normal billing can be individually tailored to suit individual circumstances. As such they are usually for a specified period. They can be voluntary or as a result of debt recovery action.

## 5. WATER & SEWERAGE

Council's water and sewerage Business Unit Roxby Water operates in accordance with provisions as determined by Council pursuant to the Roxby Downs (Indenture Ratification) Act 1982, which is more or less in accordance with SA Water operations.

The following payment options are offered.

### 5.1. Default Option - Quarterly billing in arrears

In this instance water meters are read quarterly, and the customer issued an account for payment in full by a specified date. If the account is not paid by the specified due date, a reminder notice is issued and will include a late fee. Should the account remain unpaid by the new specified payment date, a Final Notice is issued inclusive of any applicable late fees. The final notice will specify that unless an acceptable payment arrangement is entered into prior to the due date then Council will be forced to either place the matter in the hands of the debt collector and / or issue a restriction warning notice.

Every opportunity to elicit payment is taken prior to referring the matter to a debt collector as once the matter is placed in the hands of a debt collector all transactions, including fees and charges are handled direct and not with Council. The debt is to be referred to a debt collector for collection without further notice when the outstanding balance is either the lesser of two (2) quarters or \$1,000 or more

A water restriction device, when installed adjacent to the water meter substantially restricts water flow to a small amount of water, which is adequate to maintain appropriate levels of water for occupants. Additional fees and charges apply for reconnection.

Unlike electricity water charges can remain a charge on the land and potentially be recovered when a property changes ownership. Accordingly, a water restriction device is not inserted in the first instance until all avenues of debt collection have been exhausted.

#### 5.2. Discretionary Option - Payment under which a customer pays in advance towards future accounts.

In this instance an automatic direct debit from a nominated bank account payment is made. Customers must complete a formal agreement, which details the amount that Council deems satisfactory to be paid. This will usually be determined from examination of the history of water consumption and sewerage charges at the premises.

Repayment options offered are as follows:

- Payments in full when the quarterly accounts are due
- Monthly payments with any residual to be paid at the end of the quarter

#### 5.3. Payment Arrangements

Payment Arrangements for outstanding arrears above a normal billing can be individually tailored to suit individual circumstances. As such they are usually for a specified period. They can be voluntary or as a result of debt recovery action

## 6. RATES

Under the Local Government Act 1999 rates are a charge on the land and once declared each year and rate notices sent out become a charge upon the land. Moreover, if any rates are not paid on or before the date on which they become due, they will be regarded as being in arrears, and

- i. a fine of 2 per cent of the amount of the payment due will be added to the arrears. and
- ii. upon the expiration of each month from that day, interest of the "prescribed percentage" of the total amount in arrears (including the amount of any previous unpaid fine and interest) will be added to the debt.
- iii. if a Council receives or recovers an amount in respect of rates, the amount must be applied in the following manner;
  - 1) in payment of any costs awarded to, or recoverable by, the council in any court proceedings undertaken by the council for the recovery of the rates;
  - 2) in satisfaction of any liability for interest;
  - 3) in payment of any fine;
  - 4) in satisfaction of liabilities for rates in the order in which those liabilities arose.

Council has an obligation to apply the provisions of the Act and it is recommended that those who have an outstanding rates balance and or experience payment difficulties contact Council Office on phone 8671 0010 or email [roxby@roxbycouncil.com.au](mailto:roxby@roxbycouncil.com.au) to discuss repayment option

#### 6.1. Default Option – Payment in Full or Quarterly Rates Billing

When rates are declared, and quarter repayment dates are adopted rates notices are sent out specifying the required payment dates. A ratepayer may elect to pay the entire rates in full or the required quarterly instalment. On a monthly basis fines are added to all outstanding arrears with fines applied quarterly. Council has an obligation to apply the provisions of the Act and reminder notices are issued upon application of quarterly fines.

#### 6.2. Payment Arrangements

Payment Arrangements for outstanding arrears can be individually tailored to suit individual circumstances. As such they are usually for a specified period. They can be voluntary or as a result of debt recovery action.

During this time interest and fines will accrue in accordance with the Act but subject to satisfactory repayments and no default in payment these elements may be removed at the completion of the arrangement.

## **7. DISPUTE HANDLING**

Customers with a concern or complaint about decision made regarding payments for electricity, water and rates can request a review of the decision and should refer to the Internal Review of Council Decisions Policy. Dispute resolution with customers shall be handled in line with the requirements of Australian Standard AS4269 1995 Complaints Handling but not restricted to the minimum requirements of the standard.

## **8. REVIEW**

This Policy will be reviewed and evaluated no less than once every 2 (two) years.

## **9. AVAILABILITY**

This Policy is available for inspection at the Council Office, 6 Richardson Place during ordinary business hours and is also available from Council's website <https://www.roxbydowns.sa.gov.au/council/about-roxby-council/policies>