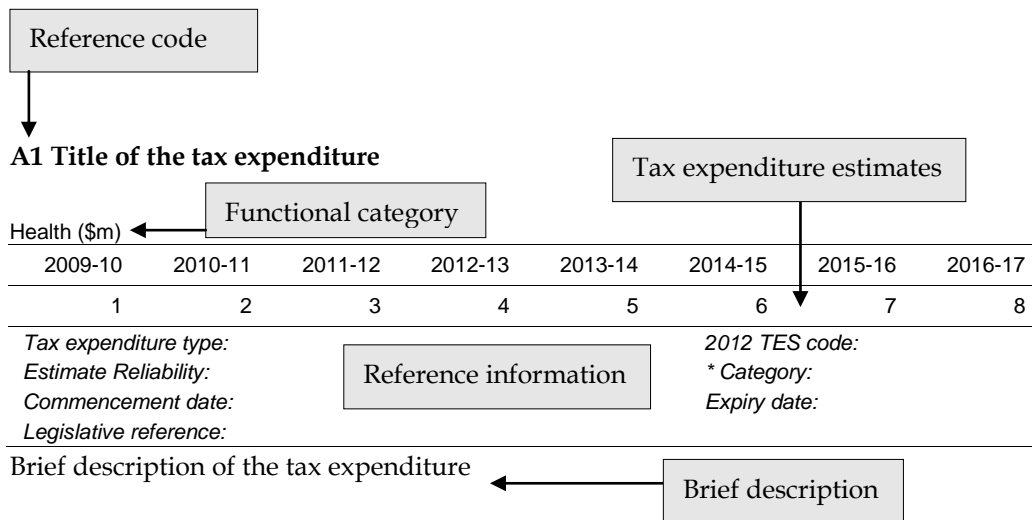


# CHAPTER 2: TAX EXPENDITURES

## 2.1 Guide to tax expenditure descriptions

This chapter provides information on all Australian Government tax expenditures in the following format.



Reference codes use the following system:

- A Personal income
- B Business income
- C Retirement income
- D Fringe benefits tax
- E Capital gains tax
- F Commodity and other indirect taxes
- G Natural resources tax
- H Goods and services tax
- I Carbon pricing mechanism

The following codes apply where tax expenditure estimates are not quantified.

- nil
- .. not zero, but rounded to zero
- \* estimate is not available
- nfp not for publication

## 2.2 Tax expenditures

### A. PERSONAL INCOME

General features of the personal income tax benchmark:

- a tax base including all nominal income less expenses incurred in earning income;
- a tax scale comprising tax rates, associated income tax thresholds, Medicare levy and low-income tax offset;
- the individual as the tax unit; and
- the financial year as the tax period.

#### A1 Deduction for expenses incurred by election candidates

General public services — Legislative and executive affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	2	2	1	1	1	1	1	1
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>		A1
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 25-60, 25-65 and 25-70 of the <i>Income Tax Assessment Act 1997</i>							

Certain expenses incurred by candidates contesting federal, state and territory government elections are deductible. Expenses of up to \$1,000 per election incurred by candidates contesting local government elections are also deductible. Candidates are eligible for the deduction irrespective of whether they successfully contest the election.

### A2 Exemption of official salaries and certain other income of the Governor-General and Governor of any State

General public services — Legislative and executive affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	..	..	-	-	-
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A2
<i>Estimate Reliability:</i>	High							
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		No longer available for appointments after 28 June 2001
<i>Legislative reference:</i>	Former section 51-15 of the <i>Income Tax Assessment Act 1997</i>							

The ordinary and statutory income of the Governor-General and State Governors derived from a source outside Australia, along with their official salaries, were exempt from income tax. This exemption is not available for appointments made after 28 June 2001.

The NSW Governor is the only remaining State Governor appointed before 28 June 2001.

### A3 Exemption of certain income earned by Australians working overseas

General public services — Foreign affairs and economic aid (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	220	65	55	50	50	50	55	55
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A3
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 23AF and 23AG of the <i>Income Tax Assessment Act 1936</i>							

Income earned by Australians working overseas for a continuous period of 91 days or more may be exempt from income tax if they are employed to work on certain approved overseas projects or if their foreign employment is directly attributable to:

- the delivery of Australia's overseas aid program by the individual's employer;
- the activities of the individual's employer in operating a developing country relief fund or a public disaster relief fund;
- the activities of the individual's employer being a prescribed institution that is exempt from Australian income tax;
- the individual's deployment outside Australia by an Australian government (or an authority thereof) as a member of a disciplines force; or
- an activity of a kind specified in the regulations.

## Tax Expenditures Statement

This exemption may not apply where the foreign earnings are exempt from income tax in the foreign country.

### A4 Exemption of income of certain visitors to Australia

General public services — Foreign affairs and economic aid (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A12 and A4	
<i>Estimate Reliability:</i>	Low				<i>* Category</i>	1+	
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 842-105 and Section 768-100 of the <i>Income Tax Assessment Act 1997</i>						

The earnings of certain foreign residents and visitors to Australia are exempt from income tax.

This exemption broadly applies to Australian sourced income earned by foreign residents in their official capacity:

- as a visiting foreign government representative or member of their entourage;
- as a representative of an educational, scientific, religious or philanthropic society or association;
- as a member of the foreign media reporting on proceedings relating to a visitor referred to in one of the preceding points;
- as an advisor to an Australian Government Agency or as a member of a Royal Commission;
- in assisting the Australian Government in regards to Australia's defence where the income is non-exempt in their country of residence; or
- as a member of a foreign force in Australia (this does not apply if the Australian Government makes the payment).

The official salary and foreign sourced income earned by visitors to Australia are also exempt from income tax where reciprocal tax exemptions are provided by their home country and the visitor is:

- a foreign Government representative or staff of the representative when the Vienna Conventions on Consular or Diplomatic Relations do not apply; or
- an officer of a Commonwealth of Nations country in Australia to either provide their services on behalf of their country or an Australian Government Agency in accordance with intergovernmental arrangements.

### A5 Exemption of official salary and emoluments of officials of prescribed international organisations

General public services — Foreign affairs and economic aid (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A5
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>		1+
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>International Organisations (Privileges and Immunities) Act 1963</i>							

The official salary and emoluments of officials of prescribed international organisations may be exempt from income tax as part of the privileges and immunities required under the terms of certain international agreements. Prescribed international organisations include the United Nations organisations, the OECD, the International Court of Justice and the International Atomic Energy Agency.

### A6 Exemption from income tax and the Medicare levy for residents of Norfolk Island

General public services — General services (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	6	6	6	6	7	7	7	7
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A6
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Division 1A of Part III and sections 251T and 251U of the Income Tax Assessment Act 1936</i>							

Income earned by residents of Norfolk Island is exempt from income tax and the Medicare levy.

### A7 Exemption from the Medicare levy for current and veteran Australian Defence Force members and their relatives and associates

Defence (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	50	50	50	55	55	75	80	85
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A7
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Sections 251T and 251U of the Income Tax Assessment Act 1936</i>							

Income earned by current and veteran Australian Defence Force personnel and people who are entitled to free medical treatment because they are relatives of, or individuals otherwise associated with, Australian Defence Force personnel, such as a repatriation beneficiary, is generally exempt from the Medicare levy. Prior to 30 June 2014, the Medicare levy is applied at a flat rate of 1.5 per cent. From 1 July 2014, the Medicare levy will increase to 2 per cent.

*Tax Expenditures Statement*

**A8 Exemption of certain allowances paid to Australian Defence Force personnel**

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
70	80	85	90	85	85	90	90
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A8
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 51-5 of the <i>Income Tax Assessment Act 1997</i> Regulation 51-5.01 of the <i>Income Tax Assessment Regulations 1997</i>						

Certain allowances payable to Australian Defence Force personnel are exempt from income tax. These include the following allowances – separation allowance, disturbance allowance, rent allowance paid to a member without dependants or a member with dependants (unaccompanied), transfer allowance, and deployment allowance.

In the case of rent allowance paid to Australian Defence Force personnel, the benchmark treatment is compensation for the actual additional cost faced by employees in living away from their homes. Accordingly, this tax expenditure relates solely to that part of the allowance that is in excess of this compensation.

**A9 Exemption of compensation for loss of deployment allowance paid to Australian Defence Force members**

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1	1	1	1	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A9
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1996				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 51-5 and 51-32 of the <i>Income Tax Assessment Act 1997</i>						

Australian Defence Force personnel may receive compensation for the loss of deployment allowance where the deployment allowance ceases to be paid upon repatriation to Australia due to injuries sustained in a warlike situation. Such compensation payments are exempt from income tax.

### A10 Exemption of compensation for loss of pay and allowances paid to Australian Defence Force Reserve personnel

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A10
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1996			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Sections 51-5 and 51-33 of the <i>Income Tax Assessment Act 1997</i>						

Australian Defence Force Reserve personnel who are forced to resign due to injuries sustained whilst employed by the Reserves may receive compensation for the loss of pay and allowances. Such compensation payments are exempt from income tax.

### A11 Exemption of pay and allowances earned by members of the Australian Defence Force on eligible duty

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
75	90	95	95	55	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A11
<i>Estimate Reliability:</i>	Medium						* <i>Category</i>
<i>Commencement date:</i>	Introduced before 1985			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Sections 23AC and 23AD of the <i>Income Tax Assessment Act 1936</i>						

Base pay and allowances, which are not exempt from income tax under another provision of the income tax law, made to Australian Defence Force personnel while on eligible duty at a specified area, are exempt from income tax.

### A12 Exemption of pay and allowances for part-time Australian Defence Force Reserve personnel

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
60	60	60	60	60	60	60	65
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A13
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 51-5 of the <i>Income Tax Assessment Act 1997</i>						

The pay and allowances of part-time Australian Defence Force Reserve personnel are exempt from income tax.

*Tax Expenditures Statement*

**A13 Exemption of some payments to Australian Federal Police and civilian personnel in service with an armed force of the United Nations**

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A14
<i>Estimate Reliability:</i>	Very Low						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 23AB of the <i>Income Tax Assessment Act 1936</i>						

Australian Federal Police and civilian personnel contributed by Australia to an armed force of the United Nations may receive compensation in respect of death, impairment or incapacity resulting from their service. Such compensation payments are exempt from income tax. The estate of a deceased civilian who has performed United Nations service may also receive relief from unpaid tax in respect of pay and allowances. In addition, a partial income tax exemption applies to living allowances paid to civilians who died during periods of United Nations service.

**A14 Tax offsets for Australian Defence Force personnel serving overseas and for Australian Federal Police and civilians serving with United Nations forces**

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Included in A49							
<i>Tax expenditure type:</i>	Offset				<i>2012 TES code:</i>		A15
<i>Estimate Reliability:</i>							
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 79B and 23AB(7) of the <i>Income Tax Assessment Act 1936</i>						

Australian Defence Force personnel who serve overseas and civilian personnel contributed by Australia to an armed force of the United Nations may be eligible for a tax offset. Personnel or civilians qualify for the full offset amount if their total period of overseas service is more than half the income year or if they die while on service. Personnel or civilians who serve for less than half the income year receive a proportion of the full amount. The offset is made up of a base amount with additional entitlements for individuals who maintain dependants.



**A15 Denial of deductibility for certain self-education expenses**

Education (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Denial of deduction				<i>2012 TES code:</i>	A16	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	3-	
<i>Commencement date:</i>	1989				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 26-20 of the <i>Income Tax Assessment Act 1997</i>						

Course fees and interest repayments for a Higher Education Contribution Scheme Higher Education Loan Program (HECS-HELP) place funded by the individual are not tax deductible, even for the proportion that relates to income earning activities.

Self-education expenses would otherwise be deductible to the extent that the self-education is to maintain or improve skills or knowledge which the taxpayer uses in income earning activities.

**A16 Education Tax Refund**

Education (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	130	140	160	4	3	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A17	
<i>Estimate Reliability:</i>	Medium				<i>Expiry date:</i>		
<i>Commencement date:</i>	2008				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 61-M of the <i>Income Tax Assessment Act 1997</i>						

Education Tax Refund payments are exempt from income tax.

For the income years 2008-09 to 2010-11, eligible individuals were able to claim a refundable tax offset for 50 per cent of eligible education expenses incurred in respect of a student undertaking primary or secondary school studies, up to a maximum amount. For expenses incurred in 2010-11, the maximum amount of the Education Tax Refund was \$397 for each primary school student and \$794 for each secondary school student. These maximum amounts were indexed in line with increases in the Consumer Price Index.

The Education Tax Refund was replaced by the Schoolkids Bonus on 26 May 2012. See related item A30 *Exemption of the Schoolkids Bonus*.

*Tax Expenditures Statement*

**A17 Exemption of income from certain educational scholarships, payments to apprentices or similar forms of assistance**

Education (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
30	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A18	
<i>Estimate Reliability:</i>	Very Low				<i>* Category</i>	2+	
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 51-10, 51-35, 51-40, 51-42 and 842-105 of the <i>Income Tax Assessment Act 1997</i>						

Income derived by way of scholarships, bursaries or other educational allowances to a student receiving full-time education at a school, college or university may be exempt from income tax. Income derived as part of an Australian Government scheme to assist secondary education or the education of isolated children is exempt from income tax, excluding federal education or training payments or education entry payments provided under the *Social Security Act 1991*.

A number of other educational assistance payments are also exempt from income tax, including grants from the Australian American Educational Foundation (that is, Fulbright Scholarships), and the early completion bonus payments for apprentices in trades suffering a skills shortage. Other eligible payments are listed in the *Income Tax Assessment Act 1997*.

**A18 Threshold for the deductibility of self-education expenses**

Education (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-12	-12	-11	-12	-12	-12	-13	-13
<i>Tax expenditure type:</i>	Denial of deduction				<i>2012 TES code:</i>	A19	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 82A of the <i>Income Tax Assessment Act 1936</i>						

Self-education expenses are deductible if the purpose of the self-education is to maintain or improve skills or knowledge which the taxpayer uses in income earning activities. In certain circumstances taxpayers may have to reduce their allowable self-education expenses by \$250, which may reduce the deduction that they can claim for self-education expenses. Self-education expenses that are non-deductible, such as child care costs and non-deductible travel expenses which relate to self-education, can be offset against the \$250 threshold.

**A19 Exemption from the Medicare levy for residents with a taxable income below a threshold**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1,100	1,150	1,170	1,260	1,320	1,790	1,960	2,040
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		A20
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1986			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Section 7 of the <i>Medicare Levy Act 1986</i>					

The Medicare levy generally applies at a flat rate to a taxpayer's whole taxable income. Prior to 30 June 2014, the Medicare levy is applied at a flat rate of 1.5 per cent. From 1 July 2014, the Medicare levy will increase to 2 per cent. Residents whose taxable income falls below a threshold are exempt from the Medicare levy, with the levy phased in once the taxpayer's income exceeds the threshold.

**A20 Exemption of the private health insurance rebate, including expense equivalent**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1,140	1,220	1,330	1,600	1,450	1,510	1,600	1,650
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		A21
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1998			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Section 52-125 of the <i>Income Tax Assessment Act 1997</i>					

Taxpayers can receive up to a 30 per cent refund (up to 35 per cent for people aged 65 to 69, and up to 40 per cent for people aged 70 and over) on the costs of private health insurance either as a refundable tax offset, direct payment or through reduced premiums. These payments are exempt from income tax. Commencing on 1 July 2012, there are three new 'Private Health Insurance Tiers', which may affect the amount of refund a taxpayer can receive. The tiers lower the amount of private health insurance refund claimable for individuals and couples on certain incomes. Individuals and couples who earn less than the Medicare levy surcharge thresholds will continue to receive the full refund amount.

From 1 April 2014, growth in the *average* Government contribution to individual private health insurance policies through the rebate will be limited to no more than growth in the annual Consumer Price Index (CPI).

*Tax Expenditures Statement*

**A21 Increased Medicare levy for income earners who do not hold private health insurance**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-210	-210	-220	-220	-300	-310	-310	-310
<i>Tax expenditure type:</i>	Increased rate				<i>2012 TES code:</i>		A22
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1997			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Sections 8B to 8D of the <i>Medicare Levy Act 1986</i> <i>A New Tax System (Medicare Levy Surcharge — Fringe Benefits) Act 1999</i>						

Individuals and couples who do not have appropriate private health insurance and whose income exceeds certain thresholds are subject to an increased Medicare levy, known as the Medicare levy surcharge (MLS). From 1 July 2013 to 30 June 2014, the income for surcharge threshold purposes above which MLS is payable is \$88,000 for single individuals and \$176,000 for couples and families. For families with more than one dependent child the threshold is increased by \$1,500 for each dependent child after the first.

Prior to 1 July 2012, the rate of the MLS was a flat 1 per cent. Since 1 July 2012, the rate of MLS a taxpayer is subject to may be 1 per cent, 1.25 per cent or 2 per cent, depending on which income-tested 'Private Health Insurance Tier' the taxpayer is in. These tiers are the same as the ones used to determine the amount of private health insurance rebate that a person may be entitled to (see also the related tax expenditure A20 *Exemption of the private health insurance rebate*).

The income thresholds on which the tiers are based are indexed annually to changes in average weekly ordinary time earnings. The couples and families thresholds are double the singles amounts, with an additional \$1,500 for each dependent child after the first.

The Medicare levy surcharge has applied since 1 July 1997 and is a negative tax expenditure.

**A22 Medical expenses tax offset**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
460	530	510	540	420	255	185	30
<i>Tax expenditure type:</i>		Offset			<i>2012 TES code:</i>		A23
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		Introduced before 1985			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Section 159P of the <i>Income Tax Assessment Act 1936</i>					

A tax offset is available to a taxpayer whose net medical expenses, which is medical expenses less available reimbursements such as Medicare and private health insurance refunds, in the income year exceed a certain threshold. Qualifying medical expenses may relate both to resident taxpayers and any resident dependants of the taxpayer. From 1 July 2012, the threshold above which a taxpayer may claim the offset and the rate at which the offset applies was means tested.

From 2013-14, this offset will be phased out with two types of transitional arrangements for those currently claiming the offset. Firstly, the offset will continue to be available for taxpayers for out of pocket medical expenses relating to disability aids, attendant care or aged care expenses until 1 July 2019. Secondly, from 1 July 2013, those taxpayers who claimed the offset for the 2012-13 income year will continue to be eligible for the offset for the 2013-14 income year if they have eligible out of pocket medical expenses above the relevant thresholds (based on the existing definition of eligible expenses). Similarly, those who claim the offset in 2013-14 will continue to be eligible for the offset in 2014-15. Eligibility for claims (other than disability aids, attendant care or aged care) will cease from 1 July 2015.

**A23 Medicare levy exemption for blind pensioners, sickness allowance recipients and foreign government representatives**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
125	140	155	170	185	275	290	300
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		A24
<i>Estimate Reliability:</i>		Medium — High					
<i>Commencement date:</i>		1986			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Sections 251T and 251U of the <i>Income Tax Assessment Act 1936</i>					

The income of recipients of specified payments made under the *Social Security Act 1991* and foreign government representatives is generally exempt from the Medicare levy. Prior to 30 June 2014, the Medicare levy is applied at a flat rate of 1.5 per cent. From 1 July 2014, the Medicare levy will increase to 2 per cent.

*Tax Expenditures Statement*

**A24 Medicare levy surcharge lump sum payment in arrears offset**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Offset				<i>2012 TES code:</i>	A25	
<i>Estimate Reliability:</i>	High						
<i>Commencement date:</i>	1 July 2005				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 61L of the <i>Income Tax Assessment Act 1997</i>						

From 2005-06, concessional Medicare levy surcharge treatment has been provided to eligible taxpayers who receive certain lump sum payments in arrears. This measure allows taxpayers who have a Medicare levy surcharge liability, or an increased liability, as a result of certain lump sum payments in arrears to receive concessional treatment in respect of their surcharge liability.

**A25 Exemption for Defence Abuse Reparation Payment Scheme**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	-	10	10	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	New	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2013				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 51-5 of the <i>Income Tax Assessment Act 1997</i>						

Reparation payments to individuals under the Defence Abuse Reparation Payment Scheme will be capped at \$50,000 and income tax exempt. The amount provided to each complainant will be determined on a case-by-case basis taking into account their individual circumstances.

The Scheme is part of the response to the DLA Piper *Report of the review of allegations of sexual and other abuse in Defence*.

**A26 Exemption for National Disability Insurance Scheme amounts**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	-	40	80	240
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	New	
<i>Estimate Reliability:</i>	Very Low						
<i>Commencement date:</i>	1 July 2013				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 6-5; 11-15; 12-5; 26-100; 40-235; 52-180; and 995.1 of the <i>Income Tax Assessment Act 1997</i>						

Payments and benefits provided under the National Disability Insurance Scheme (NDIS), whether directly or otherwise, to NDIS participants for approved reasonable and necessary supports are exempt from income tax.

The exemption will apply to all NDIS amounts paid directly to the NDIS participant by the National Disability Insurance Agency, or benefits that are provided to NDIS participants indirectly, by third parties funded under the *National Disability Insurance Scheme Act 2013*.

Taxpayers are unable to claim a deduction for assets purchased, or expenditure incurred, related to income tax-exempt NDIS amounts. This includes deductions for depreciation of capital assets, or certain other capital expenditure.

### A27 Exemption of disaster relief payments for individuals

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
19	285	25	70	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A26	
<i>Estimate Reliability:</i>	Medium				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2008				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 51-30 of the <i>Income Tax Assessment Act 1997</i>						

Certain payments made to individuals who are victims of natural disasters or acts of terrorism are made exempt from income tax, such as the Australian Government Disaster Relief Payments (AGDRPs) after the 2010-11 floods and cyclones and the 2011-12 floods, and the Disaster Income Recovery Subsidy payments provided between 3 January 2013 and 30 September 2013.

Ex-gratia payments to New Zealand non-protected Special Category Visa holders affected by natural disasters that occurred in 2012-13 are also made exempt from income tax. These ex-gratia payments are equivalent to the AGDRP and assist New Zealanders who would have been eligible for the AGDRP, but for their visa status.

Without a specific exempting provision, such payments would generally be treated as assessable income.

### A28 Exemption of the Baby Bonus

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
165	135	115	100	45	-	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A27	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2004				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 52-150 of the <i>Income Tax Assessment Act 1997</i>						

The Baby Bonus is exempt from income tax.

### *Tax Expenditures Statement*

The Baby Bonus is available in respect of children born or adopted from 1 July 2004. Prior to 1 July 2004, taxpayers may have been eligible for the first child tax offset (also known as the Baby Bonus). See also the related tax expenditure A43 *Exemption of the first child tax offset (Baby Bonus)*.

Families cannot get the Baby Bonus and Parental Leave Pay for the same child. From 1 July 2013 the Baby Bonus for the second and subsequent children will be reduced to \$3,000 but will remain at \$5,000 for the first child of a recipient and for multiple births.

The Baby Bonus will be discontinued from 1 March 2014. It will be replaced by changes to Family Tax Benefit Part A.

The Maternity Immunisation Allowance is also exempt from income tax and is included in this tax expenditure.

See the related tax expenditure A42 *Exemption of Family Tax Benefit, Parts A and B*.

### **A29 Exemption of the Child Care Rebate**

Social security and welfare (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
485	360	410	490	565	645	715	785
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	A28
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2007					<i>Expiry date:</i>	
<i>Legislative reference:</i>	Section 52-150 of the <i>Income Tax Assessment Act 1997</i>						

The Child Care Rebate (CCR) is exempt from income tax.

From 1 July 2007 families may receive the CCR to cover a proportion of out-of-pocket expenses on approved child care, up to a maximum amount per child. For expenses incurred in 2006-07 and 2007-08, this proportion was 30 per cent and the maximum amount per child was \$4,211 in 2006-07 and \$4,354 in 2007-08. For expenses incurred in 2008-09 and later years, this proportion is 50 per cent. The maximum annual CCR amount per child was increased to \$7,500 in 2008-09. The rebate limit was indexed in line with increases in the Consumer Price Index in 2009-10 to \$7,778 and in 2010-11 to \$7,941. In 2011-12, the limit was returned to \$7,500. Indexation of the annual cap has been paused until 30 June 2017.



**A30 Exemption of the Schoolkids Bonus**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	320	200	370	20	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A29
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	27 May 2012				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 52-150 of the <i>Income Tax Assessment Act 1997</i>						

The Schoolkids Bonus and the one-off transitional Education Tax Refund (ETR) lump sum payment for 2011-12 are exempt from income tax. These payments are available to eligible families to assist with expenses incurred in respect of students undertaking primary or secondary school studies.

The Schoolkids Bonus replaced the ETR, and is paid in two equal instalments in January and July each year. Subject to the passage of the *Minerals Resource Rent Tax Repeal and Other Measures Bill 2013*, the Schoolkids Bonus will be abolished from 30 June 2014.

See also the related tax expenditure A16 *Education Tax Refund*.

**A31 Flood and cyclone reconstruction levy**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-1,525	-135	-	-	-	-
<i>Tax expenditure type:</i>	Increased rate				<i>2012 TES code:</i>		A30
<i>Estimate Reliability:</i>	High						
<i>Commencement date:</i>	1 July 2011				<i>Expiry date:</i>		30 June 2012
<i>Legislative reference:</i>	Section 4-10 of the <i>Income Tax (Transitional Provisions) Act 1997</i>						

A temporary flood and cyclone reconstruction levy applied to taxable income for the 2011-12 income year to contribute towards the cost of rebuilding flood and cyclone affected regions. Taxpayers who, during 2010-11 or 2011-12, received an Australian Government Disaster Relief Payment (AGDRP); were affected by a Natural Disaster Recovery and Relief (NDRRA) disaster; or were a New Zealand Special Category Visa Holder who received an ex-gratia payment for a disaster were exempt from paying the levy.

*Tax Expenditures Statement*

**A32 Release from particular tax liabilities in cases of serious hardship**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
38	74	61	62	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A31	
<i>Estimate Reliability:</i>	High				<i>* Category</i>	2+	
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 340 in Schedule 1 to the <i>Tax Administration Act 1953</i>						

An individual taxpayer can be released from a tax liability where payment of the liability would cause serious hardship. This release from tax liability acts like a tax exemption.

**A33 Senior Australians' and Pensioners' Tax Offset**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
980	1,040	1,190	650	710	710	710	710
<i>Tax expenditure type:</i>	Offset				<i>2012 TES code:</i>	A32	
<i>Estimate Reliability:</i>	Medium				<i>Expiry date:</i>		
<i>Commencement date:</i>	1996						
<i>Legislative reference:</i>	Sections 160AAAA and 160AAAB of the <i>Income Tax Assessment Act 1936</i>						

The Senior Australians' and Pensioners' Tax Offset (SAPTO) is available to taxpayers who receive certain taxable pensions such as the Age Pension and Disability Support Pension (taxpayers of Age Pension age) and other payments such as Bereavement Allowance, Carer Payment and Parenting Payment (single). Taxpayers who are Age Pension age or older and eligible to receive an age pension, including individuals who qualify but do not receive a benefit (for example, because they do not meet the means testing criteria) can also claim the SAPTO.

Prior to the 2012-13 income year, this tax expenditure was called the Senior Australians Tax Offset (SATO) and was available to taxpayers who are eligible to receive the age pension or a veterans' benefit, pension or allowance, including individuals who qualify for, but do not receive a benefit (for example, because they do not meet the means testing criteria). As part of the Clean Energy Future Plan, the Pensioner Tax Offset (PTO) and the SATO were combined from the 2012-13 income year onward. Prior to the 2012-13 income year, the PTO was part of tax expenditure A34 *Tax Offset for recipients of certain social security allowances of benefits*.

**A34 Tax offset for recipients of certain social security allowances or benefits**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
260	270	300	260	45	45	45	45
<i>Tax expenditure type:</i>	Offset				<i>2012 TES code:</i>		A34
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 160AAA of the <i>Income Tax Assessment Act 1936</i>						

Taxpayers who receive certain social security benefits and allowances may be eligible for the beneficiary tax offset, which reduces the tax payable on the allowance or benefit. Qualifying government payments include:

- various income support allowances (for example, Newstart Allowance, Sickness Allowance or Youth Allowance);
- Australian Government education and training payments (for example, ABSTUDY and Austudy); and
- various other payments (for example Parenting Payment (partnered), Northern Territory CDEP transition payment and exceptional circumstances relief payments).

Prior to the 2012-13 income year, this tax expenditure included the Pensioner Tax Offset (PTO), which may be claimed by taxpayers who receive a qualifying government taxable pension – for example, Parenting Payment (single). From the 2012-13 income year onward, the PTO and the SATO are combined in the same tax expenditure (see tax expenditure A33 *Senior Australians' and Pensioners' Tax Offset*).

**A35 Tax offsets for dependent spouse, child-housekeeper, housekeeper who cares for a prescribed dependant and invalid or carer dependants**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
585	560	500	400	175	175	175	175
<i>Tax expenditure type:</i>	Offset				<i>2012 TES code:</i>		A35 and A36
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 159J and 159L of the <i>Income Tax Assessment Act 1936</i>						

The three types of dependency offset that may be claimed by taxpayers in respect of a dependent spouse, dependent invalid or carer, parent, parent-in-law, child-housekeeper or housekeeper are:

- the Dependent Spouse Tax Offset (DSTO);

### *Tax Expenditures Statement*

- the Dependent (Invalid and Carer) Tax Offset (DICTO); and
- the invalid relative, parent, parent-in-law, housekeeper, housekeeper (with child) child-housekeeper and child-housekeeper (with child) tax offsets that may only be received by taxpayers eligible for the Zone Tax Offset, Overseas Civilians Tax Offset or the Overseas Forces Tax Offset.

Since the 2008-09 income year, the dependency offsets have been means tested. To be eligible to receive an offset in respect of a spouse, a taxpayer must have adjusted taxable income below a specified income threshold. To be eligible to receive an amount of offset in respect of any other type of dependant, the combined adjusted taxable income of the taxpayer and the taxpayer's spouse must be below the same threshold. This threshold is currently \$150,000 and is ordinarily indexed in line with increases in the Consumer Price Index but indexation has been paused until 1 July 2017.

For the 2011-12 income year, the DSTO may only be claimed by taxpayers with a dependent spouse born before 1 July 1971. From the 2012-13 income year forward, the DSTO may only be claimed by taxpayers with a dependent spouse born on or before 1 July 1952. Taxpayers who are eligible for the Zone Tax Offset, Overseas Civilians Tax Offset or the Overseas Forces Tax Offset may continue to claim the DSTO regardless of the age of their dependent spouse.

From the 2012-13 income year onward, the invalid spouse, carer spouse, housekeeper, housekeeper (with child), child housekeeper, child housekeeper (with child), invalid relative, parent, and parent-in-law tax offsets have been consolidated into the DICTO. The DICTO is only available to taxpayers who maintain a dependant who is genuinely unable to work due to invalidity or carer obligations. Taxpayers who are eligible for the Zone Tax Offset, Overseas Civilians Tax Offset or the Overseas Forces Tax Offset are not affected by the consolidation of dependency offsets into the DICTO, and may continue to be eligible for amounts of the eight dependency offsets under the pre-2012-13 arrangements.

This item incorporates the former A36 Tax offsets for taxpayers supporting a parent, parent-in-law, or invalid relative from the 2012 TES.

**A36 Mature Age Worker Tax Offset**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	430	435	440	470	370	330	290	255
<i>Tax expenditure type:</i>	Offset					<i>2012 TES code:</i>		A37
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	2004					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 61-K of the <i>Income Tax Assessment Act 1997</i>							

From 1 July 2012 workers born before 1 July 1957 may be entitled to a tax offset based on the amount of their net income from working. The maximum offset amount of \$500 is payable on assessment for taxpayers with net income from working between \$10,000 and \$53,000. Prior to 1 July 2012 workers were required to be 55 years or over for eligibility.

**A37 Seasonal Labour Mobility Program**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	1	1	1	2	2	3
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>		A38
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	1 July 2011					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Schedule 7 of the <i>Income Tax Rates Act 1986</i>							

From 2012-13, non-resident workers employed under the Seasonal Labour Mobility Program will be subject to a final withholding tax of 15 per cent. This program replaced the Pacific Seasonal Workers Pilot Scheme, which provided a 15 per cent rate on an assessment basis for the 2011-12 income year for the first \$37,000 of income.

Other non-resident workers will continue to be subject to an assessment basis of taxation with a lowest marginal tax rate of 29 per cent.

**A38 Asian Development Bank — income tax exemption for Australian staff**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	1	1	1	1	1	1
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A39
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	17 September 2005					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Regulation 6 of the <i>Asian Development Bank (Privileges and Immunities) Regulations 1967</i>							

The income of Australian resident officers of the Asian Development Bank (ADB) is exempt from tax. This exemption is part of the broader arrangement with the ADB that

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facilitates the day-to-day running of the Australian office which services the needs of the Pacific Island countries.

### A39 International taxation — foreign income exemption for temporary residents

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	45	40	40	45	45	45	45	45
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A40
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	1 July 2006					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 768-R of the <i>Income Tax Assessment Act 1997</i>							

The majority of foreign source income of temporary residents is exempt from income tax, and capital gains on only some Australian assets of temporary residents are taxed. Interest paid to foreign lenders by temporary residents is exempt from withholding tax.

### A40 Exemption of certain income support benefits, pensions or allowances

Social security and welfare (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	590	770	980	620	670	730	780	840
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A41
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivisions 52-A, 52-E and 52-F of the <i>Income Tax Assessment Act 1997</i>							

Certain social security pensions, benefits, allowances and certain repatriation pensions paid under the *Social Security Act 1991* and the *National Health Act 1953*, are exempt from income tax.

Certain amounts of Commonwealth education or training payment and certain parts of payments under the ABSTUDY scheme are exempt from income tax.

### A41 Exemption of Child Care Benefit

Social security and welfare (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	270	290	325	360	380	405	425	445
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		A42
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 52-150 of the <i>Income Tax Assessment Act 1997</i>							

Child Care Benefit paid by the Australian Government is exempt from income tax.

Child Care Benefit can be paid directly to child care service providers to reduce the fees charged. Alternatively, the payment can be made directly to parents fortnightly, quarterly or at the end of the income year.

#### A42 Exemption of Family Tax Benefit, Parts A and B

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1,960	1,900	1,950	2,040	2,080	2,180	2,240	2,290
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		A43
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		2000			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Section 52-150 of the <i>Income Tax Assessment Act 1997</i>					

Family Tax Benefit payments are exempt from income tax. Since 1 July 2009, these payments have only been paid and claimed through Centrelink and Medicare, and not through the tax system.

From 1 March 2014, in the year following the birth or adoption of a first child or each child in multiple births, Family Tax Benefit Part A payments will be increased by \$2,000 per annum. For second and subsequent children Family Tax Benefit Part A payments will increase by \$1,000. These new arrangements will replace the Baby Bonus. Families claiming Parental Leave Pay in respect of the child will not be eligible for this increase.

See related tax expenditure A28 *Exemption of the Baby Bonus*.

#### A43 Exemption of the first child tax offset (Baby Bonus)

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
8	4	1	-	-	-	-	-
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		A45
<i>Estimate Reliability:</i>		Medium — High					
<i>Commencement date:</i>		2002			<i>Expiry date:</i>		Children born (or legal responsibility gained) on or before 30 June 2004
<i>Legislative reference:</i>		Subdivision 61-l of the <i>Income Tax Assessment Act 1997</i>					

First child tax offset payments are exempt from income tax.

The first child tax offset (also known as the Baby Bonus) is available to parents who gained legal responsibility for a child between 1 July 2001 and 30 June 2004 and remains available until that child turns five.

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See also the related tax expenditure A28 *Exemption of the Baby Bonus*, and A42 *Exemption of Family Tax Benefit, Parts A and B*.

### **A44 Exemption of Utilities Allowance and Seniors' Concession Allowance**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
114	19	1	1	1	1	1	1
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A46	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	2004			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Sections 52-10 and 52-65 of the <i>Income Tax Assessment Act 1997</i>						

The Utilities Allowance and Seniors' Concession Allowance payable to Commonwealth Seniors Health Card holders up to 20 September 2009 were exempt from income tax.

From 20 September 2009, the value of the Utilities Allowance was incorporated into the Pension Supplement, and the Seniors Concession Allowance and the Telephone Allowance were combined into a Seniors Supplement.

The Utilities Allowance continues to be payable to recipients of the Widow Allowance and Partner Allowance who are under Age Pension age, and Disability Support Pension recipients who are aged under 21 years without children.

### **A45 Exemptions of certain veterans' pensions, allowances or benefits, compensations, and particular World War II-related payments for persecution**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
430	490	440	400	400	410	410	400
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A47	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivisions 52-B and 52-C and Section 768-105 of the <i>Income Tax Assessment Act 1997</i>						

Repatriation pensions, certain payments under the *Veterans Entitlements Act 1985* and *Military Rehabilitation and Compensation Act 2004*, and payments under the *Australian Participants in British Nuclear Tests (Treatment) 2006*, are wholly or partly exempt from income tax.

Foreign source World War II payments are also exempt from income tax. This applies where the payment is in connection with:

- any wrong or injury;
- loss of, or damage to, property; or



- any other detriment;

suffered as a result of:

- persecution by an enemy of the Commonwealth, or enemy associated regime, during World War II;
- flight from persecution; or
- participation in a resistance movement against such forces.

From 1 July 2013, compensation provided for legal advice to beneficiaries under the *Military Rehabilitation and Compensation Act 2004* is exempt from income tax

#### **A46 Exemption of payments made under the First Home Owners Grant Scheme**

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
685	730	270	305	285	165	130	135
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A48
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	2000			<i>Expiry date:</i>			
<i>Legislative reference:</i>	A New Tax System (Commonwealth State Financial Arrangements) Act 1999 Appendix A, Intergovernmental Agreement on Federal Financial Relations Appropriation (Economic Security Strategy) Act (No. 2) 2008-09 (for the First Home Owners Boost) and relevant state legislation.						

Payments made under the First Home Owners Grant (FHOG) Scheme are exempt from tax. Eligible applicants purchasing or building their first home from 1 July 2000 were entitled to \$7,000 assistance to compensate for the impact of the GST on the price of houses.

Since 2012, every State has retargeted their FHOG so that extra assistance is provided to first home buyers who purchase a new home. Every State except Western Australia and the Northern Territory has also announced that they will cease the FHOG for first home buyers of established homes. All States and Territories other than Tasmania have caps on the purchase value of first homes eligible for the FHOG.

Under the First Home Owners Boost (FHOB), eligible first home buyers received an additional \$7,000 for an established home (\$14,000 in total) or an additional \$14,000 for a new home (\$21,000 in total) when purchasing between 14 October 2008 and 30 September 2009 (inclusive). For eligible first home buyers entering into contracts between 1 October 2009 and 31 December 2009 (inclusive) additional assistance of \$3,500 (\$10,500 in total) was provided for the purchase of established homes and \$7,000 for the purchase of new homes (\$14,000 in total).

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**A47 First Home Saver Accounts — earnings**

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	-1	..	1	2	2	3	3
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>		A49
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	1 October 2008				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Divisions 295, 320 and 345 of the <i>Income Tax Assessment Act 1997</i>						

First Home Saver Accounts provide a vehicle for individuals to save for the purchase of their first home. The income earned by First Home Saver Accounts is taxed to the account provider at a rate of 15 per cent.

The tax expenditure reflects the extra tax in a particular year that may be collected if First Home Saver Account earnings were included in the assessable income of the account holder and taxed at their marginal rate, rather than at 15 per cent.

**A48 First Home Saver Accounts — income tax exemption for the Government contribution**

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	2	3	4	5	6	6	6
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A50
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	1 October 2008				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 345-50(3) of the <i>Income Tax Assessment Act 1997</i>						

First Home Saver Account contributions made by the Government are exempt from tax. In 2013-14, account holders are eligible for a Government contribution of 17 per cent on the first \$6,000 of personal contributions made to their accounts each year. An individual who makes a contribution of \$6,000 to their First Home Saver Account will be eligible for the maximum Government contribution of \$1,020.

**A49 Zone tax offsets**

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
230	240	265	280	280	285	290	295
<i>Tax expenditure type:</i>	Offset				<i>2012 TES code:</i>		A51
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 79A of the <i>Income Tax Assessment Act 1936</i>						

Note: estimates include tax expenditures A49 and A14

Taxpayers who live in prescribed remote areas of Australia are eligible for a tax offset. The amount of the tax offset varies depending on the taxpayer's location.

**A50 Exemption of certain prizes**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A52	
<i>Estimate Reliability:</i>	High						
<i>Commencement date:</i>	1 July 2006				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 51-60 of the <i>Income Tax Assessment Act 1997</i>						

The Prime Minister's Prize for Australian History and the Prime Minister's Literary Award are exempt from income tax.

**A51 Income averaging for authors, inventors, performing artists, production associates and sportspersons**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
14	16	17	20	22	23	24	25
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>	A53	
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	1987				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 405 of the <i>Income Tax Assessment Act 1997</i>						

Authors (including composers and artists), inventors, performing artists, production associates and sportspersons can be subject to significant fluctuations in their income. These taxpayers may be eligible for an income averaging scheme that provides concessional rates of tax for abnormal receipts above average income.

**A52 Income tax exemption for LPG conversion grants**

Transport and communication (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
50	25	13	8	3	8	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A54	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	14 August 2006				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 6-15 of the <i>Income Tax Assessment Act 1997</i>						

Payments made under the LPG Vehicle Scheme are exempt from tax. The scheme provides grants for the LPG conversion of a registered motor vehicle or the purchase of a new vehicle with LPG prior to first registration, subject to eligibility criteria.

For 2011-12 the grant for the conversion of a registered motor vehicle to LPG was \$1,250. This fell to \$1,000 from 2012-13. For purchases of new vehicles with LPG fitted, the grant is \$2,000 in each financial year. The LPG Vehicle scheme is scheduled to end on 30 June 2014.

*Tax Expenditures Statement*

**A53 Deductibility of union dues and subscriptions to business associations**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	A55	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 25-55 of the <i>Income Tax Assessment Act 1997</i>							

Union dues and subscriptions to trade, business or professional associations are specifically tax deductible up to a maximum amount of \$42. This deduction is available in addition to any work related expense deduction.

**A54 Deferral of tax and exemption for discounted shares or rights provided under employee share schemes**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption, Deferral					<i>2012 TES code:</i>	A56	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	1995					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Former section 26AAC and Division 13A of the <i>Income Tax Assessment Act 1936</i> Division 83A of the <i>Income Tax Assessment Act 1997</i>							

Discounts on shares and rights acquired under an employee share scheme are generally included in a taxpayer's assessable income in the year the shares or rights are acquired. However, two tax concessions may be provided: either an upfront tax exemption or a deferral of tax.

Tax may be deferred in employee share schemes where there is a 'real risk of forfeiture' or the scheme is a capped salary sacrifice based scheme, subject to certain other conditions. The maximum period of deferral is seven years. This deferral period may be shortened by the occurrence of certain events, such as the employee ceasing employment. The deferral arrangements for salary sacrifice based schemes apply up to a cap of \$5,000 worth of shares.

For taxpayers who pay tax upfront, a \$1,000 tax exemption is available to taxpayers with an adjusted taxable income of less than \$180,000, if the taxpayer and the scheme satisfy certain other conditions.

Some shares or rights acquired under an employee share scheme prior to 1 July 2009 have different conditions for deferral of tax applying to them.

### A55 Non-commercial losses — deductions allowed for certain taxpayers with an adjusted taxable income under \$250,000

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	A57	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	3+	
<i>Commencement date:</i>	1 July 2000				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 35 of the <i>Income Tax Assessment Act 1997</i>						

Under the income tax benchmark, losses from non-commercial activities are presumed to be incurred for private benefit, which makes the denial of such losses a part of the benchmark treatment. The Commissioner of Taxation's objective determination of whether a business is commercial in nature, despite making a loss in a given income year, is the test for determining whether a business loss is commercial or personal consumption.

In order to reduce the compliance burden on taxpayers from having to apply for a determination, individuals carrying on a business and who have an adjusted taxable of less than \$250,000 may apply losses from a business activity against their other income in that year if they satisfy one of four statutory tests in that year. These tests can be used in place of the objective test by the Commissioner of Taxation. The four tests look at various known characteristics of a business, such as prior years' profits, assets used in carrying on the business, and revenues.

This approach, while reducing compliance costs, results in some businesses that are really non-commercial in nature being classified as commercial, and allowing them to offset losses against other activities gives rise to a tax expenditure.

### A56 Non-commercial losses — exceptions to the non-commercial losses rules for primary producers and artists

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
50	50	30	30	30	30	30	30
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	A58	
<i>Estimate Reliability:</i>	Medium				<i>Expiry date:</i>		
<i>Commencement date:</i>	1 January 2000				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 35-10(4) of the <i>Income Tax Assessment Act 1997</i>						

The non-commercial losses rules prevent individuals carrying on unprofitable business activities claiming deductions for losses arising from such activities against their other income. Where a business' activity is objectively determined to be commercial in nature, the Commissioner of Taxation allows the taxpayer to apply those losses against their other income.

## Tax Expenditures Statement

Individuals that carry on a primary production or professional arts business, who have income from other sources of less than \$40,000, are exempt from the non-commercial losses provisions.

A proportion of individuals carrying on primary production or professional arts businesses that access this exemption and apply losses from their business activity against their other income will nonetheless be carrying on an uncommercial business activity.

### A57 Tax deferral advantage arising from return of after-tax contributions to a pension or annuity

Other economic affairs — Total labour and employment affairs (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	A59	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 27H of the <i>Income Tax Assessment Act 1936</i>						

The value of a pension or annuity may partly consist of contributions towards the income stream from the recipient's after-tax income. This part of the income stream is not taxed again when it is returned in the form of pension or annuity payments. A tax expenditure arises because the tax free part of a pension or annuity is apportioned evenly over the term of the income stream, providing a tax deferral advantage.

### A58 Denial of deductions for illegal activities

Other economic affairs — Other economic affairs, nec (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	A60	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1-	
<i>Commencement date:</i>	1 July 1999 (bribery), 30 April 2005 (illegal activities)				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 26-52, 26-53 and 26-54 of the <i>Income Tax Assessment Act 1997</i>						

Deductibility is denied for a loss or outgoing that is a bribe to a public official, including a foreign public official.

Deductions are also denied for expenditure to the extent it is incurred in the furtherance of, or directly in relation to, activities in respect of which the taxpayer has been convicted of an indictable offence. Indictable offences are those punishable by imprisonment for at least one year.

**A59 Exemption of Tax Bonus for Working Australians**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
2,060	90	4	1	3	..	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A61
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	18 February 2009				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 59-45 of the <i>Income Tax Assessment Act 1997</i>						

Payments of the Tax Bonus for Working Australians of up to \$900 to eligible taxpayers from April 2009 are exempt from income tax. The Bonus is subject to an income threshold. A \$900 Bonus was paid to eligible taxpayers with a taxable income in 2007-08 of up to \$80,000. A \$600 Bonus was paid to eligible taxpayers with a taxable income in 2007-08 of between \$80,000 and \$90,000 and a \$250 Bonus was paid to eligible taxpayers with a taxable income in 2007-08 of between \$90,000 and \$100,000.

On 12 December 2013, the Government introduced the *Tax Bonus for Working Australians Repeal Bill 2013* into Parliament, to ensure that the ATO does not issue any further cheques for tax bonus payments. Subject to passage, the Bill will take effect from the day after Royal Assent.

**A60 Increased tax rates for certain minors**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-8	-3	-4	-6	-7	-7	-7	-7
<i>Tax expenditure type:</i>	Increased rate				<i>2012 TES code:</i>		A62
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Part III Division 6AA of the <i>Income Tax Assessment Act 1936</i>						

Higher rates of taxation apply to the 'unearned income' of certain minors. 'Unearned income' includes dividend, interest, rent, royalties and other income from property. The special rates do not apply to minors classed as being in a full-time occupation.

From 1 July 2011 minors can no longer access the low-income tax offset to reduce tax payable on their 'unearned income'. This increases the effective impact of the higher tax rates on the 'unearned income' of minors.

*Tax Expenditures Statement*

**A61 Part-year tax free threshold**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-40	-40	-45	-55	-25	-25	-25	-25
<i>Tax expenditure type:</i>	Increased rate				<i>2012 TES code:</i>		A63
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	1986			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Sections 16 to 20 of the <i>Income Tax Rates Act 1986</i>						

Taxpayers who become an Australian resident for the first time, or cease to be an Australian resident, do not receive the full value of the statutory tax-free threshold. From 1 July 2012, they receive a pro-rated share of \$4,736 that corresponds to the number of months in the year that they are a resident for tax purposes. They also receive the difference between the statutory tax-free threshold and \$4,736 in full.

Prior to the 2012-13 income year, taxpayers who became an Australian resident for the first time, or ceased to be an Australian resident, received a pro-rated tax free threshold that corresponded to the number of months the taxpayer was an Australian resident.

**A62 Philanthropy — deduction for gifts to deductible gift recipients**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
960	870	980	1,080	1,150	1,230	1,330	1,410
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>		A64
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	Introduced before 1985			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Division 30 of the <i>Income Tax Assessment Act 1997</i>						

Gifts of cash and property (subject to certain conditions) of a value of \$2 or more to deductible gift recipients (DGRs) can be claimed as a deduction by donors.

DGRs are listed in tables in Subdivision 30-B of the *Income Tax Assessment Act 1997*.

**A63 Philanthropy — deduction for gifts to private ancillary funds**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
120	140	185	130	130	130	130	130
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>		A65
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 October 2009			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Item 2 of the table in Section 30-15 of the <i>Income Tax Assessment Act 1997</i>						

Private ancillary funds allow businesses, families and individuals to establish and donate to a charitable or philanthropic trust. Private ancillary funds have deductible



gift recipient (DGR) status. This means that donations of \$2 or more to endorsed private ancillary funds are tax deductible.

Private ancillary funds must disburse funds to DGRs.

**A64 A reasonable overtime meal allowance**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	A66	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	0	
<i>Commencement date:</i>	1987				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 900-60 of the <i>Income Tax Assessment Act 1997</i>						

A taxpayer is able to claim a deduction for a ‘reasonable’ overtime meal allowance expense payable under an industrial instrument.

**A65 Alternatives to the logbook method of substantiating car expenses**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	A67	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1987				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 28 and Subdivision 900-C of the <i>Income Tax Assessment Act 1997</i>						

Three alternative methods to the logbook method (which is based on actual expenditure) are available to value car expense deductions:

- the one third of actual expenses method (only available if business use exceeds 5,000 kilometres);
- the 12 per cent of original value method (only available if business use exceeds 5,000 kilometres); and
- the cents per kilometre method (only available up to a maximum of 5,000 business kilometres).

*Tax Expenditures Statement*

**A66 Certain travel expenses in and outside Australia**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	A68	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	0	
<i>Commencement date:</i>	1987					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 900-50 and 900-55 of the <i>Income Tax Assessment Act 1997</i>							

A taxpayer does not have to declare travel allowance for reasonable expenses on accommodation, meals and incidental costs of travel in Australia, and meals and incidental costs of travel outside Australia, as assessable income, but cannot claim related expenses as a tax deduction.

**A67 Tax offset on certain payments of income received in arrears**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	7	3	4	4	4	4	4	4
<i>Tax expenditure type:</i>	Offset					<i>2012 TES code:</i>	A69	
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 159ZR to 159ZRD of the <i>Income Tax Assessment Act 1936</i>							

Individual taxpayers that receive lump sum payments of certain income that accrued in earlier income years may be entitled to a tax offset. Income that qualifies for the tax offset includes certain back payments of salary or wages, lump sum payments of workers' or accident compensation, and social security and other benefits, received on or after 1 July 1986.

**A68 Exemption for structured settlements and structured orders**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	A70	
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	2001					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 54 of the <i>Income Tax Assessment Act 1997</i>							

Certain annuities provided to personal injury victims under structured settlements and structured orders are exempt from income tax. These provisions allow personal injury victims who would be eligible to receive large tax free lump sum compensation payments to receive all or part of their compensation in the form of a tax free annuity or annuities.

**A69 Exemption of post-judgment interest awards in personal injury compensation cases**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
2	3	3	3	3	4	4	4
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		A71
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1992			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 51-57 of the <i>Income Tax Assessment Act 1997</i>						

Interest accruing on a judgment debt arising in personal injury compensation cases relating to the period between the original judgment and when the judgment is finalised is exempt from income tax.

**A70 Immediate deduction for low-value depreciating assets not used in business**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>		A72
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>		2+
<i>Commencement date:</i>	2001			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subsections 40-25(1) and 40-80(2) of the <i>Income Tax Assessment Act 1997</i>						

An immediate deduction is available for depreciating assets costing \$300 or less where those assets are used predominantly for the purpose of producing assessable income that is not income from carrying on a business.

## B. BUSINESS INCOME

General features of the business income tax benchmark:

- a tax base including all nominal income less expenses incurred in earning income;
- a tax rate as the rate that applies to the entity;
- the individual entity (or head entity of a consolidated group) as the tax unit;
- the dividend imputation system, which ensures that company profits distributed to resident shareholders are taxed at the shareholders' marginal rate of tax; and
- the financial year (or substituted accounting period) as the taxation period.

### B1 Denial of deductions by businesses for political donations

General public services — Legislative and executive affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Denial of deduction					<i>2012 TES code:</i>	B1	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1-	
<i>Commencement date:</i>	1 July 2008					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 26-22 and 30-242 (3A) of the <i>Income Tax Assessment Act 1997</i>							

Business taxpayers are prevented from claiming deductions for gifts or contributions to political parties, independent members and independent candidates.

### B2 Exemption for certain payments made out of the National Guarantee Fund

General public services — Financial and fiscal affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	-	-	-	-	-
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B2	
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	27 April 2011					<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Taxation Laws (Clearing and Settlement Facility Support) Act 2004</i>							

No income tax consequences arise when certain payments are made out of the National Guarantee Fund.

Up until 31 March 2005 the National Guarantee Fund undertook the dual roles of investor protection and clearing support for the Australian Stock Exchange. The *Corporations Act 2001* provides for the splitting of these functions by allowing the

transfer of funds for clearing and settlement system support to another entity. A tax expenditure arises because these transfers are permitted free of tax consequences.

**B3 Income tax exemption for Commonwealth, State and Territory public authorities, and State and Territory entities**

Other purposes — General purpose inter-governmental transactions (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B3	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	4+	
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Part III Division 1AB of the <i>Income Tax Assessment Act 1936</i> Items 5.2 and 5.3 in the table in section 50-25 of the <i>Income Tax Assessment Act 1997</i>						

Generally, government bodies that perform a governmental or regulatory function are exempted from income tax, including public authorities of the Commonwealth, States and Territories, and State and Territory bodies. Companies wholly owned by States and Territories and constitutionally protected funds of States and Territories are also exempted from income tax.

While companies owned wholly by States and Territories are not subject to Commonwealth income tax, the operation of the National Tax Equivalent Regime (NTER), which is an administrative arrangement between the Commonwealth and the States and Territories, ensures that these entities do not gain a competitive advantage over non-Government providers.

**B4 Income tax exemption for local government bodies**

Other purposes — General purpose inter-governmental transactions (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
720	650	690	710	720	740	750	760
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B4	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Item 5.1 in the table in section 50-25 of the <i>Income Tax Assessment Act 1997</i>						

Local government bodies and municipal corporations are exempt from income tax. This exemption includes the local governing bodies in Norfolk, Cocos (Keeling) and Christmas Islands.

*Tax Expenditures Statement*

**B5 Exemptions for prescribed international organisations**

General public services — Foreign affairs and economic aid (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B5	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1963					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 6 of the <i>International Organisations (Privileges and Immunities) Act 1963</i>							

The income of certain international organisations is exempt from income tax. Interest and dividends received by such organisations are also exempt from withholding tax. Prescribed international organisations include the United Nations, the World Trade Organisation, the Organisation for Economic Cooperation and Development and various United Nations specialised agencies.

**B6 Interest withholding tax and dividend withholding tax exemptions for overseas charitable institutions**

General public services — Foreign affairs and economic aid (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B6	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1936					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Paragraph 128B(3)(aa) of the <i>Income Tax Assessment Act 1936</i>							

Interest and dividends received by certain overseas charitable institutions are exempt from the interest and dividend withholding tax, respectively. This exemption only applies where the institutions are exempt from tax in their home country.

**B7 Investment Manager Regime**

General public services — Foreign affairs and economic aid (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B7	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2011					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 842-I of the <i>Income Tax Assessment Act 1997</i>							

The Investment Manager Regime (IMR) exempts certain investment income of widely held foreign managed funds from Australian tax in specified circumstances.

Certain income from both portfolio and non-portfolio investments will be exempt if the income is only taxed because the fund is taken to have a 'permanent establishment'

because it has engaged an Australian agent or manager. Certain other investment income will be exempt only from portfolio investments.

### **B8 Reduced withholding tax under international tax treaties**

General public services — Foreign affairs and economic aid (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	300	370	430	370	390	410	430	450
<i>Tax expenditure type:</i>	Exemption, Concessional rate					<i>2012 TES code:</i>	B8	
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	2008					<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>International Tax Agreements Act 1953</i>							

Tax treaties reduce or eliminate double taxation caused by the exercise of source and residence country taxing rights on cross border income flows. Under Australia's tax treaties, certain dividends, interest and royalties attract reduced withholding tax rates. These include interest withholding tax exemptions for financial institutions and governments and reduced dividend withholding tax rates where dividends are paid to companies with controlling interests in the companies paying the dividends, provided that certain integrity measures are satisfied.

The reductions are bilateral, thereby ensuring that withholding taxes will not result in unrelieved double taxation either for those foreign enterprises investing in Australia from treaty partner countries, or for Australian enterprises investing abroad in treaty partner countries.

### **B9 Income tax exemption for persons connected with certain US Government projects in Australia**

Defence (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B9	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Section 23AA of the Income Tax Assessment Act 1936</i>							

The profit and remuneration of United States contractors, United States armed forces members and their associated employees, or other United States residents or foreign employees and their dependants in connection with certain approved United States Government projects in Australia are exempt from Australian income tax. The United States Government projects to which the exemption applies include the North West Cape Naval Communication Station, the Joint Defence Space Research Facility, the Sparta Project and the Joint Defence Space Communications Station programme. This exemption only applies where the income is subject to tax in the United States.

*Tax Expenditures Statement*

**B10 Concessional tax treatment of offshore banking units**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	245	180	145	185	185	165	85	85
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>	B10	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	1992					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Part III, Division 9A, and Section 128GB of the <i>Income Tax Assessment Act 1936</i>							

Income (other than capital gains) derived by an offshore banking unit (OBU) from offshore banking activities is taxed at a concessional rate of 10 per cent. Interest paid by an OBU on qualifying offshore borrowings, and gold fees paid by an OBU on certain offshore gold borrowings, are exempt from withholding tax.

**B11 Deductibility of costs of setting up a regional headquarters**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B11	
<i>Estimate Reliability:</i>	Very Low							
<i>Commencement date:</i>	1994					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 82C to CE of the <i>Income Tax Assessment Act 1936</i>							

Regional headquarter companies (RHQs), as determined by the Treasurer, are entitled to deductions in respect of specified set-up costs. These costs must be incurred within a two-year period commencing 12 months before and ending 12 months after the RHQ first derives assessable income from the provision of 'regional headquarters support'.

**B12 Deemed tax credits under tax sparing provisions in Australia's tax treaties**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B12	
<i>Estimate Reliability:</i>	Very Low							
<i>Commencement date:</i>	Date of effect depends on the date of effect of the tax treaty					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Provided for in Australia's tax treaties							

The tax sparing provisions in Australia's tax treaties apply to tax incentives (for example, tax holidays) offered by developing countries to foreign investors. The effect of these tax sparing provisions is that income earned by Australian taxpayers who invest in certain developing countries is effectively subject to a tax exemption. Under tax sparing, the tax forgone by the country providing the tax concession to Australian resident investors is deemed to have been paid for the purposes of Australia's foreign



income tax offset system. This enables Australian residents to claim a tax offset in relation to their investments despite receiving a tax concession from the foreign country. Tax sparing arrangements in most tax treaties have now expired.

### B13 Exemption for foreign branch profits from income tax

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B13	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	4+	
<i>Commencement date:</i>	1991					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 23AH of the <i>Income Tax Assessment Act 1936</i>							

In general, income from a business carried on by an Australian company through a permanent establishment (branch) in a foreign country is exempt from income tax. The exempt income broadly comprises operating profits and capital gains but does not include passive or other tainted income where the branch fails an active income test.

### B14 Exemption from accrual taxation for certain transferor trusts

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B14	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1991					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sub subparagraph 102AAT(1)(a)(i)(F) and paragraph 102AAT(1)(c) of the <i>Income Tax Assessment Act 1936</i>							

Under the transferor trust rules, accrual taxation would normally be applied to the transferor.

However, the rules do not apply in relation to:

- transfers to certain family trusts;
- certain arm's length transfers to discretionary or non-discretionary trusts;
- certain transfers to discretionary trusts where the transferor has never controlled the trust; and
- transfers made before the transferor commenced being a resident, provided the transferor became a resident after the original trust measures were announced and have not controlled the trust.

*Tax Expenditures Statement*

**B15 Exemption from accrual taxation for controlled foreign companies**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B15	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1991					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 384, 385 and 432 of the <i>Income Tax Assessment Act 1936</i>							

Most tainted income derived by controlled foreign companies (CFCs) in listed countries is exempt from accrual taxation (applied to the attributable taxpayer) as it is generally comparably taxed. An exemption also applies to CFCs that derive more than 95 per cent of their income from genuine business activities.

**B16 Exemption from interest withholding tax on certain securities**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	1,290	1,760	1,780	1,790	1,800	1,820	1,820	1,820
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B16	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 128F and 128FA of the <i>Income Tax Assessment Act 1936</i>							

Certain publicly offered debentures and debt interests are eligible for exemption from interest withholding tax, where those debentures and debt interests are issued in Australia by a State or Territory, the Commonwealth, a resident Australian company, a non-resident company operating through a permanent establishment, or certain public unit trusts. The exemption is not available where it involves certain dealings between associated entities.

**B17 Exemption of inbound non-portfolio dividends from income tax**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	270	500	480	430	430	380	360	360
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B17	
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	1991					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 23AJ of the <i>Income Tax Assessment Act 1936</i>							

Non-portfolio dividends are exempt from income tax where they are paid to an Australian resident company by a company resident in a foreign country.

**B18 Interest withholding tax concession on interest payments by financial institutions**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>	B18	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1994				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 160ZZZJ of the <i>Income Tax Assessment Act 1936</i>						

The notional interest paid by an Australian branch of a foreign bank (or of certain other financial entities) attracts a reduced effective rate of withholding tax of 5 per cent.

**B19 International tax — concessional rate of final withholding tax on certain distributions by Clean Building managed investment trusts to foreign residents**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Included in B105							
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>	B19	
<i>Estimate Reliability:</i>					<i>Expiry date:</i>		
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 12-H of Schedule 1 to the <i>Taxation Administration Act 1953</i> Division 7 of the <i>Taxation Administration Regulations 1976</i>						

Distributions of Australian source net income (other than dividends, interest and royalties) paid to foreign residents by Australian managed investment trusts that only hold energy efficient buildings that commenced construction on or after 1 July 2012 are subject to a final withholding tax. The general rate of 30 per cent is reduced to 10 per cent for residents of countries specified in the regulations as 'information exchange countries'.

**B20 Threshold exemption for thin capitalisation**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	B20	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	2001				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 820-35 and 820-37 of the <i>Income Tax Assessment Act 1997</i>						

A taxpayer will not be subject to the thin capitalisation regime (which can operate to limit debt deductions in certain circumstances) if their debt deductions and those of their associates do not exceed the threshold amount of \$250,000 for income years commencing prior to 1 July 2014 and \$2 million for later income years. Outward

## Tax Expenditures Statement

investing entities are also excluded from the thin capitalisation regime if at least 90 per cent of their assets are Australian assets.

### B21 Exemption for certain transactions involving security agencies

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B21	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1 July 2005				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 850 of Schedule 1 to the <i>Taxation Administration Act 1953</i>						

The heads of the Australian Security Intelligence Organisation and the Australian Secret Intelligence Service have the power to declare that Commonwealth tax laws do not apply to a specified entity in relation to a specified transaction. This ensures that the tax authorities do not need to obtain information that should remain secret in the interests of national security.

### B22 Income tax exemption for not-for-profit private health insurers

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
60	120	95	110	110	110	110	110
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B22	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Item 6.3 of the table in Section 50-30 of the <i>Income Tax Assessment Act 1997</i>						

The income of private health insurers covered by the *Private Health Insurance Act 2007* is exempt from income tax if the insurer is not operated for the gain or profit of its individual members.

### B23 Income tax exemption for public hospitals and not-for-profit hospitals

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B23	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Items 6.1 and 6.2 in the table in section 50-30 of the <i>Income Tax Assessment Act 1997</i>						

The income of public hospitals and hospitals operated by a society or association that is not operated for the gain or profit of its individual members is exempt from income tax.

For these hospitals to be eligible for the tax exemption they must incur their expenditure principally in Australia.

#### **B24 Concessional taxation of life insurance investment income**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption, Offset, Concessional rate				<i>2012 TES code:</i>	B24	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	2000				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 26AH and 160AAB of the <i>Income Tax Assessment Act 1936</i>						

Some life insurance investment policyholders receive a concessional rate of tax because the policyholders' undistributed income is taxed at the company rate.

When a life insurance policy matures, is forfeited, or is surrendered the income distributed is known as a reversionary bonus. Reversionary bonuses that are distributed to policyholders more than 10 years after the commencement of the policy are exempt from further tax. If the bonuses are distributed in the ninth or tenth year after commencement of the policy, then only a fraction (two thirds or one third respectively) of the bonuses are taxable. If the bonuses are distributed within eight years of the commencement of the policy, they are fully taxable. To the extent that reversionary bonuses are taxable, then policyholders are allowed a tax offset at the company rate of tax.

This tax expenditure ensures that reversionary bonuses, on which a life insurance company has paid tax, are not subject to a form of double taxation when paid to policyholders during the taxable period of a policy.

#### **B25 Concessional taxation treatment of mining payments made in respect of mining and exploration activities on Aboriginal land**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B25	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	8 July 1997				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 59-15 of the <i>Income Tax Assessment Act 1997</i>						

Certain mining payments to Aboriginal and Torres Strait Islander persons or certain distributing bodies are exempt from income tax where those payments have already been subject to mining withholding tax. Payments that are subject to the mining withholding tax of four per cent include royalties for mining on Aboriginal land and payments to Aboriginal Land Councils.

*Tax Expenditures Statement*

**B26 Deductibility for entertainment provided without charge to those in need**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	B26	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	16 December 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 32-50 of the <i>Income Tax Assessment Act 1997</i>						

Generally, the cost of entertainment, such as food and drink, provided in the course of carrying on a business is denied as a deduction. However, the cost of entertainment provided without charge to members of the public who are sick, disabled, poor or otherwise disadvantaged is exempted from the rules that generally deny deductions for entertainment expenses.

**B27 Exemption of foreign currency gains and losses from certain low balance accounts**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B27	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+/-	
<i>Commencement date:</i>	1 July 2003				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 775-D of the <i>Income Tax Assessment Act 1997</i>						

Taxpayers with low balance bank accounts or credit card accounts denominated in a foreign currency may elect to disregard gains and losses attributable to changes in exchange rates (made in respect of the account). This option is available to all taxpayers other than authorised deposit-taking institutions (ADIs) and non-ADI financial institutions. Accounts with a combined credit or debit balance that does not exceed the foreign currency equivalent of A\$250,000 will generally be eligible.

**B28 Infrastructure — enhanced loss utilisation for designated projects**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	B28	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	2013				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 272-100 of the <i>Income Tax Assessment Act 1936</i> ; section 165-35 and Division 415 of the <i>Income Tax Assessment Act 1997</i>						

Income tax losses of a designated infrastructure project are uplifted at the government bond rate and exempt from the loss recoupment tests: the continuity of ownership test and the same business test.

The responsible person is empowered to confer designated infrastructure project status on privately financed infrastructure of national significance based on a range of criteria, including a global capital expenditure cap of \$25 billion over the period from Royal Assent of the enabling legislation to 30 June 2017.

### B29 Off-market share buy-backs

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	
	40	..	*	*	*	*	*	*	
<i>Tax expenditure type:</i>	Offset						<i>2012 TES code:</i>	B29	
<i>Estimate Reliability:</i>	Low						<i>* Category</i>	4+	
<i>Commencement date:</i>	1990						<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 16K of Part III and 177EA of the <i>Income Tax Assessment Act 1936</i>								

The proceeds paid to shareholders who participate in an off-market share buy-back are split into a dividend component and a capital component. The dividend component of the buy-back proceeds may be fully franked. This allows companies that undertake off-market share buy-backs to distribute franking credits to participating shareholders beyond the level that would normally be available. Treating part of the proceeds as a dividend makes off-market share buy-backs more attractive to low marginal tax rate taxpayers. This facilitates streaming of franking credits to those shareholders that can obtain the most benefit. The tax expenditure is equal to the difference in tax payable, had those franking credits been distributed uniformly to all shareholders. The tax expenditure does not arise where the off-market buy-back is followed by an equivalent on-market buy-back to the remaining shareholders.

The tax expenditure from off-market share buy-backs may be partly offset by the anti-streaming provisions in the income tax law that operate to ensure that part of the buy-back proceeds are treated as capital (and therefore give rise to a capital gain or a capital loss rather than a franked dividend).

### B30 Taxation assistance for victims of Australian natural disasters

Other purposes — Natural disaster relief (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	
	8	6	58	31	10	3	3	3	
<i>Tax expenditure type:</i>	Exemption						<i>2012 TES code:</i>	B30	
<i>Estimate Reliability:</i>	Low								
<i>Commencement date:</i>	Various						<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 11-55, 59-55 and 59-60 of the <i>Income Tax Assessment Act 1997</i> Schedule 5 to the <i>Tax Laws Amendment (2008 Measures No. 6) Act 2009</i> Schedule 8 to the <i>Tax Laws Amendment (2009 Measures No. 2) Act 2009</i>								

Certain payments to victims of Australian natural disasters are not taxable.

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Without a specific provision, such grants would generally be treated as assessable income. Expenses related to the carrying on of a business (that is, those funded by using the grant) would generally be deductible.

#### **B31 Exemption of Tobacco Growers Adjustment Assistance grants**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	-	-	-	-	-
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		B31
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	1 July 2006					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 53-10, item 4C of the <i>Income Tax Assessment Act 1997</i> and Paragraph 118-37(1)(g) of the <i>Income Tax Assessment Act 1997</i>							

Tobacco growers who receive a Restructuring Grant of up to \$150,000 under the Tobacco Growers Adjustment Assistance Program 2006 are exempt from income tax if they undertake to exit all agricultural enterprises for at least five years.

#### **B32 Tax exemption for incentives provided by governments under the National Rental Affordability Scheme**

Housing and community amenities (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	1	3	5	13	57	66
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		B32
<i>Estimate Reliability:</i>	Very Low							
<i>Commencement date:</i>	1 July 2008					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 380 of the <i>Income Tax Assessment Act 1997</i>							

The National Rental Affordability Scheme provides tax and cash incentives to providers of new dwellings on the condition that they are rented to low and moderate income households at 20 per cent below market rates. In 2012-13, the incentives were \$7,486 from the Commonwealth Government and at least \$2,495 from State and Territory governments. The (minimum) \$2,495 contribution from the State and Territory governments may be paid as either a cash grant or in-kind assistance. The incentives are indexed over the life of the scheme.

The \$7,486 contribution from the Commonwealth Government was paid as a refundable tax offset to taxable entities. Charities endorsed by the Australian Taxation Office are able to choose to receive the Commonwealth Government's contribution either as a refundable tax offset or cash payment.

In 2013-14, the incentives are \$7,763 from the Commonwealth Government and at least \$2,587 from State and Territory governments.



This tax expenditure relates to the revenue forgone from exempting both parts of the incentive from income tax.

**B33 Exemption for the International Cricket Council for the 2015 Cricket World Cup**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B33	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	NA	
<i>Commencement date:</i>	1 July 2013				<i>Expiry date:</i>	30 June 2018	
<i>Legislative reference:</i>	Regulation 50.50.03 of the <i>Income Tax Assessment Regulations 1997</i>						

The International Cricket Council has been granted a five-year exemption from income tax to assist them in their role of organising and promoting the staging of the 2015 Cricket World Cup in Australia.

**B34 Philanthropy — income tax exemption for recreation-type not-for-profit societies**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B34	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	3+	
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 50-10 and 50-45 of the <i>Income Tax Assessment Act 1997</i>						

Subject to certain conditions, the income of recreation-type not-for-profit societies, associations or clubs established for the encouragement of sport or games, music, art, animal racing, literature, or for community service purposes is exempt from income tax.

For those not-for-profit societies, associations or clubs to which the mutuality principle applies, this tax expenditure exempts from income tax those amounts that are not already excluded by the mutuality principle, for instance income generated from non-member transactions. (For a brief explanation of the mutuality principle, refer to section B.2 of Appendix B.)

*Tax Expenditures Statement*

**B35 Refundable Film Tax Offset payments**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
38	36	32	55	54	74	61	54
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B35	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	2001				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 376 of the <i>Income Tax Assessment Act 1997</i>						

Film production companies incurring expenditure on certain productions in Australia may be eligible for refundable tax offsets. The tax offsets are the location offset, the producer offset and the post, digital and visual effects (PDV) offset. The refundable tax offsets are paid directly to producers through the tax system. A production company can claim no more than one of the film tax offsets for each film.

Under the location offset, producers of qualifying large scale films which commenced principal photography or production of the animated image in Australia prior to 10 May 2011 are eligible to receive a refundable tax offset of 15 per cent of qualifying Australian production expenditure (QAPE). Producers of qualifying large scale films which commenced on or after 10 May 2011 are eligible to receive a refundable tax offset of 16.5 per cent of QAPE.

The producer offset enables producers of qualifying Australian films to receive a refundable tax offset of 40 per cent of QAPE incurred on a feature film, or 20 per cent of QAPE incurred on productions that are not feature films, for QAPE incurred on or after 1 July 2007.

Under the PDV offset, companies engaged in PDV work commencing in Australia prior to 1 July 2011 are eligible to receive a refundable tax offset of 15 per cent of QAPE. Companies engaged in PDV work on or after 1 July 2011 are eligible to receive a refundable tax offset of 30 per cent of QAPE.

**B36 Exemption from the tax shelter prepayments measure for certain passive investments**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Accelerated write-off				<i>2012 TES code:</i>	B36	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1988				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 82 KZME of the <i>Income Tax Assessment Act 1936</i>						

A prepayment in relation to investments in infrastructure bonds, shares, units, rental property and arrangements entered into before 1 July 2000, to which product rulings apply, continues to be immediately deductible. This is conditional upon the prepayment expenditure meeting the requirements described in the tax expenditure

*Prepayment rule for small business taxpayers and non-business expenditure by individuals (B37).* The benchmark treatment of prepayments is that they are deductible over the period of the expenditure. The tax expenditure allows deductions to be spread over a shorter period and consequently it allows greater deductions than the benchmark treatment.

From 1 July 2007, small businesses with aggregated annual turnover of less than \$2 million have been able to access this concession under the Small Business Framework.

### **B37 Prepayment rule for small business taxpayers and non-business expenditure by individuals**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Accelerated write-off					<i>2012 TES code:</i>	B38	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	2001					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 82 KZM of the <i>Income Tax Assessment Act 1936</i>							

Prepayments by small businesses (including Simplified Tax System taxpayers prior to 1 July 2007) and non-business prepayments by individual taxpayers were immediately deductible. This was conditional upon the service being provided over a period not exceeding 12 months and ending at the end of the income year following the income year in which the prepayment expenditure is incurred.

From 1 July 2007, small businesses with an aggregate annual turnover of less than \$2 million have been able to access this concession under the Small Business Framework.

### **B38 The 10-year rule for prepayments**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Accelerated write-off					<i>2012 TES code:</i>	B39	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1988					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 82 KZL(1) of the <i>Income Tax Assessment Act 1936</i>							

A prepayment for services to be provided over a period of 10 years or more (for example, life membership) is evenly deducted over the first 10 years of that period. The benchmark treatment of prepayments is that they are deductible over the period of the expenditure. The tax expenditure allows deductions to be spread over a shorter period and consequently it allows greater deductions in the first 10 years than the benchmark treatment.

*Tax Expenditures Statement*

**B39 Conservation tillage refundable tax offset**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	-	-	7	7	-
<i>Tax expenditure type:</i>	Offset					<i>2012 TES code:</i>	B40	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	1 July 2012					<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	Subdivision 385-J of the <i>Income Tax Assessment Act 1997</i> ; repeal not yet legislated.							

Qualifying primary producers are able to claim a 15 per cent refundable tax offset on the cost of an eligible seeder where they have met the eligibility requirements including that they have been issued a Research Participation Certificate. This refundable tax offset is only available for eligible seeders installed ready for use between 1 July 2012 and 30 June 2014. The Government intends to repeal the refundable tax offset with effect from 1 July 2014, as part of its commitment to repeal the carbon tax and its associated spending programs.

**B40 Deferral of income from double wool-clips**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	B41	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1966					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 385-135 of the <i>Income Tax Assessment Act 1997</i>							

As a consequence of drought, fire or flood, primary producers carrying on a sheep grazing business in Australia may conduct advanced shearing. In these circumstances, a woolgrower may elect to have the assessment of the profit from advanced shearing deferred to the succeeding income year.

**B41 Deferral or spreading of income from the forced disposal or death of livestock**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	B42	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+/-	
<i>Commencement date:</i>	1961					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 385-90 to 385-125 of the <i>Income Tax Assessment Act 1997</i>							

Primary producers are eligible for a tax concession on the forced disposal or death of livestock resulting from certain events. These events include:

- the compulsory acquisition or resumption of land;
- destruction of pasture by drought, flood or fire;
- compulsory destruction of livestock for disease control; or
- notification of contamination of property or a cattle tick eradication campaign.

Primary producers who receive income from such disposals or deaths can elect to defer this income and use it to reduce the cost of replacement livestock in the disposal year or in any of the next five income years. Alternatively, primary producers can elect to spread profits between the income year of the disposal or death and the next four income years (or ten years if the forced disposal was in relation to the control of bovine tuberculosis).

#### **B42 Farm Management Deposit scheme**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	95	30	230	150	155	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	B43	
<i>Estimate Reliability:</i>	Medium					<i>* Category</i>	3+	
<i>Commencement date:</i>	1999					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 393 of the <i>Income Tax Assessment Act 1997</i>							

The Farm Management Deposit (FMD) scheme allows primary producers (with a limited amount of non-primary production income) to defer their income tax liability. Primary producers are able to claim deductions for their FMD made in the year of deposit, with subsequent withdrawals being subject to assessment in the year of withdrawal. The FMD has a maximum limit on deposits of \$400,000. Primary producers in exceptional circumstance areas are able to withdraw their deposits within 12 months while maintaining the concessional tax treatment of the scheme. From 1 July 2010, this will also apply to primary producers affected by natural disasters. The FMD scheme replaced the Income Equalisation Deposits and Farm Management Bonds schemes on 2 January 1999.

Projections beyond 2013-14 are not reported as the tax expenditure is very sensitive to variations in the amounts deposited and withdrawn in any year, which are dependent on a number of external factors.

*Tax Expenditures Statement*

**B43 Income tax averaging for primary producers**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	85	155	145	*	*	*	*	*
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>	B44	
<i>Estimate Reliability:</i>	High					<i>* Category</i>	3+	
<i>Commencement date:</i>	1938					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 392 of the <i>Income Tax Assessment Act 1997</i>							

Primary producers can elect to pay tax at a tax rate based on their average income earned over the previous five income years. If the taxpayer has not been using this facility for five years, the tax rate is based on the income years in which averaging has applied, and the previous year. This provides a concession because, on balance, the saving from paying less tax in high income years outweighs additional tax paid in low income years.

Projections beyond 2011-12 are not reported as the tax expenditure is very sensitive to variations in primary production income, which depends on a number of external factors.

**B44 Spreading of income from insurance recoveries for loss of timber or livestock**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	B45	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+/-	
<i>Commencement date:</i>	1956					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 385-130 of the <i>Income Tax Assessment Act 1997</i>							

Insurance recoveries may be received in relation to timber lost because of fire, or livestock lost due to disasters (for example, drought, fire, flood or disease). Primary producers who receive such insurance recoveries can elect to spread the income equally over five income years, resulting in a tax deferral. This concession only applies where the livestock are assets of a primary production business carried on in Australia.

**B45 Tax exemption for farm help re-establishment grants**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B46	
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	1 December 1997					<i>Expiry date:</i>	30 June 2009	
<i>Legislative reference:</i>	Paragraph 118-37(1)(d) of the <i>Income Tax Assessment Act 1997</i>							

Re-establishment grants of up to \$75,000 provided to eligible farmers who choose to sell their farm and exit farming for at least five years are exempt from capital gains tax.

**B46 Valuation of livestock from natural increase**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	B47	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1951					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 70-55 of the <i>Income Tax Assessment Act 1997</i>							

Animals acquired by natural increase (that is, newborn animals) may be valued at cost, market selling value or replacement value. If valued at cost, the taxpayer can use actual cost or costs prescribed by the regulations. These prescribed costs may be lower than the actual cost of production, giving a concessional tax treatment.

**B47 Infrastructure Bonds Scheme**

Mining, manufacturing and construction (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	-	-	-	-	-
<i>Tax expenditure type:</i>	Exemption, Offset					<i>2012 TES code:</i>	B48	
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	1992					<i>Expiry date:</i>	1997	
<i>Legislative reference:</i>	Division 16L of the <i>Income Tax Assessment Act 1936</i>							

Interest income from loans to eligible infrastructure facilities is exempt from income tax and the interest paid by the borrower is not deductible. After 15 December 1994, the lender could elect to include the income in assessable income and receive an offset at the company tax rate. This scheme was closed to new projects from 14 February 1997, and replaced by the now repealed Land Transport Infrastructure Borrowings Tax Offset Scheme in 1998.

*Tax Expenditures Statement*

**B48 Denial of depreciation deduction for car value above the luxury car tax threshold**

Transport and communication (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-150	-160	-150	-150	-140	-130	-120	-120
<i>Tax expenditure type:</i>	Denial of deduction				<i>2012 TES code:</i>	B50	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2001			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 40-230 of the <i>Income Tax Assessment Act 1997</i>						

If the value of a car used for income-producing purposes exceeds a certain amount ('car limit'), the amount of depreciation deductions that can be claimed is capped at the 'car limit'. This represents a negative tax expenditure as the full value of the car should be depreciated under the benchmark.

The 'car limit' for the 2013-14 financial year is \$57,466. This amount is indexed annually to movements in the motor vehicle purchase sub-group of the CPI. The 'car limit' is not changed if the index has fallen for a particular year.

**B49 Shipping — investment incentives**

Transport and communication (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	50	50	50	50	55
<i>Tax expenditure type:</i>	Exemption, Accelerated write-off, Deferral				<i>2012 TES code:</i>	B51	
<i>Estimate Reliability:</i>	Very Low						
<i>Commencement date:</i>	1 July 2012			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Division 51-100 of the <i>Income Tax Assessment Act 1997</i> , Subsection 128B(3) of the <i>Income Tax Assessment Act 1936</i> , item 10 of the table to Subsection 40-102(4) of the <i>Income Tax Assessment Act 1997</i> , Subsection 40-285(5) of the <i>Income Tax Assessment Act 1997</i>						

From 1 July 2012, the following incentives are provided to encourage investment in Australian shipping:

- an income tax exemption on qualifying income for ship operators;
- a royalty withholding tax exemption;
- accelerated depreciation, under which Australian ship owners will be able to depreciate vessels over an effective life that is capped at 10 years; and
- balancing adjustment roll-over relief for Australian ship owners if they cease to hold a vessel and purchase another eligible vessel within 2 years.



**B50 Shipping — refundable tax offset for employers of qualifying Australian seafarers**

Transport and communication (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	1	1	1	1	1
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B52	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2012			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivision 61-N of the <i>Income Tax Assessment Act 1997</i>						

A refundable tax offset is available to qualifying companies that employ qualifying Australian seafarers on overseas voyages for at least 91 days in the income year.

As the refundable tax offset is an expense item, it does not appear as a tax expenditure in its own right. However, a tax expenditure arises because payments made under this arrangement are exempt from tax.

**B51 Deductions for boat expenditure**

Other economic affairs — Tourism and area promotion (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	B53	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1974			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Former section 26-50 of the <i>Income Tax Assessment Act 1997</i> Section 26-47 of the <i>Income Tax Assessment Act 1997</i>						

For income years commencing on or after 1 July 2007, taxpayers can claim deductions for expenses incurred in boating activities that are not carried on as a business. However, these deductions can only offset income from the boating activities, and if the deductions are greater than the income for that income year, the excess is carried forward, for offset against future income from boating activities.

For income years commencing prior to 1 July 2007, deductions are allowable only where the taxpayer can demonstrate that they were carrying on an active business using a boat.

*Tax Expenditures Statement*

**B52 Income tax exemption for employee and employer organisations**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
10	10	10	10	10	10	10	10
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B54	
<i>Estimate Reliability:</i>	Very Low						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 50-15 of the <i>Income Tax Assessment Act 1997</i>						

Subject to certain conditions, the income of trade unions and registered associations of employers and employees is exempt from income tax. This tax expenditure exempts from income tax those amounts that are not already excluded by the 'mutuality principle'. (For a brief explanation of the mutuality principle, refer to section B.2 in Appendix B.)

**B53 25 per cent entrepreneurs' tax offset**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
195	190	190	200	-	-	-	-
<i>Tax expenditure type:</i>	Offset				<i>2012 TES code:</i>	B55	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	2005				<i>Expiry date:</i>	30 June 2012	
<i>Legislative reference:</i>	Subdivision 61-J of the <i>Income Tax Assessment Act 1997</i>						

Prior to the introduction of simplified depreciation rules for small businesses from the 2012-13 income year (B101), small businesses with an annual turnover of \$50,000 or less were eligible for a tax offset of 25 per cent of the income tax liability attributable to their business income. The offset phased out for annual turnover between \$50,001 and \$75,000. From 1 July 2007, this concession applied to any small business entity, whereas before that time the concession only applied to taxpayers in the then Simplified Tax System.

From 1 July 2009, eligibility for the offset was subject to a means test. The offset phased out for singles with incomes over \$70,000 and families with incomes over \$120,000.

### B54 Capital gains tax concession for carried interests paid to venture capital managers

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Denial of deduction, Deferral of deduction				<i>2012 TES code:</i>	B56	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	2002				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 104-255 and 118-21 of the <i>Income Tax Assessment Act 1997</i>						

Venture capital fund managers may be paid a performance-based share of partnership profits by investors. Such performance payments are 'carried interests'. Under the benchmark, these entitlements are taxable income of the fund managers as they accrue. Instead, under the law, an entitlement to receive a carried interest is a capital gains tax event in the hands of venture capital fund managers and is not treated as income. Consequently, taxation of the income is deferred until the gains are realised and individual managers are eligible for the 50 per cent discount on their carried interest.

### B55 Capital protected borrowings

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
55	25	-5	-30	-30	-10	-	-
<i>Tax expenditure type:</i>	Deduction, Discounted valuation				<i>2012 TES code:</i>	B57	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	16 April 2003				<i>Expiry date:</i>	30 June 2013	
<i>Legislative reference:</i>	Division 247 of the <i>Income Tax Assessment Act 1997</i>						

Taxpayers are able to claim a deduction for some or all of the cost of the capital protection associated with capital protected borrowings.

The interest cost of capital protected borrowings includes the cost of borrowing and the cost of capital protection. Under the benchmark, the cost of borrowing is deductible while the cost of capital protection, where it is considered capital in nature, is not deductible but instead included in the cost base of the asset.

The concessional treatment does not apply to capital protected borrowing arrangements entered into after 13 May 2008. Arrangements entered into before that date will continue to receive the concessional treatment up to 30 June 2013.

*Tax Expenditures Statement*

**B56 Certain term subordinated notes**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B58	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	1 July 2001					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 974 of the <i>Income Tax Assessment Act 1997</i> Division 974 of the <i>Income Tax Assessment Regulations 1997</i>							

'Solvency clauses' do not preclude certain term subordinated notes from being classified as debt for tax purposes. A solvency clause allows the issuer to defer payment if the payment would cause insolvency. The distributions on such notes may be treated as tax deductible interest payments rather than non-tax deductible dividend payments. Under the benchmark, term subordinated notes with solvency clauses would typically be classified as equity under the debt-equity rules.

**B57 Concessions resulting from the clarification of the debt or equity treatment of perpetual subordinated debt**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B59	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2001					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 974 of the <i>Income Tax Assessment Act 1997</i> Division 974 of the <i>Income Tax Assessment Regulations 1997</i>							

Under certain circumstances, 'profitability, insolvency or negative earnings conditions' do not preclude Upper Tier 2 perpetual subordinated debt and similar instruments from being classified as debt for tax purposes. This means that distributions on such instruments may be treated as tax deductible interest payments rather than non-tax deductible dividend payments. Perpetual subordinated debt issued by financial institutions to raise regulatory capital would typically be classified as equity under the benchmark debt-equity rules.

**B58 Deduction for borrowing expenses**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B60	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 1997					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 25-25 of the <i>Income Tax Assessment Act 1997</i>							

A taxpayer is able to claim a deduction (spread over the shorter of the term of the loan or five years) for borrowing expenses incurred for borrowing money that is used for the purpose of producing assessable income. Borrowing expenses incurred in these circumstances would otherwise be capital in nature and included in the cost base of the asset.

**B59 Deduction for certain co-operative companies**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B61	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1973					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 117 and 120 of the <i>Income Tax Assessment Act 1936</i>							

Co-operative companies whose primary object is the acquisition from their shareholders of commodities or animals for disposal or distribution can deduct amounts paid to repay Australian and State Government loans which are provided for the purchase of assets required for the purpose of carrying on their business. However, the deduction is allowed only if 90 per cent or more of the value of the company is held by shareholders who supply the company with the commodities or animals.

**B60 Exemption for early stage venture capital limited partnerships and venture capital limited partnerships**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B62	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1 July 2006					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 26-68, 51-52, 51-54 and Subdivision 118-F of the <i>Income Tax Assessment Act 1997</i>							

Resident and foreign partners are exempt from tax on revenue and capital gains derived in respect of their eligible investments in early stage venture capital limited partnerships.

## Tax Expenditures Statement

An early stage venture capital limited partnership is a flow-through investment vehicle that is progressively replacing the Pooled Development Fund program.

To qualify as an early stage venture capital limited partnership, the size of the fund cannot exceed \$100 million and the total assets of an investee company cannot exceed \$50 million immediately prior to investment. The early stage venture capital limited partnership must divest itself of any holdings once the total assets of the investee company exceed \$250 million.

### **B61 Income tax exemption for industry-specific not-for-profit societies and associations**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B63	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 50-40 of the <i>Income Tax Assessment Act 1997</i>							

An income tax exemption applies to the income of industry-specific not-for-profit societies or associations predominantly devoted to promoting the development of aviation or tourism, or of agricultural, pastoral, horticultural, viticultural, manufacturing or industrial resources of Australia. This expenditure includes the income tax exemption applying to not-for-profit societies or associations established for the purpose of promoting the development of Australian information and communication technology resources.

For those not-for-profit societies, associations or clubs to which the 'mutuality principle' applies, this tax expenditure exempts from income tax those amounts that are not already excluded by the 'mutuality principle'. (For a brief explanation of the mutuality principle, refer to section B.2 of Appendix B)

### **B62 Income tax exemptions for foreign superannuation funds**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B64	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1981					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 128D and paragraph 128B(3)(jb) of the <i>Income Tax Assessment Act 1936</i>							

Interest income and dividends received by foreign superannuation funds are exempt from income tax. This income is also exempt from interest and dividend withholding

taxes if it is exempt from income tax in the country in which the foreign superannuation fund resides.

### **B63 Managed investment trusts — election to allow capital gains tax to be the primary code for disposals of shares, units and real property**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>	B65	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	1 July 2008					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 275 of the <i>Income Tax Assessment Act 1997</i>							

From the 2008-09 income year eligible managed investment trusts (MITs) can make an irrevocable election to apply the capital gains tax regime to gains and losses on disposals of certain assets (primarily shares, units and real property). If an eligible MIT does not make an irrevocable election to have capital account treatment, then gains and losses on disposals of shares and units will be treated on revenue account.

### **B64 New tax system for managed investment trusts**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	-	-	*	*	*
<i>Tax expenditure type:</i>	Exemption, Deferral					<i>2012 TES code:</i>	B66	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2014					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Not yet legislated							

The new tax system for managed investment trusts (MITs) will commence from 1 July 2014. Under this system MITs will be able to carry forward 'unders' and 'overs' (up to a 5 per cent cap) into the next income year without adverse taxation consequences.

MITs in which unit holders have 'clearly defined rights' will be able to choose to use an attribution method of taxation, instead of the present entitlement to income method, and will be treated as fixed trusts for various taxation law purposes. Amendments to the taxation law will be introduced to prevent any income tax consequences that might arise from a resettlement where a MIT changes its trust deed (or other constituent documents) to meet the 'clearly defined rights' requirement under the new tax system for MITs.

*Tax Expenditures Statement*

**B65 Philanthropy — Income tax exemption for certain non-charitable funds**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	Included in B66							
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B67	
<i>Estimate Reliability:</i>								
<i>Commencement date:</i>	1 July 2005				<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 50-20 of the <i>Income Tax Assessment Act 1997</i>							

Endorsed non-charitable Public Ancillary Funds and Private Ancillary Funds are exempt from income tax.

Public Ancillary Funds and Private Ancillary Funds must provide money, property and benefits solely to income tax exempt deductible gift recipients.

**B66 Philanthropy — Income tax exemption for charitable funds**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B68	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2005				<i>Expiry date:</i>			
<i>Legislative reference:</i>	Sections 50-5, 50-52 and 50-60 <i>Income Tax Assessment Act 1997</i>							

Note: estimates include tax expenditures B66 and B65

Endorsed charitable funds, including Public Ancillary Funds and Private Ancillary Funds, can claim an income tax exemption where they provide money, property and benefits solely to charities based in Australia, or solely to charitable deductible gift recipients, or to a combination of these.

These funds are prevented from undertaking charitable activities with their funds. They must distribute their funds to other entities that undertake charitable activities.

**B67 Philanthropy — income tax exemption for charitable, religious, scientific, and community service entities**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	B69	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	4+	
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>			
<i>Legislative reference:</i>	Sections 50-5 and 50-10 of the <i>Income Tax Assessment Act 1997</i>							

The following entities are exempt from income tax:



- religious, scientific, charitable and public educational institutions and funds;
- funds established to enable scientific research to be conducted by or in conjunction with a public university or public hospital;
- not-for-profit societies, associations or clubs established for the encouragement of science; and
- societies, associations or clubs established for community service purposes.

Entities must satisfy various conditions to qualify for these exemptions.

### B68 Philanthropy — income tax exemption for small not-for-profit companies

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		B70
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 23(6) of the <i>Income Tax Rates Act 1986</i>							

The rate of income tax payable by a not-for-profit company that has a taxable income not exceeding \$416 in a given income year is nil. Income tax is payable at a rate of 55 per cent on all income of not-for-profit companies that have a taxable income between \$416 and \$915.

This arrangement has the effect of providing an exemption from income tax for not-for-profit companies for the first \$416 of income, and then phasing in the ordinary corporate income tax rate of 30 per cent on all income, including the first \$416, when the company has income between \$416 and \$915. When a not-for-profit company has an income over \$915, the company tax rate is applied from the first dollar.

### B69 Philanthropy — refund of franking credits for certain income tax exempt philanthropic entities

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	630	520	800	580	*	*	*	*
<i>Tax expenditure type:</i>	Rebate					<i>2012 TES code:</i>		B71
<i>Estimate Reliability:</i>	High							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 207-E of the <i>Income Tax Assessment Act 1997</i>							

Note: estimates after 2012-13 are unquantifiable because of the high degree of uncertainty in the amount of franking credits that might be refunded in the future.

Generally, entities that are not subject to Australian tax cannot benefit from franking credits on distributions from Australian companies. However, entities that are

*Tax Expenditures Statement*

endorsed as income tax exempt charities or income tax exempt deductible gift recipients are able to claim a refund of franking credits on distributions from Australian companies.

**B70 Pooled Development Funds**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	5	5	40	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption, Concessional rate					<i>2012 TES code:</i>		B72
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	1992					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 118-13 of the <i>Income Tax Assessment Act 1997</i> Division 10E of Part III of the <i>Income Tax Assessment Act 1936</i> Subsections 23(4C) and (4D) of the <i>Income Tax Rates Act 1986</i>							

Concessional taxation treatment is available to investment companies that are established and registered as Pooled Development Funds (PDFs). Income arising from investments in small to medium enterprises is taxed at 15 per cent and other income is taxed at 25 per cent. These concessional tax rates are designed to encourage PDFs to invest in small to medium enterprises. In addition, investors who invest in PDFs are not liable for tax either on dividends paid by the PDF or on capital gains made on the sale of their shares in the PDF. The unfranked portion of a dividend paid by a PDF to a shareholder is exempt from income tax, and if the shareholder is a foreign resident, from dividend withholding tax.

Australian superannuation funds and related entities that invest in venture capital through PDFs are eligible for a tax exemption on certain franked dividends. Capital gains and dividends paid to superannuation funds by PDFs are exempt from tax. Superannuation funds that invest in venture capital through PDFs are also entitled to a refundable imputation credit for the tax paid by the PDF.

The PDF program was closed to applications for registration on 21 June 2007 as a result of the introduction of the early stage venture capital limited partnership regime. The PDF program continues to operate for registered PDFs.

**B71 Tax exemption for small and medium sized credit unions**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		B73
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 6H and 23G of the <i>Income Tax Assessment Act 1936</i> Section 23(7) of the <i>Income Tax Rates Act 1986</i>						

Interest income derived from loans to members by recognised small credit unions is exempt from income tax. Small credit unions have a notional taxable income less than \$50,000. This exemption does not extend to other income. A credit union that is treated in this way is not eligible for assessment as a co-operative company.

Recognised medium credit unions have a notional taxable income of less than \$150,000. For recognised medium credit unions, the rate of tax payable on the first \$49,999 is reduced to zero. The rate of taxation payable on income between \$50,000 and \$150,000 is 45 per cent. When the income of a credit union exceeds \$150,000, it ceases to be a small or medium credit union and the corporate tax rate applies to income from the first dollar.

**B72 Treatment of finance leases**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>		B74
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>		2+
<i>Commencement date:</i>	1936				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Divisions 240 and 250 of the <i>Income Tax Assessment Act 1997</i> Division 42A of the <i>Income Tax Assessment Act 1936</i>						

A finance lease is, in substance, equivalent to a loan from the lessor to the lessee to finance the purchase of the leased asset. The lessor (financier) acquires the leased asset at the request of the lessee (borrower) and leases the asset to the lessee. On expiry of the lease, legal ownership of the asset is transferred to the lessee at minimal or no cost. During the term of the lease, while the lessor is the legal owner of the leased asset, the lessee has effective economic ownership through having control, use and enjoyment of the asset. Given their economic substance, finance leases should be taxed as a loan from the lessor to the lessee to acquire the leased asset under the benchmark. That is, the interest payments should be deductible to the lessee and assessable to the lessor, and the lessee be able to claim depreciation deductions for the user cost of the leased asset.

Except where specific provisions apply, for example, Divisions 240 and 250 of the *Income Tax Assessment Act 1997*, finance leases are taxed as leases rather than as loans.

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That is, lease payments (which comprise, in substance, interest and principal repayments) are deductible to the lessee and assessable to the lessor, and the lessor can claim depreciation deductions for the user cost of the leased asset. To the extent that the lease period is shorter than the effective life of the leased asset and the lease payments do not reflect the declining value of the leased asset, parties to finance leases are able to bring forward deductions for the cost of the leased asset. Additionally, if the lessor's effective marginal tax rate is greater than the lessee's, treating finance leases as leases rather than as loans allows the transfer of tax benefits to the lessor from the lessee.

### B73 Trust loss rules — family trusts

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B75	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	9 May 1995					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 272-D of Schedule 2F to the <i>Income Tax Assessment Act 1936</i>							

The family trust rules provide a concession to the 'test individual' of a family trust, and their family group, by allowing the transfer of the benefit of losses and debt deductions to members of the family trust.

The trust loss rules — the benchmark — restrict trust losses and debt deductions from being transferred to persons who did not bear the economic burden. This is achieved by imposing tests on trusts to determine if any losses and debt deductions can be claimed. The tests examine whether there has been a change in underlying ownership or control of a trust and whether certain schemes have been entered into in order to take advantage of losses or debt deductions. Family trusts have to satisfy only the income injection test. The income injection test relates to schemes where persons outside the defined family group inject income into the trust to take advantage of trust losses and debt deductions. Distributions of trust income or capital made outside the family group will generally be subject to a family trust distribution tax.

Elements of the family trust rules are also used in the franking credit trading rules to facilitate the passing through of franking credits to beneficiaries of discretionary trusts and in the company loss recoupment rules as part of the alternative conditions for the continuity of ownership test.

**B74 Tax incentives for film investment**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-22	-18	-17	-14	-11	-9	-7	-6
<i>Tax expenditure type:</i>	Deduction, Accelerated write-off				<i>2012 TES code:</i>	B76	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	15 November 1956				<i>Expiry date:</i>	1 July 2010	
<i>Legislative reference:</i>	Former Divisions 10B and 10BA of the <i>Income Tax Assessment Act 1936</i>						

Capital expenditure incurred in acquiring an interest in the initial copyright of a new Australian film can either be deducted immediately (for certain types of film) or written off over two years.

The initial deduction under Division 10B must be made in relation to the 2008-09 year of income or an earlier year of income. A deduction under Division 10BA is not allowable in relation to the 2009-10 year of income or a later year of income.

**B75 Accelerated depreciation for grapevine plantings**

Agriculture, forestry and fishing (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-7	-7	-7	-6	-6	-6	-5	-4
<i>Tax expenditure type:</i>	Accelerated write-off				<i>2012 TES code:</i>	B77	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1993				<i>Expiry date:</i>	Not available for grapevines planted after 1 October 2004	
<i>Legislative reference:</i>	Subdivision 40-F of the <i>Income Tax Assessment Act 1997</i>						

Prior to 1 October 2004, capital expenditure incurred in acquiring and establishing grapevines could be written off on a prime cost basis over four years, with the deductions being available from the time the vines were planted. Since 1 October 2004, new grapevine plantings are subject to the capital allowances regime applicable to horticultural plants. That is, the establishment costs of the grapevine may be written off at 13 per cent per annum (the write-off rate applicable to a plant with an effective life of 13 years to fewer than 30 years) with deductions available from the income year in which the grapevine's first commercial season starts.

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**B76 Deduction for horse breeding stock**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Accelerated write-off					<i>2012 TES code:</i>	B78	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1992					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 70-60 and 70-65 of the <i>Income Tax Assessment Act 1997</i>							

Taxpayers can elect to write off horse breeding stock, acquired on or after 19 August 1992, at up to 25 per cent of the cost of sires per annum and up to 33½ per cent of the cost of mares per annum, on a prime cost basis.

**B77 Deduction of the capital cost of telephone lines and electricity connections**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Accelerated write-off					<i>2012 TES code:</i>	B79	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	24 June 1981					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 40-G of the <i>Income Tax Assessment Act 1997</i>							

Capital expenditure incurred in connecting a telephone line to a primary production property and capital expenditure incurred in connecting or upgrading mains electricity to a property on which a business is conducted can be deducted in equal instalments over ten years.

**B78 Landcare and water facility offset**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Offset					<i>2012 TES code:</i>	B80	
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	1998					<i>Expiry date:</i>	2001	
<i>Legislative reference:</i>	Former Subdivision 388 of the <i>Income Tax Assessment Act 1997</i>							

Primary producers and users of rural land with taxable incomes of up to \$20,000 a year were able to claim a 30 per cent tax offset for capital expenditure on soil conservation, prevention of land degradation and related measures incurred until the end of the 2000-01 income year. This concession was claimed as an alternative to the landcare deduction. The tax offset was based on one third of the eligible expenditure and was available in the year the expenditure was incurred and in each of the subsequent two years.

However, the offset will continue to apply after the 2000-01 income year to expenditure incurred in that or an earlier income year where the offset is apportioned over three years, or where taxpayers had insufficient tax payable to claim the entire offset in earlier income years.

### B79 Landcare deduction for primary producers

Agriculture, forestry and fishing (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Included in B82							
<i>Tax expenditure type:</i>	Deduction			<i>2012 TES code:</i>		B81	
<i>Estimate Reliability:</i>							
<i>Commencement date:</i>	11 December 1973			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivision 40-G of the <i>Income Tax Assessment Act 1997</i>						

Primary producers and users of rural land can claim a deduction for capital expenditure on a landcare operation in the year that it is incurred. Landcare operations may include soil conservation, prevention of land degradation or other related measures.

### B80 Sustainable Rural Water Use and Infrastructure Program

Agriculture, forestry and fishing (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	25	35	-	-5	30
<i>Tax expenditure type:</i>	Exemption			<i>2012 TES code:</i>		B82	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	1 April 2010			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 59-65 of the <i>Income Tax Assessment Act 1997</i>						

From 1 April 2010, taxpayers may choose to make payments received under eligible Sustainable Rural Water Use and Infrastructure Program agreements free of income tax (including capital gains tax), with expenditures funded by such payments not being deductible.

### B81 Tax write-off for horticultural plants

Agriculture, forestry and fishing (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Accelerated write-off			<i>2012 TES code:</i>		B83	
<i>Estimate Reliability:</i>	Not Applicable			<i>* Category</i>		1+	
<i>Commencement date:</i>	1995			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivision 40-F of the <i>Income Tax Assessment Act 1997</i>						

Capital expenditure incurred in establishing horticultural plants can be written off using an accelerated depreciation regime, with deductions available from the first

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commercial season. The cost of establishing plants with an effective life of less than three years can be written off in the first commercial year. Plants with an effective life of more than three years can be depreciated over a shorter period than their effective life using the maximum write-off periods set out in the legislation.

### **B82 Three year write-off for expenditure on water facilities for primary producers**

Agriculture, forestry and fishing (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
20	25	25	25	20	20	15	15
<i>Tax expenditure type:</i>	Accelerated write-off			<i>2012 TES code:</i>		B84	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	23 May 1980			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivision 40-F of the <i>Income Tax Assessment Act 1997</i>						

Note: estimates include tax expenditures B82, B79 and B83

Primary producers can claim a deduction for capital expenditure on water facilities over three years. Water facilities include dams, earth tanks, underground tanks, concrete or metal tanks, tank stands, bores, wells, irrigation channels or similar improvements, pipes, pumps, water towers, and windmills. One-third of the expenditure is deductible in the income year in which it is incurred, and one-third is deductible in each of the following two years. The expenditure must be incurred primarily for conserving and conveying water for use in primary production.

### **B83 Water facilities and landcare concession for irrigation water providers**

Agriculture, forestry and fishing (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Included in B82							
<i>Tax expenditure type:</i>	Deduction			<i>2012 TES code:</i>		B85	
<i>Estimate Reliability:</i>							
<i>Commencement date:</i>	1 July 2004			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivisions 40-F and 40-G of the <i>Income Tax Assessment Act 1997</i>						

Certain irrigation water providers can claim an immediate deduction for capital expenditure on landcare activities and can claim a deduction for capital expenditure on water facilities over three years. The measure aligns the deductions available to primary producers and businesses using rural land with deductions available to irrigation water providers which supply those primary producers and businesses with water.



**B84 Absence of depreciation recapture for certain assets**

Mining, manufacturing and construction (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	B86	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1982				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 43 and Section 110-45 of the <i>Income Tax Assessment Act 1997</i>						

Certain buildings and structures receive deductions that are not recaptured by balancing adjustment on disposal of the asset. This tax expenditure is offset by reductions in the capital gains tax cost base of the assets concerned.

**B85 Capital expenditure deduction for mining, quarrying and petroleum operations**

Mining, manufacturing and construction (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
10	7	2	2	2	2	2	-
<i>Tax expenditure type:</i>	Accelerated write-off				<i>2012 TES code:</i>	B87 and B88	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1921				<i>Expiry date:</i>	2001	
<i>Legislative reference:</i>	Former Subdivision 330-C and Subdivision 40-B of the <i>Income Tax Assessment Act 1997</i> as adjusted by Sections 40-35, 40-40 and 40-75 of the <i>Income Tax (Transitional Provisions) Act 1997</i>						

Certain capital expenditure incurred in carrying on a mining, petroleum or quarrying operation can be deducted over the lesser of the life of the project or 10 years (20 years for quarrying). The deduction is available for expenditure incurred before 1 July 2001 or expenditure relating to a depreciating asset acquired before 1 July 2001 (excluding plant and equipment).

Expenditure incurred on or after 1 July 2001 can be deducted over the life of the project.

*Tax Expenditures Statement*

**B86 Deduction for environmental protection activities and environmental impact studies**

Mining, manufacturing and construction (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	35	20	30	20	20	20	20	20
<i>Tax expenditure type:</i>	Deduction, Accelerated write-off					<i>2012 TES code:</i>	B89	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	Various					<i>Expiry date:</i>	2001 (EIS)	
<i>Legislative reference:</i>	Sections 40-755 and 40-760 of the <i>Income Tax Assessment Act 1997</i> , Subdivision 40-I of the <i>Income Tax Assessment Act 1997</i> as adjusted by Section 40-55 of the <i>Income Tax (Transitional Provisions) Act 1997</i>							

Expenditure of a capital nature used to control pollution or manage waste is immediately deductible if the pollution or waste is a result of the taxpayer's business or is on the site of the taxpayer's business. Expenditure to prevent pollution that is likely to occur is also immediately deductible.

Expenditure incurred on an eligible environmental impact study (EIS) can be deducted over the lesser of 10 years or the life of the project to which it relates. This deduction applies to expenditure incurred before 1 July 2001. Expenditure incurred on or after 1 July 2001 can be deducted over the life of the project.

**B87 Exploration and prospecting deduction**

Mining, manufacturing and construction (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	700	500	550	550	-450	-450	-400	-400
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B90	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	1968					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 40-25, subsection 40-80(1) and section 40-730 of the <i>Income Tax Assessment Act 1997</i>							

Expenditure on exploration or prospecting for the purpose of mining (including for petroleum) and quarrying is immediately deductible. In addition, the cost of a depreciating asset is immediately deductible if the taxpayer first uses the asset for exploration or prospecting for minerals (including petroleum) or quarry materials obtainable by mining operations, subject to certain conditions.

From 14 May 2013, the cost of mining, quarrying and prospecting rights and information first used for exploration will generally be deductible over their effective life or 15 years, whichever is shorter. In the years immediately following this change, deductions for exploration expenditure will be relatively small as expenditure from previous years has already been fully deducted. In contrast, the benchmark treatment includes deductions for the depreciation of assets purchased in earlier years which are still within their effective lives. As a result there is a negative tax expenditure starting in 2013-14 which will decrease over time.

**B88 Statutory effective life caps**

Transport and communication (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
935	1,125	1,345	1,555	1,720	1,795	1,780	1,705
<i>Tax expenditure type:</i>	Accelerated write-off				<i>2012 TES code:</i>	B91	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	2002				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 40-102 of the <i>Income Tax Assessment Act 1997</i>						

'Statutory effective life caps' act to override the Commissioner of Taxation's determinations of the 'safe harbour' effective life of assets in certain cases. This provides a shorter write-off period for those assets subject to a statutory cap where the cap is below the effective life determined by the Commissioner.

Statutory caps exist for a range of assets, including:

- aircraft and certain assets used in the oil and gas industries (effective from 1 July 2002);
- trucks, truck trailers, buses and light commercial vehicles (effective from 1 January 2005); and
- tractors and harvesters (effective from 1 July 2007).

**B89 Accelerated depreciation for software**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-60	-215	-270	-80	-5	10	20	15
<i>Tax expenditure type:</i>	Accelerated write-off				<i>2012 TES code:</i>	B92	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1998				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 40-E of the <i>Income Tax Assessment Act 1997</i>						

In-house software is essentially software that is used in-house, rather than as trading stock, and that is a capital asset, rather than fully deductible in the year of purchase. It includes software, or a right to use software, that the taxpayer has acquired, developed or has had another entity develop.

Expenditure on in-house software is depreciated over a statutory effective life, rather than an effective life that is self-assessed by the taxpayer or that is determined by the Commissioner of Taxation. Prior to 13 May 2008, the statutory effective life was two and a half years, which gave rise to a tax expenditure in relation to software which has an effective life greater than two and a half years. For expenditure in relation to software assets newly held after 13 May 2008 the statutory effective life is four years.

*Tax Expenditures Statement*

**B90 Deduction for capital works expenditure**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
700	755	790	835	890	945	1,005	1,065
<i>Tax expenditure type:</i>		Accelerated write-off			<i>2012 TES code:</i>		B93
<i>Estimate Reliability:</i>		Low					
<i>Commencement date:</i>		21 August 1979			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Division 43 of the <i>Income Tax Assessment Act 1997</i>					

A taxpayer can claim a deduction for capital works expenditure incurred in constructing capital works, including buildings and structural improvements and environment protection earthworks, over a period that is generally shorter than the effective life of the asset.

Capital works can be deducted at either 2.5 per cent (over 40 years) or 4 per cent (over 25 years) of the construction expenditure, depending on when construction started and how the capital works are used.

**B91 Depreciation balancing adjustment roll-over relief**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>		Deferral			<i>2012 TES code:</i>		B94
<i>Estimate Reliability:</i>		Not Applicable			<i>* Category</i>		1+
<i>Commencement date:</i>		1952			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Section 40-340 of the <i>Income Tax Assessment Act 1997</i>					

‘Balancing adjustments’ arise when the disposal value of a depreciating asset varies from its depreciated value. The tax liability for such balancing adjustments can be deferred where the balancing adjustment arises from certain changes in ownership, such as disposal as a result of a marriage breakdown. The transferee is taken to acquire the asset at the written down value and must depreciate the asset in the same way as the transferor.

Prior to 21 September 1999, balancing adjustment offsets were also available when replacement items of plant and equipment were acquired. This treatment is available to businesses with turnover of less than \$1 million for assets acquired before 1 July 2001.

**B92 Depreciation pooling for low value assets**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
20	10	..	..	5	10	15	15
<i>Tax expenditure type:</i>	Accelerated write-off				<i>2012 TES code:</i>	B95	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	2000			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivision 40-E of the <i>Income Tax Assessment Act 1997</i>						

Assets costing less than \$1,000 can be written off at the declining balance rate of 37.5 per cent through a low value asset pool. Once a taxpayer elects to create a low value pool, all assets that cost less than \$1,000 are subject to the declining balance rate treatment. A low value asset pool is available to taxpayers who do not qualify for, or choose not to use the simplified depreciation rules.

A low value pool mechanism for the depreciation of assets was introduced to reduce taxpayers' compliance costs by removing the need to track individual items for depreciation purposes.

**B93 Depreciation to nil value rather than estimated scrap value**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	B96	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1936			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Division 40 of the <i>Income Tax Assessment Act 1997</i>						

Taxpayers are entitled to write-off the cost of depreciating assets to zero value, rather than to the estimated disposal value of the asset. Any gain on disposal of the asset is assessed as income at the time of disposal through a balancing adjustment. This results in a tax deferral.

**B94 Establishment costs for carbon sink forests**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
2	4	4	4	..	-1	-1	-1
<i>Tax expenditure type:</i>	Deduction, Accelerated write-off				<i>2012 TES code:</i>	B97	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2007			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivision 40-J of the <i>Income Tax Assessment Act 1997</i>						

The cost of establishing trees in carbon sink forests is immediately deductible in the 2007-08 to 2011-12 income years inclusive. After this initial period, establishment costs will be deductible over 14 years and 105 days at a rate of 7 per cent per annum.

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To be eligible for the deduction, the taxpayer must be carrying on a business and the carbon sink forest must meet Environmental and Natural Resource Management Guidelines.

### **B95 Research and development — exemption of refundable research and development tax offset payments (former scheme)**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-170	-200	-235	-200	-135	-85	-50	-25
<i>Tax expenditure type:</i>	Exemption, Denial of deduction				<i>2012 TES code:</i>	B98	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	2001				<i>Expiry date:</i>	30 June 2011	
<i>Legislative reference:</i>	Section 73I of the <i>Income Tax Assessment Act 1936</i>						

The longstanding Research and Development (R&D) Tax Concession was replaced with the new R&D Tax Incentive with effect from 1 July 2011. Prior to 1 July 2011, companies with an annual turnover of less than \$5 million that undertook up to \$1 million of R&D (\$2 million from 1 July 2009) were eligible to receive a refundable tax offset equivalent to the value of the R&D Tax Concession (which allowed a tax deduction on eligible expenditure at the rate of either 125 per cent or 175 per cent).

As the refundable R&D tax offset is an expense item, it does not appear as a tax expenditure in its own right. However, a tax expenditure arises because payments made under the refundable R&D tax offset are exempt from tax. In addition, companies that claim the refundable R&D tax offset are unable to claim deductions for the R&D expenditures concerned. The absence of these deductions constitutes a negative tax expenditure and explains why the estimates are negative.

### **B96 Research and development — exemption of research and development refundable tax offset (current scheme)**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-100	-210	-305	-370	-415
<i>Tax expenditure type:</i>	Exemption, Denial of deduction				<i>2012 TES code:</i>	B99	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	1 July 2011				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 355 of the <i>Income Tax Assessment Act 1997</i>						

The research and development refundable tax offset is available to companies with a turnover of less than \$20 million at a rate of 45 per cent of expenditure on eligible research and development (R&D) activities.

It takes the form of a 'refundable' tax offset, similar to the treatment under the former R&D Tax Offset. If a taxpayer's income tax liability is reduced to zero, the unused

refundable tax offset amount can be applied to reduce other tax liabilities (such as GST). Any residual unused amounts can be refunded as cash to the company.

As the R&D refundable tax offset is an expense item, it does not appear as a tax expenditure in its own right. However, a tax expenditure arises because payments made under the R&D refundable tax offset are exempt from tax. In addition, companies that claim the R&D refundable tax offset are unable to claim deductions for the R&D expenditures concerned. The absence of these deductions constitutes a negative tax expenditure and explains why the estimates are negative.

### **B97 Research and development — immediate deduction for expenditure on core technology**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B100	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	NA	
<i>Commencement date:</i>	1996					<i>Expiry date:</i>	30 June 2011	
<i>Legislative reference:</i>	Sections 73B(12) to 73B(12C) of the <i>Income Tax Assessment Act 1936</i>							

Prior to the 1 July 2011 commencement of the Research and Development Tax Incentive, expenditure on core technology, except where incurred by companies in partnerships, was deductible at a rate of 100 per cent over the period of related research and development (R&D) activities. This deduction was capped at one third of the firm's expenditure on related R&D for the income year in question, until the core technology amount has been fully deducted. The benchmark treatment for such expenditure is that it is deductible over its effective life and consequently the scope for the 100 per cent rate potentially allows a greater rate of deduction than the benchmark.

### **B98 Research and development — non-refundable tax offset**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	690	1,000	840	910	970
<i>Tax expenditure type:</i>	Offset					<i>2012 TES code:</i>	B101	
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	2011					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 355 of the <i>Income Tax Assessment Act 1997</i>							

The Research and Development non-refundable tax offset is available at a rate of 40 per cent for eligible research and development (R&D) expenditure and can be carried forward where a company's income tax liability is zero.

The R&D non-refundable tax offset takes the form of a tax offset that can be carried forward to be applied against future income tax liabilities. Carried forward amounts

## Tax Expenditures Statement

will result in a similar outcome to a carry forward loss arising from a tax deduction under the former R&D Tax Concession. If a company's income tax liability is zero, unused offset amounts cannot be applied to reduce other tax liabilities (such as GST).

Companies with an aggregated assessable income of \$20 billion or more are not eligible for the offset from 1 July 2013.

### **B99 Research and development — Premium tax concession for additional expenditure**

Other economic affairs — Other economic affairs, nec (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
500	430	440	120	50	-	-	-
<i>Tax expenditure type:</i>	Deduction, Accelerated write-off				<i>2012 TES code:</i>	B102	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	2001				<i>Expiry date:</i>	30 June 2011	
<i>Legislative reference:</i>	Section 73Q to 73Z of the <i>Income Tax Assessment Act 1936</i>						

Prior to the 1 July 2011 commencement of the Research and Development Tax Incentive, companies that increased expenditure on labour related components of research and development (R&D) which are Australian-owned were eligible to receive a 175 per cent tax concession for increases above the average of the previous three years' R&D expenditure. The 175 per cent premium covers all additional R&D expenditure excluding plant, pilot plant, contracted plant, plant leases, core technology, R&D related interest and items excluded from the 125 per cent R&D tax concession.

The concession was available to the extent that total R&D expenditure has increased. Total R&D expenditure includes both the Australian-owned and foreign-owned components of the premium tax concession. This deduction was available to companies from the first income year starting after 30 June 2001.

Companies that undertake R&D on behalf of a grouped foreign company were eligible for a 175 per cent tax concession for increases in R&D expenditure above the average of the previous three years' of R&D expenditure. Expenditure on behalf of a grouped foreign company which contributes to the calculation of the 175 per cent tax concession must be labour related and will be subject to a specific deduction at the rate of 100 per cent.

The concession was only available to the extent that total R&D expenditure has increased. Total R&D expenditure includes both the Australian-owned and foreign-owned components of the premium tax concession. This deduction was available to the Australian subsidiaries of multinational enterprises from 1 July 2007.



**B100 Research and development — Research and Development Tax Concession**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
980	980	1,120	500	170	30	-	-
<i>Tax expenditure type:</i>	Deduction, Accelerated write-off				<i>2012 TES code:</i>	B103	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	1985				<i>Expiry date:</i>	30 June 2011	
<i>Legislative reference:</i>	Sections 73B and 73BA of the <i>Income Tax Assessment Act 1936</i>						

Prior to the 1 July 2011 commencement of the Research and Development Tax Incentive, certain taxpayers were entitled to a deduction at the rate of 125 per cent of their eligible expenditure on research and development (R&D) activities. Until 29 January 2001, eligible expenditure on R&D plant was deductible at 125 per cent over three years. Expenditure on plant used in R&D activities after 29 January 2001 is deductible at 125 per cent over its effective life.

**B101 Small business — simplified depreciation rules**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
80	130	-45	-15	1,265	360	-375	-340
<i>Tax expenditure type:</i>	Accelerated write-off				<i>2012 TES code:</i>	B104	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	2007				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 328-D of the <i>Income Tax Assessment Act 1997</i>						

Small business entities with an aggregated annual turnover of less than \$2 million are able to access concessional depreciation arrangements for business assets. Under the concessions, small business entities can immediately write-off (deduct) assets that cost less than the relevant threshold. Assets above the relevant threshold are depreciated through simplified pooling arrangements.

Prior to the 2012-13 income year, small business entities could immediately write-off assets costing less than \$1,000 and depreciate assets costing \$1,000 or more at accelerated rates under two pools. Assets with an effective life of less than 25 years were depreciated in a general pool at a rate of 30 per cent (15 per cent in the first year), and assets with an effective life of 25 years or more are depreciated in a long life pool at a rate of 5 per cent (2.5 per cent in the first year).

From the 2012-13 income year until 31 December 2013, small business entities could immediately write-off assets costing less than \$6,500. Assets costing \$6,500 or more were depreciated in a single pool (the general small business pool) at a 30 per cent rate (15 per cent in the first year). Small business entities could also immediately write off up to \$5,000 for motor vehicles (new and used). The remainder of the value of a motor vehicle was then allocated to the general small business pool. The general small

## Tax Expenditures Statement

business pool could be immediately deducted at the end of the income year if its value was less than \$6,500 (before deducting depreciation for the year).

Commencing 1 January 2014, small business entities can immediately write-off assets costing less than \$1,000. Assets costing \$1,000 or more can be depreciated the general small business pool at a 30 per cent rate (15 per cent in the first year). The general small business pool can be immediately deducted at the end of the income year if its value is less than \$1,000 (before deducting depreciation for the year). The \$5,000 accelerated motor vehicle deduction ceased from 1 January 2014.

The estimates become negative towards the end of the forecast period due in large part to volatility in asset purchases, particularly after the Global Financial Crisis, and policy changes associated with the instant asset write-off and motor vehicle depreciation.

### B102 Small business — simplified trading stock rules

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	B105	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	2007					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 328 of the <i>Income Tax Assessment Act 1997</i>							

Small businesses with annual turnover of less than \$2 million may choose to use a simplified trading stock regime. Under this regime, in certain circumstances, changes in the value of trading stock do not have to be accounted for and stocktaking is not required at the end of the income year.

Before July 2007, this regime was available only to taxpayers that were part of the former Simplified Tax System. As part of aligning small business thresholds, the turnover eligibility threshold was raised from \$1 million to \$2 million.

### B103 Small business and general business tax break

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	1,490	2,420	720	250	30	-	-	-
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B106	
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	13 December 2008					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 41 of the <i>Income Tax Assessment Act 1997</i>							

Businesses that acquired new tangible depreciating assets, for which a deduction was available under Subdivision 40-B of the *Income Tax Assessment Act 1997*, between 13 December 2008 and 31 December 2009 and started to use or had installed ready for

use by 31 December 2010 could claim a bonus tax deduction in the income year that they used or installed the asset.

Small businesses could claim a bonus deduction of 50 per cent of the cost of an eligible asset. Other businesses could claim a 30 per cent deduction for assets acquired between 13 December 2008 and 30 June 2009 and installed by 30 June 2010. For assets acquired by other businesses between 1 July 2009 and 31 December 2009 and installed by 31 December 2010 the rate of bonus deduction was 10 per cent.

The bonus deduction did not affect the capital allowance deductions that would normally be claimed in relation to the asset.

#### **B104 Exemption of tax offsets paid under the National Urban Water and Desalination Plan**

General public services — General services (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	-	-	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	B107	
<i>Estimate Reliability:</i>	Medium				<i>Expiry date:</i>	30 June 2014	
<i>Commencement date:</i>	1 July 2009						
<i>Legislative reference:</i>	Section 67-23 and Subdivision 402-W of the <i>Income Tax Assessment Act 1997</i>						

The National Urban Water and Desalination Plan provides financial assistance to approved projects, such as desalination, water recycling and stormwater harvesting projects, which improve the security of water supplies to Australia's major cities. The financial assistance is provided as refundable tax offsets, unless the applicant receiving the assistance is outside the tax system, in which case they receive a grant. Payments made as refundable tax offsets under the plan are exempt from tax.

#### **B105 International tax — concessional rate of final withholding tax on certain distributions by Australian managed investment trusts to foreign residents**

General public services — General services (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
70	155	185	140	125	125	125	125
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>	B108	
<i>Estimate Reliability:</i>	Low				<i>Expiry date:</i>		
<i>Commencement date:</i>	1 July 2008						
<i>Legislative reference:</i>	Subdivision 12-H of Schedule 1 to the <i>Taxation Administration Act 1953</i> Division 7 of the <i>Taxation Administration Regulations 1976</i>						

Note: estimates include tax expenditures B105 and B19

Distributions of Australian source net income (other than dividends, interest and royalties) by Australian managed investment trusts to foreign residents are subject to a final withholding tax. The general rate of 30 per cent is reduced to 7.5 per cent for

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1 July 2010 to 30 June 2012, and to 15 per cent from 1 July 2012, for residents of countries specified in the regulations as 'information exchange countries'.

### B106 Company loss carry-back

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	150	-50	-20	-10
<i>Tax expenditure type:</i>	Reduction in taxable value				<i>2012 TES code:</i>	B109	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2013	
<i>Legislative reference:</i>	Division 160 of the <i>Income Tax Assessment Act 1997</i>						

The company loss carry-back provisions provided tax relief for companies by allowing them to carry back tax losses so they receive a refund against tax previously paid. While this treatment is consistent with Schanz-Haig-Simons income tax, it departs from the benchmark treatment of losses which only allows losses to be carried forward to be deducted in a future year.

A one year loss carry-back was applied in 2012-13, where tax losses incurred in that year can be carried back and offset against tax paid in 2011-12. Companies could carry back up to \$1 million of losses each year providing a cash benefit of up to \$300,000.

Loss carry-back was available to companies and entities that are taxed like companies. It applied to their revenue losses only and is limited to a company's franking account balance.

The loss carry-back provisions ceased to apply commencing from the 2013-14 income year. The estimates become negative from 2014-15 as tax losses refunded in the 2013-14 year are denied going forward.

### B107 Forestry managed investment schemes — tax deductibility

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
70	20	10	10	-10	-15	-15	-15
<i>Tax expenditure type:</i>	Accelerated write-off				<i>2012 TES code:</i>	B110	
<i>Estimate Reliability:</i>	Very Low						
<i>Commencement date:</i>	1 July 2007				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 394 of the <i>Income Tax Assessment Act 1997</i>						

Investors in forestry managed investment schemes (MIS) are able to claim immediate upfront deductions for their expenditure on such schemes, provided that, amongst other requirements, at least 70 per cent of the expenditure is directly related to developing forestry. The statutory deduction available to investors in forestry MIS allows investors to bring forward their deductions relative to the benchmark.

Interests in forestry MIS can be traded, subject to a four-year holding period rule and a market value pricing rule for initial investors. The proceeds on the sale or harvest of a forestry MIS interest by an initial investor are assessable income of the investor.

**B108 Small business related party at call loans taken to be debt interests**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>	B111	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2005					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 974 of the <i>Income Tax Assessment Act 1997</i>							

A related party at call loan is typically a loan made to a company by a related entity, has no fixed term and is repayable on demand. Under the benchmark debt-equity rules, such a loan would generally give rise to an equity interest rather than a debt interest. This means that interest payable on the loan would be frankable (but not deductible by the company).

These loans are taken to be debt interests for companies that have an annual turnover of less than \$20 million.

## C. RETIREMENT SAVINGS

Under the superannuation benchmark:

- contributions are taxed in the hands of the fund member as personal income;
- earnings, including realised capital gains, taxed as personal income in the hands of the member (like any other investment income); and
- benefits from superannuation are untaxed.

### C1 Capital gains tax small business retirement exemption

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
360	350	370	360	370	370	380	400
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	C1	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1997			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivision 152-D of the <i>Income Tax Assessment Act 1997</i>						

Capital gains arising from the sale of active small business assets are exempt from capital gains tax, up to a lifetime limit of \$500,000, where the proceeds of the sale are used for retirement. An eligible small business is one where the net value of assets that the taxpayer and connected entities own is no more than \$6 million, or where the aggregated annual turnover is less than \$2 million.

### C2 Capped taxation rates for lump sum payments for unused recreation and long service leave

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
105	105	140	160	145	130	115	115
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>	C2	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Subdivisions 83-A and 83-B of the <i>Income Tax Assessment Act 1997</i>						

A maximum tax rate of 30 per cent plus the Medicare levy applies to lump sum payments in lieu of unused long service or annual leave which accrued before 18 August 1993, or which are made in circumstances of bona fide redundancy, invalidity or under an early retirement scheme. All other lump sum payments in

respect of unused annual or long service leave which accrued after 18 August 1993 are taxed at individual marginal rates.

### C3 Concessional taxation of non-superannuation termination benefits

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1,450	1,300	1,850	2,500	2,450	1,800	1,750	1,750
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>		C3
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 82 of the <i>Income Tax Assessment Act 1997</i> Division 82 of the <i>Income Tax (Transitional Provisions) Act 1997</i> Subdivision 83-C of the <i>Income Tax Assessment Act 1997</i>						

Non-superannuation termination payments are generally paid by employers to terminating employees. Before 1 July 2007 these amounts were taxed in the same way as superannuation lump sums from untaxed funds with the exception of bona fide redundancy payments and approved early retirement scheme payments which were tax free up to certain limits. This tax expenditure excludes the treatment of payments in lieu of leave.

Since 1 July 2007, non-superannuation termination payments, known as employment termination payments (ETPs), have been taxed differently to lump sums paid from untaxed funds. The pre-July 1983 segment of the payment and the invalidity segments are tax free. The residual is taxed at up to 15 per cent for amounts up to an ETP cap of \$180,000 in 2013-14 (indexed) for recipients aged at or above preservation age and at up to 30 per cent for people who are under preservation age. Amounts in excess of \$180,000 (indexed) are taxed at the top marginal tax rate. The Medicare levy is payable in addition to these rates. Concessional tax treatment also applies for transitional arrangements in place as at 9 May 2006 and early retirement scheme payments.

From 1 July 2012, only that part of an ETP that takes a person's total annual taxable income (including the ETP) to \$180,000 receives the ETP tax offset. Any ETP amounts above this whole of income cap are taxed at marginal rates. The whole of income cap operates in conjunction with the existing ETP cap (\$180,000 in 2013-14, indexed) which ensures that the ETP tax offset only applies to ETP amounts up to the cap.

Genuine redundancy and early retirement scheme payments made to people under 65 years of age are tax free up to a limit, which is based on the person's years of service with the employer. Amounts in excess of this limit are taxed as an ETP.

This tax expenditure excludes the taxation treatment of payments in lieu of leave (see the tax expenditures C2 *Capped taxation rates for lump sum payments for unused recreation and long service leave* and C14 *Taxation of five per cent of unused long service leave accumulated by 15 August 1978*).

*Tax Expenditures Statement*

**C4 Superannuation — capital gains tax discount for funds**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
80	100	90	100	210	470	1,020	1,380
<i>Tax expenditure type:</i>	Reduction in taxable value				<i>2012 TES code:</i>		C4
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1999			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Paragraph 115-10(b) and subparagraph 115-100(b)(i) of the <i>Income Tax Assessment Act 1997</i>						

Capital gains made by complying superannuation funds are taxed concessionally. Two-thirds of any nominal capital gain made from a capital gains tax event occurring on or after 21 September 1999 is included in the assessable income of a fund, provided the fund has held the asset for at least 12 months. The effect of this item is in addition to the effect of lower tax rates for superannuation investments reported in the tax expenditure *Superannuation – concessional taxation of superannuation entity earnings* (C6). The amounts reported reflect the additional tax that would be raised at fund rates on the same investments if total nominal capital gains were taxed instead of discounted gains or gains with frozen indexation where this applies.

**C5 Superannuation — concessional taxation of employer contributions**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
12,700	12,600	14,300	14,600	16,000	17,800	19,150	20,700
<i>Tax expenditure type:</i>	Exemption, Reduction in taxable value				<i>2012 TES code:</i>		C5
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Divisions 290, 292 and 295 of the <i>Income Tax Assessment Act 1997</i>						

Currently, employer contributions, after certain costs of the superannuation entity are deducted, are generally included in the assessable income of a superannuation entity and are taxed at a concessional rate of 15 per cent.

Concessional contributions subject to the 15 per cent tax rate are limited by the concessional contribution cap. Currently the general cap is \$25,000 per annum (indexed and rounded down to the nearest \$5,000). From 1 July 2013 a transitional higher cap of \$35,000 applies to individuals aged 60 and over. This cap will be extended to individuals aged 50 and over from 1 July 2014. The transitional arrangements in which persons aged 50 and over were subject to a \$50,000 per annum cap ended on 1 July 2012. Prior to 1 July 2009, individuals could receive concessional taxation treatment on up to \$50,000 (\$100,000 for persons 50 and over) of concessional contributions. The general concessional contributions cap is expected to rise with indexation to \$30,000 in 2014-15.



From 1 July 2012, individuals with income greater than \$300,000 have the tax concession on their contributions, including notional employer contributions, reduced from 30 per cent to 15 per cent (excluding the Medicare levy).

The amounts of employer contributions in superannuation are influenced by the superannuation guarantee rate. The Government intends to maintain the superannuation guarantee rate at 9.25 per cent until 1 July 2016 before gradually increasing to 12 per cent.

In any particular year, the application of the benchmark treatment rather than the concessional tax rates to these contributions would increase tax revenue by the amounts indicated.

### **C6 Superannuation — concessional taxation of superannuation entity earnings**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
10,650	15,050	13,000	13,400	16,100	18,450	21,700	24,100
<i>Tax expenditure type:</i>	Exemption, Concessional rate				<i>2012 TES code:</i>		C6
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 295 of the <i>Income Tax Assessment Act 1997</i>						

The earnings of complying superannuation entities, after certain costs are deducted, are taxed at a concessional rate. The tax rate on earnings is 15 per cent (for the accumulation phase) or nil where the earnings are derived from assets which are used to meet current pension liabilities (drawdown phase). Complying superannuation entities are entitled to refunds of excess imputation credits attached to dividends payable to them.

This tax expenditure reflects the extra tax in a particular year that would be collected if superannuation earnings were taxed at the personal tax rates of members rather than fund rates.

*Tax Expenditures Statement*

**C7 Superannuation — concessional taxation of unfunded superannuation**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
360	410	450	460	490	500	520	540
<i>Tax expenditure type:</i>	Exemption, Offset, Concessional rate				<i>2012 TES code:</i>	C7	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Part 3-30 and Subdivision 320-D of the <i>Income Tax Assessment Act 1997</i> Part 3-30 of the <i>Income Tax (Transitional Provisions) Act 1997</i>						

In the case of unfunded superannuation, no employer contribution is made until the actual benefit is provided on the member's retirement. The appropriate benchmark treatment for these amounts is therefore taxation at personal rates on receipt by the member.

Unfunded superannuation lump sums are taxed in the same way as funded superannuation lump sums from untaxed funds (see the tax expenditure *Superannuation – tax on funded lump sums (C12)*).

Similarly, unfunded superannuation income streams are taxed in the same way as funded superannuation income streams from untaxed funds (see the tax expenditure *Superannuation – tax on funded superannuation income streams (C13)*).

The taxation of a death benefit paid to a dependant as a reversionary pension depends on the age of the primary and reversionary beneficiary. If either was aged 60 or over at the time of death, then the taxable component of payments to the reversionary beneficiary will be taxed at marginal rates with a 10 per cent tax offset. If both were under age 60 at the time of death, the taxable component of the pension will be taxed at the reversionary beneficiary's marginal rate. However, once the reversionary beneficiary reaches age 60, the taxable component of the pension will become eligible for the 10 per cent tax offset.

**C8 Superannuation — deduction and concessional taxation of certain personal contributions**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1,500	870	960	1,000	670	770	900	950
<i>Tax expenditure type:</i>	Exemption, Reduction in taxable value				<i>2012 TES code:</i>	C8	
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Divisions 290, 292 and 295 of the <i>Income Tax Assessment Act 1997</i>						

Currently, certain persons are entitled to a full deduction for all personal contributions they make to a superannuation fund, provided that the deduction is not greater than the amount that reduces the individual's taxable income to nil. For the purposes of this deduction, the persons entitled are those who have less than 10 per cent of their

income earned as an employee. This includes many unincorporated and substantially self-employed persons and persons not in paid employment. These personal contributions are concessional deductible contributions and are subject to the concessional 15 per cent tax rate.

Caps apply to the amount of concessional contributions. Currently the general cap is \$25,000 per annum (indexed and rounded down to the nearest \$5,000). A temporary cap of \$35,000 applies to individuals aged 60 and over from 1 July 2013 and to individuals aged 50 and over from 1 July 2014. Transitional arrangements where persons aged 50 and over were subject to \$50,000 per annum cap ended on 1 July 2012. The general concessional contributions cap is expected to rise with indexation to \$30,000 in 2014-15.

Prior to 1 July 2009, individuals could make up to \$50,000 (\$100,000 for persons over 50) of concessional deductible contributions subject to the 15 per cent tax rate. The 2009 changes to the levels subject to 15 per cent tax are reflected in the tax expenditure estimates with a one year delay.

Also, from 1 July 2012, individuals with income greater than \$300,000 have the tax concession on their contributions reduced from 30 per cent to 15 per cent (excluding the Medicare levy).

### C9 Superannuation — measures for low-income earners

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
230	300	170	140	130	180	55	35
<i>Tax expenditure type:</i>		Exemption, Reduction in taxable value			<i>2012 TES code:</i>		C10 and C9
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		Introduced before 1985			<i>Expiry date:</i>		
<i>Legislative reference:</i>		<i>Superannuation (Government Co-Contribution for Low Income Earners) Act 2003</i>					

The existing superannuation co-contribution, which applies to eligible non-concessional superannuation contributions, and the low income superannuation contribution, which applies to eligible concessional superannuation contributions, are expense measures. As such, these payments are not included in the TES. The amounts indicated represent the impact of these payments not being taxed.

The low income superannuation contribution is available for superannuation contributions made in 2012-13. This contribution is designed to pay an amount equivalent to the tax paid on superannuation concessional contributions up to a maximum of \$500 each year. This contribution is available to individuals who have adjusted taxable incomes up to \$37,000 (not indexed).

## Tax Expenditures Statement

The superannuation co-contribution boosts superannuation savings of individuals by matching a proportion of eligible superannuation contributions made by or for lower to middle income earners. The maximum co-contribution is \$500 from 1 July 2012.

An 18 per cent offset is also available for post-tax contributions to the superannuation account of a spouse whether married or de facto (where the total of assessable income and reportable fringe benefits for the spouse is less than \$13,800). A maximum offset of \$540 applies for a contribution of \$3,000 where the spouse's income is less than \$10,800. The offset is phased out for higher incomes and is no longer payable where the spouse's income exceeds \$13,800.

### C10 Superannuation — tax on excess concessional contributions

Social security and welfare (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-3	-25	-36	*	*	*	*	*
<i>Tax expenditure type:</i>	Increased rate					<i>2012 TES code:</i>	C11	
<i>Estimate Reliability:</i>	Medium					<i>* Category</i>	2-	
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Divisions 290, 292 and 295 of the <i>Income Tax Assessment Act 1997</i> <i>Superannuation (Excess Concessional Contributions Tax) Act 2007</i>							

Currently, employer contributions and personal contributions for which deductions are claimed, after certain costs of the superannuation entity are deducted, are generally included in the assessable income of a superannuation entity and are taxed at a concessional rate of 15 per cent; the tax expenditure from this is shown at C5.

Caps apply to the amount of concessional contributions which receive this concessional taxation treatment. Concessional contributions are limited by the concessional contributions caps. Currently the general cap is \$25,000 per annum (indexed and rounded down to the nearest \$5,000). Contributions above this limit on or before 30 June 2013 are effectively taxed at the top marginal tax rate plus Medicare levy by applying an additional tax of 31.5 per cent to the 15 per cent deducted by the superannuation provider on the excess concessional contributions. The tax is payable by the individual. A negative tax expenditure occurs where a person contributes to superannuation an amount above the relevant cap and their marginal tax rate is below the effective excess concessional contributions tax rate.

The general concessional contributions cap is expected to rise with indexation to \$30,000 in 2014-15.

From 1 July 2013, individuals aged 60 and over will be able to receive concessional taxation treatment on contributions of up to \$35,000 per annum. The higher cap will apply to individuals aged 50 and over from 1 July 2014. The higher cap is not indexed and will cease when the general cap is indexed to \$35,000.

For the 2011-12 and the 2012-13 income years, an individual will have an option to have excess concessional contributions of \$10,000 or less refunded to them from their superannuation provider. The excess concessional contributions will be included in the assessable income of the individual for the year the contribution was made and taxed at the individual's marginal income tax rate rather than incurring excess contributions tax. The refund offer will be available for the first time an individual has been assessed for excess concessional contributions since 1 July 2011. Circumstances before 1 July 2011 will not affect eligibility.

On or after 1 July 2013, contributions above the concessional contribution cap are taxed at the individual's own marginal tax rate plus the Medicare levy by including these contributions in the individual's income tax assessment and allowing an offset for the 15 per cent tax payable by the superannuation provider on these contributions.

These contributions will also attract an interest charge for the period beginning at the start of the financial year in which the excess was made and ending at the time of the income tax assessment that includes the excess contributions.

The individual will be liable for the payment of the tax and interest charge through the income tax assessment. The individual will also have the ability to withdraw excess concessional contributions from superannuation. Any withdrawn amount will not count towards the individual's non-concessional contribution cap.

### C11 Superannuation — tax on excess non-concessional contributions

Social security and welfare (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-39	-43	-33	-45	*	*	*	*
<i>Tax expenditure type:</i>	Exemption, Reduction in taxable value					<i>2012 TES code:</i>	C12	
<i>Estimate Reliability:</i>	Medium					<i>* Category</i>	2-	
<i>Commencement date:</i>	10 May 2006					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 292 of the <i>Income Tax (Transitional Provisions) Act 1997</i> Division 292 of the <i>Income Tax Assessment Act 1997</i> <i>Superannuation (Excess Non-Concessional Contributions Tax) Act 2007</i>							

Non-concessional contributions include those made from an individual's after tax income (generally undeducted contributions) and excess concessional contributions (that is, employer and personal deducted contributions which have exceeded the annual concessional contribution thresholds). The benchmark treatment of these contributions is that they are taxed like any other income in the hands of the individual (that is, the contributions are taxed at the individual's marginal tax rate).

Since 10 May 2006, non-concessional contributions have been subject to a cap, with contributions in excess of the cap taxed at the top marginal tax rate, payable by the individual. The taxation of these excess contributions represents a deviation from the benchmark.

## Tax Expenditures Statement

An annual cap of \$150,000 applies to non-concessional contributions, although people under age 65 are able to bring forward up to two years' worth of non-concessional contributions. Exemptions to the cap include proceeds from the disposal of assets that qualify for some small business CGT concessions, up to a lifetime limit of \$1.255 million in 2012-13, and proceeds arising from structured settlements or orders for personal injuries.

The non-concessional contributions cap is currently set at six times the concessional contributions cap. The non-concessional cap is expected to rise to \$180,000 in 2014-15 with the expected increase in the general concessional cap to \$30,000 in 2014-15.

Contributions above the non-concessional caps are subject to the excess contributions tax levied at 46.5 per cent. The tax is payable by the individual. This results in a negative tax expenditure.

### C12 Superannuation — tax on funded lump sums

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-190	-220	-260	-230	-250	-260	-280	-290
<i>Tax expenditure type:</i>	Increased rate				<i>2012 TES code:</i>		C13
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Divisions 301, 302 and 307 and Part 3-30 of the <i>Income Tax Assessment Act</i> 1997						
	Part 3-30 of the <i>Income Tax (Transitional Provisions) Act</i> 1997						

Superannuation lump sums paid from a taxed fund to persons aged 60 or over are tax free. A taxed fund is one in which tax has been paid during the accumulation phase.

The taxable component of a lump sum paid from a taxed fund to a person under age 60 is taxed. For a person aged 55 to 59 the tax rate on this component is zero per cent up to the low rate cap amount (\$175,000 in 2012-13) and 15 per cent thereafter. For a person below age 55 a maximum tax rate of 20 per cent applies.

Untaxed funds are those where superannuation benefits are not taxed during the accumulation phase. The taxable component of lump sums paid from untaxed funds to persons aged 60 or over is taxed at a maximum rate of 15 per cent up to an amount of \$1.255 million (in 2012-13) and at the top marginal rate thereafter. For persons aged 55 to 59, the tax rate ranges from 15 per cent up to the top marginal rate, while for persons under age 55 the tax rate is typically 30 per cent.

Special arrangements apply to lump sums paid to certain temporary residents who have departed Australia. The taxable component of these payments is taxed at 35 per cent where paid from a taxed source and at 45 per cent where paid from an untaxed source.

Lump sums paid to death benefit dependants (and non-dependants of service and police personnel killed in the line of duty) and to persons suffering from a terminal medical condition are tax free.

Death benefit payments to non-dependants must be made as a lump sum. These payments are taxed at a maximum rate of 15 per cent where paid from a taxed source, and at a maximum rate of 30 per cent where paid from an untaxed source.

The amounts reported are the tax raised on these lump sums.

### C13 Superannuation — tax on funded superannuation income streams

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-250	-240	-250	-290	-300	-310	-330	-340
<i>Tax expenditure type:</i>		Increased rate			<i>2012 TES code:</i>		C14
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		Introduced before 1985			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Divisions 301 and 302 and Part 3-30 of the <i>Income Tax Assessment Act 1997</i> Part 3-30 of the <i>Income Tax (Transitional Provisions) Act 1997</i>					

Superannuation income stream payments from a taxed source are tax free for persons aged 60 or over. The taxable component of superannuation income stream payments to persons below age 60 is included in assessable income. A 15 per cent tax offset applies to the taxable component of superannuation income stream benefits paid to persons aged 55 to 59, and to disability benefits paid to persons of any age.

The taxable component of superannuation income stream payments from an untaxed source is included in the recipient's assessable income. A 10 per cent tax offset applies to the taxable component of pension payments for persons aged 60 or over.

The taxation of a death benefit paid from a taxed source as a reversionary pension depends on the age of the primary and reversionary beneficiary. If either the primary or reversionary beneficiary was aged 60 or over at the time of death, then income stream payments to the reversionary beneficiary are tax free. If both were under age 60 at the time of death, the taxable component of the payments is taxed at the reversionary beneficiary's marginal tax rate (less a 15 per cent tax offset). However, once the reversionary beneficiary reaches age 60, the payments are tax free.

For the taxation treatment of a death benefit paid from an untaxed source as a reversionary pension see the tax expenditure *Superannuation – concessional taxation of unfunded superannuation (C7)*.

This item relates to the tax on funded pensions.

*Tax Expenditures Statement*

**C14 Taxation of five per cent of unused long service leave accumulated by 15 August 1978**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
55	55	55	55	50	45	45	40
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>		C15
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	Introduced before 1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 83-80(1) of the <i>Income Tax Assessment Act 1997</i>						

A reduced tax rate applies to lump sum payments for unused long service leave which accrued prior to 15 August 1978. Five per cent of such payments is included in the taxpayer's assessable income and is subject to tax at marginal rates.

**C15 Exemption of foreign termination payments**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		C16
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>		1+
<i>Commencement date:</i>	1 July 2007				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 83-D of the <i>Income Tax Assessment Act 1997</i>						

Certain termination payments paid as a result of the termination of foreign employment are non-assessable and non-exempt income for tax purposes. To be non-assessable and non-exempt, the payment must have been paid to a taxpayer who was a foreign resident during the period to which the payment relates and must not be a superannuation benefit or a pension or annuity. Where the taxpayer was an Australian resident for some of the period to which the termination payment relates, the payment will be non-assessable and non-exempt if it was received in consequence of the termination of a period of employment or engagement for the purposes of section 23AF or section 23AG and the payment relates only to that period of employment or engagement and is not a superannuation benefit or a pension or annuity.



**C16 Small business capital gains tax exemption for assets held more than 15 years**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
90	95	125	140	140	140	145	150
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		C17
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	1999				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 152-B of the <i>Income Tax Assessment Act 1997</i>						

Capital gains arising from the disposal of active small business assets that have been held continuously for 15 years are exempt from capital gains tax. This exemption is available only if the taxpayer is permanently incapacitated or reaches the age of 55 and retires. An eligible small business is one where the net value of assets that the taxpayer and connected entities own is no more than \$6 million, or where the aggregated annual turnover is less than \$2 million.

## D. FRINGE BENEFITS TAX

The fringe benefits tax benchmark comprises:

- a tax base including all benefits provided to an employee or an associate of an employee in respect of the employment of the employee;
- generally, a deduction to the employer for the cost of providing fringe benefits and the amount of fringe benefits tax paid;
- the tax rate is the employee's personal marginal income tax rate plus the Medicare levy;
- the employer as the tax unit; and
- the fringe benefits tax year as the tax period (1 April to 31 March).

### D1 Exemption for compensation-related benefits, occupational health and counselling services and some training courses

Public order and safety (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D1	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 58J, 58K and 58M of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Certain benefits in relation to compensable work related trauma, medical services and other forms of health care provided in work site first aid posts and medical clinics, work related medical examinations, work related medical screening, work related preventative health care, work related counselling and migrant language training are exempt from fringe benefits tax.

**D2 Exemption for safety award benefits up to \$200 per year per employee**

Public order and safety (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D2	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58R of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

An award related to occupational health or an occupational safety achievement that is granted to an employee is exempt from fringe benefits tax if its value does not exceed \$200 per year.

**D3 Reduction in taxable value for reimbursements of car expenses incurred for occupational health and counselling services and some training courses**

Public order and safety (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Reduction in taxable value				<i>2012 TES code:</i>	D3	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 61F of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

The taxable value of a fringe benefit may be reduced where an employee travels in their own car for the purpose of attending a work related medical examination, screening, preventative health care or counselling session, or for migrant language training and is reimbursed on a cents per kilometre basis for the car expenses incurred.

**D4 Exemption for benefits provided by certain international organisations**

General public services — Foreign affairs and economic aid (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D4	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 55 of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

An exemption from fringe benefits tax applies to benefits provided by certain international organisations that are exempt from income tax and other taxes by virtue of the *International Organisations (Privileges and Immunities) Act 1963* and by organisations established under international agreements to which Australia is a party and which oblige Australia to grant the organisation a general tax exemption.

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**D5 Exemption for benefits received by Australian Government employees in receipt of military compensation payments**

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
30	25	30	30	30	35	35	35
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		D5
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1995				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 6AA and 6AB of the <i>Fringe Benefits Tax (Application to the Commonwealth) Act 1986</i>						

Benefits provided to Australian Government employees in receipt of military compensation payments are exempt from fringe benefits tax.

**D6 Exemption for health care benefits provided to members of the Defence Force**

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
535	540	600	565	615	655	695	740
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		D6
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1995				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 6AC of the <i>Fringe Benefits Tax (Application to the Commonwealth) Act 1986</i>						

All health care benefits provided by the Australian Government to members of the Australian Defence Force (because of their membership) are exempt from fringe benefits tax.

**D7 Exemption for war service loans provided under the Defence Service Homes Act 1918**

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
2	2	1	1	1	1	1	1
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		D7
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 6 of the <i>Fringe Benefits Tax (Application to the Commonwealth) Act 1986</i>						

The loan concessions authorised under the *Defence Service Homes Act 1918* and made by virtue of an employee's war service are exempt from fringe benefits tax.

**D8 Reduction in taxable value for education costs of children of employees posted overseas**

Education (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Reduction in taxable value				<i>2012 TES code:</i>	D8	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 65A of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

The taxable value of fringe benefits including a car, expense payment, property or residual benefit in respect of full-time education of children of employees posted overseas for 28 days or more may be reduced. The extent of the amount of the reduction relates to the period of the employee's service overseas.

**D9 Exemption for travel costs of employees and their families associated with overseas medical treatment**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D9	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58L of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Benefits that meet the costs of travel away from a work place located in a foreign country in order to obtain medical treatment are exempt from fringe benefits tax. Accommodation and meals are also exempt if provided en route.

**D10 Philanthropy — exemption for charities promoting the prevention or control of disease in human beings**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
85	90	95	105	110	120	125	130
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D10	
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	2001				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 5B and Subsection 57A(5) of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Charitable institutions whose principal activity is to promote the prevention or control of diseases in human beings are provided with an exemption from fringe benefits tax on up to \$30,000 of the grossed-up taxable value of fringe benefits per employee.

Excluded from the cap are meal entertainment (such as expenses on a restaurant meal at a social occasion), entertainment facility leasing expenses and car parking. The

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fringe benefits tax exemption for meal entertainment and entertainment facility leasing expenses is now captured in D15 *Philanthropy – exemption from the fringe benefit cap for meal entertainment and entertainment facility leasing expenses*.

**D11 Philanthropy — exemption for public and not-for-profit hospitals and public ambulance services**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1,100	1,150	1,250	1,350	1,400	1,500	1,600	1,700
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		D11
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		2000			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Sections 57A(3) and 57A(4) of the <i>Fringe Benefits Tax Assessment Act 1986</i>					

Public and not-for-profit hospitals and public ambulance services are provided with an exemption from fringe benefits tax which is capped up to \$17,000 of the grossed-up taxable value of fringe benefits per employee.

Excluded from the \$17,000 cap are meal entertainment (such as expenses on a restaurant meal at a social occasion), entertainment facility leasing expenses and car parking. The fringe benefits tax exemption for meal entertainment and entertainment facility leasing expenses is now captured in D15 *Philanthropy – exemption from the fringe benefit cap for meal entertainment and entertainment facility leasing expenses*.

**D12 Exemption for emergency assistance**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		D12
<i>Estimate Reliability:</i>		Not Applicable			<i>* Category</i>		1+
<i>Commencement date:</i>		1986			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Section 58N of the <i>Fringe Benefits Tax Assessment Act 1986</i>					

Benefits provided by way of emergency assistance are exempt from fringe benefits tax. Emergency assistance includes certain first aid or other emergency health care; emergency meals, food supplies, clothing, accommodation, transport, or use of household goods; temporary repairs; and any other similar benefit.

**D13 Philanthropy — exemption for accommodation, fuel and meals for live-in employees caring for the elderly or disadvantaged**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D13	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 58 and 58U of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Certain benefits that are provided to people employed in caring for elderly or disadvantaged persons and who reside with them in their own homes are exempt from fringe benefits tax. The benefits that are exempt are accommodation, residential fuel, meals and other food and drink provided in the home to the employee.

**D14 Philanthropy — exemption for public benevolent institutions (excluding public and not-for-profit hospitals)**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
890	980	1,100	1,240	1,340	1,450	1,540	1,630
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D14	
<i>Estimate Reliability:</i>	Medium — High				<i>Expiry date:</i>		
<i>Commencement date:</i>	2001				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 57A(1) of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Public benevolent institutions (excluding hospital activities) are provided with an exemption from fringe benefits tax which is capped up to \$30,000 of the grossed-up taxable value of fringe benefits per employee.

Excluded from the \$30,000 cap are meal entertainment (such as expenses on a restaurant meal at a social occasion), entertainment facility leasing expenses and car parking. The fringe benefits tax exemption for meal entertainment and entertainment facility leasing expenses is now captured in D15 *Philanthropy – exemption from the fringe benefit cap for meal entertainment and entertainment facility leasing expenses*.

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**D15 Philanthropy — exemption from the fringe benefit cap for meal entertainment and entertainment facility leasing expenses**

Social security and welfare (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	305	350	400	450	485	530	565	605
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	New	
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	1 January 2001					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 5B and Subsections 57A(1) and 57A(5) of the Fringe Benefits Tax Assessment Act 1986							

Charitable institutions whose principal activity is to promote the prevention or control of diseases in human beings, public and not-for-profit hospitals and public ambulance services, and public benevolent institutions (excluding hospital activities) are provided with an exemption from fringe benefits tax for meal entertainment (such as expenses on a restaurant meal at a social occasion) and entertainment facility leasing expenses. The fringe benefits tax exemption on these items remains unlimited.

This expenditure was previously reported in D10 *Philanthropy – exemptions for charities promoting the prevention or control of disease in human beings*, D11 *Philanthropy – exemption for public and not-for-profit hospitals and public ambulance services*, and D14 *Philanthropy – exemption for public benevolent institutions (excluding public and not-for-profit hospitals)*.

**D16 Exemptions for meals for primary production employees in remote areas**

Social security and welfare (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D15	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1 April 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58ZD of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Meals provided on working days to employees of primary producers who are carrying on business in remote areas are exempt from fringe benefits tax.



**D17 Exemption for remote area housing and reduction in taxable value for remote area housing assistance**

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
60	60	65	75	80	85	95	100
<i>Tax expenditure type:</i>	Exemption, Reduction in taxable value				<i>2012 TES code:</i>	D16	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	2000				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 58ZC, 59, 60, and 65CC of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Housing benefits arise where an employer grants an employee the right to occupy or use a unit of accommodation as a usual place of residence. Such benefits provided to employees in remote areas are exempt from fringe benefits tax.

The taxable value of housing assistance provided to employees in remote areas is generally reduced by 50 per cent. Housing assistance includes benefits such as housing loans, provision of residential fuel, provision of a discounted house and land, provision of a residential housing ownership scheme, and the payment or reimbursement of rent, the interest accrued on a housing loan and the cost of acquiring a house and land.

**D18 Philanthropy — exemption for certain fringe benefits provided to live-in employees providing domestic services to religious institutions and practitioners**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D17	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58T of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Accommodation, household heating fuel, meals and other food and drink provided to live-in employees who provide domestic services and are employed by religious institutions or religious practitioners are exempt from fringe benefits tax.

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**D19 Philanthropy — exemption for fringe benefits provided to certain employees of religious institutions**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
80	80	85	90	100	105	110	115
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		D18
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1986			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 57 of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Benefits provided to an employee, or to a spouse or child of the employee, of a religious institution are exempt from fringe benefits tax if the employee is a religious practitioner and only if the benefit is provided principally in respect of pastoral duties or any other duties or activities that are directly related to the practice, study, teaching or propagation of religious beliefs.

**D20 Application of statutory formula to value car benefits**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1,060	1,100	1,110	970	810	790	870	950
<i>Tax expenditure type:</i>	Discounted valuation				<i>2012 TES code:</i>		D19
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	1986			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 9 of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

A fringe benefit arises where an employee is provided with a car for private use. A car fringe benefit is valued using either the operating cost method or the statutory formula method.

Under the fringe benefits tax benchmark, the value of a car fringe benefit is the cost of providing the vehicle (for instance, where the vehicle is provided under a lease, the value of the lease payments) plus the associated vehicle running costs.

The statutory formula method is designed to provide employers with a low compliance cost alternative to the operating cost method, eliminating the need to maintain a vehicle log book. The statutory formula method removes the need to explicitly distinguish between the business and private use of a vehicle. Under the statutory formula method, a person's car fringe benefit is determined by multiplying the relevant statutory rate by the cost of the car.

This approach may result in the undervaluation of the benefit when calculating fringe benefits tax with the result that less tax is paid on car fringe benefits than would be if the cost of the benefit were paid by the employee out of after tax cash remuneration.

Prior to 7:30pm (AEST) on 10 May 2011, the relevant statutory rates used to value car fringe benefits under the statutory formula method were progressive, based on the number of kilometres travelled during the FBT year.

For new contracts entered into after 7:30pm (AEST) on 10 May 2011, the statutory rate is 20 per cent, regardless of the distance travelled, subject to transitional arrangements.

### D21 Discounted valuation for board meals

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
4	5	5	6	6	7	7	8
<i>Tax expenditure type:</i>	Discounted valuation				<i>2012 TES code:</i>	D20	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1986			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 36 of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Where an employee is entitled under an industrial award or employment arrangement to accommodation and to at least two meals a day, eligible meals (known as 'board meals') are valued at concessional rates for the purposes of fringe benefits tax.

The taxable value of a board meal is \$2 per meal per person, or \$1 per meal per person if the person is under the age of 12. Any amount paid for the meal is deducted.

### D22 Discounted valuation for car parking fringe benefits

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
15	17	18	19	21	24	26	28
<i>Tax expenditure type:</i>	Discounted valuation				<i>2012 TES code:</i>	D21	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1993			<i>Expiry date:</i>			
<i>Legislative reference:</i>	Section 39A of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

A car parking fringe benefit arises if within a one kilometre radius of the premises on which the car is parked there is a commercial parking station that charges a fee for all day parking that is more than a specified car parking threshold calculated by reference to movements in the consumer price index. The threshold for the fringe benefits tax year commencing 1 April 2013 is \$8.03. For fees under the threshold no parking fringe benefit arises.

The fringe benefit only applies to cars (any motor-powered road vehicle designed to carry a load of less than one tonne and fewer than nine passengers). Motorcycles are exempt from fringe benefits tax for the purposes of this concession.

The tax expenditure also arises due to the availability of five different methods by which employers can calculate their fringe benefits tax liability for the car parking

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benefit. The use of these methods may result in the undervaluation of the benefit when calculating fringe benefits tax with the result that less tax is paid on car parking fringe benefits than would be if the cost of the benefit were paid by the employee out of after tax cash remuneration.

**D23 Discounted valuation of arm's length transaction price for in-house property and residual fringe benefits**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Discounted valuation					<i>2012 TES code:</i>	D22	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 42, 48 and 49 of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

The taxable value of in-house property fringe benefits and in-house residual fringe benefits is 75 per cent of the lowest retail price charged to the public in the ordinary course of business.

This treatment is not available for in-house fringe benefits accessed by way of a salary sacrifice arrangement entered into from 22 October 2012. Transitional rules apply to continue the current treatment until 1 April 2014 for salary sacrifice arrangements in place prior to 22 October 2012.

This item also includes airline transport fringe benefits provided after 7.30pm (AEST) on 8 May 2012. Where these fringe benefits were provided prior to 7.30pm (AEST) on 8 May 2012, they are separately classified in D25 *Discounted valuation of travel for airline employees and travel agents*.

**D24 Discounted valuation of holidays for employees and their families when posted overseas**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Discounted valuation					<i>2012 TES code:</i>	D23	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 61A and 143C of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

For fringe benefits tax purposes, the value of an overseas holiday that is provided in accordance with an industry custom or under an industrial award to an employee and their family members when posted overseas is reduced by 50 per cent. Included are overseas transport, meals and accommodation.

The benefit is limited to 50 per cent of a benchmark amount, which is based on the cost of a return airfare to the employee's home location, and an employee must provide documentary evidence to the employer to substantiate the value of the holiday.

### D25 Discounted valuation of travel for airline employees and travel agents

Other economic affairs — Total labour and employment affairs (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
7	11	8	Included in D23				
<i>Tax expenditure type:</i>		Discounted valuation			<i>2012 TES code:</i>		D24
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1986			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Sections 32 and 33 of the <i>Fringe Benefits Tax Assessment Act 1986</i>					

The taxable value of an airline transport fringe benefit for airline employees and travel agents is the stand-by value less the employee contribution for airline transport fringe benefits provided before 7.30pm (AEST) on 8 May 2012. For domestic travel, the stand-by value is 37.5 per cent of the lowest publicly advertised, economy airfare charged by the provider, at or about the time of travel, over that route. For international travel, the stand by value is 37.5 per cent of the lowest fare published in Australia as charged by the carrier for travel over that route in the 12 months preceding the end of the year of tax.

For airline transport fringe benefits provided after 7.30pm (AEST) on 8 May 2012, the taxable value is calculated at 75 per cent of the notional value of the benefit. The notional value of the airline transport is 50 per cent of the lowest publicly advertised economy air fare charged for that particular route during the fringe benefits tax year. This is reflected in D23 *Discounted valuation of arm's length transaction price for in-house property and residual fringe benefits*.

### D26 Discounted value for remote area holiday benefits

Other economic affairs — Total labour and employment affairs (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>		Discounted valuation			<i>2012 TES code:</i>		D25
<i>Estimate Reliability:</i>		Not Applicable			<i>* Category</i>		1+
<i>Commencement date:</i>		1986			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Sections 60A and 61 of the <i>Fringe Benefits Tax Assessment Act 1986</i>					

The value of holiday-related transport benefits (including the cost of appropriate meals and accommodation en route) provided to employees working in a remote area (and any family members living with them in the remote area) are generally reduced by 50 per cent.

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**D27 Exemption for benefits in relation to compassionate travel**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D26	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58LA of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

The cost of transport, meals and accommodation an employer may provide to an employee, or a close relative of an employee that is for compassionate purposes (for example, serious illness or funerals) is exempt from fringe benefits tax.

**D28 Exemption for certain loan benefits**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D27	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 17 of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Certain in-house loan benefits and certain loans to employees to meet employment-related expenses are exempt from fringe benefits tax.

**D29 Exemption for certain long service awards**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D28	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58Q of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Long service awards granted in recognition of 15 years or more service, up to a specified maximum amount, are exempt from fringe benefits tax.

From 1 April 2005, the specified maximum amount increased from \$500 to \$1,000 where the period of service being recognised by the award is 15 years. Also from 1 April 2005, the maximum additional amount increased from \$50 to \$100 for each additional year served where an award recognises a period of service greater than 15 years.

**D30 Exemption for certain payments to approved worker entitlement funds**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
175	185	200	215	225	245	255	270
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D29	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	2003				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 58PA and 58PB of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Payments to approved worker entitlement funds for the purposes of providing for entitlements such as redundancy and long service leave of employees are exempt from fringe benefits tax. The funds must be either endorsed by the Commissioner of Taxation or be a long service leave fund established under a Commonwealth, State or Territory law.

**D31 Exemption for certain relocation and recruitment expenses**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D30	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 58A to 58D and 58F of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Certain benefits associated with relocation and recruitment expenses are exempt from fringe benefits tax. The exemption applies to benefits associated with the cost of travelling to attend an interview or selection test, the cost of removal and storage of household effects, costs associated with the sale and/or purchase of a dwelling, costs associated with connecting or reconnecting certain utilities and the costs of providing relocation transport and any meals and accommodation en route.

**D32 Exemption for eligible work-related items**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
35	35	40	45	45	50	55	60
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D31	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1995				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58X of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Eligible work-related items (such as mobile phones, laptop computers, protective clothing and tools of trade) provided by an employer to an employee are exempt from fringe benefits tax.

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From 13 May 2008, this exemption only applies where these items are used primarily for work purposes. In addition, the exemption will generally be limited to one item of each type per employee per year.

**D33 Exemption for employee taxi travel to or from their place of work**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D32	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1997				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58Z of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Any benefit arising from taxi travel by an employee is exempt from fringe benefits tax if the travel is a single trip beginning or ending at the employee's place of work.

**D34 Exemption for employer contributions to secure childcare places in certain centres**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D33	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 47(8) of the <i>Fringe Benefits Tax Assessment Act 1986</i> Section 195 of the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i>						

Payments made by employers to obtain priority of access to certain childcare facilities for children of employees are exempt from fringe benefits tax. To be exempt, payments must be made to child care facilities that are eligible to receive Child Care Benefit payments from the Australian Government.

Child care facilities will be eligible for such payments if they are approved by the Secretary of the Department of Education.



**D35 Exemption for employer-provided motor vehicle parking**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D34	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1986, 1993				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58G of the <i>Fringe Benefits Tax Assessment Act 1986</i> Regulation 13A of the <i>Fringe Benefits Tax Regulations 1992</i>						

Parking for disabled employees, and parking for employees of scientific, religious, charitable or other public educational institutions, is exempt from fringe benefits tax.

**D36 Exemption for engagement of a relocation consultant**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D35	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	2006				<i>Expiry date:</i>		
<i>Legislative reference:</i>	58AA of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Costs associated with the engagement of a relocation consultant where an employee moves residence as part of their employment are exempt from fringe benefits tax if certain criteria are met. A relocation consultant is a person who assists an employee, or his or her family members, to move and settle into a new location.

The criteria to be met are that the benefit is at arm's length, and documentary evidence of the expenditure is provided to the employer.

**D37 Exemption for free or discounted commuter travel for employees of public transport providers**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
30	30	30	35	40	45	45	50
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	D36	
<i>Estimate Reliability:</i>	Low				<i>Expiry date:</i>		
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 47(1) of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

Where an employer operates a business of providing transport to the public, the provision of free or discounted travel (other than in an aircraft) to employees of that business for the purpose of their travelling to and from work is exempt from fringe benefits tax. Where an employee's place of work is in a metropolitan area, free or

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discounted travel on a scheduled service within that area is also exempt from fringe benefits tax.

For benefits provided on or after 22 October 2012, the exemption does not apply where the employee receives the benefit under a salary sacrifice arrangement entered into on or after that date. Transitional rules apply to continue the current treatment until 1 April 2014 for salary sacrifice arrangements in place prior to 22 October 2012.

### D38 Exemption for free or discounted travel to and from duty by police officers on public transport

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D37	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 47(1A) of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

The provision of travel on public transport to police officers for the purpose of travel between the officer's place of residence and their primary place of employment is exempt from fringe benefits tax.

### D39 Exemption for minor benefits

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D38	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58P of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Minor benefits are exempt fringe benefits. A minor benefit is a benefit which is less than \$300 in value and where it is unreasonable to treat the benefit as a fringe benefit. There are criteria to determine whether it is unreasonable to treat a benefit as a fringe benefit. The criteria includes, amongst other things, the infrequency and irregularity with which the benefit and associated benefits are provided.

**D40 Exemption for minor private use of company motor vehicle**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D39	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 47(6) of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Where an employee is provided with the use of a motor vehicle that is not a car, such use is exempt from fringe benefits tax if any private use is restricted to travel to and from work, use which is incidental to travel in the course of duties of employment, and non-work-related use that is minor, infrequent and irregular.

**D41 Exemption for private use of business property**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D40	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 41 and 47(3) of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

The personal use of property (other than a motor vehicle) that is provided to or consumed by an employee on a working day on the business premises, or that is provided to an employee and is ordinarily located on the employer's business premises, and is principally used directly in connection with business operations is exempt from fringe benefits tax.

From 13 May 2008, this exemption excludes meals provided under a salary sacrifice arrangement. These rules, however, do not affect subsidised canteens that are provided to all staff and that are not part of a salary sacrifice arrangement.

**D42 Exemption for recreational or childcare facilities on an employer's business premises**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D41	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 47(2) of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Recreational or childcare facilities are exempt from fringe benefits tax if the facilities are provided on an employer's business premises for the benefit of employees.

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**D43 Exemption for small business employee car parking**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D42	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1997					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58GA of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Car parking benefits provided to employees of small business employers are exempt from fringe benefits tax if the parking is not provided in a commercial car park. The employer must not be a government body, listed public company or subsidiary of a listed public company, and the employer's total income must be less than \$10 million.

**D44 Exemption for the provision of food and drink in certain circumstances**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D43	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 54 and 58V of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Where employees receive meals that are board fringe benefits, any additional food and drink supplied to them, such as morning and afternoon teas, is exempt from fringe benefits tax. Food and drink provided to domestic employees who do not 'live-in' may be exempt from fringe benefits tax if consumed by the employee at the place of employment and the employer is a religious institution or individual.

**D45 Exemption for transport for oil rig and remote area employees in certain circumstances**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D44	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 47(7) of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Transport provided to employees in remote areas in Australia or who work on oil rigs or other installations at sea may be exempt from fringe benefits tax. The exemption applies where the employees are provided with accommodation at or near the work site on working days and it would be unreasonable to expect the employees to travel to and from work on a daily basis.

The exemption was extended to employees in remote areas overseas from 1 July 2009.

#### D46 Exemptions for certain employees training under the Australian Traineeship System

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D45	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 58S of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Food, drink and accommodation provided to people training under the Australian Traineeship System may be exempt from fringe benefits tax. To be exempt, the benefits must be provided in accordance with an award or an industry custom and any benefits relating to food or drink must not be provided at a party, reception or other social function.

#### D47 Exemptions for employees living away from home

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	370	450	490	330	150	50	40	40
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D46	
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 21, 31, 47(5), 58E, 58ZD and 63 of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Accommodation, food, household goods and payments for extra expenses provided to employees living away from their usual place of residence (in order to perform their duties of employment) are exempt from fringe benefits tax.

Arrangements entered into after 7:30pm 8 May 2012 have to satisfy new requirements from 1 October 2012 to access the concessions. Living-away-from-home benefits provided to employees are only exempt for each employee for a maximum period of 12 months at a particular location when the employee continues to maintain a home in Australia (at which they usually reside) for their immediate use and enjoyment at all times while living away from that home for work. The employee must also provide the employer with a declaration about living away from home. Employees who work on a fly-in fly-out or drive-in drive-out basis are not required to maintain a home and are also not subject to the 12 month period, though they still need to provide their employer with a declaration about living away from home.

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Arrangements in place before 7:30pm 8 May 2012 are subject to transitional rules until the earlier of 1 July 2014 or the date a new employment contract is entered into, or the existing contract is varied in a material way.

**D48 Philanthropy — exemption for donations to deductible gift recipients**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	D47	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2008					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 148(2A) of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Donations to deductible gift recipients made under salary sacrifice arrangements are exempt from fringe benefits tax.

**D49 Reduction in taxable value of certain relocation and recruitment expenses**

Other economic affairs — Total labour and employment affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Reduction in taxable value					<i>2012 TES code:</i>	D48	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1986					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 61B to 61E of the <i>Fringe Benefits Tax Assessment Act 1986</i>							

Reductions in taxable value are provided for fringe benefits associated with certain relocation and recruitment expenses. This includes benefits associated with cents per kilometre reimbursements for transport in an employee's car for relocation travel or travel to attend an interview or selection test, the provision of temporary accommodation, and meals provided to an employee (or family member) while staying in a hotel, motel, hostel or guesthouse which is used for temporary accommodation while relocating.

Some related expenses may be exempt – see the tax expenditure D31 *Exemption for certain relocation and recruitment expenses*.

**D50 Reduction in the aggregate taxable value of in-house fringe benefits**

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption, Reduction in taxable value				<i>2012 TES code:</i>	D49	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1986				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 62 of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

In working out an employer's fringe benefit tax liability in relation to a particular employee, the total value of in-house fringe benefits provided to that employee is reduced by \$1,000.

This means that where an employer provides \$1,000 or less of in-house fringe benefits to an individual employee, the employer will not incur a fringe benefit tax liability in relation to those benefits. Where the value exceeds \$1,000, the grossed-up value of the employee's fringe benefit will be reduced by \$1,000.

This treatment is not available for in-house fringe benefits accessed by way of a salary sacrifice arrangement entered into from 22 October 2012. Transitional rules apply to continue the current treatment until 1 April 2014 for salary sacrifice arrangements in place prior to 22 October 2012.

**D51 Ability to elect a 50/50 method for working out meal entertainment fringe benefits**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Record keeping exemption				<i>2012 TES code:</i>	D50	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1995				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 37B and 37BA of the <i>Fringe Benefits Tax Assessment Act 1986</i>						

An employer may elect that the taxable value of meal entertainment fringe benefits provided to the employer's employees and associates is half the value of the expenses incurred in an FBT year by the employer in providing meal entertainment benefits generally.

The ability to elect a 50/50 split creates a tax expenditure whenever the value of the fringe benefits provided to employees, but for the ability to elect the 50/50 method, would have been more than half the cost to the employer of providing the meal entertainment benefits.

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**D52 Philanthropy — rebate for certain not-for-profit, non-government bodies**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
30	30	45	60	70	80	90	100
<i>Tax expenditure type:</i>		Rebate			<i>2012 TES code:</i>		D51
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1994			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Section 65J of the <i>Fringe Benefits Tax Assessment Act 1986</i>					

Certain not-for-profit, non-government bodies are eligible for a 48 per cent rebate of the fringe benefits tax that would otherwise be payable on up to \$30,000 of the grossed-up taxable value of fringe benefits per employee.

In general, the rebate applies to religious institutions, not-for-profit scientific or educational institutions, charitable institutions, schools, trade unions and associations of employers or employees. The rebate also applies to a range of not-for-profit societies, associations or clubs that are entitled to be exempt from income tax.

**D53 Record keeping exemption**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>		Record keeping exemption			<i>2012 TES code:</i>		D52
<i>Estimate Reliability:</i>		Low					
<i>Commencement date:</i>		1998			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Part XIA of the <i>Fringe Benefits Tax Assessment Act 1986</i>					

Broadly, if an employer has kept and lodged required fringe benefits tax records, and provides aggregate fringe benefits below a threshold (\$7,642 in the year ending 31 March 2013) the employer need not keep or retain full fringe benefits tax records. The employer's liability to pay fringe benefits tax is based on the liability in the most recent base year instead of the current year.

A base year is a year after 1 April 1996 in which the employer met the conditions given above.



## E. CAPITAL GAINS TAX

### The presentation of capital gains tax expenditures

There are a number of capital gains tax (CGT) concessions available to taxpayers, including the 50 per cent discount available to resident individual taxpayers and trusts. The discount component of CGT concessions for individuals and trusts (except that relating to main residences) is reported as part of the tax expenditure *Capital gains tax discount for individuals and trusts* (E16). The notional discount component relating to the CGT exemption for main residences is reported separately at E6 given its size.

To avoid double counting, the estimates shown for other capital gains tax expenditures are the estimate of the concession in excess of the discount.

The CGT benchmark comprises:

- taxation of gains on a realisation basis (that is, at the time an asset is disposed of) rather than on accrual;
- a tax base of nominal gains or losses from the realisation of property where the realisation is not an aspect of the carrying on of a business; and
- the limitation of Australian taxation of the capital gains of foreign residents to gains on the direct or indirect disposal of interests in Australian land (and similar assets such as mining rights) and branch office assets.

### E1 Capital gains tax exemption for valour or brave conduct decorations

Defence (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		E1
<i>Estimate Reliability:</i>		Low					
<i>Commencement date:</i>		1985		<i>Expiry date:</i>			
<i>Legislative reference:</i>		Paragraph 118-5(b) of the <i>Income Tax Assessment Act 1997</i>					

Capital gains or losses arising from the disposal of a decoration awarded for valour or brave conduct are exempt from capital gains tax. This exemption is available unless the owner of the decoration had paid money or given any other property for it.

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**E2 Capital gains tax roll-over for membership interests in medical defence organisations**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	E2	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	2007				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 124-P of the <i>Income Tax Assessment Act 1997</i>						

A capital gains tax roll-over is available for capital gains arising from the exchange of a membership interest in a medical defence organisation for a similar interest in another medical defence organisation where both organisations are companies limited by guarantee and subject to certain other conditions. The roll-over allows a member who exchanges their membership interest for the replacement interest to defer a capital gains tax liability arising from the exchange until the ultimate disposal of the replacement membership interest.

**E3 Capital gains tax exemptions for special disability trusts**

Social security and welfare (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	E3	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1 July 2006				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 118-85 and 118-215 to 118-230 of the <i>Income Tax Assessment Act 1997</i>						

The transfer by a taxpayer of an asset to a special disability trust (SDT) for no consideration is exempt from capital gains tax (CGT). A trustee of an SDT is also eligible for the CGT main residence exemption to the extent the principal beneficiary uses the dwelling as a home.

**E4 Capital gains tax concessions for conservation covenants**

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
..	..	..	..	..	..	..	..
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	E4	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	15 June 2000				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 104-47 of the <i>Income Tax Assessment Act 1997</i>						

For capital gains tax purposes, perpetual conservation covenants are treated as a part disposal of land, rather than the creation of a right. This treatment results in a reduced capital gain because a portion of the cost base of the land is taken into account.

Previously the capital gain equalled the amount received for the covenant less incidental costs.

Landowners can also benefit from any capital gains tax concession or exemption that may apply to the capital gain. For example, a capital gain from a covenant granted in respect of land owned before 20 September 1985 is exempt. In addition, the capital gains tax discount may now apply if the land has been owned for at least 12 months.

### E5 Capital gains tax main residence exemption

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
18,000	16,000	14,000	14,000	13,500	14,000	14,000	14,500
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		E5
<i>Estimate Reliability:</i>		Low					
<i>Commencement date:</i>		1985			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Subdivision 118-B of the <i>Income Tax Assessment Act 1997</i>					

Capital gains or losses on the disposal of an individual's main residence and up to two hectares of adjacent land are exempt from capital gains tax, to the extent the dwelling is used as a home.

- A taxpayer is entitled to treat a dwelling as their main residence from the time they acquire it until the time when they first occupy it provided they occupy it as soon as practicable.
- A taxpayer is entitled to acquire a dwelling that is to become their main residence, whilst still owning an existing dwelling and treat both dwellings as their main residence for up to six months or until their ownership of the existing dwelling ends, whichever occurs first.
- A taxpayer is entitled to treat a block of land as their main residence, if the land was acquired for the purposes of building a dwelling, the dwelling is completed within four years of acquiring the land (or a later time allowed by the Commissioner), the taxpayer moves into the dwelling as soon as practicable and the dwelling continues to be their main residence for at least three months.

See tax expenditure E6 *Capital gains tax main residence exemption – discount component* for the 50 per cent concession component of the main residence exemption.

*Tax Expenditures Statement*

**E6 Capital gains tax main residence exemption — discount component**

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
22,000	20,500	17,500	18,000	16,500	17,500	17,500	17,500
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		E6
<i>Estimate Reliability:</i>		Low					
<i>Commencement date:</i>		1999			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Division 115 of the <i>Income Tax Assessment Act 1997</i>					

Capital gains or losses on the disposal of an individual's main residence and up to two hectares of adjacent land are exempt from capital gains tax, to the extent the dwelling is used as a home. Disposals of other assets by individuals or trusts receive a capital gains tax exemption applying to 50 per cent of any nominal gain where the asset has been owned for at least 12 months.

The capital gains tax treatment of the main residence effectively provides a 100 per cent exemption. Conceptually, this can be split into a component reflecting the 50 per cent discount provided to disposals of non-main residence assets and a 'top up' component that brings the concession up to 100 per cent.

The remainder of the value of the CGT main residence exemption, representing the value of the concession relative to the normal CGT rules, is reported in tax expenditure E5 *Capital gains tax main residence exemption*. Tax expenditure E16 *Capital gains tax discount for individuals and trusts* provides further detail on the 50 per cent concession applying to other assets.

**E7 Other extensions to the capital gains tax main residence exemption**

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		E7
<i>Estimate Reliability:</i>		Not Applicable			<i>* Category</i>		3+
<i>Commencement date:</i>		1985 and 1996			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Sections 118-145, 118-195 and 118-200 of the <i>Income Tax Assessment Act 1997</i>					

A taxpayer's dwelling may continue to be treated as their main residence even if it ceases to be their main residence for up to six years if the dwelling is used to produce assessable income (the six-year rule); or indefinitely, if the dwelling is not used to produce assessable income. This is provided that no other dwelling is treated as the taxpayer's main residence during the period of absence.

In addition, from 20 August 1996, a taxpayer who receives a dwelling as beneficiary of a deceased estate, or who owns the dwelling as the trustee of a deceased estate, may be able to disregard a capital gain or capital loss if certain conditions are met.

### E8 Philanthropy — capital gains tax exemption for the disposal of assets under the Cultural Gifts Program

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	E9	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1999				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsection 118-60(2) of the <i>Income Tax Assessment Act 1997</i>						

Capital gains or capital losses arising from gifts made under the Cultural Gifts program are exempt from capital gains tax. The Cultural Gifts program, which does not apply to testamentary gifts, encourages donations of significant cultural items from private collections to public art galleries, museums and libraries by offering tax benefits to the donor.

### E9 Capital gains tax roll-over for worker entitlement funds

Other economic affairs — Total labour and employment affairs (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	E10	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	2003				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 126-C of the <i>Income Tax Assessment Act 1997</i>						

A capital gains tax roll-over is available for a fund that amends or replaces its trust deed in order to become an approved worker entitlement fund for fringe benefits tax purposes.

### E10 Capital gains tax — demutualisation of mutual entities

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
2	1	1	2	2	3	5	7
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	E11	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1995 (mutual entities); 2007 (health insurers); 2008 (friendly societies)				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 9AA and Schedule 2H of the <i>Income Tax Assessment Act 1936</i> Division 315 and 316 of the <i>Income Tax Assessment Act 1997</i>						

Capital gains and capital losses arising under the demutualisation of a mutual entity, including a life insurer, general insurer or health insurer are disregarded for members and/or policyholders that receive shares in the demutualised entity.

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In addition:

- members and policyholders of a demutualising life insurer receive a cost base for their shares based on the embedded value of the life insurer;
- members and policyholders of a demutualising general insurer receive a cost base for their shares based on the net tangible assets value of the general insurer;
- policyholders of a demutualising private health insurer receive a cost base for their shares based on the market value of the private health insurer; and
- policyholders and members of a demutualising friendly society that is a life insurer and/or a private health insurer receive a cost base for their shares that is based on the market value of the private health insurance business (if any) and the embedded value of any other businesses of the friendly society.

**E11 Capital gains tax — indexation of cost base**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Reduction in taxable value					<i>2012 TES code:</i>	E13	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 114 and Section 110-36 of the <i>Income Tax Assessment Act 1997</i>							

For assets acquired at or before 11:45 am EST on 21 September 1999, taxpayers may choose to calculate the capital gain on the asset by reference to its indexed cost base. Taxpayers that choose to use the indexed cost base cannot access the CGT discount. The indexed cost base for these assets was frozen as at 30 September 1999.

### E12 Capital gains tax — roll-overs for complying superannuation funds in certain circumstances

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	E14	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1994 (ADFs); 2008 (merging funds) and 2013 (MySuper mandatory transfers)				<i>Expiry date:</i>	2017 (merging funds and MySuper mandatory transfers)	
<i>Legislative reference:</i>	Subdivision 126-C (trust deeds), Division 310 (merging funds) of the Income Tax Assessment Act 1997; Division 311 of the Income Tax Assessment Act 1997 (MySuper mandatory transfers)						

A roll-over is available where a complying superannuation fund or a complying Approved Deposit Fund amends or replaces its trust deed.

From 24 December 2008 to 2 July 2017, complying superannuation funds that merge are provided with loss relief and an asset roll-over. Loss relief and an asset roll-over will also be provided between 1 July 2013 to 1 July 2017 for mandatory transfers of default members' balances and relevant assets to a MySuper product in another complying superannuation fund.

### E13 Capital gains tax — roll-overs not otherwise recognised

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	E15	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	NA	
<i>Commencement date:</i>	Various				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 122, 124, 126 of the <i>Income Tax Assessment Act 1997</i> and other CGT roll-overs not yet legislated						

This tax expenditure encompasses other CGT roll-overs not specifically covered in existing CGT roll-over tax expenditures. For example, the crown lease roll-over in Subdivision 124-J, the roll-over for the disposal of assets by a trust to a company provided in Subdivision 124-N, and the roll-overs facilitating a change to a company structure in Division 122.

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**E14 Capital gains tax concession for non-portfolio interests in foreign companies with active businesses**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	-
<i>Tax expenditure type:</i>	Reduction in taxable value				<i>2012 TES code:</i>	E20	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	3+	
<i>Commencement date:</i>	1 April 2004				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 768-G of the <i>Income Tax Assessment Act 1997</i>						

Capital gains and losses by Australian companies and controlled foreign companies arising from certain capital gains tax events related to non-portfolio interests in foreign companies with active business assets are reduced.

**E15 Capital gains tax deferral of liability when taxpayer dies**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	E16	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	3+	
<i>Commencement date:</i>	1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 128 of the <i>Income Tax Assessment Act 1997</i>						

Generally, there is no capital gains tax taxing point when a taxpayer dies. Recognition of the gains or losses accruing during the life of the deceased is deferred for post-CGT assets until the person inheriting the asset later disposes of it. An exception applies if the capital gains tax asset passes to an exempt entity, the trustee of a complying superannuation entity, or a non-resident of Australia.

**E16 Capital gains tax discount for individuals and trusts**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
4,330	4,480	4,910	3,990	4,300	5,410	6,970	7,640
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	E17	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1999; 2012 (removal for non-residents)				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 115 of the <i>Income Tax Assessment Act 1997</i>						

A capital gains tax exemption applies to 50 per cent of any nominal capital gain made by a resident individual or trust where the asset has been owned for at least 12 months. For assets acquired before 21 September 1999 and held for at least 12 months, an individual or trust may instead choose to be taxed on the difference between the disposal price and the indexed cost base frozen as at 30 September 1999.



The CGT discount is not available on capital gains accrued after 8 May 2012 and while the taxpayer is a non-resident.

This item includes the CGT discount component of the value of all capital gains tax expenditures except the CGT discount associated with the main residence exemption, which is reported separately in tax expenditure E6 *Capital gains tax main residence exemption – discount component*.

### E17 Capital gains tax discount for investors in listed investment companies

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	40	25	35	35	45	50	60	70
<i>Tax expenditure type:</i>	Deduction					<i>2012 TES code:</i>		E18
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	2001					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 115-D of the <i>Income Tax Assessment Act 1997</i>							

The shareholders of a listed investment company (LIC) who receive dividends that represent a distribution of capital gains made by that company are entitled to a deduction in respect of those dividends equivalent to the capital gains tax discount they would have received if they had realised the capital gains themselves. This concession applies in respect of gains realised by a LIC on or after 1 July 2001, provided the assets have been held by the LIC for at least 12 months.

### E18 Capital gains tax exemption for assets acquired before 20 September 1985

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		E19
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>		2+
<i>Commencement date:</i>	1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 104 of the <i>Income Tax Assessment Act 1997</i>							

Capital gains or losses on assets acquired before 20 September 1985 (the commencement date of the capital gains tax regime) are generally exempt from capital gains tax.

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**E19 Capital gains tax roll-over and exemption and related taxation relief for demergers**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption, Deferral				<i>2012 TES code:</i>	E21	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	3+	
<i>Commencement date:</i>	2002				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Division 125 of the <i>Income Tax Assessment Act 1997</i> Subsection 44(4) of the <i>Income Tax Assessment Act 1936</i>						

Capital gains tax (CGT) concessions are available to defer or exempt the CGT payable in respect of the restructuring of a corporate or trust group, where the group is split into two or more entities or groups (that is, by demerging). There are three elements to demerger relief:

- CGT roll-over at the shareholder or trust membership interest level for interests such as shares that are exchanged during the demerger process;
- a CGT exemption for certain capital gains and losses at the entity level; and
- an income tax exemption for certain 'demerger dividends'.

These concessions are available to demergers that occur on or after 1 July 2002.

From 11 May 2010, demerger relief also applies to corporate groups where the head entity is a corporation sole or a complying superannuation entity.

**E20 Capital gains tax roll-over for assets compulsorily acquired, lost or destroyed**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	E22	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 124-B of the <i>Income Tax Assessment Act 1997</i>						

A capital gains tax roll-over is available for capital gains where an asset is compulsorily acquired, lost or destroyed and the taxpayer purchases a replacement asset. In recognition that the disposal was not initiated by the taxpayer, the capital gains liability is deferred from the time of the compulsory acquisition, loss or destruction until the ultimate disposal of the replacement asset.

This roll-over provides the same treatment for a compulsory acquisition whether by a private or public acquirer, and greater flexibility for landowners whose land is compulsorily subject to a mining lease.

### **E21 Capital gains tax roll-over for financial service providers on transition to the Financial Services Reform regime**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	-	-	-	-	-	-	-
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	E23	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1-	
<i>Commencement date:</i>	2002					<i>Expiry date:</i>	2004	
<i>Legislative reference:</i>	Subdivision 124-O of the <i>Income Tax Assessment Act 1997</i>							

An automatic capital gains tax (CGT) roll-over was provided to eligible financial service providers on transition to the Financial Services Reform regime, with effect from 11 March 2002 until 10 March 2004. Financial service providers were provided the roll-over when, during the Financial Services Reform transitional period:

- an existing statutory licence, registration or authority was replaced with an Australian financial services licence;
- a qualified Australian financial services licence was replaced with an Australian financial services licence; or
- an intangible CGT asset was replaced with another intangible CGT asset.

The Australian Securities and Investments Commission is able to extend the transitional period.

### **E22 Capital gains tax roll-over for replacement small business active assets**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	200	180	170	180	200	210	220	230
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	E24	
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	1997					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 152-E of the <i>Income Tax Assessment Act 1997</i>							

A capital gains tax roll-over is available for capital gains arising from the disposal of active small business assets if the proceeds of the sale are used to purchase other active small business assets. Active assets include assets used in carrying on a business and intangible assets inherently connected with a business (for example, goodwill). An eligible small business is one where the net value of assets that the taxpayer and

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connected entities own is no more than \$6 million, or where the aggregated annual turnover is less than \$2 million.

### E23 Capital gains tax roll-over for statutory licenses and water entitlements

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	E25	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	1985, 2005 and 2006					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivisions 124-C (statutory licences) and 124-R (water entitlements) of the <i>Income Tax Assessment Act 1997</i>							

A capital gains tax (CGT) roll-over is available where a statutory licence ends and is replaced with a new licence that authorises substantially similar activity to the original licence. In addition, a CGT roll-over is available on an optional basis from the 2005-06 income year where a taxpayer's ownership of one or more water entitlements ends and the taxpayer receives one or more replacement water entitlements.

A partial CGT roll-over is available for statutory licences (from the 2006-07 income year) and water entitlements (on an optional basis from the 2005-06 income year) where part of the capital proceeds received does not take the form of a replacement statutory licence or water entitlement, as applicable. The component of any capital gains or losses that is referable to the replacement licence or water entitlement is rolled over. Any part of the capital gain or loss from proceeds that do not take the form of a replacement licence or water entitlement does not qualify for the roll-over.

### E24 Capital gains tax roll-over for transfer of assets on marriage or relationship breakdown

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	E26	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	2006 (expanded 2009)					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 126-A of the <i>Income Tax Assessment Act 1997</i>							

An automatic roll-over is available where a capital gains tax asset is transferred to a spouse or former spouse because of a marriage or relationship breakdown.

The roll-over also applies to assets transferred under a binding financial agreement or an arbitral award entered into under the *Family Law Act 1975* or similar arrangements under state, territory or foreign legislation.

This also includes roll-over where there is a transfer of a capital gains tax asset from a small superannuation fund to another complying superannuation fund following marriage breakdown, but only where such transfers meet specific conditions.

### **E25 Capital gains tax roll-over for transfer of Public Sector Superannuation Fund assets to pooled superannuation trust**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-15	-15	-	-	-	-	-	-
<i>Tax expenditure type:</i>	Deferral						<i>2012 TES code:</i>	E27
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	2005						<i>Expiry date:</i>	
<i>Legislative reference:</i>	Item 3 of Schedule 7 to the <i>Superannuation (Consequential Amendments) Act 2005</i>							

A capital gains tax (CGT) roll-over was available for the transfer of CGT assets from the Public Sector Superannuation Board to the trustee of a pooled superannuation trust to establish the Public Sector Superannuation Accumulation Plan.

### **E26 Capital gains tax roll-overs to facilitate the consolidation of Commonwealth Superannuation Schemes**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-15	-15	-5	-5	-5	-5	-5	-
<i>Tax expenditure type:</i>	Deferral						<i>2012 TES code:</i>	E28
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	2006 (CSS); 2011 (CSC)						<i>Expiry date:</i>	2012 (CSC)
<i>Legislative reference:</i>	<i>Superannuation Legislation Amendment (Trustee Board and Other Measures) Act 2006 (CSS); Superannuation Legislation (Consequential Amendments and Transitional Provisions) Act 2011 (CSC CGT roll-over); not yet legislated (CSC loss transfer)</i>							

A capital gains tax (CGT) roll-over was available for the transfer of CGT assets from the Commonwealth Superannuation Scheme (CSS) to the Public Sector Superannuation Investments Trust as part of a restructure of the CSS.

A CGT roll-over and loss transfer was available, from 1 July 2011 to 1 July 2012, for the transfer by the Commonwealth Superannuation Corporation of assets and losses from the Military Superannuation Benefits Fund to the Australian Reward Investment Alliance Investments Trust.

*Tax Expenditures Statement*

**E27 Capital gains tax scrip-for-scrip roll-over**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-90	175	310	-180	*	*	*	*
<i>Tax expenditure type:</i>	Deferral					<i>2012 TES code:</i>	E29	
<i>Estimate Reliability:</i>	Low					<i>* Category</i>	3+	
<i>Commencement date:</i>	1999					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 124-M of the <i>Income Tax Assessment Act 1997</i>							

A capital gains tax roll-over is available for capital gains arising from an exchange of interests in companies or fixed trusts. The roll-over ensures that an equity holder who exchanges original shares or other equity for new equity in a takeover or merger can defer a capital gains tax liability arising from the exchange until the ultimate disposal of the replacement asset. The roll-over ensures that capital gains tax does not impede takeovers and similar arrangements. This tax expenditure is likely to vary considerably depending upon actual takeover and merger activity. Estimates of the magnitude of this item for the projection years are based on the average activity in preceding periods.

**E28 Exemption from the market value substitution rule in relation to the cancellation or surrender of interests in widely held entities**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	E30	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	2006					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 116-30 of the <i>Income Tax Assessment Act 1997</i>							

The CGT market value substitution rule deems assets that are disposed of for less than their market value to have been disposed for a consideration equal to their market value. This treatment exempts membership interests in widely-held entities that are disposed of by way of a redemption, cancellation or surrender (CGT event C2) of the interest from the market value substitution rule, with effect from the 2006-07 income year.

**E29 Philanthropy — capital gains tax exemption for testamentary gifts to deductible gift recipients**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	E31	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	1999 (expanded 2005)				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subsections 118-60(1) and (1A) of the <i>Income Tax Assessment Act 1997</i>						

Testamentary gifts (that is, gifts made under a will) of certain property to deductible gift recipients are exempt from capital gains tax.

**E30 Quarantining of capital losses**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Denial of deduction				<i>2012 TES code:</i>	E32	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	4-	
<i>Commencement date:</i>	1985				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 100-50 of the <i>Income Tax Assessment Act 1997</i>						

Capital losses may only be offset against capital gains, which means they are quarantined from ordinary income.

**E31 Removal of taxation of certain financial instruments at point of conversion or exchange**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deferral				<i>2012 TES code:</i>	E33	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	2002				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 26BB and 70B of the <i>Income Tax Assessment Act 1936</i>						

Gains or losses from conversion or exchange of convertible or exchangeable interests issued after 14 May 2002 are not subject to taxation at the point of conversion or exchange, but, instead, taxation is deferred until the ultimate disposal of the shares.

Convertible interests are financial instruments that may convert into shares in the company that issued the convertible interest. Exchangeable interests are instruments that may convert into shares in a company other than the issuer.

*Tax Expenditures Statement*

**E32 Small business capital gains tax 50 per cent reduction**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
610	550	540	590	590	600	600	600
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	E34	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1999				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Subdivision 152-C of the <i>Income Tax Assessment Act 1997</i>						

Fifty per cent of the capital gains arising from the sale of active assets in an eligible small business is exempt from CGT. This applies in addition to any CGT discount entitlement of the taxpayer. Active assets include assets used in carrying on a business and intangible assets inherently connected with a business (for example, goodwill). An eligible small business is one where the net value of assets that the taxpayer and connected entities own is no more than \$6 million, or where the aggregated annual turnover is less than \$2 million.

**E33 Tax exemption for certain foreign investment in venture capital**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	E35	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1999				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Sections 51-54 and 51-55 and Subdivisions 118-F and 118-G of the <i>Income Tax Assessment Act 1997</i>						

Certain non-resident investors are exempt from tax on profits and gains in respect of their eligible venture capital investments.

The concession introduced in 1999 provides an exemption from tax on the disposal of investments in new equity in eligible venture capital investments to non-resident pension funds that are tax exempt in their home jurisdiction (being either Canada, France, Germany, Japan, the United Kingdom, the United States or other approved jurisdictions).

The concession introduced in 2002 provides an exemption from tax on the profits and gains in equity investments made by a venture capital limited partnership to certain non-resident partners in the partnership. The exemption is available to a partner who is a tax exempt resident of Canada, France, Germany, Japan, the United Kingdom, the United States or other approved jurisdictions, a venture capital fund of funds established and maintained in those countries, or a taxable resident of Canada, Finland, France, Germany, Italy, Japan, the Netherlands (excluding the Netherlands Antilles), New Zealand, Norway, Sweden, Taiwan, the United Kingdom, the United States or other approved jurisdictions, that holds less than 10 per cent of the committed capital of a venture capital limited partnership.



In 2007, the venture capital limited partnerships regime was enhanced by:

- removing a range of restrictions including allowing investment in unit trusts and convertible notes as well as shares;
- relaxing the requirement that 50 per cent of assets and employees must be in Australia for 12 months after making the investment; and
- removing restrictions on the country of residence of investors.

## F. COMMODITY AND OTHER INDIRECT TAXES

Commodity taxes include volumetric taxes on the consumption of tobacco, fuel, beer, spirits (and equivalent imports), and *ad valorem* taxes on the consumption of wine and luxury cars. These taxes are imposed at either the retail, manufacture or importation stage. Other indirect taxes covered by this benchmark include the Passenger Movement Charge and agricultural levies.

For these taxes, the benchmark comprises:

- either the value or quantity of the commodity sold as the tax base;
- the rate of tax that applies to the price or quantity of the commodity sold as the tax rate; and
- the entity that has the legal obligation to pay the tax as the tax unit.

Commodity taxes also include customs duties on goods imported into Australia. The benchmark for customs duties comprises duty-free imports of goods into Australia, except to the extent that the customs duty imposed is equivalent to taxes imposed on domestically produced goods, such as excise equivalent customs duties.

### F1 Primary industry levies — exemptions for small and large producers

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	F1	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1+	
<i>Commencement date:</i>	Introduced before 1985					<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Primary Industries (Customs) Charges Act 1999</i> <i>Primary Industries (Excise) Levies Act 1999</i>							

Certain producers are exempt from primary industry levies. While the specific exemptions differ on a commodity by commodity basis, they are all in some way related to the quantity or value of the particular commodity produced in a given year.

## F2 Exemptions from radiocommunications taxes for not-for-profit community or government entities

General public services — General services (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
5	5	6	8	8	8	8	8
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		F2
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1992				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Section 294, Part 5.7 of the <i>Radiocommunications Act 1992</i>						

The apparatus licence fee is an annual tax applicable to broadcasting licence holders to recover the indirect costs of spectrum management and provide incentives for efficient spectrum use.

Exemption from the apparatus licence fee is available to organisations or individuals who are: diplomatic and consular missions; surf life saving and remote area ambulance services; emergency services or services for the safe-guarding of human life — including rural fire fighting; search and rescue and coast guard services. These must be staffed principally by volunteers and be exempt from paying income tax.

## F3 Incentives for licensees to facilitate new arrangements in the 400 MHz band

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	..	..	..	..	..	-
<i>Tax expenditure type:</i>	Exemption, Concessional rate				<i>2012 TES code:</i>		F3
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	2010				<i>Expiry date:</i>		31 December 2015
<i>Legislative reference:</i>	<i>Radiocommunications (Transmitter Licence Tax) Determination 2003 (No.2)</i> <i>Radiocommunications (Receiver Licence Tax) Determination 2003 (No.2)</i>						

The apparatus licence fee is an annual tax applicable to broadcasting licence holders to recover the indirect costs of spectrum management and provide incentives for efficient spectrum use.

A 50 per cent reduction in the apparatus licence tax component of the apparatus licence fee is available for certain licensees who relocate in the radio spectrum. To be eligible for the reduction, relocation must occur before certain dates, depending on the band from which they are relocating, and the reduction in tax continues until the licence expires or 31 December 2015, whichever comes first.

*Tax Expenditures Statement*

**F4 Rebate for broadcasting licence fees**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	45	130	155	-	-	-	-
<i>Tax expenditure type:</i>	Rebate				<i>2012 TES code:</i>	F4	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	2010				<i>Expiry date:</i>	30 June 2012	
<i>Legislative reference:</i>	Television License Fees Regulations 1990						

Free-to-air television broadcasters received licence fee rebates of 33 per cent in 2010 and 50 per cent from 1 January 2011 to 30 June 2012.

**F5 Exemptions under the Passenger Movement Charge**

Transport and communication (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
40	50	50	60	60	60	70	70
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	F5	
<i>Estimate Reliability:</i>	Medium — High						
<i>Commencement date:</i>	1978				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Passenger Movement Charge Act 1978						

Certain passengers are exempt from the Passenger Movement Charge.

**F6 Regional Equalisation Plan rebates**

Transport and communication (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
4	4	4	4	1	1	1	1
<i>Tax expenditure type:</i>	Rebate				<i>2012 TES code:</i>	F6	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2000				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Television Licence Fees Act 1964						

Regional and remote commercial television broadcasters receive a licence fee rebate to assist with the costs associated with the switchover to digital television.

**F7 Indirect tax — tourism; inwards duty free**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	F7	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	Introduced before 1985 1 July 2000 (WET)					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Customs Act 1901 Item 15 in Part 1 of Schedule 4 to the Customs Tariff Act 1995 Section 7-15 of a A New Tax System (Wine Equalisation Tax) Act 1999							

Tobacco and alcohol products brought into Australia by inbound international travellers 18 years and over, within an allowance, are not subject to wine equalisation tax and excise-equivalent customs duty.

**F8 Concessional rate of excise levied on aviation gasoline and aviation turbine fuel**

Fuel and energy (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	980	1,020	1,070	970	1,010	1,280	1,340	1,400
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>	F8	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	15 March 1956					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Item 10 of the Schedule to the Excise Tariff Act 1921							

Aviation gasoline and aviation turbine fuel are subject to a lower rate of excise than the benchmark rate. From 1 July 2012 to 30 June 2014, the excise rate includes a 'carbon component rate', which is determined by the emission factor of each fuel and the carbon price. The inclusion of a carbon component of excise reduces the value of the concessional rate of excise. From 1 July 2014, the value of the concession will increase due to the revised carbon tax benchmark.

Excise on aviation fuel has been used to fund the provision of air services by the Australian Government. Excise on aviation fuel is currently directed to the funding of the Civil Aviation Safety Authority (CASA). The carbon component of the tax is not directed to CASA.

*Tax Expenditures Statement*

**F9 Excise concessions for 'alternative fuels'**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
750	730	690	570	460	380	300	290
<i>Tax expenditure type:</i>		Concessional rate, Increased rate			<i>2012 TES code:</i>		F9
<i>Estimate Reliability:</i>		Low					
<i>Commencement date:</i>		1985			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Excise Tariff Act 1921					

The benchmark rates for alternative fuels vary depending on energy content. The bio-fuels (ethanol and biodiesel) fuel tax rate is based upon the petrol and diesel rate. This gives rise to a negative tax expenditure for ethanol which is taxed at a higher rate than its benchmark. There is no tax expenditure for biodiesel as it is taxed at its benchmark rate.

The fuel tax on liquefied petroleum gas, liquefied natural gas and compressed natural gas began to be phased-in from 1 December 2011. The initial rate of excise applying to these fuels will progressively increase each year until the final excise rate is reached on 1 July 2015, to reflect a tax rate discount of 50 per cent of each fuel's respective benchmark fuel tax rate. This gives rise to a positive tax expenditure for these fuels, as they will be taxed at a lower rate than their respective benchmark rates.

Users of small, non-commercial scale, domestically-based compressed natural gas refuellers are exempt from paying excise duty on compressed natural gas used to fuel their vehicles.

The tax expenditure estimates do not include the impact of the Cleaner Fuels Grants Scheme and the Ethanol Production Grants Program, which are reported as expenditure programs for budget purposes.

**F10 Excise levied on fuel oil, heating oil and kerosene**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-455	-445	-470	-480	-560	-645	-745	-865
<i>Tax expenditure type:</i>		Increased rate			<i>2012 TES code:</i>		F10
<i>Estimate Reliability:</i>		Medium — Low					
<i>Commencement date:</i>		1983			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Item 10 of the Schedule to the Excise Tariff Act 1921					

The benchmark excise rate for fuels consumed for a purpose other than in an internal combustion engine is zero.

Since 1 July 2006, fuel oil, heating oil, and kerosene have been subject to an excise of 38.143 cents per litre. Users of these products are eligible for a fuel tax credit of 38.143 cents per litre that effectively removes the incidence of excise. The tax

expenditure estimates do not include the impact of fuel tax credits which are reported as an expenditure program for budget purposes.

### F11 Excise levied on fuel products used for purposes other than as fuel

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-55	-55	-55	-55	-55	-55	-55	-55
<i>Tax expenditure type:</i>		Increased rate			<i>2012 TES code:</i>		F11
<i>Estimate Reliability:</i>		Medium — Low					
<i>Commencement date:</i>		1 July 2006			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Item 10 of the Schedule to the <i>Excise Tariff Act 1921</i>					

Since 1 July 2006, fuels consumed for a purpose other than in an internal combustion engine (such as toluene used as a solvent) are subject to excise of 38.143 cents per litre. Business users of these products are eligible for a fuel tax credit of 38.143 cents per litre that effectively removes the incidence of excise. The tax expenditure estimates do not include the impact of fuel tax credits which are reported as an expenditure program for budget purposes.

### F12 Higher rate of excise levied on cigarettes not exceeding 0.8 grams of tobacco

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
nfp	nfp	nfp	nfp	-1,885	-2,120	-2,465	-2,885
<i>Tax expenditure type:</i>		Increased rate			<i>2012 TES code:</i>		F12
<i>Estimate Reliability:</i>		Medium — Low					
<i>Commencement date:</i>		1999			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Item 5 of the Schedule to the <i>Excise Tariff Act 1921</i>					

Note: estimates for 2012-13 and prior years are not reported consistent with statutory requirements relating to taxpayer confidentiality.

Cigarettes and cigars, not exceeding 0.8 grams of tobacco are subject to excise at a higher rate than the benchmark. The benchmark excise rate for tobacco products (including imported tobacco products) is based on weight (per kilogram of tobacco content) and applies to loose tobacco and to cigarettes and cigars with more than 0.8 grams of tobacco. Cigarettes and cigars with 0.8 grams or less of tobacco are subject to excise on a per stick basis.

*Tax Expenditures Statement*

**F13 Concessional rate of excise levied on brandy**

Other economic affairs — Other economic affairs, nec (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
4	4	4	4	4	5	5	5
<i>Tax expenditure type:</i>		Concessional rate			<i>2012 TES code:</i>		F13
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		9 November 1979			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Item 3 of the Schedule to the <i>Excise Tariff Act 1921</i>					

Brandy is subject to a lower rate of excise than other spirits (\$71.88 per litre of alcohol, compared to \$76.98 per litre of alcohol as at 1 August 2013).

**F14 Concessional rate of excise levied on brew-on-premise beer**

Other economic affairs — Other economic affairs, nec (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
5	4	4	4	3	3	3	3
<i>Tax expenditure type:</i>		Concessional rate			<i>2012 TES code:</i>		F14
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1993			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Item 1 of the Schedule to the <i>Excise Tariff Act 1921</i>					

Brew-on-premise beer (that is, beer produced for non-commercial purposes using commercial facilities or equipment) is subject to a lower rate of excise than the benchmark rate of full strength beer packaged in individual containers not exceeding 48 litres.

**F15 Concessional rate of excise levied on draught beer**

Other economic affairs — Other economic affairs, nec (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
160	160	155	155	160	165	175	185
<i>Tax expenditure type:</i>		Concessional rate			<i>2012 TES code:</i>		F15
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		2001			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Item 1 of the Schedule to the <i>Excise Tariff Act 1921</i>					

Draught beer (that is, beer packaged in individual containers exceeding 48 litres) is subject to a lower rate of excise than the benchmark rate of full strength beer packaged in individual containers not exceeding 48 litres.



**F16 Concessional rate of excise levied on low strength packaged beer**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
10	9	8	8	7	6	6	7
<i>Tax expenditure type:</i>		Concessional rate			<i>2012 TES code:</i>		F16
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		21 August 1984			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Item 1 of the Schedule to the <i>Excise Tariff Act 1921</i>					

Low strength beer with an alcohol content of no more than 3 per cent packaged in containers not exceeding 48 litres is subject to a lower rate of excise than the benchmark rate of similarly packaged full strength beer.

**F17 Consumption tax exemption for privately produced beer**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
45	45	40	40	45	45	45	50
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		F17
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		18 April 1973			<i>Expiry date:</i>		
<i>Legislative reference:</i>		Schedule to the <i>Excise Tariff Act 1921</i>					

Beer made for personal use by private individuals is exempt from the payment of excise.

**F18 Consumption tax exemption for privately produced wine**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
10	10	10	11	11	12	12	13
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		F18
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		19 August 1970			<i>Expiry date:</i>		
<i>Legislative reference:</i>		<i>A New Tax System (Wine Equalisation Tax) Act 1999</i>					

Wine made for personal use by private individuals is exempt from the wine equalisation tax.

*Tax Expenditures Statement*

**F19 Excise concession for breweries**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	..	..	..	4	4	4	4	5
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>		F19
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Paragraph 50(1)(zzd) of the <i>Excise Regulations 1925</i>							

Breweries receive an excise refund of 60 per cent of excise paid, up to a maximum amount of \$30,000 per financial year.

Prior to 1 July 2012, the concession was only available to microbreweries producing not more than 30,000 litres of product per annum. The maximum excise refund amount in any financial year was the lesser of \$10,000 or 60 per cent of the excise paid.

**F20 Increased rate of excise levied on excisable alcoholic beverages (other than beer) not exceeding 10 per cent alcohol**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-490	-510	-515	-515	-530	-565	-595	-625
<i>Tax expenditure type:</i>	Increased rate					<i>2012 TES code:</i>		F20
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Item 2 of the Schedule to the <i>Excise Tariff Act 1921</i>							

Excisable alcoholic beverages (other than beer) with an alcohol content not exceeding 10 per cent are subject to a higher rate of excise than the benchmark rate of full strength beer packaged in individual containers not exceeding 48 litres.

Under the benchmark, the first 1.15 per cent of alcohol content is not excisable. This excise-free threshold is not available to alcoholic beverages other than beer.

From 27 April 2008 the excise rate on these other excisable beverages increased to the same excise rate as applies to most spirits (\$76.98 per litre of alcohol as at 1 August 2013).

**F21 Wine equalisation tax producer rebate**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
240	250	280	300	320	340	350	370
<i>Tax expenditure type:</i>	Rebate				<i>2012 TES code:</i>		F21
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 October 2004			<i>Expiry date:</i>			
<i>Legislative reference:</i>	A New Tax System (Wine Equalisation Tax) Act 1999						

Wine producers are able to claim a rebate of up to \$500,000 of wine equalisation tax payable on eligible wine sales per financial year. The producer rebate was introduced on 1 October 2004 and the current maximum rebate was introduced on 1 July 2006. The rebate also extends to cider, mead, perry and sake.

**F22 Luxury car tax**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-500	-490	-440	-430	-400	-380	-410	-430
<i>Tax expenditure type:</i>	Increased rate				<i>2012 TES code:</i>		F22
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2000			<i>Expiry date:</i>			
<i>Legislative reference:</i>	A New Tax System (Luxury Car Tax) Act 2000						

The luxury car tax currently applies to cars that have a GST inclusive price over \$59,133 (the luxury car tax threshold for the 2012-13 financial year). However, the tax applies only to the GST exclusive value of the car that exceeds the luxury car tax threshold. As motor vehicle purchases are not taxed under the benchmark, the luxury car tax is a negative tax expenditure.

On 1 July 2008 the luxury car tax rate increased from 25 per cent to 33 per cent. 'Primary producers' or certain tourism businesses that acquire a 'refund-eligible car' after 30 June 2008 are eligible to claim a tax refund of up to \$3,000 of the amount of luxury car tax paid.

From 3 October 2008 a higher luxury car tax threshold has applied to fuel efficient cars. Eligible fuel efficient cars are subject to a threshold of \$75,375 for luxury car tax purposes (for the 2012-13 financial year).

*Tax Expenditures Statement*

**F23 Certain exemptions for diplomatic missions and foreign diplomats**

General public services — Foreign affairs and economic aid (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	1	1	1	1	1	1	1	1
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>		F23
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	21 August 1940					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Regulation 50 of the <i>Excise Regulations 1925</i> Section 10 of the <i>Diplomatic Privileges and Immunities Act 1967</i> Section 10 of the <i>Consular Privileges and Immunities Act 1972</i> Section 11 of the <i>International Organisations (Privileges and Immunities) Act 1963</i> Section 12 of the <i>Overseas Missions (Privileges and Immunities) Act 1995</i>							

Note: estimates represent excise duty only.

Excise, luxury car tax and wine equalisation tax are not payable (or an equivalent amount of that paid is claimable) for alcohol, fuel, motor vehicles and tobacco used for official purposes by diplomatic missions or for personal use by persons identified in the *Diplomatic Privileges and Immunities Act 1967*.

**F24 Certain exemptions for Australian military sea vessels**

Defence (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>		F24
<i>Estimate Reliability:</i>	Not Applicable							
<i>Commencement date:</i>	2 August 1934					<i>Expiry date:</i>		
<i>Legislative reference:</i>	Schedule 1 to the <i>Excise Regulations 1925</i>							

Note: estimates represent excise duty only.

Excise on tobacco and certain alcoholic products is not payable by Australian military seagoing vessels in full commission when the products are consumed on board.

**F25 Customs duty**

Mining, manufacturing and construction (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-2,530	-2,080	-2,700	-2,730	-3,000	-2,870	-2,750	-2,900
<i>Tax expenditure type:</i>	Increased rate					<i>2012 TES code:</i>		F25
<i>Estimate Reliability:</i>	Medium — High							
<i>Commencement date:</i>	4 October 1901					<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Customs Act 1901</i> <i>Customs Tariff Act 1995</i>							

Customs duty is collected on certain goods imported into Australia. Under the benchmark, goods imported into Australia are free from customs duty (except for excise-equivalent customs duty).

## G. NATURAL RESOURCES TAXES

The resource tax benchmark applying to onshore and offshore petroleum production (including coal seam gas), and to the extraction of iron ore and coal for the period 2012-13 to 2013-14, comprises a rent based tax with a full tax-loss offset. The tax-loss offset can be utilised by transferring tax losses among commonly owned projects that are subject to the same tax rate.

The benchmark includes immediate expensing of project expenditures. To the extent that losses are carried forward because they cannot be utilised immediately, they are uplifted at the long-term bond rate (a proxy for the risk-free rate). The uplift rate compensates investors for the delay in the recognition of the tax credit and preserves the value of the tax credit over time.

Under the benchmark, a refund of unutilised tax credits is available when the project closes down.

The resource tax benchmark applying to iron ore and coal extraction from the 2014-15 years onwards is set to zero, consistent with the Government's commitment to repeal the MRRT from 1 July 2014.

### G1 MRRT — denial of refund of tax credits for losses at project end

Mining, manufacturing and construction (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	*	*	*	-	-
<i>Tax expenditure type:</i>	Denial of refund					<i>2012 TES code:</i>	G1	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	1-	
<i>Commencement date:</i>	1 July 2012					<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	<i>Minerals Resource Rent Tax Assessment Act 2012</i>							

Under the Minerals Resource Rent Tax (MRRT) regime, no refund of the tax value of losses is available when the project closes down. The tax expenditure falls to zero for the 2015-16 year onwards, consistent with the application of the revised natural resources benchmark applying from 1 July 2014.

*Tax Expenditures Statement*

**G2 MRRT — exemption for smaller miners**

Mining, manufacturing and construction (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	*	*	*	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	G2	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	<i>Minerals Resource Rent Tax Assessment Act 2012</i>						

A low profit offset applies under the MRRT which offsets the MRRT payable on mining profits up to \$75 million. The offset phases out for profits between \$75 million and \$125 million. A miner that has group MRRT mining profits less than or equal to \$75 million will not be liable to pay any MRRT. A miner that has group MRRT mining profits between \$75 million and \$125 million will not be liable to pay MRRT at the full rate. The tax expenditure falls to zero for the 2015-16 year onwards, consistent with the application of the revised natural resources benchmark applying from 1 July 2014.

**G3 MRRT — loss uplift rates exceeding the 10 year bond rate**

Mining, manufacturing and construction (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	*	*	-	-
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	G3	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	<i>Minerals Resource Rent Tax Assessment Act 2012</i>						

Under the MRRT, losses, other than those attributable to the starting base allowance, are uplifted at a concessional rate of the long term bond rate plus 7 per cent rather than the benchmark rate which is the long term bond rate. The tax expenditure falls to zero for the 2015-16 year onwards, consistent with the application of the revised natural resources benchmark applying from 1 July 2014.

**G4 MRRT — royalty allowance uplift**

Mining, manufacturing and construction (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	*	*	-	-
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	G4	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	<i>Minerals Resource Rent Tax Assessment Act 2012</i>						

Unused MRRT royalty credits are uplifted at a concessional rate of the long term bond rate plus 7 per cent. The tax expenditure falls to zero for the 2015-16 year onwards,

consistent with the application of the revised natural resources benchmark applying from 1 July 2014.

### G5 MRRT — starting base and uplift rate for capital assets

Mining, manufacturing and construction (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	*	*	-	-
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	G5	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	<i>Minerals Resource Rent Tax Assessment Act 2012</i>						

Under the MRRT, existing investments are recognised through the provision of a starting base allowance. The starting base allowance recognises assets relating to the upstream assets of an MRRT project on 2 May 2010. The starting base may be calculated using the market value method or the accounting book value method. Unused market value starting base losses are uplifted at the CPI. Unused accounting book value starting base losses are uplifted at the long term bond rate plus 7 per cent. The tax expenditure falls to zero for the 2015-16 year onwards, consistent with the application of the revised natural resources benchmark applying from 1 July 2014.

### G6 Crude Oil Excise

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	*	*	*	*	*
<i>Tax expenditure type:</i>	Concessional rate				<i>2012 TES code:</i>	G6	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	NA	
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Petroleum Resource Rent Tax Assessment Act 1987</i>						

Under the expanded Petroleum Resource Rent Tax (PRRT) arrangements, the North West Shelf became subject to PRRT from 1 July 2012 and subject to the revised natural resource benchmark from that time. However, crude oil excise will still be payable and will be credited against any PRRT liability. Under the post-1 July 2012 natural resource benchmark, crude oil excise is treated as a prepayment of PRRT liabilities and to the extent that the crude oil excise exceeds the PRRT payable in a year, a negative tax expenditure will arise for that period. Where crude oil excise credits are carried forward and used to reduce PRRT later periods, a tax expenditure will arise in the year the carried forward credit is utilised.

*Tax Expenditures Statement*

**G7 Crude Oil Excise — condensate**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
600	590	520	-	-	-	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		G7
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1977				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Schedule to the <i>Excise Tariff Act 1921</i>						

Prior to midnight (Canberra time), 13 May 2008, condensate produced in a State or Territory, or inside the outer limits of the territorial sea of Australia, or marketed separately from a crude oil stream, or in the North West Shelf project area was exempt from the crude oil excise. Condensate is light oil extracted from 'wet' gas and primarily processed for use in motor vehicles (commonly known as petrol).

As announced in the 2008-09 Budget, the tax exemption for condensate was abolished with effect from midnight (Canberra time) 13 May 2008. From this date, condensate production from petroleum fields located in the North West Shelf project area and onshore Australia have been subject to the same excise rates as those applicable to petroleum fields discovered after 18 September 1975.

However, the benchmark for condensate produced from fields discovered prior to 18 September 1975 are the higher excise rates applied to production from fields discovered prior to 18 September 1975.

From 1 July 2012, the petroleum condensate became taxable under the PRRT and is subject to the revised natural resource taxes benchmark. Any residual tax expenditures relating to petroleum condensate will be included in the estimate for crude oil excise (G6 *Crude Oil Excise*).

**G8 PRRT — denial of refund of tax credits for losses at project end**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	*	*	*	*	*
<i>Tax expenditure type:</i>	Denial of refund				<i>2012 TES code:</i>		G8
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>		1-
<i>Commencement date:</i>	1 July 1990				<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Petroleum Resource Rent Tax Act 1987</i>						

Under the PRRT regime, no refund of the tax value of losses is available when the project closes down.

This treatment is consistent with the benchmark prior to 1 July 2012 but gives rise to a tax expenditure under the benchmark applying from 1 July 2012.



**G9 PRRT — expenditure uplift rate**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	G9	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 1990				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Petroleum Resource Rent Tax Act 1987						

Under the PRRT regime, expenditure is uplifted at a number of different rates depending on when the expenditure took place and the nature of the expenditure. For example exploration expenditure is uplifted at the long term bond rate plus 15 per cent and general expenditure is uplifted at the long term bond rate plus 5 per cent. These uplift rates are beyond the appropriate benchmark rate of the long term bond rate.

**G10 PRRT — gas transfer price regulations**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	G10	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	20 December 2005				<i>Expiry date:</i>		
<i>Legislative reference:</i>	Petroleum Resource Rent Tax Assessment Regulations 2005						

For PRRT purposes, the gas transfer price regulations stipulate rules for calculating the gas transfer price where there is no arm's length transaction. The regulations provide an allowance for capital expenditure which is based on the long term bond rate plus 7 percentage points rather than the applicable benchmark rate. The regulations also provide further concessions in the calculation of the gas transfer price by reducing the estimated upstream gas price by half the difference between the estimated of 'upstream' price and the estimated 'downstream' price where the upstream price is the higher. Prior to 1 July 2012, the benchmark rate is the long term bond rate plus 5 percentage points. From 1 July 2012, the benchmark rate is the long term bond rate.

*Tax Expenditures Statement*

**G11 PRRT — increased deduction for petroleum exploration expenditure in designated offshore frontier areas**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	G11	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	1+	
<i>Commencement date:</i>	29 March 2004				<i>Expiry date:</i>	2009	
<i>Legislative reference:</i>	Section 36C of the <i>Petroleum Resource Rent Tax Assessment Act 1987</i>						

For PRRT purposes, taxpayers receive a 150 per cent uplift on pre-appraisal exploration expenditure conducted in the first term of an exploration permit in a designated offshore frontier area between 2004 and 2009.

**G12 PRRT — starting base and uplift rate for capital assets**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	*	*	*	*	*
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	G12	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Petroleum Resource Rent Tax Assessment Act 1987</i>						

Under the PRRT regime, existing investments of projects brought under the PRRT on 1 July 2012 are recognised through the provision of a starting base allowance. The starting base allowance recognises assets relating to the upstream assets of the PRRT project on 2 May 2010. The starting base may be calculated using the market value method, the accounting book value method or the 'look back' value method. Unused starting base losses are uplifted at the long term bond rate plus 5 per cent. Unused exploration expenditure under the look back valuation option is uplifted at long term bond rate plus 15 per cent.

**G13 PRRT — transfer of exploration expenditure between petroleum resource rent tax projects**

Fuel and energy (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	-	-	-	-	-
<i>Tax expenditure type:</i>	Deduction				<i>2012 TES code:</i>	G13	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 1990				<i>Expiry date:</i>		
<i>Legislative reference:</i>	<i>Petroleum Resource Rent Tax Assessment Act 1987</i>						

Exploration expenditure can be transferred, under certain circumstances, between projects for PRRT purposes.

Under the benchmark applicable until 1 July 2012, the taxable entity is the project and undeducted expenditure is compounded and applied against future PRRT assessable receipts.

From 1 July 2012, the benchmark was modified to include full loss offset as an element of the benchmark, including by way of transferring tax losses among commonly owned projects that are subject to the same tax rate. Consequently, no tax expenditure is shown for this item for the 2012-13 and later years.

## H. GOODS AND SERVICES TAX

The goods and services tax (GST) benchmark comprises:

- the value of the final supply of all goods and services privately consumed and investment in residential housing in Australia as the tax base;
- the entity making a supply (or receiving a supply in the case of reverse charges) as the tax unit;
- the existing GST rate as the tax rate; and
- the financial year as the taxation period.

### H1 GST — financial Supplies; financial acquisitions threshold

General public services — Financial and fiscal affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>	H1	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Generally, financial supplies are input taxed, meaning that an entity is not entitled to input tax credits for acquisitions relating to the financial supplies made by the entity. However, an entity can be entitled to input tax credits for its financial acquisitions if it does not exceed the financial acquisitions threshold. The entitlement to input tax credits for financial acquisitions in these circumstances is regarded as a positive tax expenditure.

An entity does not exceed the financial acquisitions threshold if the input tax credits it would have been entitled to, had the acquisitions been for a creditable purpose, do not exceed \$50,000 up to 30 June 2012 or \$150,000 from 1 July 2012 or 10 per cent of their total input tax credits for the year.

**H2 GST — financial supplies; input taxed treatment**

General public services — Financial and fiscal affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	2,700	2,800	2,850	3,100	3,300	3,450	3,650	3,850
<i>Tax expenditure type:</i>	Exemption, Concessional rate					<i>2012 TES code:</i>	H2	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Generally, financial supplies and acquisitions of financial supplies are input taxed. This means financial supplies are not subject to GST, but input tax credits cannot be claimed on inputs to either the supply or to the acquisition of the supply. When input taxed supplies are made to consumers, a tax expenditure arises as less than 10 per cent of the total value added is remitted to the Australian Taxation Office. When input taxed supplies are made to other registered businesses, a negative tax expenditure arises as input tax credits cannot be claimed for this supply.

**H3 GST — financial supplies; reduced input tax credits**

General public services — Financial and fiscal affairs (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	680	700	720	780	830	870	920	970
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>	H3	
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Financial supplies are generally input taxed. However, the acquisition of certain supplies (known as reduced credit acquisitions) allows financial service suppliers to claim a reduced credit (either 55 or 75 per cent of the standard input tax credit entitlement depending on the acquisition). The entitlement to the reduced credit in these instances is a tax expenditure.

**H4 GST — supplies by charitable institutions and non-profit bodies**

General public services — General services (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	H4	
<i>Estimate Reliability:</i>	Not Applicable							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>	* Category 3+	
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Charities and other gift deductible bodies are entitled to a higher GST registration threshold of \$150,000. They are entitled to GST-free treatment on non-commercial activities, certain retirement village services, bingo, and sale of second hand goods. Charities can elect to have fund raising treated as input taxed. This option is also

## Tax Expenditures Statement

available to gift deductible entities and government schools. Simplified accounting methods may be available and a range of other concessions apply.

Certain entities have the option of separately identifying some or all of their operations and treating each as a separate entity for GST purposes.

### H5 GST — child care services

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
600	670	750	840	940	1,030	1,120	1,230
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	H5	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2000			<i>Expiry date:</i>			
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

Generally, child care will be GST-free if the provider is a registered carer or approved child care service as specified under the relevant Commonwealth legislation. In addition, child care supplied at facilities eligible to receive Commonwealth government funding under guidelines made by the Minister responsible for child care is also GST-free. All supplies that are directly related to child care are also GST-free.

### H6 GST — water, sewerage and drainage

Housing and community amenities (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
630	720	790	830	910	1,010	1,110	1,220
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	H6	
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2000			<i>Expiry date:</i>			
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

A supply of water is GST-free unless it is supplied in, or transferred into, a container with a capacity of less than 100 litres. The draining of storm water, the emptying of a septic tank and sewerage and sewerage-like services are also GST free. Water sold as a beverage is included in tax expenditure H29.

### H7 GST — GST free status of diplomats, diplomatic missions and approved international organisations

General public services — Foreign affairs and economic aid (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	8	8	7	7	7	7	8	8
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		H7
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Diplomatic missions, consulates and certain international organisations may be reimbursed the GST included in their purchases of certain goods and services, where the purchase is for the official use of the organisation. The GST included in purchases by diplomatic and consular staff, or certain staff of some international organisations, for the private use of the person may also be refundable. The refund must be within the scope of the *Diplomatic Privileges and Immunities Act 1967*, the *Consular Privileges and Immunities Act 1972*, or the *International Organisations (Privileges and Immunities) Act 1963*.

### H8 GST — global roaming by visitors to Australia

Transport and communication (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		H8
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>		1+
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Telecommunication supplies for global roaming by visitors to Australia are GST-free, consistent with Australia's treaty obligations under the International Telecommunication Regulations (the Melbourne Agreement). These supplies are consumed in Australia and under the benchmark would therefore be taxable.

### H9 GST — tourism; tourist refund scheme

Other economic affairs — Tourism and area promotion (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		H9
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>		2+
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

International travellers visiting Australia and Australians travelling overseas may be able to claim a refund of GST paid on certain goods bought in Australia if the total value of the goods is \$300 or more, they are purchased within 60 days of departure

## *Tax Expenditures Statement*

(30 days prior to 15 February 2013), and the goods are taken with the traveller when they depart Australia.

In addition, residents of Australia's External Territories (such as Norfolk, Cocos (Keeling) and Christmas Islands) can claim refunds of GST under the tourist refund scheme. Claims can be made if Australian External Territory residents leaving Australia can show proof that the goods have been exported to their External Territory within the required period after the goods were acquired.

### **H10 GST — importation threshold**

Other economic affairs — Other economic affairs, nec (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
290	300	350	400	470	520	570	640
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	H10
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>	
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

With the exception of consignments containing tobacco, tobacco products or alcoholic beverages, a GST exemption applies to imports of goods with a customs value of no more than \$1,000.

### **H11 GST — imported services**

Other economic affairs — Other economic affairs, nec (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
120	150	150	160	170	190	210	230
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	H11
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>	
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

Imported services (those that are not done in Australia as specified in section 9-25 of *A New Tax System (Goods and Services Tax) Act 1999*) which are not subject to a reverse charge are not subject to GST.



**H12 GST — sale of boats for export within 12 months of supply**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	10	10	10	10	10	10
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		H12
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2011				<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

Supplies of eligible boats used for recreational purposes are GST-free if the boats are exported from Australia within 12 months of delivery, with effect from 1 July 2011. Other goods must be exported from Australia within 60 days in order to be GST-free.

**H13 GST — tourism; domestic air or sea travel**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		H13
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>		2+
<i>Commencement date:</i>	1 July 2000				<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

Domestic air or sea travel within Australia by residents or non-residents as part of a wider international arrangement is not subject to GST. Domestic air travel within Australia by non-residents is also GST-free if the ticket is purchased outside Australia. Transport insurance for the above supplies is also GST free.

**H14 GST — tourism; inwards duty free**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		H14
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>		3+
<i>Commencement date:</i>	1 July 2000				<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

Supplies made through an inwards duty free shop to inbound international travellers are not subject to GST.

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**H15 GST — tourism; travel agents**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	95	90	90	95	95	95	100	100
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	H15	
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

The arranging of overseas travel, accommodation and other services by travel agents in Australia in the course of their business is GST-free. The arranging service must relate to a holiday or supply that takes place or is used overseas.

**H16 GST — education**

Education (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	2,550	2,800	3,050	3,350	3,700	4,050	4,400	4,850
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	H16	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Certain education supplies are GST-free. These include education courses, directly related administrative services, curriculum-related goods, student accommodation for students attending a primary, secondary or special education course, excursions and field trips and supplies related to the recognition of prior learning.

**H17 GST — health; drugs and medicinal preparations**

Health (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	310	330	360	390	420	450	480	520
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	H17	
<i>Estimate Reliability:</i>	Medium							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Most medicines for human use are GST-free. GST-free medicines include: medicines that can only be supplied on prescription; medicines listed on the Pharmaceutical Benefits Scheme (PBS); medicines listed on the Repatriation Pharmaceutical Benefits Scheme (RPBS); non-prescription drugs that can only be supplied by a doctor, dentist, pharmacist or other prescribed person as described by relevant state or territory law; medicines supplied under the Special Access Scheme; and medicines covered by a written determination by the Federal Health Minister.

**H18 GST — health; medical aids and appliances**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
80	85	95	100	110	115	125	135
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		H18
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1 July 2000			<i>Expiry date:</i>		
<i>Legislative reference:</i>		A New Tax System (Goods and Services Tax) Act 1999					

A medical aid or appliance is GST-free if the medical aid or appliance is listed in Schedule 3 to the *A New Tax System (Goods and Services Tax) Act 1999*, or specified in the regulations and specifically designed for people with an illness or disability and not widely used by others.

The supply of cars for use by disabled persons, spare parts for medical aids and appliances and the services related to the provision of the medical aid or appliance are GST-free. Goods that are the subject of a written determination by the Federal Health Minister are also GST-free, including certain disability supports delivered under the *National Disability Insurance Scheme Act 2013*.

**H19 GST — health; medical and health services**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
2,500	2,700	2,850	3,150	3,400	3,600	3,900	4,150
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		H19
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1 July 2000			<i>Expiry date:</i>		
<i>Legislative reference:</i>		A New Tax System (Goods and Services Tax) Act 1999					

Medical services are GST-free if: they are a service for which a Medicare benefit is payable under the *Health Insurance Act 1973*; they are supplied by, or on behalf of, a medical practitioner; and they constitute a service that is generally accepted in the medical profession as being necessary for the treatment of the patient.

Health services rendered by a recognised professional, as well as hospital treatment are also GST-free. Goods supplied in the course of making GST-free health care services are generally GST-free.

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**H20 GST — health; private health insurance**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
210	240	250	250	280	290	300	320
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		H20
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1 July 2000			<i>Expiry date:</i>		
<i>Legislative reference:</i>		A New Tax System (Goods and Services Tax) Act 1999					

A supply of private health insurance by a private health insurer (within the meaning of the *Private Health Insurance Act 2007*) is GST-free. In line with the GST treatment of general insurance, the tax expenditure for this item is based on the difference between the premium income of private health insurers and the value of benefits paid out.

**H21 GST — health; residential care, community care and other care services**

Health (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
780	830	890	980	1,050	1,120	1,200	1,290
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		H21
<i>Estimate Reliability:</i>		Medium					
<i>Commencement date:</i>		1 July 2000			<i>Expiry date:</i>		
<i>Legislative reference:</i>		A New Tax System (Goods and Services Tax) Act 1999					

Some services provided by care and specialist disability providers are GST-free, including certain disability supports delivered under the *National Disability Insurance Scheme Act 2013*. The quality of care principles found in the *Aged Care Act 1997* apply in determining the tax status of specific care services. In general, publicly funded aged or disability care services are GST-free, as are privately funded aged care services which meet the quality of care principles found in the *Aged Care Act 1997* and are provided to those needing daily living activities assistance or nursing services.

**H22 GST — religious services**

Recreation and culture (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
25	25	25	25	30	30	30	35
<i>Tax expenditure type:</i>		Exemption			<i>2012 TES code:</i>		H22
<i>Estimate Reliability:</i>		Low					
<i>Commencement date:</i>		1 July 2000			<i>Expiry date:</i>		
<i>Legislative reference:</i>		A New Tax System (Goods and Services Tax) Act 1999					

Supplies of religious services are GST-free if supplied by a religious institution and the supplied service is integral to the practice of that religion.

**H23 GST — supplies of farm land**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	H23	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Specific supplies of farm land are GST-free. This includes: farm land supplied for farming on which a farming business has been carried on for at least five years and upon which a farming business is intended to continue to be carried on; and subdivided farm land that is potential residential land that is supplied to associates.

Under the GST benchmark, farm land supplied to an unregistered purchaser for farming; or farm land that is potential residential land supplied to an unregistered associate for nil or inadequate consideration; gives rise to a tax expenditure under this item.

No net GST would be collected under the benchmark from farm land supplied for farming to a registered business purchaser.

**H24 GST — registration thresholds (small business concessions)**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	H24	
<i>Estimate Reliability:</i>	Not Applicable					<i>* Category</i>	3+	
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

Entities (other than taxi operators) with a GST turnover less than \$75,000 (\$150,000 for non-profit entities), are not required to register for GST. Supplies made by unregistered entities are not subject to GST.

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**H25 GST — simplified accounting methods**

Other economic affairs — Other economic affairs, nec (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	13	12	11	11	10	9	9	8
<i>Tax expenditure type:</i>	Concessional rate					<i>2012 TES code:</i>		H25
<i>Estimate Reliability:</i>	Low							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

The Commissioner of Taxation can create simplified accounting methods (SAMs) that some small businesses can choose to apply to reduce their GST compliance costs. SAMs allow taxpayers to apply simple ratios to calculate their GST liabilities (or components of them) rather than accounting for each supply to determine if it is taxable or non-taxable. Being ratios, SAMs will benefit some taxpayers by reducing their GST liabilities while increasing the GST liabilities of others, relative to the amounts calculated using a full GST calculation.

While SAMs are designed to reduce compliance costs rather than provide a tax concession, entities that expect to receive a tax benefit from applying SAMs are more likely to adopt this methodology than those that do not. This would be expected to result in a net tax concession.

**H26 GST — supply of precious metal**

Mining, manufacturing and construction (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	*	*	*	*	*	*	*	*
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		H26
<i>Estimate Reliability:</i>	Not Applicable							
<i>Commencement date:</i>	1 July 2000					<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999							

The first supply of a precious metal (after its refining by or on behalf of the supplier) to a precious metal dealer is GST-free. Subsequent supplies of precious metals are input taxed. The importation of precious metals is a non-taxable importation and GST is not charged on the importation. The tax expenditure here is the loss of tax on the GST-free and input taxed supplies and imports (where this would not be offset by input tax credits) reduced by any input tax credits denied for acquisitions related to the input taxed activities.

**H27 GST — cross-border transport supplies**

Transport and communication (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	2	2	2	2	2	2	2
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		H27
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2010				<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

Since 1 July 2010, the total transport and insurance cost of imported goods has been included in the calculation of the value of the taxable importation. If the imported good is a non-taxable importation (for example, the supply of the good would be GST-free or the value of the good does not exceed the import threshold of \$1,000), any domestic transport or insurance component of the transportation supplied will not be taxed.

**H28 GST — Clean Energy Future**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	-	-	..	..	..
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		H28
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>		
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

A supply of an eligible emissions unit (within the meaning of the *Clean Energy Act 2011*) under the carbon pricing mechanism is GST-free from 1 July 2012 to 30 June 2014. With the proposed repeal of *Clean Energy Act 2011* and related legislation from 1 July 2014 the range of eligible emissions units receiving GST-free treatment after that date will be reduced to international emissions units and eligible Australian carbon credits.

Most supplies of eligible emissions units will be creditable acquisitions by GST registered entities with no net GST payable on the transaction, with the result that GST-free treatment does not result in a tax expenditure. Under the GST benchmark, a GST-free supply of an eligible emissions unit will only give rise to a tax expenditure where it is made to an unregistered entity or registered entity for private use.

*Tax Expenditures Statement*

**H29 GST — food; uncooked, not prepared, not for consumption on premises of sale and some beverages**

Other economic affairs — Other economic affairs, nec (\$m)

2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
5,200	5,400	5,700	5,900	6,200	6,500	6,800	7,100
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>		H29
<i>Estimate Reliability:</i>	Medium						
<i>Commencement date:</i>	1 July 2000			<i>Expiry date:</i>			
<i>Legislative reference:</i>	A New Tax System (Goods and Services Tax) Act 1999						

Most food items for human consumption that are prepared and/or consumed at home are GST-free. Examples of GST-free food include fresh fruit and vegetables, fish, dairy products, bread and meat. Examples of GST-free beverages include unflavoured milk products, tea, coffee, water and fruit juices. In addition, generally the packaging used in the supply of GST-free food will itself be GST-free.



## I. CARBON PRICING MECHANISM

The externalities benchmark deals with taxes (or other revenue raising arrangements) that are imposed to ensure that the private costs of certain activities align with the social costs of those activities.

Tax expenditures reported under this benchmark have a different purpose to the taxation of income or consumption, although they may involve changes to income or consumption behaviours.

This benchmark is only applicable to the carbon pricing mechanism (CPM).

The carbon pricing benchmark comprises:

- a rate set by the value of the Australian carbon units in each year, including the fixed prices applying in years 2012-13 and 2013-14;
- a base consisting of full coverage of the emissions covered by the Kyoto Protocol to the United Nations Framework Convention on Climate Change by entities in Australia, with the exception of emissions from liquid fuels and gaseous fuels used for transport. These fuels generally already face other taxation that significantly exceeds tax under the carbon pricing benchmark; and
- the financial year as the period for liability.

### I1 CPM uncovered sectors — deforestation

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	1,140	1,210	-	-	-
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>	11	
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	1 July 2012					<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	Clean Energy Act 2011							

Emissions from deforestation will be excluded from the carbon pricing mechanism (CPM). However, the Carbon Farming Initiative creates economic incentives for land managers to reduce carbon emissions and store carbon in the landscape by allowing them to generate carbon credits.

The tax expenditure falls to zero for the 2014-15 year onwards, consistent with the revised CPM benchmark applying from 1 July 2014.

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**I2 CPM thresholds for obligations**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	100	120	-	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	I2	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2013	
<i>Legislative reference:</i>	Clean Energy Act 2011						

In most covered sectors under the CPM, only entities producing above 25,000 tonnes of emissions per year are liable. This is largely for practical reasons – participation thresholds are designed to balance the benefits of increased CPM coverage against the costs of scheme compliance.

The tax expenditure falls to zero for the 2014-15 year onwards, consistent with the revised CPM benchmark applying from 1 July 2014.

**I3 CPM uncovered sectors — legacy emissions from synthetic greenhouse gases**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	180	170	-	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	I3	
<i>Estimate Reliability:</i>	Low						
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2013	
<i>Legislative reference:</i>	Ozone Protection and Synthetic Greenhouse Gas Management Act 1989						

Emissions from Kyoto protocol synthetic greenhouses gases imported or produced prior to the start of the CPM on 1 July 2012 will not incur a liability.

The tax expenditure falls to zero for the 2014-15 year onwards, consistent with the revised CPM benchmark applying from 1 July 2014.

**I4 CPM uncovered sectors — legacy landfill emissions**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	240	220	-	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	14	
<i>Estimate Reliability:</i>	Medium — Low						
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	Clean Energy Act 2011						

Emissions from waste deposited at landfills prior to the start of the CPM on 1 July 2012, known as legacy emissions, will not incur a liability. However, these legacy emissions will continue to count towards a landfill facility's threshold in order to ensure broad coverage of new waste emissions.

The tax expenditure falls to zero for the 2014-15 year onwards, consistent with the revised CPM benchmark applying from 1 July 2014.

**I5 Synthetic greenhouse gases — exemptions for certain products**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	*	*	-	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	15	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	2+	
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	Ozone Protection and Synthetic Greenhouse Gas Management Act 1989						

Certain products are exempt from the equivalent carbon price applied to synthetic greenhouse gases. The exemptions include synthetic greenhouse gases imported or manufactured for use in medical or veterinary devices or veterinary medicines, synthetic greenhouse gases used in a manufacturing process and intentionally destroyed through a recognised destruction technology as part of the manufacturing process, and low volume importers.

The tax expenditure falls to zero for the 2014-15 year onwards, consistent with the revised CPM benchmark applying from 1 July 2014.

*Tax Expenditures Statement*

**I6 CPM uncovered sectors — agriculture**

Agriculture, forestry and fishing (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	2,080	2,090	-	-	-
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		16
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	1 July 2012					<i>Expiry date:</i>		30 June 2014
<i>Legislative reference:</i>	Clean Energy Act 2011							

Emissions from agricultural activities are excluded from the CPM. However, the Carbon Farming Initiative creates economic incentives for farmers and land managers to reduce carbon emissions and store carbon in the landscape by allowing them to generate carbon credits.

The tax expenditure falls to zero for the 2014-15 year onwards, consistent with the revised CPM benchmark applying from 1 July 2014.

**I7 CPM uncovered sectors — decommissioned mines**

Mining, manufacturing and construction (\$m)

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
	-	-	-	10	20	-	-	-
<i>Tax expenditure type:</i>	Exemption					<i>2012 TES code:</i>		17
<i>Estimate Reliability:</i>	Medium — Low							
<i>Commencement date:</i>	1 July 2012					<i>Expiry date:</i>		30 June 2014
<i>Legislative reference:</i>	Clean Energy Act 2011							

Fugitive emissions from decommissioned coal mines are excluded from the CPM. This is partly because of measurement difficulties caused by sealing a mine, but also because fugitive emissions from most decommissioned mines are expected to be below the 25,000 tonne emissions threshold. Decommissioned mines that may initially exceed the threshold are expected to fall below it within a few years.

The tax expenditure falls to zero for the 2014-15 year onwards, consistent with the revised CPM benchmark applying from 1 July 2014.

**I8 CPM — exclusion of the Joint Petroleum Development Area and Greater Sunrise Unit Area**

Other economic affairs — Other economic affairs, nec (\$m)							
2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
-	-	-	*	*	-	-	-
<i>Tax expenditure type:</i>	Exemption				<i>2012 TES code:</i>	I8	
<i>Estimate Reliability:</i>	Not Applicable				<i>* Category</i>	NA	
<i>Commencement date:</i>	1 July 2012				<i>Expiry date:</i>	30 June 2014	
<i>Legislative reference:</i>	Clean Energy Act 2011						

Emissions from the Joint Petroleum Development Area and the Greater Sunrise Unit Area will be effectively excluded from the CPM from 1 July 2012 until 30 June 2015, or until final regulations are made under the *Clean Energy Act 2011*.

The tax expenditure falls to zero for the 2014-15 year onwards, consistent with the revised CPM benchmark applying from 1 July 2014.

*Tax Expenditures Statement*