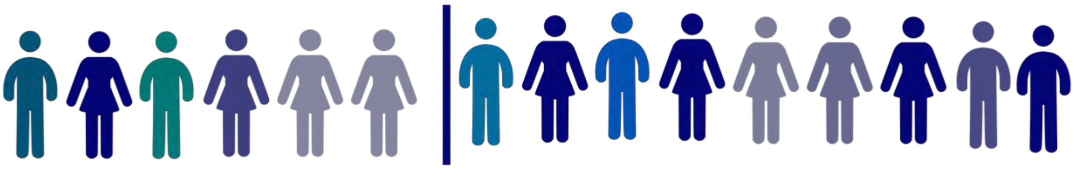
Case Study: Taxation

Men earn more than women and benefit more when tax is cut.

For example, income tax cuts planned for 2024, costing government $36.9bn a year by 2032, would have resulted in 38% of adults gaining nothing, 57% of these adults being women.

However

Marginal tax rates were were redesigned that gave a bigger tax cut to 90% of women taxpayers.



Nevertheless

When taxes are cut, regardless of who is taxed more or less, there is not as much revenue to invest in public services. And it is women who generally benefit the most from public services.

When public services are cut

women increase their unpaid work to fill the service gap.

CASE STUDY 1: TAXATION

Siobhan Austen, Rhonda Sharp & Monica Costa[1]

Taxation

An analysis of taxation is an essential component of gender-responsive budgeting.

Australian governments have paid relatively little attention to taxation measures in promoting gender equality. Across all levels of government $755.8 billion in taxation revenue was collected in 2022-23, accounting for 29.5% of GDP. This ranks Australia as a low tax country compared to other OECD countries.[2]

This case study shows that there are many opportunities for Australian governments to apply a gender lens to their taxation policies and the interactions between the taxation and benefit systems and introduce reforms that would contribute to gender equality. Key points are:

- *Although Australia's tax laws do not explicitly discriminate on the basis of gender, men and women pay different amounts of tax because they differ systematically in their economic circumstances and behavioral responses.*
- *Different types of taxes and their design affect the distribution of income and wealth between women and men.*
- *Taxes may have behavioural impacts because they create incentives to act in particular ways. These incentives may result in widening or closing gender gaps in behaviour, for example, in participating in paid work, in saving for retirement, or in spending money on alcohol.*
- *Revenue raised by taxation affects the ability and willingness of government to provide public services and social benefits, and women in general, and poorer women in particular, are more reliant than men on public services and benefits.*

Box 1.1 An example of gender-responsive taxation

In response to a strong campaign led by the Women's Electoral Lobby, in 1972 the newly elected Whitlam Labor government removed luxury sales tax on the contraceptive pill and added it to the Pharmaceutical Benefits scheme. This decision reduced the pill's cost and increased its availability to more groups of women.[3]

Source of photograph: *BroadAgenda*[4]

Personal income taxation in Australia

Personal income taxation is the largest single source of taxation revenue in Australia and under the Constitution federal and state governments can impose income taxes. However, since the 1940s an agreement has been in place where personal income taxes are collected by the federal government, but a share of the revenue is transferred to state and territory governments.

Four inter-related aspects of personal income tax are relevant to gender equality:

- *Are the taxes focussed on individual or joint household incomes?*
- *How do personal income taxes interact with the benefit system?*
- *Are the personal income taxes progressive in nature?*
- *What types of tax concessions are available, if any?*

Individual vs joint taxation

Under the Australian personal income taxation system, the tax each person pays is independent of their partner's income; that is, the tax is individually-targeted. Thus, each person's first dollar of earnings is taxed at the lowest tax rate (currently 0%).

In a joint taxation system, the tax each person pays depends on a couple's joint income. The first dollar of earnings of a person in a couple could be taxed at up to 45% (the highest rate in 2024) if their partner's earnings were taxed at this rate.

Joint taxation is bad for gender equality because it penalises the lower earner (often termed secondary earner) in couple households, the majority of whom are women, with relatively high tax rates, and it ignores unpaid work.

Joint taxation tends to penalise women. It ignores the benefits of unpaid work by taxing couples who have one person available to do unpaid work full-time the same as one in which both partners are occupied in paid work. This provides a disincentive to many women to take employment, reinforcing the gender employment gap.

Individually-targeted income taxes are better for gender equality.

The interaction between tax and the benefit system

Discussion of joint taxation is relevant in Australia because many households effectively experience joint taxation as a result of the interaction between the taxation system and the system of means-tested social security benefits.

Although personal taxes are based on individual incomes in Australia, many government benefits, including Family Tax Benefits, Child Care Subsidies, the Age Pension and JobSeeker, are means-tested against household income as a whole, and, in some cases, assets.

The means-test for Government benefits, such as the Age Pension and Jobseeker, being based on household income and assets, means that secondary earners in couple households pay very high effective marginal tax rates. High effective marginal taxes present a large barrier to women's participation in paid work and limit their access to an income of their own. Women with income earning partners are not eligible for many government benefits, even if they lack income or assets of their own (Box 1.2).

Box 1.2 High effective marginal tax rates on secondary earners penalise women and discourage their participation in paid work

Effective marginal tax rates (EMTRs) measure how a person's total financial position is affected by both taxes and the withdrawal of government benefits when their labour market earnings increase. In other words, EMTRs measure how much money a person loses to taxes, as well as reduced benefits, lower tax offsets, and higher childcare costs, when their income increases.

Example: Sara takes on extra hours of work, which boosts her earnings from $45,000 to $55,000p.a. She will pay 32.5 cents of each extra dollar in tax. At the same time, she will lose 1.5 cents in the tax offset for low-income earners and, due to the means-test, 27 cents in Family Tax Benefits, as well as pay 22 cents towards child care costs in order to earn that dollar. Sara's EMTR can be considered to be '83 cents in the dollar'. Her partner's marginal tax rate will be, at most, only 45 cents in the dollar.

Stewart (2020) estimated that a secondary earner on the average wage in 2020 lost up to 85 cents in each dollar from the extra earnings from an additional day's paid work.[5]

While there are those who argue that the level of a woman's own income does not matter if the household's level of income and wealth is high, *it cannot be assumed that the benefits of a high income are shared equally within households.* Women who are financially dependent on their partners are particularly vulnerable to poverty if their relationship breaks down, and especially if they have children. Studies (see Case Study 5) demonstrate the economic and gender equity benefits of greater labour force participation among women and the importance of women having an independent source of income.

Progressive tax rates

A progressive tax structure is important for gender equality. In 1985-86, the top marginal rate was 60 cents in the dollar; by 1990–91, it had fallen to 47 cents and by 2006-7, it was 45 cents. Thus, over time, the gap between the top and the bottom tax rate has fallen; the tax structure has become 'flatter'. An important issue in Australia has been proposed changes that would further flatten the structure of personal tax rates. Such changes would be negative for gender equality.

When tax rates are progressive, those on higher incomes pay tax at a higher rate than those on low incomes. This reflects a principle of fairness: those with the greatest ability to pay should pay the largest proportion of their income in tax.

Progressive tax rates are critical for gender equality because they help to reduce the income gap between men and women. Men tend to have higher before-tax incomes than women. Progressive income taxes reduce the gender gap in after-tax incomes by collecting a larger share of men's income in tax than women's.

Personal Income Tax Plan (PITP) 2018-24

Over recent decades, and through the Personal Income Tax Plan (PITP) 2018-24, changes to the Australian tax system have undermined the progressivity of our income tax rates by flattening the marginal tax rates, with detrimental effects on gender equality (Box 1.3).

Box 1.3 Changes to marginal tax rates under the Personal Income Tax Plan (PITP), 2018-2024

The PITP announced in the 2018-19 federal Budget when fully implemented will further reduce the progressivity of the taxation scale (see table below). Changes introduced in Stages 1 and 2 have primarily reduced tax rates on mid-range incomes by raising the threshold at which a higher tax rate applies, leaving the tax rate on income under $37,000 unchanged. In Stage 1, the threshold above which the 37c tax rate applies increased from $87 to $90,000.Stage 3 of the PITP is worse for gender equity because it delivers large tax cuts to higher income earners.

	Marginal tax rates personal income tax plan		
Rate	2018-19 (stage 1)	2020-21 (stage 2)	2024-25 (stage 3)
Nil	Up to $18,200	Up to $18,200	Up to $18,200
19c	$18,201-$37,000	$18,201-$41,000	$18,201-$41,000
32.5c	$37,001-$90,000	$41,001-$120,000	$41,001-$200,000
37c	$90,001-$180,000	$120,001- $200,000	na
45c	Above $180,000	Above $200,000	Above $200,00

Source: ACOSS (2019)[6]

Reducing personal income tax rates has additional negative impacts on gender equality because it reduces the capacity of the government to provide public benefits, as well as education, health and other services that women, much more than men, rely on.

Having introduced the Stage 1 and Stage 2 tax cuts, the Stage 3 cuts were planned for July 2024. The gender and broader distributional impacts of Stage 3 of the PITP were investigated by the Parliamentary Budget Office (PBO) in a 2022 report prepared for the Australian Greens.[7]

Comparing the Stage 3 tax rates to those applying in 2018-19, *the PBO report found that 66% of the benefits of the changes will flow to men; 33% to women.*

The gender impacts of the Stage 3 tax cuts result from the different distributions of men and women across the different income tax groups. Those on incomes above $180,000 receive 48.3% of the benefits of the changes in the tax rates. Women account for only 27.3% of taxpayers earning income in this range. Only 1.7% of the benefits of the Stage 3 tax cuts go to those on incomes under $60,000, and women are over-represented in this income range.[8]

Stage 3 of the PITP has become a topic of debate in the federal government and among advocates of gender equality and increased social services. A variety of alternative measures that are more positive for gender equality can be identified (Box 1.4).

Box 1.4 Interactive tools for demonstrating equitable and affordable alternative expenditures and taxation options for the legislated 2024 Stage 3 Tax Cuts

The Guardian (2022) tool developed by Evershed and Remeikis shows how $243.5 billion of revenue lost due to the Stage 3 personal income tax cuts could instead be allocated to a range of alternative expenditure categories that would have positive impacts on gender equality. Over 10 years a 25% wage rise to aged care workers would cost an estimated $30 billion, building social housing, $10 billion, solar power for public and Indigenous housing, $230 million.[9]

Box 1.4 (continued)

Interactive tools for demonstrating equitable and affordable alternative expenditures and taxation options for the legislated 2024 Stage 3 Tax Cuts

The PBO's 'Build your own budget' tool shows that substantial changes are possible by altering the tax rates and thresholds that provide the same spend as the Stage 3 personal income tax cuts but with fairer outcomes.[10] It also highlights macroeconomic policy impacts by allowing changes to the budget forecasts (inflation and wages growth) to show how budget decisions and alternative tax and welfare payment options interact with economic growth, the budget bottom line and debt levels.

After a long public debate Labor legislated amendments to stage 3 PITP in the lead up to its 2024-25 budget. Key changes include lowering the marginal tax rate from 19% to 16% for low income earners ($18,201- $45,000), retaining the 37% tax rate for higher income groups ($135,000 - $190,000) and raising the income threshold for the 2% Medicare Levy.

These restructured tax cuts are more gender equitable than the original stage 3 PITP of the Coalition government as they go some way to restoring progressivity to the income tax system. They deliver a bigger tax cut to low and middle income taxpayers, where women taxpayers are over-represented as a consequence of the gender pay gap and women's lower labour force participation, and a smaller tax cut will go to the high income taxpayers. Treasury analysis indicates that Labor's amendments are broadly revenue neutral, will not put pressure on inflation, and will support labour supply. However, when other income tax changes are taken into account, such as the removal of the Low and Middle Income Tax Offset (LMITO) in 2022, the benefits for some lower income groups are muted. The restructured stage 3 tax cut for taxpayers earning less than $73,000 (an estimated two thirds of which are women) is a little less than the tax offset removed in 2022.[11]

Tax concessions (also termed tax expenditures)

Tax concessions are ways of exempting people or companies from paying all or part of their income tax in certain circumstances. They can be used by governments to incentivise desirable behaviour or simply to reduce levels of taxation for particular groups of people. Many large tax concessions *have adverse distributional impacts for gender equality and reduce the tax revenue base available for funding public services that women disproportionately rely upon.*

Income tax concessions, for example, tend to be regressive because those with the lowest incomes are ineligible as they do not earn enough to pay income tax. Higher earners compared to lower earners gain more benefit from income tax concessions. This is a gender issue because men on average already have higher disposable incomes than women so the availability of income tax concessions increases gender income inequality.

The Australian Treasury estimates the revenue forgone of the 10 largest tax concessions to be $180 billion in 2023-24. Superannuation tax concessions and capital gains discounts along with exemptions on home ownership account for $115 billion (64%) of the total value of the 10 largest tax concessions.[12]

Tax expenditures are a budget allocation like direct expenditures. This simply means that if 10 largest tax expenditures were put on the spending side of the 2023-24 federal budget, outlays on programs would increase by 35 percent to $864 billion. (In practice, the removal of a tax concession may not generate increased revenue of the amount of Treasury's estimated revenue foregone as behavioural changes etc, can influence the result).

Australian Treasury in 2023 began to provide a distributional analysis of these tax concessions that includes gender, age, income and industry.[13]

Tax concessions on superannuation

There are two key tax concessions associated with superannuation. Both are likely to benefit men more than women because the benefit of these concessions increases with income and asset balances.

- **Lower taxes on voluntary superannuation contributions.** One concession allows people to redirect up to $27,500 of their earnings to superannuation each year and be taxed at only 15% on these contributions. Other income is taxed at the relevant marginal tax rate, which can be up to 45%. This concession allows those in the top income tax bracket to 'save' up to 30 cents in the dollar on any earnings they contribute to superannuation.

  Modelling by the Australian Treasury shows that men received 58 % of the tax benefit on voluntary personal and employer superannuation contributions combined in 2020-21.[14]

  For those in the lowest tax bracket, where the marginal tax rate is zero, any tax paid on superannuation is refunded by the government. In merely getting back any tax paid on their super, individuals in this tax bracket do not gain as a result of the tax concession on superannuation contributions. Women are over-represented in the low tax brackets, and get fewer benefits from the concessions for voluntary contributions to superannuation.

- **Reduction of tax on investments within superannuation.** Another tax concession reduces the tax on any returns that accrue on investments within superannuation funds (through, for example, dividends and interest) to 15%. Returns on investments outside of superannuation can be taxed at the person's marginal tax rate – up to 45%. As a result, the benefits of the concessional treatment of superannuation flow predominantly to those in high income tax brackets and accrue more to those with higher superannuation wealth or balances.

  Distributional analysis by federal Treasury shows men received 61% of the benefit from the concessional treatment of fund earnings in 2020-21.[15]

  In response to pressure about the inequities and cost to revenue of superannuation tax concessions Labor's 2024-25 federal budget doubled the rate of tax applied to future superannuation investment earnings to 30% for those with balances above $3 million. Commencing in July 2025 the Prime Minister gave reassurance at a press conference that this tax will only apply to about 80,000 people with superannuation (0.5%) while raising about $2 billion in extra revenue.[16] However, increasing the tax on superannuation earnings of a relatively small number of mostly male beneficiaries of the tax concessions may do little to reduce the gender gaps in superannuation and wealth holdings more generally if those with large super balances are able to reorganise their asset portfolios to take advantage of other tax advantaged options in the tax system widely.

  Superannuation tax concessions are problematic because men already have higher assets and opportunities to save than women, and the concessions increase those gender inequalities.

The impact of concessions overall

Taxation concessions have different distributional effects and are critical in assessing the gender impacts of taxation. Some have a positive impact on gender equality such as the reduced Medicare levy for low income households with an estimated 58% of beneficiaries being low income women.[17] However, a relatively few very large tax concessions create a negative impact on gender equality.

An analysis of the gender distribution of the benefits from four large tax concessions (superannuation, negative gearing, capital gains discount, excess franking credits), as compared to the distribution of total income tax paid, shows that men receive a disproportionate tax benefit compared to the proportion of the tax they pay.

> *... men do pay more income tax than women. This is because men earn more income and have on average a higher income than women. But even accounting for this, men get an oversized benefit from these tax concessions. That is, they pay 65% of the tax but get 70% of the concessions. For women, it is the opposite: they pay 35% of the tax but only receive 30% of the concessions.*
>
> Matt Grudnoff and Eliza Littleton (2021) [18]

A further problem with tax concessions is that the budget treats them as revenue forgone and not government spending. As a result, the concessions are less visible. The scrutiny that is applied to other government spending that is critical for women, such as on the age pension, social housing and carer support, tends not to be applied to tax concessions.

Other taxes

Beyond personal income tax, a number of other taxes affect men and women in different ways and influence whether government revenues are sufficient to fund public services and benefit payments.

Goods and services taxation

Since 2000 Australia has had a broad-based *goods and services tax* (GST) of 10% on most items sold or consumed in Australia, and on most services. The GST is now a key source of government revenue. The federal government levies the tax, and distributes the entirety of the revenue to the states and territories.

Such a tax is regressive because poorer households need to spend more of their income on goods and services than richer households.

The GST requires all consumers to pay the same rate of tax regardless of income. Because women are more likely than men to live in poorer households and live with children, where spending on goods and services as a proportion of income tends to be relatively high, the GST has gender impacts.

Australian Treasury modelling of the distributional impacts of the GST exemptions found that 62 per cent of the total benefit was received by the top five income deciles as they spend more in dollar terms on food than households with lower incomes. However, the benefit received by the top five deciles averaged 1.0 per cent of their income, whereas it averaged 1.9 per cent of income for the bottom five.

Australian Treasury (2023) [19]

Exemptions for some basic categories of food help to reduce the adverse distributional impacts of the GST. In Australia, basic foods, some education courses and some medical, health and care products and services are GST-free.

Despite exemptions, gender impacts will persist if goods and services predominantly used by women are taxed and those used by men are exempted (or vice versa).

Increasing the GST to raise more revenue to distribute to the states and territories is more likely to have negative impacts on gender equality than raising income taxes with a progressive rate structure or increasing wealth taxes (see over page).

Box 1.5 The tampon tax

A long-running debate about the GST has centred on the *tampon tax* – the levying of the GST on menstrual hygiene products. On face value, this tax was gender neutral; it was imposed regardless of the gender of the purchaser. However, in reality, the tax was a tax on women.[20]since this product is exclusively purchased by women. Women argued that it was unfair to categorise menstrual products as non-essential items. Finally, in 2018, following years of campaigning by women's groups, the GST on tampons and sanitary pads was removed at a cost of $30 million.

Ironically in 2024, the federal government announced plans of savings on the expenditure side of the budget by categorising menstrual products as 'lifestyle-related' and excluding them from the National Disability insurance Scheme (NDIS) funding.

Other taxes on goods

Aside from the GST, specific excise taxes are levied on many goods, such as fuel, alcohol or tobacco. In most countries men consume more of these goods than women, so pay more of their income in these taxes. However, often these taxes are levied because the products have harmful effects, and the taxes are designed in part to discourage overuse. Care should be taken when assessing the gender impacts of such taxes. Where men control household resources, they may still be able to pass on the additional costs of these taxes to women and children in their household by reducing spending on goods and services that are consumed by other household members.[21]

Taxes on business

Taxes on corporations, companies and contractors are important for ensuring that the tax revenue needed for government services is protected and that scope for tax avoidance is reduced.

Low corporate taxes and tax havens

As capital (wealth) increasingly moves globally there is a danger of a race to the bottom as governments compete to have the lowest rates of company taxation, leading to a serious reduction in governments' ability to raise revenue. Most countries have agreed to enforce, from 2023, a minimum global corporate tax rate of 15% and a system of taxing profits where they are earned.

cartoon by Cathy Wilcox; https://www.cathywilcox.com.au/

The Labor government announced in its 2023-24 budget its implementation of the minimum corporate tax of 15% would raise an extra $160 million in 2025-26, and $210 million in 2026-27. This represents a very modest increase (0.5%) in company tax revenue, and could entrench profit shifting out of Australia because it does not deal with taxing corporate activities at their source. In Australia that would mean taxing mining companies 'where they dig their riches out of the ground'.[22]

Curbing government attempts to award or influence companies by offering lower taxes, and eliminating tax havens, are important steps that could be taken to ensure that governments are able to collect adequate levels of revenue from company taxation. Having sufficient revenue is vital for promoting gender equality.

Incentives to shift from income to corporate tax

When the taxes levied on corporate income fall below those levied on individual incomes, incentives exist for companies and individuals to organise their affairs in ways that will reduce their tax liabilities. For example, individuals set themselves up as companies to receive income as company income rather than wages. Alternatively, they might split the ownership of shares in the business between family members so that a larger share of the firm's total income is taxed at a zero or a low rate. Such activities take up government resources in monitoring and regulating tax avoidance, and reduce the tax base.

Men are much more likely to benefit from lower business taxes than women. Two-thirds of all business owners in Australia are men.[23] Generous tax support to business was a central part of the government's COVID-19 stimulus response, which disproportionately benefited men. In contrast, government support to redress the large impacts of the pandemic on women was limited. The impact of such budgetary decisions is to worsen gender inequalities.

Business subsidies

Governments at all levels provide subsidies in the form of tax concessions to business, such as accelerated depreciation of capital equipment, tax incentives for certain types of production, fuel tax credits and reduced payroll tax. An example that has largely escaped scrutiny from a gender perspective is fossil fuel tax concessions by federal, state and territory governments for fossil fuel industries and main business users of fossil fuels. The Australia Institute found these tax concessions providing incentives had risen to a $12.5 billion in 2023-24.[24]

This costs revenue and reduces funds available for public services that women disproportionately rely upon (see Case study 2, Social Security) as well as funding actions to mitigate the impacts of climate change on the most vulnerable groups.

Limited wealth taxation

The abolition of inheritance and gift duties in 1979 relegated Australia to one of a few OECD countries that does not have such a wealth tax. Wealth in the form of the family home and investment property, shares, superannuation, and non-financial assets (artwork, cars) is lightly taxed. Since 1999 capital gains tax is applied at a highly concessional rate on the sale of most assets held for more than a year. A few state governments levy a land tax and a property tax is levied by local government.

Australia's limited taxation of wealth (which includes tax concessions for superannuation, capital gains, negative gearing and owner occupied housing) has contributed to a growing wealth divide with the top 10% of households owning 44% of all wealth in Australia in 2022-23.[25] This fosters gender inequalities in home ownership and housing security, retirement, incidence and risk of poverty and financial security derived from resource buffers during the life cycle.

Studies of gender and wealth in Australia, although limited, indicate that men have more wealth than women, with a strong relationship between wealth and income. An Austen et al. analysis of changes in net worth 2002-2010, using HILDA data, showed a significant increase in the gender wealth gap. This was largely associated with the rapid increase in the value of housing assets owned by single men households compared to households of single women.[26] There is evidence that the distribution of wealth is uneven within a household. For example, within the majority (61.5%) of male and female couple households the male partner's (non-housing) wealth was found to exceed that of the female partner.[27] A large and growing gender wealth divide is incompatible with gender equality.

In summary, personal income taxation is the main means of raising revenue for funding government expenditures in Australia. Therefore, the impact of the tax-transfer system on gender equality is strongly related to personal income taxation raising substantial shares of total revenue and its progressive or regressive gender impacts.[28] Other major taxes, tax expenditures or concessions and limited wealth taxation, discussed above have regressive impacts and detract from the overall progressivity required for promoting gender equality of the tax-transfer system.

Gender-responsive budgeting principles for taxation

An analysis of taxes and their interaction with the social security system is an essential component of gender-responsive budgeting. Gender equality will be advanced if the system of tax in combination with the social security system:

- *ensures government revenues are sustainable and sufficient to fund high-quality public services and social benefits*
- *promotes a more equal distribution of income and wealth between men and women*
- *ensures taxes and benefits vary progressively with differences in income and wealth*
- *considers the impacts on individual, household and business behaviour*
- *provides individuals with access to an independent source of income*
- *encourages women's participation in paid work and men's contribution to unpaid work*
- *recognises the value of unpaid work*
- *minimises tax concessions and shifts them to the expenditure side of the budget to promote transparency.*

Overall, a gender-responsive analysis of taxation is about both efficiency and equity. However, it challenges the narrow definition of efficiency that is commonly used in policy circles. As Miranda Stewart explains:

> *The notion of efficiency helps us ask the question: will a tax provision, such as a childcare deduction, have the intended effect of encouraging paid childcare, women's work, new childcare centres or any other policy goal? And what other effects or incentives (desirable or undesirable) could the proposed measure create?*
>
> Miranda Stewart (1998)[29]

Notes, Case study 1

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