



**A•S•U**  
Australian Services Union

# **ASU Submission**

## **to the Australian Government on the**

### **Tax discussion paper**

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## Introduction

The Australian Services Union (ASU) is one of Australia's largest Unions, representing approximately 120,000 members.

The ASU was created in 1993. It brought together three large unions – the Federated Clerks Union, the Municipal Officers Association and the Municipal Employees Union, as well as a number of smaller organisations representing social welfare workers, information technology workers and transport employees.

Today, the ASU's members work in a wide variety of industries and occupations and especially in the following industries and occupations:

- Local government (both blue and white collar employment)
- Social and community services (NFP sector)
- Transport, including passenger air and rail transport, road, rail and air freight transport
- Clerical and administrative employees in commerce and industry generally
- Call centres
- Electricity generation, transmission and distribution
- Water industry
- Higher education (Queensland and SA)

The ASU has members in every State and Territory of Australia, as well as in most regional centres as well.

The ASU welcomes the opportunity to participate in the review of Australia's future tax system. We believe Government has a crucial role in delivering the services that our community relies upon through an equitable and fair tax system.

The primary goal of a tax reform should be about lifting Australia's living standards and improving the nation's long-term economic growth. An effective tax system strengthens economic capacity including workforce participation, innovation, education, infrastructure and trade. Tax should be seen as one of the policy levers to ensure Australia's living standards continue to remain one of the highest in the world.

Australia's tax system should embody the values and expectations held by society. There is significant evidence that the majority of Australian's wish to live in a fairer and more equal society<sup>1</sup>. It is therefore vital that the revenue raised by Government is sufficient to fund the provision of high quality services such as health, education, welfare and a decent social wage to the Australian community.

In the 2014 Per Capita Tax Survey<sup>2</sup> the share of Australian's who support higher spending on public services increased by eight points to 85%. In addition the survey found that Australian's want increases to public services to be funded by high income earners who they do not perceive as paying their fair share of tax.

The Survey asked what outcomes respondents would be prepared to pay higher taxes to achieve, with better health and aged care services ranking number one (60.8%). Other popular outcomes included better schools, TAFEs and universities, better transport and long-term economic growth. Importantly the willingness of respondents to pay higher taxes to achieve these outcomes increased in all categories since the last Survey in 2012<sup>3</sup>.

Australian's value their high living standards and understand the importance of taxes. When a tax system is fair and when taxes are seen to be spent in accordance with people's desires for public goods, there is not a strong resistance to paying taxes<sup>4</sup>.

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<sup>1</sup> Australian Attitudes Towards Wealth Inequality and Progressive Taxation (2011) [online] Available at: [http://www.actu.org.au/media/121429/ACTU\\_Report\\_Inequality\\_and\\_Progressive\\_Taxation.pdf](http://www.actu.org.au/media/121429/ACTU_Report_Inequality_and_Progressive_Taxation.pdf)

<sup>2</sup> Per Capita Tax Survey (2014) [online] Available at: [http://percapita.org.au/wp-content/uploads/2014/06/small\\_2014\\_Tax\\_Survey.pdf](http://percapita.org.au/wp-content/uploads/2014/06/small_2014_Tax_Survey.pdf)

<sup>3</sup> Ibid.

<sup>4</sup> McAuley, I, 2015. *Fair Taxation: an Australian Perspective* [online] Available at: <http://www.ianmcauley.com/academic/confs/flinsymp2015.pdf>

## Superannuation

Superannuation plays an important role in providing the foundations for economic activity and prosperity. It is designed to improve individuals' retirement incomes and in doing so, it also reduces pressure on age pension expenditures<sup>5</sup>.

The majority of Australians desire a superannuation system that is sustainable and equitable. The current system is complex, especially as the majority of Australian's are unsure how to view it. Is super intended to replace, complement or improve the age pension?

### Superannuation tax concession rates

The ASU is concerned that the current tax treatment for superannuation on contributions and earnings is inequitable and fiscally unsustainable. For example high-income earners receive a 31.5% concession while those on low incomes receive no concessions at all. The Henry Tax Review, released in 2010 acknowledged this fact and explicitly recommended making superannuation concessions more progressive:

*“The structure of the existing tax concessions is inequitable because high-income earners benefit much more from the superannuation tax concessions than low-income earners.”*

*“Based on the 2008–09 tax rates, around 1.2 million individuals do not receive a personal income tax benefit from their concessional superannuation contributions. An additional 1.2 million people receive a concession of only 1.5 percentage points (Treasury 2008). This compares with around 200,000 taxpayers (those earning more than \$180,000) who receive a concession on their superannuation contributions of 31.5 per cent<sup>6</sup>.”*

Furthermore the Henry Tax Review proposed that everyone who contributes into superannuation would receive the same tax benefit, thus maintaining the progressiveness of the tax system.

The ASU does not believe low-income earners should underwrite the tax concessions on superannuation enjoyed by high-income earners.

### Paid Parental Leave

The ASU supports the current government funded Paid Parental Leave (PPL) scheme where a parent may receive up to 18 weeks of parental leave pay at the national minimum wage. However the scheme does not recognise the compulsory superannuation payments which apply to other forms of pay.

One of the reasons that the average superannuation balance of women is nearly half that of men is due to time out of the paid workforce for parental leave reasons<sup>7</sup>.

The ASU believes the Government should pay the superannuation guarantee on parental leave payments to help reduce the difference in superannuation entitlements and to ensure women are not disadvantaged later in life.

### Individuals earning less than \$450 a month

The current superannuation legislation does not require employees who receive less than \$450 a month to receive Superannuation Guarantee (SG) payments.

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<sup>5</sup> Australian Government (2015) Re:think Tax discussion paper [online] Available at: [http://bettertax.gov.au/files/2015/03/TWP\\_combined-online.pdf](http://bettertax.gov.au/files/2015/03/TWP_combined-online.pdf)

<sup>6</sup> Australia's future tax system (2009) Final Report, Chapter A: Personal Taxation [online] Available at: [http://taxreview.treasury.gov.au/content/FinalReport.aspx?doc=html/publications/Papers/Final\\_Report\\_Part\\_2/chapter\\_a2-2.htm](http://taxreview.treasury.gov.au/content/FinalReport.aspx?doc=html/publications/Papers/Final_Report_Part_2/chapter_a2-2.htm)

<sup>7</sup> Women's Super Summit Report (2014) [online] Available at: <https://www.wgea.gov.au/sites/default/files/Womens-Super-Summit.pdf>

This legislation impacts many part-time and casual workers, who are predominately women<sup>8</sup>. There are many employees who work in multiple jobs but do not earn \$450 per month in an individual job so do not receive the benefit of compulsory superannuation contributions.

In effect these workers are receiving remuneration which is 9.5% less than employees who are doing identical or similar work but who are being paid more than \$450 a month by their employer. This measure only widens Australia's retirement savings gap.

The ASU believes if you work, then you should be entitled to superannuation no matter your earnings threshold. We support the removal of the \$450 monthly income threshold for exemptions on compulsory superannuation contributions as this should in the long term result in improved retirement outcomes.

## Low Income Superannuation Contribution

The Low Income Superannuation Contribution (LISC) is a Government superannuation payment of up to \$500 to help low-income earners save for retirement and helps to rectify the glaring inequity by ensuring those earning \$37,000 or less are not financially worse off because of the compulsory superannuation system.

The LISC rebate was introduced to make superannuation tax concessions more equitable. Without LISC the lowest paid 3.6 million working Australians will receive no tax break on their compulsory superannuation contributions, whilst the highest-paid workers will continue to receive a tax break of 30 per cent<sup>9</sup>.

The ASU condemns the government's planned abolition of the LISC rebate. This contribution is an important factor in boosting retirement savings of many low-income earners. Over time the removal of the LISC will have a large impact on people with low income, who could be up to \$27,000 worse off by the time they retire<sup>10</sup>.

We call on the Government to review the planned abolition of the LISC rebate and to ensure the way tax is treated in super is equitable and fair for all Australians.

## Negative gearing and capital gains tax

Negative gearing has been around for many years and in its most simplistic form allows investors to deduct their losses against their personal taxable income. In recent years negative gearing, the concessional taxation of capital gains and how land is presently taxed have all contributed to driving up housing affordability.

In the decade to 2012, average house prices increased by 92 per cent. Those for flats rose by 40 per cent. Home ownership rates are falling among younger workers and families. There is a national shortage of over 500,000 affordable properties for low income renters<sup>11</sup>.

Anglicare's 2015 housing affordability snapshot<sup>12</sup> shows skyrocketing rents are squeezing low income earners out of the market. The report highlights the scarcity of affordable homes for people on the minimum wage and welfare recipients with calls for a review of housing taxes and concessions, including negative gearing.

Negative gearing alone is not the only issue. Together with capital gains tax it means investors can buy and run an investment property at a loss and claim that loss off their taxable income, then the sell the property later for a profit and pay only half the tax on that profit than on your other income.

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<sup>8</sup> Women in Super website [online] Available at: <http://www.womeninsuper.com.au/resources/policy/removal-450>

<sup>9</sup> Keep Super Fair website [online] Available at: <http://keepsuperfair.com.au/>

<sup>10</sup> Industry Super Australia website [online] Available at: <http://www.industrysuperaustralia.com/lisc>

<sup>11</sup> ACTU Congress 2015, *A Fair Share: Tax and Revenue – Final Policy* [online] Available at: <http://www.actu.org.au/actu-congress-2015/congress-policy-resolutions/a-fair-go-for-all-policies/a-fair-share-tax-and-revenue>

<sup>12</sup> Anglicare 2015 Rental Affordability Snapshot [online] Available at: [http://www.anglicare.asn.au/site/rental\\_affordability\\_snapshot.php](http://www.anglicare.asn.au/site/rental_affordability_snapshot.php)

The benefits of negative gearing and the capital gains tax discount overwhelmingly flow to Australia's highest income earners. A recent ACOSS report from April 2015<sup>13</sup> said that over half of the benefit of negative gearing deductions go to the top 10 per cent of personal taxpayers, earning more than \$100,000 a year. The report also pointed out that over 90% of investor borrowing is for existing rental properties (not new ones), so in effect investors are bidding up home prices without adding much to the supply of housing.

The ASU agrees with the ACTU's Congress policy<sup>14</sup> to adopt the following measures:

- a) Reform negative gearing. Tax deductions associated with an investment property should only be deductible from income received from that property. This new rule should be applied to new investments from a specified future date and to existing investments when they are sold after that date;
- b) Increase taxation of capital gains to generate additional revenues for government while reducing incentives for speculative investment in residential property; and
- c) Replace stamp duties with a broad-based annual land tax that will dampen house price inflation, stimulate more building of housing for rental purposes, and incentivise the development of idle land.

## Not-for-profit sector

The ASU is the largest union of workers in the Social and Community Services (SACS) sector with approximately 70% of our SACS membership being female. SACS members of the ASU work in services such as: youth refuges, women's refuges, family support services, disability services, community legal centres, employment and training services, employment services like Job Futures, aboriginal organisations, community or neighbourhood centres, family day care centres, community transport services, home and community care services, environmental organisations, aged pensioners and superannuants associating community sector peak bodies, migrant or ethnic services and aid agencies.

Large employers in the SACS industry include the Catholic Church (including St Vincent de Paul), Anglicare, The Smith Family, Mission Australia, Uniting Church, Relationships Australia, Max Employment Services, Amnesty International, Oxfam, ACF and Greenpeace.

ASU members in the SACS industry work for both not-for-profit and for-profit providers, so we have a unique perspective of the operation of both models of service provision in this sector. That said, the majority of employers are not-for-profit organisations, some of which have PBI status and many who do not.

The ASU supports the current system of not-for-profit (NFP) tax concessions. We are concerned that the Tax White paper refers to the NFP sector as having a "competitive advantage" and that an unintended consequence of tax concessional treatment can be problematic where NFP competes with for-profit providers.

Changing the tax concessions of the NFP sector to shave off any perceived advantage has the potential to diminish the quality of services provided to the community and will have a detrimental effect on civil society. A tax overhaul should not be designed to level the playing field for private sector expansion.

All tax concessions should be fair and used in a way that provides the maximum social benefit by enabling the NFP sector to achieve their community and altruistic purposes<sup>15</sup>.

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<sup>13</sup> ACOSS Tax Talks 2. Fuel on the fire: negative gearing, capital gains tax & housing affordability (2015) [online] Available at: <http://acoss.org.au/papers/>

<sup>14</sup> ACTU Congress 2015, *A Fair Share: Tax and Revenue – Final Policy* [online] Available at: <http://www.actu.org.au/actu-congress-2015/congress-policy-resolutions/a-fair-go-for-all-policies/a-fair-share-tax-and-revenue>

<sup>15</sup> Australian Government, Not-for-profit Sector Tax Concession Working Group (2013) [online] Available at: <http://www.treasury.gov.au/~media/Treasury/Access%20to%20Information/Disclosure%20Log/2014/1447/Downloads/PDF/NFP%20Sector%20WG%20Final%20Report.ashx>

## *Fringe benefits tax concessions & salary packaging*

The Tax White Paper asks whether the current tax arrangements for the not-for-profit sector are appropriate and in particular raises questions around the ongoing availability of Fringe Benefits Tax (FBT) concessions and other foregone tax revenue.

The ASU believes the current tax arrangements are appropriate. The current concessions recognise the critical role that NFP organisations play in civil society.

The 2013 BDO not-for-profit tax concession survey<sup>16</sup> found there was a resounding lack of confidence in the Government's ability to effectively support the sector if key tax concessions were to be removed. With one participant commenting: "Tax concessions are a crucial aspect that enables our business to remain viable. Removal or negative modification will have an impact on our longer term sustainability<sup>17</sup>."

Additionally 73.3% of all survey participants agreed FBT concessions are an effective means of attracting and retaining people with 91.8% believing FBT concessions should continue to be provided for<sup>18</sup>.

The ASU believes changing the FBT tax concessions for SACS organisations will have significant ramifications on the take home salaries of the predominately female and generally low paid staff in the SACS sector. One of the reasons why charities and other like groups are given FBT concessions is to allow them to compete against the private sector for quality employees.

Many of the ASU's members enjoy salary packaging benefits. It is highly valued and is recognised as a form of compensation for working and contributing in this very important sector. For many NFP organisations the funding received by Government is not sufficient to pay staff the full market rates they would receive for equivalent jobs in the private sector or government.

In 2013, median weekly earnings of full time employees in Health Care and Social Assistance were lower than the all industries median (\$1050 compared with \$1152 for all industries)<sup>19</sup>. Salary packaging is being used as a sensible, practical and efficient way of increasing the overall remuneration compensation.

Employees in the NFP sector salary sacrifice significantly larger amounts of their earnings per week<sup>20</sup>. For November 2012, full-time adults in this industry salary sacrifice on average \$182.50 per week, more than double the average of the next highest industry. As a proportion of full-time adult total earnings, average weekly amounts of salary sacrifice was 14.0% in the Health care and social services industry (NFP), compared with the all industries proportion of 3.2%. These statistics demonstrate the importance of tax concessions in the NFP sector.

Whilst there are many benefits that may be salary packaged, the overwhelming majority of employees elect to salary sacrifice superannuation and expense benefits. These expenses are typically mortgage and rental payments, loan payment, credit card debts and everyday living expenses such as school fees and child care costs.

### **Case Study**

#### **ASU Victorian & Tasmanian Authorities & Services Branch member**

*Brent\* has been working in the community services sector specialising in Mental Health for 15 years.*

*"The day salary packaging ceases or if it stops I will hand in my resignation and never work in this sector again. Salary packaging was one of the main reasons I have stayed in the industry. It just won't be worth it for me and I have many qualifications in Mental Health and drug and alcohol. I believe the industry would lose a lot of experienced workers such as myself should salary packaging cease."*

<sup>16</sup> BDO, Not-for-profit tax concession survey (2013) [online] Available at: <http://www.bdo.com.au/.../BDO-NFP-Tax-Concession-Survey-2013.pdf>

<sup>17</sup> Ibid, p.4

<sup>18</sup> Ibid.

<sup>19</sup> Australian Government, Industry Employment Outlook Paper, Health Care and Social Assistance [online] Available at: <http://lmip.gov.au/default.aspx?LMIP/Publications/IndustryReports>

<sup>20</sup> Australian Bureau of Statistics, Salary Sacrifice Feature Article (2012) [online] Available at: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/6302.0Main+Features8Nov%202012?OpenDocument>

**Case Study****ASU Victorian & Tasmanian Authorities & Services Branch member**

*For me, I want to work in the not-for-profit sector because it gives me huge job satisfaction. What it doesn't give me is financial security when compared with government or private sectors. I know people who have left NFPs because they wanted to buy a house, grow their family or even just make ends meet. Government is always putting pressure to do more with less and the financial gap between the two worlds just seems to get bigger.*

*The one thing that makes it possible for me and nearly everyone I know is salary packaging. It takes a bit of pressure off my employer, makes government funding go further and it gives me a modest but meaningful contribution to my financial security. Without it, I would struggle to pay my rent and to provide a home for my four-year-old son. In the end, it's really about making ends meet. What it really means is that people stay in NFPs working for a better community and that is good for everyone.*

*If we lose these people – and their skills and passion – we just make our social support services weaker and also send a message that the stress, trauma and crises we face alongside the most vulnerable members of our community don't really matter.*

**Case Study****ASU New South Wales and ACT (Services) Branch member**

*Mary\* is a disability support worker at House with No Steps who accesses salary packaging to increase her income.*

*"If I didn't have salary packaging I wouldn't have a car. I use it to pay off a car loan and a personal loan. I am paid at Level 3 Pay Point 1 of the SCHADS Award. Without salary packaging I would struggle on my wage. Alongside my commitment to supporting people, the ability to salary package has kept me in the Industry. Without it I would be forced to look for better paying work elsewhere.*

**Case Study****ASU New South Wales and ACT (Services) Branch member**

*Dani\* is a project coordinator for social enterprises at Liverpool Neighbourhood Connections.*

*"Losing salary packaging would impact on me heaps. I have 3 young children and have just taken out a home loan. I use salary packaging to assist in paying off the loan. At SCHADS Level 3 my wage isn't that high and the salary packaging really helps, especially as I have to drive a long way to work and this is costly."*

The ASU believes all NFP employees should benefit from the fringe benefits tax concessions currently available. Without FBT concessions workforce shortages may threaten both the viability of the sector and the quality of the services they provide as evidenced by our case studies above.

Furthermore many NFP organisations eligible for FBT concessions are covered by collective bargaining agreements. The remuneration and employment conditions in these agreements have been negotiated in good faith, taking into account the availability of FBT concessions. If these were to be reduced in some way, low-paid workers would potentially suffer a large cut in their take-home pay.



It is important to remember that the Health Care and Social Assistance industry is one of the fastest growing sectors with employment growth projected to increase by 16.3 per cent (compared with 7.2 per cent for employment as a whole), equating to around 229,400 new jobs, more than any other industry<sup>21</sup>.

As the National Disability Insurance Scheme (NDIS) is rolled out it is expected the need for disability support workers to double in size to meet demand. An important factor in attracting and retaining the skilled and qualified staff needed to deliver the NDIS is salary packaging.

We caution the Government about making changes before there is a comprehensive consultation process with both the unions and employers that represent staff in the SACS sector. Any proposed changes should be informed by modelling and information about alternative proposals. We believe whatever is decided upon should start from a principle that no employee should be worse off.

In any alternate system we believe the issue of equity across all organisations in the SACS sector should be achieved as currently a range of organisations do not have PBI status and do not receive the FBT benefits. In the formulation of policy in the FBT area, Government must consider what it would mean to the SACS sector and the delivery of a comprehensive social policy directed at decreasing disadvantage.

### *Equal remuneration case*

The ASU, together with four other applicants, successfully ran an Equal Remuneration Case in respect of workers in the social, community and disability services sectors on the basis that employees in that sector had been underpaid for reasons related to gender. The Commonwealth Government and some state governments supported the case, including through committing to increased funding of the SACS sector.

Importantly the Equal Remuneration Order recognises that salary packaging should be explicitly provided for:

[76] ... In our view, it would be appropriate to provide that any amounts payable under the equal remuneration order could be subject to salary packaging, complementing the provisions of the modern award in that respect.<sup>22</sup>

The ASU believes it would be unjust if the increase in gross earnings awarded by FWA to remedy gender-based undervaluation were to be offset by a reduction in take-home pay stemming from reform to FBT concessions. It is therefore vital that the tax concessions currently available to NFP organisations continue well into the future.

### **Multinational tax avoidance**

The Tax White Paper acknowledges multinational tax avoidance as a threat to the revenue-raising capacity of tax systems and the importance of ensuring that companies that conduct business in Australia pay tax in Australia.

The ASU is concerned the Tax White Paper did not focus enough on the issue of multinational tax avoidance or Base Erosion and Profit Shifting (BEPS) with the paper only citing the two year G20/OECD BEPS Action Plan currently being developed to address deficiencies in the international tax system to be finalised by December 2015.

Associate Professor Anthony Ting questions whether Australia should rely on the G20/OECD BEPS project to deliver effective anti-BEPS tax policies given the involvement of the US in the BEPS project and its primary objective to minimise the impact of the Project on the US and its multinationals<sup>23</sup>.

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<sup>21</sup> Australian Government, Industry Employment Outlook Paper, Health Care and Social Assistance [online] Available at: <http://lmip.gov.au/default.aspx?LMIP/Publications/IndustryReports>

<sup>22</sup> Fair Work Australia, Decision (2012) [online] Available at: <https://www.fwc.gov.au/documents/decisionsigned/html/2012fwafb5184.htm>

<sup>23</sup> Ting, A, 2015 Submission re: Corporate Tax Avoidance inquiry [online] Available at: [http://webcache.googleusercontent.com/search?q=cache:T4JpIE\\_dsXgJ:www.aph.gov.au/DocumentStore.ashx%3Fid%3D4b854438-5da7-4c83-9422-7d0857ed03fc%26subld%3D303029+&cd=2&hl=en&ct=clnk](http://webcache.googleusercontent.com/search?q=cache:T4JpIE_dsXgJ:www.aph.gov.au/DocumentStore.ashx%3Fid%3D4b854438-5da7-4c83-9422-7d0857ed03fc%26subld%3D303029+&cd=2&hl=en&ct=clnk)

There is very strong public support for forcing multinational companies to pay a minimum tax rate on their Australian earnings, with a recent Essential Report from 31 March 2015 showing 43% of voters “strongly supporting” it, another 33% supporting it and only 8% opposing it or strongly opposing it<sup>24</sup>. Furthermore 60% think that making big multinational corporations pay more tax would be good for the economy because it would increase Government revenue<sup>25</sup>.

The ASU would like to see the Tax White Paper tackle the issue of tax avoidance by multinational corporations as activities such as profit-shifting costs the Australian community billions of dollars in lost revenue each year.

The key issue is that these profit-shifting and tax avoidance structures are perfectly legal under the current tax system. The ATO and other tax administrations are fully aware of how these structures operate but are unable to stop multinational corporations from continuing to shift their profits from Australia.

The ASU agrees with the ACTU’s Congress policy<sup>26</sup> to adopt the following measures:

- a) Halt and reverse cuts to ATO staffing and resources. A fair and effective system of taxation requires an ATO with the skills and capacity to keep pace with tax avoidance strategies and to ensure compliance;
- b) Initiate an inquiry into the practicality and revenue-raising potential of a ‘diverted profits tax’ (or ‘Google Tax’) in an Australian context;
- c) Support coordinated international action to tax transnational corporations on a unitary basis rather than as a series of separate legal entities;
- d) Amend the thin capitalisation rules so that the deductions transnational corporations can claim for debt in Australia are assessed according to the average debt-to-equity ratio across all the corporation’s constituent operations;
- e) Remove opportunities for tax avoidance by wealthy individuals by reforming the tax treatment of vehicles such as SMSFs and discretionary trusts;
- f) Tighter targeting of tax breaks for companies, to ensure they support genuine research and development, and to help keep jobs in Australia; and
- g) Ensure that sham contractors are not able to obtain a tax advantage over other employees by improving the tax law test for distinguishing between genuine and sham contractors.

In the interim the Government has made a unilateral decision in regards to multinationals and in its 2015 Budget has announced the introduction of the Multinational Anti-Avoidance Law. The ASU is pleased to see the Government taking action on multinationals that exploit loopholes and artificially structure their business to avoid paying tax in Australia or elsewhere in the world.

## Features of state (including local government taxes)

Local Government plays a significant role in supporting communities and strengthening local community resilience and cohesion. In addition, local government can assist in promoting the economic development of local economies.<sup>27</sup> It is an important employer in rural and regional areas and the economic strength of these regions is increased by the capacity of local government.

<sup>24</sup> Essential Report Poll (2015) [online] Available at: <http://www.essentialvision.com.au/tax-reforms>

<sup>25</sup> Essential Report Poll (2015) [online] Available at: <http://www.essentialvision.com.au/impact-of-higher-tax-on-multinational-corporations>

<sup>26</sup> ACTU Congress 2015, *A Fair Share: Tax and Revenue – Final Policy* [online] Available at: <http://www.actu.org.au/actu-congress-2015/congress-policy-resolutions/a-fair-go-for-all-policies/a-fair-share-tax-and-revenue>

<sup>27</sup> For example see Local Government NSW “Local and Regional Economic Development”, [online] Available at: <http://www.lgsa.org.au/policy/local-and-regional-economic-development>. See also discussion of local government and the promotion of economic development by South Australia Centre for Economic Studies, Adelaide and Flinders Universities, *Providing Local Economic*

Local government receives funding from various sources including from municipal rates, fees and charges for services, intergovernmental grants, developer charges, income interest and other minor sources.

Municipal rates are a form of tax and are the sole form of local government generated tax revenue.

In many cases, local governments are initiating dialogue with community members about the need to increase rates in order to improve services and ageing infrastructure. However, a rate capping regime imposed by a state government (such as in NSW) and community opposition to increases can inhibit municipal authorities from being able to increase this source of revenue to adequately meet goals for infrastructure repair and community development. Also, some fees applied by local governments are also set or capped by state governments. In addition, cost shifting of responsibilities from other Commonwealth and state governments to local government without commensurate increases in funding can add to the economic strain.<sup>28</sup> Consequently the inequitable nature of relations between the different levels of government has a particularly severe impact on local government.<sup>29</sup>

Local government generates a very small proportion of total taxation revenue in Australia, necessitating a flow-on of funds from other levels of government.

However, various inquiries into local government financial sustainability found that a number of local governments were 'financially unsustainable' and unable to meet community demands for adequate infrastructure investment. They tended to be municipalities which had a low capacity to increase their own sources of revenue and where typically in rural localities and with large geographic areas to serve.<sup>30</sup> By contrast, many of the well-established, high income metropolitan areas were able to generate considerable funds whilst having less demand for infrastructure investment.

In the absence of a direct redistributive mechanism from the wealthier councils/communities to those less resourced, there will be an ongoing requirement for federal and state governments to have an important role in the redistribution of funds to improve equity outcomes across the diverse local authorities.

However, concerns have been raised that the level of financial support provided to local government from the Commonwealth and state governments has failed to keep pace with the expanded range of responsibilities required of local government. In addition, the Commonwealth Government has acquired an increased proportion of the total share of tax revenue whilst local governments' share of total taxation revenue has remained modest. For example, the Commonwealth Government's share of taxation revenue increased from 77.2% in 1998-99 to 80.5% in 2010-2011 while the local government share in 1998-1999 was 3.6% and 3.5% in 2010-11.<sup>31</sup>

Mechanisms such as the Financial Assistance Grants (FAGS) and the Roads to Recovery program remain important but these and other grant programs require appropriate indexation on an ongoing basis to allow for effective development of services and infrastructure.

In addition, the federal government should develop its role in tax collection and redistribution in a manner that enables local communities to enjoy more equitable access to services and infrastructure provided through local government. This may be assisted through tightly targeted supplementary funding programs for local governments which are less able to develop financial independence.<sup>32</sup>

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*Stimulus and Promoting Local Economic Development: Possibilities for Councils in South Australia*, commissioned by Local Government Association of South Australia, (2013) Available at: [https://www.lga.sa.gov.au/webdata/resources/files/Providing%20Local%20Economic%20Stimulus%20and%20Promoting%20Local%20Economic%20Development\\_Possibilities%20for%20Councils%20in%20South%20Australia.pdf](https://www.lga.sa.gov.au/webdata/resources/files/Providing%20Local%20Economic%20Stimulus%20and%20Promoting%20Local%20Economic%20Development_Possibilities%20for%20Councils%20in%20South%20Australia.pdf)

<sup>28</sup> D. Hawker, Parliament of the Commonwealth of Australia, *Rates and Taxes: A Fair Share for Responsible Local Government*, 2003.

<sup>29</sup> For example see discussion in Andrew Worthington and Brian Dollery, *The Debate on Australian Federalism: Local Government Financial Interrelationships with State and Commonwealth Governments*, Blackwell Publishing 2000, author manuscript version, first published in Australian Journal of Public Administration 59(4): pp12-22. See also John Comrie, *Search Conference Strengthening Local Government Revenue, Background Paper*, Australian Centre of Excellence for Local Government (ACELG), (2013) [online] Available at: [http://www.acelg.org.au/system/files/publication-documents/1355279530\\_ACELG\\_Background\\_Paper\\_\\_Strengthening\\_Local\\_Govt\\_Revenue\\_updated\\_12\\_Dec\\_2012.pdf](http://www.acelg.org.au/system/files/publication-documents/1355279530_ACELG_Background_Paper__Strengthening_Local_Govt_Revenue_updated_12_Dec_2012.pdf)

<sup>30</sup> For example, those conducted by the Financial Sustainability Review Board (FSRB), *Rising to the Challenge*, South Australian Local Government Association (2005) and; Independent Inquiry into Local Government (LGI) *Are Councils Sustainable? Final Report: Findings and Recommendations*, NSW Local Government and Shires Association, 2006. See also commentary by Brian Dollery, *A Critical Evaluation of Revitalising Local Government*, prepared on behalf of New England Education and Research Proprietary Limited for the United Services Union, nd., p19.

<sup>31</sup> Comrie, Op. Cit, p. 10

<sup>32</sup> Mervyn Carter, *Briefing Paper: Australian Local Government Financial Reform – A Federal Perspective*, prepared for the ANZSOG Institute of Governance and the Australian Centre of Excellence for Local Government, (2013) [online] Available at: [www.acelg.org.au](http://www.acelg.org.au)

In such ways the distribution of financial assistance could further assist in reducing the resourcing disparities that exist between local authorities.

It is the view of the ASU that other levels of government should make a greater contribution to increasing local government revenue. This is particularly important in view of the limited taxation measures available to local government; the expanded roles which it is required to perform and; the capacity that local government has to improve the economic viability of local economies – particularly in regional and rural areas.

Given the significant role which local government has in providing a broad range of services and infrastructure to communities, increased investment in this level of government could significantly reduce future calls on Commonwealth and state budgets as a result of improvements in community resilience and social cohesion.