



# Debt Management and Hardship Procedures

# Contents

## **Debt Managment Procedure**

<b>Overview</b>	<b>3</b>
<b>Rights and responsibilities</b>	<b>3</b>
<b>Billing and payment</b>	<b>4</b>
<b>Payment difficulties</b>	<b>4</b>
<b>Non payment</b>	<b>5</b>
<b>Actions relating to non-payment</b>	<b>6</b>

## **Hardship Procedure**

<b>Overview</b>	<b>8</b>
<b>What is financial harship?</b>	<b>8</b>
<b>Accessing financial hardship</b>	<b>8</b>
<b>Financial counselling</b>	<b>8</b>

# Debt Management Procedure

## Overview

### Purpose

The Debt Management Procedure sets out the rights and responsibilities of Goulburn-Murray Water (GMW) and our customers in relation to the management of outstanding debt. The purpose of this procedure is to establish transparent, fair and equitable debt management principles for customers to support them in understanding our debt management approach.

### Scope

This Procedure applies to the management of outstanding debt relating to customer's fixed and variable charges, sundry debtors, interest and miscellaneous charges. They have been developed to meet the requirements and standards of the Essential Services Commission (ESC) and the GMW Customer Charter.

### Authority

The GMW General Manager, Retail and Operations is responsible for the approval of this Procedure.

### Amendments to the Procedure

The Procedure may be amended from time to time in accordance with the Customer Charter and/or to ensure compliance with our legislative or regulatory obligations.

### Review period

The Procedure is reviewed annually, in conjunction with the annual review of the Customer Charter.

### Other information

Further information can be found in the following documents which are available to download from our website:

- GMW Customer Charter
- Customer Charter summary.

## GMW's and customers rights and responsibilities

### GMW

These are the actions we will take that ensure we meet our rights and responsibilities for recovering debt.

We will:

- Engage in a genuine discussion with our customers to determine the best option for payment, recognising that some customers have short term financial issues which may be resolved in the near to medium term future where others may require a different type of approach for long term or ongoing financial issues
- Suspend formal debt recovery processes if a flexible payment plan is established with a customer
- Inform the customer about the availability of Government pension concessions where applicable
- Provide this procedure and other payment assistance information to customers on request
- Provide contact details of an accredited financial counsellor on request
- In the case of a complaint regarding this procedure the customer will be advised about their right to lodge a complaint with the Energy and Water Ombudsman Victoria (EWOV).

### Customer

Customers can expect to:

- Be advised about flexible payment options and Government pensioner concessions
- Be offered a flexible payment plan which they can reasonably afford and which productively reduces their debt
- Be treated respectfully and sensitively on a case by case basis and have their circumstances kept confidential
- Renegotiate the amount of a payment plan if there is a change in their circumstances
- Be advised about the availability of accredited financial counselling services
- Not be subjected to legal action and additional debt recovery costs, whilst they continue to make payments according to an agreed flexible payment plan
- Speak with a GMW team member who is familiar with their situation in order to re-negotiate their flexible payment plan if a payment has been missed or is likely to be missed
- Receive a copy of this procedure on request
- Be advised about their right to lodge a complaint with the Energy and Water Ombudsman Victoria (EWOV) if their debt payment issue is not resolved with GMW.

# Debt Management Procedure

## Billing and payments

### General information

Each year we send two types of accounts; fixed and variable.

Fixed charges recover the costs of maintaining and replacing our storage, delivery and drainage systems.

Variable charges meet the costs associated with operating the delivery and drainage network and for storing any water above entitlement volume.

Accounts are sent to the preferred mailing address nominated by customers, which may include an agent or other person authorised to act on their behalf. If a customer does not provide any particular instructions, we will issue the account to the address where service is provided or last known address.

The account sets out charges for different services and provides customers with important information including:

- The date the account has been issued and the billing period
- The billing address and account number
- The address of the property the charges relate to
- The date on which the meter was read
- The volume supplied and water usage amount
- If a customer does not have a meter on their outlet, and is deemed to use a specified amount of water each season, the amount shown on the account will be determined by a formula based on the size of their irrigated area and stock held
- The amount the customer is required to pay
- The date by which the account must be paid
- The interest rate that applies to late payment
- Payment options available
- Information about interpreter services offered by GMW
- Information on concessions available, and any concession to which the customer may be entitled
- Information about how to contact us in relation to questions about the account.

### Billing frequency

Fixed Charges Accounts are issued once per year, normally in July.

Variable Charges Accounts are issued at least annually but may be issued more frequently. These accounts are generally issued in March (interim account) and June (final account).

If we propose to vary the frequency or timing of our billing schedule, we will consult with Water Services Committees.

### Payment methods

A range of payment methods are available, including payment by mail, payment at any Post Office, by credit card (either in person or over the phone), by direct debit or via B-Pay.

### Payment options

A range of payment options are provided including:

- Payment in full
- Payment by four equal instalments
- Early payment with a discount
- Monthly direct debit.

### Payment difficulties

If a customer is experiencing difficulty paying their account, they can contact us to discuss alternative payment options. We will provide customers who are having payment difficulties or suffering financial hardship with information relating to programs to assist in the payment of their account on a case-by-case basis. This includes information on programs relating to:

- Flexible payment plans
- Payment extensions
- Our hardship procedure.

# Debt Management Procedure

## Flexible payment plans

At any stage prior to the due date on their account, customers who foresee that they may have difficulty in paying their account may enter into a flexible payment plan.

This arrangement allows for a flexible payment schedule to be agreed which takes into account the individual needs of the customer and ensures the account is paid in full within the parameters of:

- Payment in full by 30 June of all overdue fixed component charges
- Payment in full by 16 December of all overdue variable charges.

We are committed to working with customers to establish a flexible payment plan which is productive and reasonable. We will outline the advantages and disadvantages of entering into a flexible payment plan to ensure customers are able to make an informed decision.

If a flexible payment plan is agreed, we will confirm the details in writing within 10 business days and will:

- State the period over which the customer will pay the agreed amount
- Specify an amount to be paid in each period.

Customers can ask to re-negotiate their payment plan if their circumstances change.

If a flexible payment plan is established, any outstanding amounts on the account will still incur interest. Payments will be applied to the debt that has been outstanding the longest.

GMW is not required to offer customers a flexible payment plan if the customer has, in the past 12 months, had two flexible payment plans cancelled due to non-payment - unless the customer provides a fair and reasonable assurance that they will comply with the plan.

## Payment extensions

We can offer short term payment extensions to customers if they require up to one extra month to pay an account. To arrange an extension, customers must contact us as soon as possible after receiving their account.

## Non payment

We rely on our customers to pay their accounts on time. If an account is still outstanding after the due date, we will issue a reminder notice encouraging them to pay the account, or contact us to arrange a flexible payment plan.

If the account remains unpaid by the due date the following process will apply:

### Reminder notice

Once the due date has past a reminder notice will be issued for all outstanding balances and will include the following information:

- Notification that the account is overdue and must be paid for the customer to avoid suspension of supply or legal action
- A revised due date for payment providing an additional 10 business days
- Caution that, if legal action is taken, the customer may incur additional costs in relation to those actions
- The date from which interest may be applied on outstanding amounts, and the percentage interest rate that may be applied
- Any assistance that is available to customers, including contact information for Energy and Water Ombudsman Victoria (EWOV).

### Overdue notice

If the account remains unpaid after the revised due date or the customer has not made contact and established a flexible payment plan an overdue notice will be issued for all outstanding balances and will include the following information:

- Notification that the account is overdue and must be paid for the customer to avoid suspension and legal action
- A revised due date for payment providing an additional five business days
- Caution that, if legal action is taken, the customer may incur additional costs in relation to those actions
- The date from which interest may be applied on outstanding amounts, and the percentage interest rate that may be applied
- Any assistance that is available to customers, including contact information for Energy and Water Ombudsman Victoria (EWOV).

# Debt Management Procedure

## Warning Notice

If the account remains unpaid after five business days from the Overdue Notice being issued or the customer has not made contact and established a flexible payment plan a Warning Notice will be issued to the customer stating that further action will be taken if the account remains unpaid after five business days.

Warning Notices will include the following information:

- Notification of our intention to suspend supply of water or physically restrict supply
- Notification of our intention to refer the account to a debt collection agency which has been engaged for collection purposes
- Notification of our intention to take legal action to recover the outstanding amounts
- Information on programs that are available to help with payment difficulties
- Any assistance that is available to customers, including contact information for Energy and Water Ombudsman Victoria (EWOV).

All reminder and warning notices issued by GMW will contain all of the information contained on the original account with the exception of usage, previous accounts or past payments.

## Actions relating to non-payment

### Suspension of supply

We have the right to suspend a customer's water supply if:

- There are outstanding charges on their account, and
- More than 10 business days have elapsed since the issue of a Reminder Notice, and
- We have issued a Warning Notice and more than five business days have elapsed, and
- We have attempted to contact the customer about the non-payment.

### Legal action

We may take legal action for non-payment if:

- We have complied with the steps in the clause Suspension of Supply, and
- We have notified the customer of the proposed suspension or legal action and the associated costs, and

- The customer has been offered a flexible payment plan under the clause Flexible Payment Plans and has refused or failed to respond, and
- The customer has failed to comply with the payment agreement under a flexible payment plan.

### Limits on suspension and legal action

We will not initiate any actions relating to non-payment if:

- The amount owed is less than \$200, unless the customer has failed to pay consecutive accounts in full over a period of not less than 12 months
- A customer is eligible for and has lodged an application for a government funded concession and the application is outstanding
- The amount in dispute is subject to an unresolved complaint procedure
- It is a Friday, public holiday, weekend, day before a public holiday or after 3:00pm any day
- It is a day of Total Fire Ban declared by the Country Fire Authority in the area in which the property is located.

This does not restrict GMW's rights to pursue debt owed to it by a person who is no longer a customer.

### Removal of suspension

We will restore a service that has been suspended within one business day of becoming aware that the reason for restriction or suspension no longer exists.

If a customer requires water supply following the removal of a suspension they will be subject to normal water ordering procedures.

### Debt collection referral

Where GMW is unable to come to an arrangement with a customer following the previously mentioned process the account will be referred to a debt collection agency which has been engaged for collection purposes.

### Additional costs

Additional costs incurred by GMW relating to unpaid accounts will be passed onto customers. These include:

- Interest on the overdue account (refer to [www.g-mwater.com.au](http://www.g-mwater.com.au) for current interest rate)
- Legal costs awarded by a court in any successful recovery proceedings.



# Debt Management Procedure

## **Interest and other charges**

We may charge interest on outstanding amounts. Information about the basis for calculation of interest on overdue amounts is available by contacting us.

## **Landowners who cannot be contacted**

If a debt exists and we are unable to make contact with the registered proprietor, GMW will determine whether action will be taken in the Magistrates' Court to obtain judgement that a caveat be placed on the land title relating to the payment of the debt. We will also make a determination as to whether action will be taken to remove the association between the land and any water entitlement.

# Hardship Procedure

## Overview

We are committed to supporting customers who are experiencing genuine financial hardship. We understand that there are complex factors which impact our customers and acknowledge that from time to time any customer can experience a period of financial hardship.

Our hardship procedure aims to strike a balance between providing customers experiencing genuine financial hardship with fair and equitable treatment, while meeting our obligations to our broader customer base to contain debt to appropriate levels.

## Purpose

The Hardship Procedure sets out the rights and responsibilities of GMW, in relation to customers who are experiencing genuine financial hardship in paying their account.

This procedure aims to ensure that customers identified as experiencing genuine financial hardship are treated fairly and are protected from GMW's debt recovery actions while they continue to make payments according to an agreed schedule.

This procedure enables us to make determinations about financial hardship on an individual basis and negotiate tailored solutions for customers experiencing financial hardship.

## Scope

This Procedure details information about the assistance we will provide to customers who are assessed as being in genuine financial hardship.

## Authority

The GMW General Manager Retail and Operations is responsible for the approval of the Hardship Procedure.

## Amendments to the Procedure

The Procedure may be amended by GMW from time to time in accordance with the Debt Management Procedure or Customer Charter and/or to ensure compliance with our legislative or regulatory obligations.

## Review period

The Procedure is reviewed annually, in conjunction with the annual review of our Debt Management Procedure and/or Customer Charter.

## What is financial hardship?

A customer experiencing financial hardship is someone whose intention is to pay, but who does not have the financial capacity to make the required payments within the specified time.

Financial hardship may arise as a result of, or be identified as, a person experiencing:

- A sudden change in circumstances (unemployment, ill health, separation, a death in the family, a loss resulting from an accident)
- An ongoing illness
- Eligibility for a Government payment (for example, Centrelink benefits, etc) due to low income
- Ongoing impacts of a natural disaster (flood etc).

Financial hardship can be temporary or long-term. Depending on the type of hardship being experienced, customers may have different needs and require different solutions.

## Accessing financial hardship

We will work with customers on an individual basis to determine the nature of their financial hardship. This assessment will include consideration of whether a customer is in receipt of government payments, the expected period of the hardship, the information provided by financial counselling services and a range of other matters.

Decisions about granting special arrangements on the basis of financial hardship are made on a case by case basis and must be approved by GMW's Revenue Assurance Manager.

## Financial counselling

We can refer customers to an independent financial counselling service. Financial counsellors are able to provide detailed information to customers about the rights and options available to them. Customers can access financial counsellors to discuss any financial matters that may be causing them difficulty or distress.



## **GMW customer enquiries**

Email

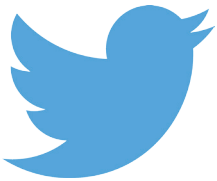
[reception@gmwater.com.au](mailto:reception@gmwater.com.au)

Phone

1800 013 357

Website

[www.g-mwater.com.au](http://www.g-mwater.com.au)



[@GMWaterNews](https://twitter.com/GMWaterNews)