



CITY OF BAYSWATER

Civic Centre, 61 Broun Avenue, Morley, WA 6062

Business Hours: 8:30am to 4:30pm

Telephone: (08) 9272 06222 Facsimile: (08) 9272 0665

Postal Address: PO Box 467, Morley, WA 6943 Email: mail@bayswater.wa.gov.au

Rates Smoothing Agreement

This is your Rates Smoothing Agreement with the City of Bayswater, User ID 165364 and ABN 61 054 006 131. It explains what your obligations are when undertaking a Rates Smoothing arrangement with us. It also details what our obligations are to you as your Direct Debit provider.

Please keep this agreement for future reference. It forms part of the terms and conditions of your Rates Smoothing Application Form and should be read in conjunction with your Rates Smoothing authorisation.

Definitions

Account: the account held at your financial institution from which we are authorised to arrange for funds to be debited.

Agreement: this Rates Smoothing Agreement between you and us

Banking Day: a day other than a Saturday or a Sunday or a public holiday listed throughout Australia

Debit Day: the day that payment by you to us is due.

Debit Payment: a particular transaction where a debit is made.

Rates Smoothing Request: the Rates Smoothing Request between us and you.

Us or We: is the City of Bayswater (the Debit User) you have authorised by requesting a Rates Smoothing Request.

You: is the customer who has signed the Direct Debit Request.

Your Financial Institution: the financial institution nominated by you on the Rates Smoothing Application at which the account is maintained.

1. Debiting your account

- 1.1 By signing a Rates Smoothing Application or by providing us with a valid instruction, you have authorised us to arrange for funds to be debited from your account. You should refer to the Rates Smoothing Request and this agreement for the terms of the arrangement between us and you.
- 1.2 We will only arrange for funds to be debited from your account as authorised on the Rates Smoothing Application.
- 1.3 If the debit day falls on a day that is not a banking day, we may direct your financial institution to debit your account on the following banking day. If you are unsure about which day your account has or will be debited you should ask your financial institution.

2. Amendments by us

- 2.1 We may vary any details of this agreement or a Rates Smoothing Request at any time by giving you at least fourteen **(14) days** written notice.

3. Amendments by you

- 3.1 You may change, stop or defer a debit payment, or terminate this agreement by providing us with at least three **(3 days)** notification by writing to:
City of Bayswater, PO Box 467 MORLEY WA 6943 or
Email: mail@bayswater.wa.gov.au

4. Your obligations

- 4.1 It is your responsibility to ensure that there are sufficient clear funds available in your account to allow a debit payment to be made in accordance with the Rates Smoothing Request.
 - 4.2 If there are insufficient clear funds in your account to meet a debit payment:
 - (a) you may be charged a fee and/or interest by your financial institution;
 - (b) a dishonoured fee for a rejected direct debit is charged per rejection as per the fees and charges schedule
 - (c) you must arrange for the debit payment to be made by another method or arrange for sufficient clear funds to be in your account by an agreed time so that we can process the debit payment.
 - 4.3 You should check your account statement to verify that the amounts debited from your account are correct.
- In the event of three (3) rejected payments, the City will cancel the Rates Smoothing and commence normal debt recovery action.

5. Dispute

- 5.1 If you believe that there has been an error in debiting your account, you should notify us directly on (08) 9272 0922 and confirm that notice in writing with us as soon as possible so that we can resolve your query more quickly. Alternatively you can take it up directly with your financial institution.
- 5.2 If we conclude as a result of our investigations that your account has been incorrectly debited we will respond to your query by notifying you in writing of the details by which your rates account has been adjusted.
- 5.3 If we conclude as a result of our investigations that your account has not been incorrectly debited we will respond to your query by providing you with reasons and any evidence for this finding in writing.

6. Accounts

You should check:

- (a) With your financial institution whether direct debiting is available from your account as direct debiting is not available on all accounts offered by financial institutions.
- (b) Your account details which you have provided to us are correct by checking them against a recent account statement; and
- (c) With your financial institution before completing the Rates Smoothing Request if you have any queries about how to complete the Rates Smoothing Request.

7. Confidentiality

- 7.1 We will keep any information (including your account details) in your Rates Smoothing Application confidential. We will make reasonable efforts to keep any such information that we have about you secure and to ensure that any of our employees or agents who have access to information about you do not make any unauthorised use, modification, reproduction or disclosure of that information.
- 7.2 We will only disclose information that we have about you:
 - (a) to the extent specifically required by law; or
 - (b) for the purposes of this agreement (including disclosing information in connection with any query or claim).

8. Notice

- 8.1 If you wish to notify us in writing about anything relating to this agreement, you should write to
City of Bayswater, PO Box 467 MORLEY WA 6943 or Email: mail@bayswater.wa.gov.au
- 8.2 We will notify you by sending a notice in the ordinary post to the address you have given us in the Rates Smoothing Application.
- 8.3 Any notice will be deemed to have been received on the third banking day after posting.

9. General Information

- 9.1 Direct all enquiries to the City of Bayswater, rather than to your Financial Institution, and these should be made at least nine (9) working days prior to the next scheduled drawing day. All communication addressed to the City should include your rates assessment number.
- 9.2 The City of Bayswater accepts no responsibility for correspondence not being received, being received late due to postal delays, or for being illegible.

Please return your completed form to:

Mail: City of Bayswater, PO Box 467, MORLEY WA 6943

Fax: 9272 0665

Email: mail@bayswater.wa.gov.au

One of our Customer Service Centres:

- Civic Centre: 61 Broun Avenue MORLEY WA 6062
- Maylands Library at The Rise: 28 Eighth Avenue MAYLANDS WA 6051