

SUBMISSION # 47

Noel Wilson

Jo Tilley

3,25,39,41

[Redacted]

Sex Discrimination Unit

[Redacted]

HREOC

[Redacted]

Bay Box 5218

03.09.05

Sydney 2001

Fel. [Redacted]

Dear ~~Joe~~ Jo,

Your colleague suggested that I forward the enclosed copies to you. It concerns the regulations of the Superannuation Co-contribution Scheme, and how the work test discriminates against the disabled as well as stay-at-home mothers.

I am going to Hobart but return on Thursday, and I would be grateful if you would telephone me to go through the material on Friday, 9th February.

Yours sincerely,

Noel Wilson.

Altn: Sue Ham

Senator Paul Calvert
Suite 10
2 Balfield Street
Rosby Park
Tasmania 7018
20/8/04

Noel Wilson



Attention: Ed Gauden

Dear Senator Calvert

I refer to the recent communication from the Australian Taxation Office entitled **Super Co- Contribution**. I meet all the eligibility requirements except requirement number 3 which states that *10% or more of your total income is from eligible employment*.

Being disabled, I am deemed unfit to work and am therefore excluded from benefiting from this very helpful provision. I hope you will agree that it discriminates against disabled people. Having lived, studied and worked in Europe (mostly in U.K.) from 1971 till my return to Australia in 1992, I was not able to contribute to Superannuation in my earlier working years and currently my Super stands at about \$20,000. Poor performance over the last two financial years has meant that it has hardly risen at all since I became disabled in August 2001.

I cannot but think that this legislation contains at best an anomaly and at worst a blatant intention to discriminate against the disabled. We have surely as much right as anyone else to make subsidised contributions to our own retirement fund and I urge you, Sir, to make representations about this matter to anyone or any body of government who can rectify what some may consider an insignificant anomaly but to us - many unemployed people as well as those who are disabled - is a matter of vital importance to our own comfort in old age or else to the benefit of dependents in the case of a premature death.

Since it is unlikely that you can afford the time to reply to this letter yourself, I ask you to request that your assistant Ed Gauden, who has already spoken to me about this matter, or another of your workers should Mr Gauden be unable to respond

Yours sincerely

Noel Wilson.




PARLIAMENT OF AUSTRALIA • THE SENATE

SENATOR THE HON. PAUL CALVERT

PRESIDENT OF THE SENATE
SENATOR FOR TASMANIA

Ref: GS-2911-EG

18th November 2004

Mr Noel Wilson


Dear Mr Wilson,

Thank you for inquiry regarding Australian Super Co-contribution and specifically the impact on disabled people that may be discriminated by eligibility requirements set in place by Australian Taxation Office.

I have written to Minister Mal Brough regarding your situation and requesting clarification on this apparent anomaly. Once I have received a response from the Minister I will forward to you his clarification.

Once again thank you for your inquiry and if you require any further assistance please do not hesitate in contacting my office on 03 62 44 8533

Yours sincerely



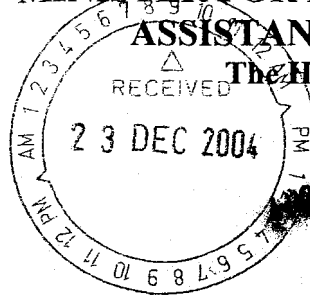
Senator Paul Calvert
President of the Senate
Liberal Senator for Tasmania

1 Attn: Sue Ham

FAX 6224 0398



MINISTER FOR REVENUE AND ASSISTANT TREASURER
The Hon Mal Brough MP



PARLIAMENT HOUSE
CANBERRA ACT 2600

Telephone: (02) 6277 7360
Facsimile: (02) 6273 4125

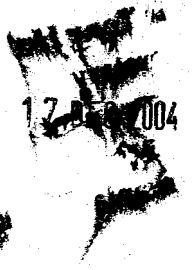
assistant.treasurer.gov.au

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Senator the Hon Paul Calvert
President of the Senate
PO Box 429
ROSNY PARK TAS 7018

Phone

FAX LOSS



Dear Mr President

Superannuation Co-Contribution

Thank you for your personal representations of 18 November 2004 on behalf of Mr Wilson, 2 James Street, Launceston, Tas 7250, concerning access to the Government's superannuation co-contribution scheme.

The original intent of the co-contribution was to reduce the previously less generous taxation offset for personal superannuation contributions made by low income employees who could not claim a deduction for these contributions. Like the taxation offset the co-contribution scheme does not include those who are not working in the year of income in which the personal contribution is made.

It should be noted that to generally open up availability of the co-contribution scheme to those who are not working potentially opens up the opportunities for high wealth households to take advantage of the system. This would not be consistent with the intention of the measure, that is to encourage greater personal superannuation contributions by low to middle income employees.

In order to assist people who are not in the workforce provide for their retirement, the Government removed from 1 July 2004 the work test that applied to people up to the age of 65 who wanted to contribute to superannuation. This means that people in Mr Wilson's situation no longer face any legislative barrier to personally contributing into superannuation.

Why not remove the for those in my situation

Removal of the work test for people under 65 allows every Australian to take advantage of the already highly tax concessional nature of the superannuation system to provide for their future retirement needs. This initiative is a significant break from the previous historical link that superannuation was solely an employment-related benefit.

Att: Sue Ham

One of the effects of this initiative is that some people like Mr Wilson may now be able to personally contribute to superannuation, and claim a taxation deduction for these personal contributions if they satisfy the eligible person test in the *Income Tax Assessment Act 1936*. This deduction can be used to offset taxation on other sources of income and can be worth a considerable amount, depending on a person's circumstances.

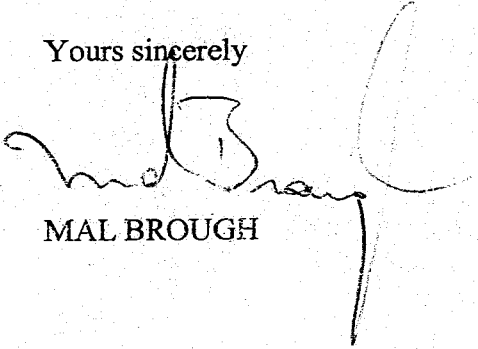
I note the Government increased the amount of superannuation contributions for which an eligible person can claim a 100 per cent tax deduction from \$3,000 to \$5,000 from 1 July 2002. A person also continues to be able to claim a deduction of 75 per cent of their contributions over \$5,000, up to a total deduction equal to the taxpayer's aged based limit.

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For those unable to save enough during their working lifetime the Government considers that the age pension on its own, or in conjunction with the fully implemented Superannuation Guarantee arrangements, provides a firm financial base for people's retirement. Treasury estimates that the Superannuation Guarantee and the age pension are projected to provide a spending replacement rate for a single male on median earnings (approximately \$35,000) of 76 per cent after 30 years of contributions, or 85 per cent after 40 years of contributions.

I trust this information will be of assistance to Mr Wilson.

Yours sincerely



MAL BROUGH

Tax Return.

Q DIB. Tax Peck (Superannuation)

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