


# ***TR 2002/D1 - Income tax: undeducted purchase price of pensions from Austrian superannuation insurance funds***

 This cover sheet is provided for information only. It does not form part of *TR 2002/D1 - Income tax: undeducted purchase price of pensions from Austrian superannuation insurance funds*

This document has been finalised by TR 2002/17.



## Draft Taxation Ruling

### Income tax: undeducted purchase price of pensions from Austrian superannuation insurance funds

---

Contents	Para
<b>What this Ruling is about</b>	<b>1</b>
<b>Ruling</b>	<b>6</b>
<b>Date of effect</b>	<b>16</b>
<b>Explanation</b>	<b>17</b>
<b>Glossary</b>	<b>40</b>
<b>Tables</b>	<b>41</b>
<b>Example</b>	<b>42</b>
<b>Detailed contents list</b>	<b>46</b>
<b>Your comments</b>	<b>47</b>

#### ***Preamble***

*Draft Taxation Rulings (DTRs) represent the preliminary, though considered, views of the Australian Taxation Office. DTRs may not be relied on by taxation officers, taxpayers and practitioners. It is only final Taxation Rulings that represent authoritative statements by the Australian Taxation Office of its stance on the particular matters covered in the Ruling.*

#### **What this Ruling is about**

---

1. Article 18 of the Australia/Austria Double Tax Agreement (which appears at Schedule 27 of the *International Tax Agreements Act 1953*) provides for the taxation of pensions and annuities (other than government service pensions paid to former Austrian government employees) only in the recipient's country of residence. Therefore, social security (superannuation insurance) pensions received by Australian residents from Austrian superannuation insurance funds are not taxed in Austria but must be included in the recipient's assessable income for Australian taxation purposes under section 27H of the *Income Tax Assessment Act 1936* ('ITAA 1936').
2. The taxable amount of these pensions can generally be reduced by the pension's undeducted purchase price, or UPP. Broadly, UPP comprises non-employer contributions made to purchase a pension which were not allowable as an Australian tax deduction and which, for contributions before 1 July 1983, did not give rise to a rebate of tax.
3. This Ruling explains:
  - (a) how the Commissioner will exercise his discretion under subsection 27H(3) of the ITAA 1936 to determine the deductible amount of an Austrian social security pension (i.e., the amount by which the taxable amount of the pension is reduced each year);

# TR 2002/D1

- (b) the exact method, based on UPP, which can be used for calculating the deductible amount under subsection 27H(2) of the ITAA 1936; and
- (c) how to convert Austrian to Australian currency.

## **Class of person/arrangement**

4. The Ruling applies to all Austrian social security pensions, other than government service pensions, which are based on a person's contributions (contributory pensions) and are paid under one of the three Austrian social insurance Acts 'ASVG', 'GSVG' or 'BSVG' (see paragraph 18 for further explanation). Specifically, it applies to age, premature age, invalid, disability, widowed person's and orphan's pensions paid by Austrian superannuation insurance funds under these Austrian social insurance Acts.

5. A glossary of some common terms which appear on Austrian superannuation insurance fund documentation is included in this Ruling.

## **Ruling**

---

### **(a) Deductible amount determined by the Commissioner**

6. The exact method for calculating UPP and the deductible amount of a contributory pension received from an Austrian superannuation insurance fund is outlined in paragraphs 8 to 10. However, due to the unavailability of actual contributions data, it is often not possible to establish the amount of actual contributions which form the 'purchase price' (as defined in subsection 27A(1) of the ITAA 1936) of such pensions. Where records of actual contributions are not available but the Austrian superannuation insurance fund has provided the pensioner with a list of the pensioner's insurance periods, the Commissioner will exercise his discretion under subsection 27H(3) of the ITAA 1936 and accept contribution figures calculated in accordance with the Tables set out under paragraph 41 as an appropriate estimate for the actual contributions made. (See paragraphs 19 to 37 for an explanation of how to use the Tables.) The calculated contribution figures will then form the basis for the pensioner's UPP which is used in the deductible amount formula set out in subsection 27H(2) of the ITAA 1936.

7. Where a pensioner is able to supply evidence of actual contributions for any year, those actual contributions should be included in the deductible amount calculation. Similarly, where a pensioner has evidence of actual monthly salary for any year, the

contributions rates in Column A of each of the Tables can be applied to the actual salary amount to determine the actual contributions made for that month, subject to the maximum monthly threshold (see paragraph 10).

**(b) The exact method for calculating deductible amount**

8. If a pensioner has evidence of actual contributions, the deductible amount of an Austrian contributory social security pension is calculated using the formula set out in subsection 27H(2), which, in most cases, will be:

$$\frac{\text{UPP}}{\text{Relevant number}}$$

\* UPP is the undeducted purchase price of the pension calculated according to the method described in paragraph 9.

\* Relevant number is the pensioner's life expectation factor when the first pension payment commences to be payable (or, if the pensioner is married and the pension is first payable on or after 1 July 1983, the greater of the life expectancy of the pensioner and his or her spouse). The life expectation factor is determined in accordance with the Life Tables published by the Australian Government Actuary.

9. The UPP of an Austrian contributory social security pension consists of all contributions made by the pensioner (or, where relevant, the pensioner's spouse) which secured entitlement to the pension. However, contributions which do not form part of the UPP are:

- contributions by an employer (subsection 27A(5C) of the ITAA 1936);
- credited contributions (explained in paragraph 36); and
- for pensions payable before 1 July 1983 (governed by former section 26AA of the ITAA 1936), contributions by a present or former spouse.

10. Where a pensioner does not have evidence of actual contributions but is able to provide evidence of actual monthly salaries, the pensioner can multiply those actual monthly salaries by the contributions rates set out in Column A of each of the Tables to calculate the actual contributions made during each month. However, where a pensioner's actual salary for any month exceeded the maximum monthly threshold amount in Column B, the pensioner should multiply the contribution rate in Column A by the maximum monthly threshold amount in Column B to calculate the actual contributions made for that particular month (see explanation at paragraph 37).

# TR 2002/D1

11. A widowed person's pension paid following the death of a spouse who was receiving an Austrian social security pension has the same deductible amount as that of the deceased person's pension provided the pension commenced to be payable to the deceased on or after 1 July 1983.

## **(c) Currency translation**

12. For taxation purposes, Austrian social security pensions must be converted into Australian currency. To determine the appropriate currency exchange rate to be used for converting Austrian currency into Australian currency, refer to section 20 of the ITAA 1936 and Taxation Ruling IT 2498. Pensions received in foreign currency should, strictly, be translated to Australian currency on the following basis:

- (a) if a pension is sent to Australia - at the exchange rate applicable when each pension instalment is received; or
- (b) if a pension is not sent to Australia - at the exchange rate applicable at the end of the year of income in which the pension is received (the relevant year of income).

13. However, recognising the difficulties that a strict application of the law may cause some pensioners, we will accept translation of pensions sent to Australia on the basis of the average annual exchange rate for the relevant year of income.

14. If the pension is translated to Australian dollars at the average annual exchange rate or at the exchange rate applicable at the end of the year of income:

- (a) the deductible amount of the UPP should be calculated in Austrian currency;
- (b) the gross amount of the pension in Austrian currency should be reduced by the deductible amount; and
- (c) the net amount should be translated to Australian dollars at the average annual exchange rate or at the end of year of income exchange rate, as the case may be.

15. For those years in which all or part of the pension is denominated in Euros, the deductible amount, and that part of the pension (if any) denominated in Austrian Schillings, should be converted to Euros at the official exchange rate of one Euro = 13.7603 Austrian Schillings.

---

## Date of effect

---

16. This Ruling applies (subject to any limitations imposed by statute) to pensions commencing both before and after its date of issue. However, the Ruling does not apply to taxpayers to the extent that it conflicts with the terms of a settlement of a dispute agreed to before the date of the Ruling (see paragraphs 21 and 22 of Taxation Ruling TR 92/20).

---

## Explanations

---

17. The Federal Ministry of Finance of Austria and the Main Association of Austrian Social Security Institutions have confirmed that it is not possible for Austrian superannuation insurance funds to provide figures for actual contributions in respect of each pensioner, as these records are, in many cases, not available. However, Austrian superannuation insurance funds are able to provide the pensioner with a copy of the *Calculation of Assessment Basis* statement which contains the actual monthly salary amounts used for calculating the pensioner's Austrian superannuation pension entitlement. Applicants for an Austrian superannuation pension automatically receive a *Calculation of Assessment Basis* statement with the notification of acceptance or rejection of the pension claim. Copies of the *Calculation of Assessment Basis* statement can be requested from the relevant Austrian superannuation insurance fund at any time.

18. The three Austrian social insurance Acts discussed in this Ruling are:

- *Allgemeines Sozialversicherungsgesetz* (ASVG) – General Social Insurance Act which applies to salary and wage earners;
- *Gewerbliches Sozialversicherungsgesetz* (GSVG) – Commercial Social Insurance Act which applies to self-employed persons; and
- *Bauern-Sozialversicherungsgesetz* (BSVG) – Farmers Social Insurance Act which applies to farmers.

### **(a) Deductible amount determined by the Commissioner**

19. Under subsection 27H(3) of the ITAA 1936, the Commissioner has a discretion to substitute a deductible amount different from the amount calculated in accordance with the formula in subsection 27H(2). This substituted amount is calculated by the alternative method in this Ruling. The Commissioner will exercise his discretion

if he considers the subsection 27H(2) amount is inappropriate having regard to the terms and conditions applying to the pension and to any other matters he considers to be relevant.

20. In this regard, we appreciate that it will be difficult for many recipients of Austrian social security pensions to calculate the exact amount of UPP because of the difficulties in obtaining all the necessary information. We accept that such Austrian contributory social security pensions have a deductible amount, and we will accept calculations using Tables 1 to 7 (at paragraph 41 of this ruling), as necessary, to be an appropriate estimate of that amount. However, any period identified by the Austrian superannuation insurance fund as a period in which contributions were credited although not actually paid (for instance, periods of maternity leave etc.) should be excluded from the calculation (these contributions are explained in paragraph 36).

21. Under the Austrian social security system, different contribution rates are payable by different categories of employees. Tables 1, 3 and 5 set out contribution figures for compulsory contributions (denoted by a 'P' on Austrian pension documentation) under the ASVG (salary and wage earners), GSVG (self-employed persons) and BSVG (farmers) respectively. Tables 2, 4 and 6 set out contribution figures for voluntary contributions (denoted by an 'F' on Austrian pension documentation) under the ASVG, GSVG and BSVG respectively. Table 7 sets out contribution figures for all contributions made to any fund under the Austrian social security system prior to 1953.

#### **(A) Contributions in 1953 and later years**

##### ***(i) Contributions where actual monthly salary is known***

22. Austrian superannuation insurance funds provide the pensioner with a copy of the ***Calculation of the Assessment Basis*** statement concurrently with notification of the grant of a pension. The statement includes three sections which are relevant to the UPP calculation - ***Beitragsgrundlagen*** (which lists the pensioner's average actual monthly salary figures which were used in the pension entitlement calculation), ***Zeitenaufgliederung*** (which lists the pensioner's total periods of contributions and the types of superannuation insurance periods) and ***Anzahl der nachgewiesenen Versicherungsmonate*** (which lists the total number of months of compulsory, voluntary and equivalent contributions made under the ASVG, GSVG and BSVG).

23. The ***Beitragsgrundlagen*** section includes a number of columns. The relevant columns for the purposes of the UPP calculation are: ***Jahr*** (Year), ***Art*** (with 'P' denoting compulsory insurance and 'F'

denoting voluntary insurance), *Monate ges./o.B* (which lists the number of best months i.e., the months with the highest average salaries) and *Monatl.Ges.BG* (which lists the average actual salary per month). The remaining columns should be disregarded as they relate to the revaluation of the actual monthly salary figures for the purposes of calculating the pension entitlement. Only the actual monthly figures can be used in the calculation of the UPP.

24. Pensioners can multiply their average actual monthly salary amounts (shown in the *Monatl.Ges.BG* column) by the contribution rates set out in Column A of Tables 1 to 7 to determine their actual contributions for the periods shown in the *Jahr* (year) column, subject to the maximum monthly threshold (this threshold is explained at paragraph 37). To establish the type of contributions made and whether the contributions were made under the ASVG, GSVG or BSVG, it is necessary to refer to the *Zeitenaufgliederung* and *Anzahl der nachgewiesenen Versicherungsmonate* sections of the statement (see explanation in paragraphs 27 to 29).

25. If, separate to the *Calculation of the Assessment Basis* statement, a pensioner has other evidence of actual monthly salary for any period, the contribution rates in Column A of Tables 1 to 7 should be applied to that actual salary amount to determine the actual contributions made during that period, subject to the maximum monthly threshold (explained in paragraph 37). It is anticipated that details of monthly contribution rates for periods after 31 December 2000 will be released by the Commissioner via regular addendums to this Ruling as the rates become available.

***(ii) Contributions where actual monthly salary is not known***

26. Austrian superannuation insurance funds do not generally have records of contributors' actual contributions or actual monthly salaries for all years. However, national average monthly salary figures are available for 1953 and later years, and these figures are listed in Column C of Tables 1 to 6. By multiplying these average monthly salary figures by the contribution rates for each period, we have calculated average monthly contribution figures which are listed in Column D of Tables 1 to 6. For those periods which the Austrian institutions confirm that a pensioner was contributing to the Austrian institutions, but no figures relating to actual contributions or actual salary are available, the Commissioner will exercise his discretion under subsection 27H(3) to substitute the average contribution figures in Column D of Tables 1 to 6 for actual contributions.

27. The *Zeitenaufgliederung* section of the *Calculation of the Assessment Basis* statement lists the pensioner's total period of contributions and the types of superannuation insurance periods. The

relevant columns for the purposes of the UPP calculation are: *Von* (start of period), *Bis* (end of period), *Monate* (total months in period), *Art der Versicherungszeit* (type of insurance period) and *Tech.Bez* (with 'P' denoting compulsory insurance, 'E' denoting equivalent insurance (where contributions were credited but not actually paid), and 'F' denoting voluntary insurance). In the *Tech.Bez* column, periods of compulsory insurance may alternatively be denoted as 'AP', 'GP' or 'BP', representing payments made under the ASVG, GSVG and BSVG respectively. Similarly, periods of equivalent insurance may be denoted as 'AE', 'GE' or 'BE', and periods of voluntary insurance may be denoted as 'AF', 'GF' or 'BF'.

28. Pensioners can use the figures which appear in column D of Tables 1 to 6, as appropriate, for those periods in which either compulsory or voluntary contributions were made. However, those periods for which no contributions were actually paid, such as periods of maternity leave etc (see discussion at paragraph 36 below) will need to be excluded from the UPP calculation. Such periods are denoted with an 'E' in the *Tech.Bez* column of the *Zeitenaufgliederung* section, and appear as 'Monate einer Ersatzzeit' in the *Anzahl der nachgewiesenen Versicherungsmonate* section of the *Calculation of the Assessment Basis* statement.

29. Periods for which actual average monthly salaries are known that are listed in the *Beitragsgrundlagen* section are also included in the contributions history listed in the *Zeitenaufgliederung* section of the *Calculation of the Assessment Basis* statement. As explained in paragraphs 21 to 23 above, those periods for which actual average monthly salaries are known (being those listed in the *Beitragsgrundlagen* section) should be multiplied by the Column A rate to calculate the actual contributions. When using the periods listed in the *Zeitenaufgliederung* section, care should be taken to ensure that the periods listed in the *Beitragsgrundlagen* section are not included in the UPP calculation twice.

30. To assist pensioners and tax practitioners to use the *Calculation of the Assessment Basis* statement, a glossary of Austrian terms which appear on the statement is included in this Ruling at paragraph 40.

### **(B) Contributions before 1953**

31. The Federal Ministry of Finance of Austria and the Main Association of Austrian Social Security Institutions have not been able to supply Austrian national average monthly salary figures for years prior to 1953. In recognition of the compulsory contributions which would have been made, the Commissioner has calculated estimates of the average monthly earnings (and, therefore, estimates of

the average monthly contributions). In the absence of average monthly earnings data, the Commissioner has calculated the estimates using the same ratio of average monthly earnings to the maximum monthly threshold which applied in the 1953 year. As the average monthly earnings figure (being Sch1,156) is approximately 65% of the maximum annual threshold figure (being Sch1,800), the estimates for average annual earnings for the 1942 to 1952 years represent 65% of the maximum monthly threshold amount for each year.

32. Therefore, for those periods from 1 July 1942 to 31 December 1952 which the Austrian institutions confirm that a pensioner was employed or contributing to the Austrian institutions, the Commissioner will exercise his discretion under subsection 27H(3) to substitute the estimated average contribution figures in Column D of Table 7 for actual contributions. For the period 1 January 1939 to 30 June 1942, only the monthly contribution rate of 5% is known. In the absence of either maximum monthly threshold or average monthly salary figures, for the period 1 January 1939 to 30 June 1942, the Commissioner will accept the same estimated average contribution figures which have been calculated for the period 1 July 1942 to 31 December 1942 (see first row of Table 7).

33. If, however, the pensioner is able to provide evidence of the pensioner's monthly salaries earned prior to 1953, the pensioner should multiply those actual monthly salaries by the contributions rates set out in Column A of Table 7 to calculate the actual contributions made during each period for which the actual salary is known, subject to the maximum annual threshold (this threshold is explained at paragraph 37).

#### **(b) The exact method for calculating deductible amount**

34. Where the Commissioner does not exercise his discretion under subsection 27H(3) of the ITAA 1936, the deductible amount of a pension is determined under subsection 27H(2) if it was first payable on or after 1 July 1983; or former section 26AA if payable before 1 July 1983. Essentially, it is the UPP of a pension distributed over the expected term of the pension.

35. Contributions which secure entitlement to a pension form part of its purchase price. As contributions which secure entitlement to the pension are not tax deductible or rebatable in Australia, they form its *undeducted* purchase price, or UPP.

36. Both compulsory contributions and voluntary contributions form part of the purchase price of the pension. However, contributions which are not actually paid but are merely credited are not part of the purchase price of a pension. Periods of credited contributions are known as 'Zeiten ohne Beitragsentrichtung' (i.e., periods without

deducted contributions) and examples include periods related to the birth and rearing of a child, and time spent in military or war service. The Austrian superannuation insurance funds distinguish between the periods of such contributions by referring to all months in which contributions accrued as 'insurance months', those months in which contributions were actually paid as 'contribution months' and those months in which contributions were merely created as 'equivalent months'. On the *Calculation of the Assessment Basis* statement, periods in which contributions were not actually paid but were merely credited are denoted by 'E' and are described in the *Anzahl der nachgewiesenen Versicherungsmonate* section as 'Monate einer Ersatzzeit' (i.e., equivalent months).

37. Under the Austrian social security scheme, there is a ceiling imposed on the maximum total contributions payable each year. The ceiling amount (i.e., maximum monthly threshold amount) for each month is set out in Column B of Tables 1 to 7. Therefore, where a pensioner's salary for any month exceeded the maximum monthly threshold amount in Column B, the pensioner should multiply the contribution rate in Column A by the maximum monthly threshold amount in Column B to calculate the actual contributions made for that particular month.

38. For the purposes of this Ruling, we consider that Austrian social security pensions paid to married people are reversionary (because a widowed person's pension may be paid to the surviving spouse). Therefore, for pensions first payable on or after 1 July 1983, the greater of the life expectancy of the pensioner and the pensioner's spouse is taken into account in determining the relevant number. Pensions payable before 1 July 1983 are governed by former section 26AA which provides that only the pensioner's life expectancy is to be taken into account.

39. The widowed person's pension payable is based on the deceased spouse's pension, which was, in turn, dependent on the deceased spouse's contributions record. As we consider the widowed person's pension to be a reversion of the deceased spouse's pension, the deductible amount of the deceased's pension will carry over to the widowed person's pension provided the pension commenced to be payable to the deceased on or after 1 July 1983.

## Glossary

---

40. Terms which commonly appear on the *Calculation of Assessment Basis* statement have the following meanings.

**Anzahl der nachgewiesenen Versicherungsmonate:** number of verified months insured

**Art der Versicherungszeit:** type of insurance period

**Beitragsgrundlagen:** contribution basis

**Bemessungsgrundlagen:** assessment basis

**Ersatzzeit für Arbeitslosengeldbezug:** equivalent period – unemployment

**Ersatzzeit für Krankengeldbezug:** equivalent period – health insurance benefit

**Ersatzzeit für Wochengeldbezug:** equivalent period – maternity

**Ersatzzeit, Zeiten der Kindererziehung:** equivalent period – child care/children’s education

**Keine Versicherung:** no insurance period credited

**Kriegsdienstleistung, Gefangenschaft, u.a. – Ersatzzeit:** military service, prisoner of war, and similar events – equivalent period

**Monate einer Ersatzzeit:** equivalent (credited) contribution months

**Monate der Pflichtversicherung:** compulsory insurance months

**Pflichtversicherung als Angestellter:** compulsory insurance under ASVG (‘white collar’ worker)

**Pflichtversicherung als Arbeiter:** compulsory insurance under ASVG (‘blue collar’ worker)

**Pflichtversicherung als Lehrling:** compulsory insurance (apprentice)

**Pflichtversicherung als Selbständige(r) nach dem GSVG:** compulsory insurance under GSVG (self-employed person – commerce, industry, professions)

**Pflichtversicherung als Selbständige(r) nach dem BSVG:** compulsory insurance under BSVG (self-employed person – farming)

**Versicherungsmonate:** insurance months

**Zeitenaufgliederung:** time on member level

---

## Tables

41. The tables referred to in this Ruling are set out below.

**TR 2002/D1**

**Table 1 – 1953 to 2000**  
**ASVG (salary and wage earners)**  
**Compulsory Contributions**

Period	Contribution Rate	Maximum Monthly Threshold	Average Monthly Earnings	Average Monthly Contribution
(Column)	(A)	(B)	(C)	(D)= (A) x (C)
		Austrian Sch	Austrian Sch	Austrian Sch
1/1/1953 to 31/12/1953	5.00%	1,800	1,156	58
1/1/1954 to 31/12/1954	5.00%	2,133	1,338	67
1/1/1955 to 31/7/1955	5.00%	2,600	1,409	71
1/8/1955 to 31/12/1955	6.00%	2,600	1,409	85
1/1/1956 to 31/12/1956	6.00%	3,900	1,499	90
1/1/1957 to 31/12/1957	6.00%	3,900	1,597	96
1/1/1958 to 31/12/1958	6.00%	3,900	1,644	99
1/1/1959 to 31/12/1959	6.00%	3,900	1,673	101
1/1/1960 to 31/12/1960	6.00%	3,900	1,772	107
1/1/1961 to 31/12/1961	6.50%	5,200	1,839	120
1/1/1962 to 31/12/1962	7.00%	5,200	2,154	151
1/1/1963 to 30/4/1963	7.00%	5,200	2,295	161
1/5/1963 to 31/12/1963	7.25%	5,200	2,295	167
1/1/1964 to 31/12/1964	7.50%	5,200	2,507	189
1/1/1965 to 30/4/1965	7.50%	6,300	3,063	230
1/5/1965 to 31/12/1965	8.00%	6,300	3,063	246
1/1/1966 to 31/12/1966	8.00%	6,825	3,294	264
1/1/1967 to 31/12/1967	8.25%	7,350	3,548	293
1/1/1968 to 30/6/1968	8.25%	7,875	3,712	307
1/7/1968 to 31/12/1968	8.50%	7,875	3,712	316
1/1/1969 to 31/12/1969	8.50%	8,400	4,147	353
1/1/1970 to 30/6/1970	8.50%	8,925	4,498	383
1/7/1970 to 31/12/1970	8.75%	8,925	4,498	394
1/1/1971 to 31/12/1971	8.75%	9,450	5,026	440
1/1/1972 to 31/12/1972	8.75%	10,150	5,588	489
1/1/1973 to 31/12/1973	8.75%	11,025	6,236	546
1/1/1974 to 31/12/1974	8.75%	12,250	7,192	630
1/1/1975 to 31/12/1975	8.75%	13,650	7,998	700
1/1/1976 to 31/12/1976	8.75%	15,400	8,671	759
1/1/1977 to 31/12/1977	8.75%	17,500	9,275	812
1/1/1978 to 31/12/1978	9.25%	19,600	9,840	911
1/1/1979 to 31/12/1979	9.25%	21,700	10,421	964
1/1/1980 to 31/12/1980	9.75%	22,750	11,178	1,090

1/1/1981 to 31/12/1981	9.75%	23,800	11,984	1,169
1/1/1982 to 31/12/1982	9.75%	25,200	12,669	1,236
1/1/1983 to 31/12/1983	9.75%	26,600	12,966	1,265
1/1/1984 to 31/12/1984	9.75%	28,000	13,635	1,330
1/1/1985 to 31/12/1985	10.25%	28,700	14,462	1,483
1/1/1986 to 31/12/1986	10.25%	30,100	15,234	1,562
1/1/1987 to 31/12/1987	10.25%	30,800	15,991	1,640
1/1/1988 to 31/12/1988	10.25%	32,200	16,372	1,679
1/1/1989 to 31/12/1989	10.25%	32,900	16,995	1,742
1/1/1990 to 31/12/1990	10.25%	33,600	17,886	1,834
1/1/1991 to 31/12/1991	10.25%	35,000	19,044	1,953
1/1/1992 to 31/12/1992	10.25%	37,100	20,133	2,064
1/1/1993 to 31/12/1993	10.25%	39,200	21,118	2,165
1/1/1994 to 31/12/1994	10.25%	42,000	21,843	2,239
1/1/1995 to 31/12/1995	10.25%	44,100	22,670	2,324
1/1/1996 to 31/12/1996	10.25%	45,500	23,260	2,385
1/1/1997 to 31/12/1997	10.25%	47,600	TBA	TBA
1/1/1998 to 31/12/1998	10.25%	49,000	TBA	TBA
1/1/1999 to 31/12/1999	10.25%	49,700	TBA	TBA
1/1/2000 to 31/12/2000	10.25%	TBA	TBA	TBA

**TR 2002/D1****Table 2 – 1953 to 2000****ASVG (salary and wage earners)****Voluntary Contributions**

<b>Period</b>	<b>Contribution Rate</b>	<b>Maximum Monthly Threshold</b>	<b>Average Monthly Earnings</b>	<b>Average Monthly Contribution</b>
<b>(Column)</b>	<b>(A)</b>	<b>(B)</b>	<b>(C)</b>	<b>(D)= (A) x (C)</b>
		<b>Austrian Sch</b>	<b>Austrian Sch</b>	<b>Austrian Sch</b>
1/1/1953 to 31/12/1953	10.00%	2,100	1,156	116
1/1/1954 to 31/12/1954	10.00%	2,489	1,338	134
1/1/1955 to 31/7/1955	10.00%	3,034	1,409	141
1/8/1955 to 31/12/1955	12.00%	3,034	1,409	170
1/1/1956 to 31/12/1956	12.00%	4,550	1,499	180
1/1/1957 to 31/12/1957	12.00%	4,550	1,597	192
1/1/1958 to 31/12/1958	12.00%	4,550	1,644	198
1/1/1959 to 31/12/1959	12.00%	4,550	1,673	201
1/1/1960 to 31/12/1960	12.00%	4,550	1,772	213
1/1/1961 to 31/12/1961	13.00%	6,067	1,839	240
1/1/1962 to 31/12/1962	14.00%	6,067	2,154	302
1/1/1963 to 30/4/1963	14.00%	6,067	2,295	322
1/5/1963 to 31/12/1963	14.50%	6,067	2,295	333
1/1/1964 to 31/12/1964	15.00%	6,067	2,507	377
1/1/1965 to 30/4/1965	15.00%	7,350	3,063	460
1/5/1965 to 31/12/1965	16.00%	7,350	3,063	491
1/1/1966 to 31/12/1966	16.00%	7,963	3,294	528
1/1/1967 to 31/12/1967	16.50%	8,575	3,548	586
1/1/1968 to 30/6/1968	16.50%	9,188	3,712	613
1/7/1968 to 31/12/1968	17.00%	9,188	3,712	632
1/1/1969 to 31/12/1969	17.00%	9,800	4,147	705
1/1/1970 to 30/6/1970	17.00%	10,413	4,498	765
1/7/1970 to 31/12/1970	17.50%	10,413	4,498	788
1/1/1971 to 31/12/1971	17.50%	11,025	5,026	880
1/1/1972 to 31/12/1972	17.50%	11,842	5,588	978
1/1/1973 to 31/12/1973	17.50%	12,863	6,236	1,092
1/1/1974 to 31/12/1974	17.50%	14,292	7,192	1,259
1/1/1975 to 31/12/1975	17.50%	15,925	7,998	1,400
1/1/1976 to 31/12/1976	17.50%	17,967	8,671	1,518
1/1/1977 to 31/12/1977	17.50%	20,417	9,275	1,624
1/1/1978 to 31/12/1978	18.50%	22,867	9,840	1,821
1/1/1979 to 31/12/1979	18.50%	25,317	10,421	1,928
1/1/1980 to 31/12/1980	19.50%	26,542	11,178	2,180

**TR 2002/D1**FOI status: **draft only - for comment**

Page 15 of 28

1/1/1981 to 31/12/1981	19.50%	27,767	11,984	2,337
1/1/1982 to 31/12/1982	19.50%	29,400	12,669	2,471
1/1/1983 to 31/12/1983	19.50%	31,034	12,966	2,529
1/1/1984 to 31/12/1984	19.50%	32,667	13,635	2,659
1/1/1985 to 31/12/1985	20.00%	33,484	14,462	2,893
1/1/1986 to 31/12/1986	20.00%	35,117	15,234	3,047
1/1/1987 to 31/12/1987	20.00%	35,934	15,991	3,199
1/1/1988 to 31/12/1988	20.00%	37,567	16,372	3,275
1/1/1989 to 31/12/1989	20.00%	38,384	16,995	3,399
1/1/1990 to 31/12/1990	20.00%	39,200	17,886	3,578
1/1/1991 to 31/12/1991	20.00%	40,834	19,044	3,809
1/1/1992 to 31/12/1992	22.80%	43,284	20,133	4,591
1/1/1993 to 31/12/1993	22.80%	45,734	21,118	4,815
1/1/1994 to 31/12/1994	22.80%	49,000	21,843	4,981
1/1/1995 to 31/12/1995	22.80%	51,450	22,670	5,169
1/1/1996 to 31/12/1996	22.80%	53,084	23,260	5,304
1/1/1997 to 31/12/1997	22.80%	55,534	TBA	TBA
1/1/1998 to 31/12/1998	22.80%	57,167	TBA	TBA
1/1/1999 to 31/12/1999	22.80%	57,984	TBA	TBA
1/1/2000 to 31/12/2000	22.80%	TBA	TBA	TBA

**TR 2002/D1****Table 3 – 1958 to 2000****GSVG (self-employed persons)****Compulsory Contributions**

<b>Period</b>	<b>Contribution Rate</b>	<b>Maximum Monthly Threshold</b>	<b>Average Monthly Earnings</b>	<b>Average Monthly Contribution</b>
<b>(Column)</b>	<b>(A)</b>	<b>(B)</b>	<b>(C)</b>	<b>(D)= (A) x (C)</b>
		<b>Austrian Sch</b>	<b>Austrian Sch</b>	<b>Austrian Sch</b>
1/1/1958 to 31/12/1958	6.00%	3,900	1,644	99
1/1/1959 to 31/12/1959	6.00%	3,900	1,673	101
1/1/1960 to 31/12/1960	6.00%	3,900	1,772	107
1/1/1961 to 31/12/1961	6.00%	5,200	1,839	111
1/1/1962 to 31/12/1962	6.00%	5,200	2,154	130
1/1/1963 to 30/6/1963	6.00%	5,200	2,295	138
1/7/1963 to 31/12/1963	7.00%	5,200	2,295	161
1/1/1964 to 31/12/1964	7.50%	5,200	2,507	189
1/1/1965 to 30/4/1965	7.50%	6,300	3,063	230
1/5/1965 to 31/12/1965	8.00%	6,300	3,063	246
1/1/1966 to 31/12/1966	8.00%	6,825	3,294	264
1/1/1967 to 31/12/1967	8.25%	7,350	3,548	293
1/1/1968 to 30/6/1968	8.25%	7,875	3,712	307
1/7/1968 to 31/12/1968	8.50%	7,875	3,712	316
1/1/1969 to 31/12/1969	8.50%	8,400	4,147	353
1/1/1970 to 30/6/1970	8.50%	8,925	4,498	383
1/7/1970 to 31/12/1970	8.75%	8,925	4,498	394
1/1/1971 to 31/12/1971	8.75%	9,450	5,026	440
1/1/1972 to 31/12/1972	8.75%	10,150	5,588	489
1/1/1973 to 31/12/1973	8.75%	11,025	6,236	546
1/1/1974 to 30/6/1974	8.75%	12,250	7,192	630
1/7/1974 to 31/12/1974	9.00%	12,250	7,192	648
1/1/1975 to 31/12/1975	9.00%	13,650	7,998	720
1/1/1976 to 31/12/1976	9.50%	15,400	8,671	824
1/1/1977 to 31/12/1977	9.50%	17,500	9,275	882
1/1/1978 to 31/12/1978	10.50%	19,600	9,840	1,034
1/1/1979 to 31/12/1979	10.50%	21,700	10,421	1,095
1/1/1980 to 31/12/1980	11.00%	22,750	11,178	1,230
1/1/1981 to 31/12/1981	11.00%	23,800	11,984	1,319
1/1/1982 to 31/12/1982	11.00%	25,200	12,669	1,394
1/1/1983 to 31/12/1983	11.00%	26,600	12,966	1,427
1/1/1984 to 31/12/1984	12.00%	28,000	13,635	1,637
1/1/1985 to 31/12/1985	13.00%	28,700	14,462	1,881

---

1/1/1986 to 31/12/1986	13.00%	30,100	15,234	1,981
1/1/1987 to 31/12/1987	12.50%	30,800	15,991	1,999
1/1/1988 to 31/12/1988	12.50%	32,200	16,372	2,047
1/1/1989 to 31/12/1989	12.50%	32,900	16,995	2,125
1/1/1990 to 31/12/1990	12.50%	33,600	17,886	2,236
1/1/1991 to 31/12/1991	12.50%	35,000	19,044	2,381
1/1/1992 to 31/12/1992	12.50%	37,100	20,133	2,517
1/1/1993 to 31/12/1993	12.50%	39,200	21,118	2,640
1/1/1994 to 31/12/1994	12.50%	42,000	21,843	2,731
1/1/1995 to 31/12/1995	12.50%	44,100	22,670	2,834
1/1/1996 to 31/3/1996	12.50%	45,500	23,260	2,908
1/4/1996 to 31/12/1996	13.50%	45,500	23,260	3,141
1/1/1997 to 31/12/1997	14.50%	47,600	TBA	TBA
1/1/1998 to 31/12/1998	14.50%	49,000	TBA	TBA
1/1/1999 to 31/12/1999	14.50%	49,700	TBA	TBA
1/1/2000 to 31/12/2000	14.50%	TBA	TBA	TBA

**TR 2002/D1****Table 4 – 1958 to 2000****GSVG (self-employed persons)****Voluntary Contributions**

<b>Period</b>	<b>Contribution Rate</b>	<b>Maximum Monthly Threshold</b>	<b>Average Monthly Earnings</b>	<b>Average Monthly Contribution</b>
<b>(Column)</b>	<b>(A)</b>	<b>(B)</b>	<b>(C)</b>	<b>(D)= (A) x (C)</b>
		<b>Austrian Sch</b>	<b>Austrian Sch</b>	<b>Austrian Sch</b>
1/1/1958 to 31/12/1958	12.00%	4,550	1,644	198
1/1/1959 to 31/12/1959	12.00%	4,550	1,673	201
1/1/1960 to 31/12/1960	12.00%	4,550	1,772	213
1/1/1961 to 31/12/1961	12.00%	6,067	1,839	221
1/1/1962 to 31/12/1962	12.00%	6,067	2,154	259
1/1/1963 to 30/6/1963	12.00%	6,067	2,295	276
1/7/1963 to 31/12/1963	14.00%	6,067	2,295	322
1/1/1964 to 31/12/1964	15.00%	6,067	2,507	377
1/1/1965 to 30/4/1965	15.00%	7,350	3,063	460
1/5/1965 to 31/12/1965	16.00%	7,350	3,063	491
1/1/1966 to 31/12/1966	16.00%	7,963	3,294	528
1/1/1967 to 31/12/1967	16.50%	8,575	3,548	586
1/1/1968 to 30/6/1968	16.50%	9,188	3,712	613
1/7/1968 to 31/12/1968	17.00%	9,188	3,712	632
1/1/1969 to 31/12/1969	17.00%	9,800	4,147	705
1/1/1970 to 30/6/1970	17.00%	10,413	4,498	765
1/7/1970 to 31/12/1970	17.50%	10,413	4,498	788
1/1/1971 to 31/12/1971	17.50%	11,025	5,026	880
1/1/1972 to 31/12/1972	17.50%	11,842	5,588	978
1/1/1973 to 31/12/1973	17.50%	12,863	6,236	1,092
1/1/1974 to 30/6/1974	17.50%	14,292	7,192	1,259
1/7/1974 to 31/12/1974	18.00%	14,292	7,192	1,295
1/1/1975 to 31/12/1975	18.00%	15,925	7,998	1,440
1/1/1976 to 31/12/1976	19.00%	17,967	8,671	1,648
1/1/1977 to 31/12/1977	19.00%	20,417	9,275	1,763
1/1/1978 to 31/12/1978	21.00%	22,867	9,840	2,067
1/1/1979 to 31/12/1979	21.00%	25,317	10,421	2,189
1/1/1980 to 31/12/1980	22.00%	26,542	11,178	2,460
1/1/1981 to 31/12/1981	22.00%	27,767	11,984	2,637
1/1/1982 to 31/12/1982	22.00%	29,400	12,669	2,788
1/1/1983 to 31/12/1983	22.00%	31,034	12,966	2,853
1/1/1984 to 31/12/1984	24.00%	32,667	13,635	3,273
1/1/1985 to 31/12/1985	24.00%	33,484	14,462	3,471

**TR 2002/D1**FOI status: **draft only - for comment**

Page 19 of 28

---

1/1/1986 to 31/12/1986	24.00%	35,117	15,234	3,657
1/1/1987 to 31/12/1987	24.00%	35,934	15,991	3,838
1/1/1988 to 31/12/1988	24.00%	37,567	16,372	3,930
1/1/1989 to 31/12/1989	24.00%	38,384	16,995	4,079
1/1/1990 to 31/12/1990	24.00%	39,200	17,886	4,293
1/1/1991 to 31/12/1991	24.00%	40,834	19,044	4,571
1/1/1992 to 31/12/1992	22.80%	43,284	20,133	4,591
1/1/1993 to 31/12/1993	22.80%	45,734	21,118	4,815
1/1/1994 to 31/12/1994	22.80%	49,000	21,843	4,981
1/1/1995 to 31/12/1995	22.80%	51,450	22,670	5,169
1/1/1996 to 31/12/1996	22.80%	53,084	23,260	5,304
1/1/1997 to 31/12/1997	22.80%	55,534	TBA	TBA
1/1/1998 to 31/12/1998	22.80%	57,167	TBA	TBA
1/1/1999 to 31/12/1999	22.80%	57,984	TBA	TBA
1/1/2000 to 31/12/2000	22.80%	TBA	TBA	TBA

**TR 2002/D1****Table 5 – 1978 to 2001****BSVG (farmers)****Compulsory Contributions**

<b>Period</b>	<b>Contribution Rate</b>	<b>Maximum Monthly Threshold</b>	<b>Average Monthly Earnings</b>	<b>Average Monthly Contribution</b>
<b>(Column)</b>	<b>(A)</b>	<b>(B)</b>	<b>(C)</b>	<b>(D)= (A) x (C)</b>
		<b>Austrian Sch</b>	<b>Austrian Sch</b>	<b>Austrian Sch</b>
1/1/1978 to 31/12/1978	10.00%	19,600	9,840	984
1/1/1979 to 31/12/1979	10.25%	21,700	10,421	1,069
1/1/1980 to 31/12/1980	10.75%	22,750	11,178	1,202
1/1/1981 to 31/12/1981	10.75%	23,800	11,984	1,289
1/1/1982 to 31/12/1982	10.75%	25,200	12,669	1,362
1/1/1983 to 31/12/1983	11.00%	26,600	12,966	1,427
1/1/1984 to 31/12/1984	12.00%	28,000	13,635	1,637
1/1/1985 to 31/12/1985	12.50%	28,700	14,462	1,808
1/1/1986 to 31/12/1986	12.50%	30,100	15,234	1,905
1/1/1987 to 31/12/1987	12.50%	30,800	15,991	1,999
1/1/1988 to 31/12/1988	12.50%	32,200	16,372	2,047
1/1/1989 to 31/12/1989	12.50%	32,900	16,995	2,125
1/1/1990 to 31/12/1990	12.50%	33,600	17,886	2,236
1/1/1991 to 31/12/1991	12.50%	35,000	19,044	2,381
1/1/1992 to 31/12/1992	12.50%	37,100	20,133	2,517
1/1/1993 to 31/12/1993	12.50%	39,200	21,118	2,640
1/1/1994 to 31/12/1994	12.50%	42,000	21,843	2,731
1/1/1995 to 31/12/1995	12.50%	44,100	22,670	2,834
1/1/1996 to 31/3/1996	12.50%	45,500	23,260	2,908
1/4/1996 to 31/12/1996	13.50%	45,500	23,260	3,141
1/1/1997 to 31/12/1997	13.50%	47,600	TBA	TBA
1/1/1998 to 31/12/1998	14.00%	49,000	TBA	TBA
1/1/1999 to 31/12/1999	14.00%	49,700	TBA	TBA
1/1/2000 to 31/12/2000	14.00%	TBA	TBA	TBA
1/1/2001 to 31/12/2001	14.50%	TBA	TBA	TBA

**Table 6 – 1978 to 2001****BSVG (farmers)****Voluntary Contributions**

<b>Period</b>	<b>Contribution Rate</b>	<b>Maximum Monthly Threshold</b>	<b>Average Monthly Earnings</b>	<b>Average Monthly Contribution</b>
	<b>(A)</b>	<b>(B)</b>	<b>(C)</b>	<b>(D)= (A) x (C)</b>
<b>(Column)</b>		<b>Austrian Sch</b>	<b>Austrian Sch</b>	<b>Austrian Sch</b>
1/1/1978 to 31/12/1978	20.00%	22,867	9,840	1,968
1/1/1979 to 31/12/1979	20.50%	25,317	10,421	2,137
1/1/1980 to 31/12/1980	21.50%	26,542	11,178	2,404
1/1/1981 to 31/12/1981	21.50%	27,767	11,984	2,577
1/1/1982 to 31/12/1982	21.50%	29,400	12,669	2,724
1/1/1983 to 31/12/1983	22.00%	31,034	12,966	2,853
1/1/1984 to 31/12/1984	24.00%	32,667	13,635	3,273
1/1/1985 to 31/12/1985	24.00%	33,484	14,462	3,471
1/1/1986 to 31/12/1986	24.00%	35,117	15,234	3,657
1/1/1987 to 31/12/1987	24.00%	35,934	15,991	3,838
1/1/1988 to 31/12/1988	24.00%	37,567	16,372	3,930
1/1/1989 to 31/12/1989	24.00%	38,384	16,995	4,079
1/1/1990 to 31/12/1990	24.00%	39,200	17,886	4,293
1/1/1991 to 31/12/1991	24.00%	40,834	19,044	4,571
1/1/1992 to 31/12/1992	22.80%	43,284	20,133	4,591
1/1/1993 to 31/12/1993	22.80%	45,734	21,118	4,815
1/1/1994 to 31/12/1994	22.80%	49,000	21,843	4,981
1/1/1995 to 31/12/1995	22.80%	51,450	22,670	5,169
1/1/1996 to 31/12/1996	22.80%	53,084	23,260	5,304
1/1/1997 to 31/12/1997	22.80%	55,534	TBA	TBA
1/1/1998 to 31/12/1998	22.80%	57,167	TBA	TBA
1/1/1999 to 31/12/1999	22.80%	57,984	TBA	TBA
1/1/2000 to 31/12/2000	22.80%	TBA	TBA	TBA
1/1/2001 to 31/12/2001	22.80%	TBA	TBA	TBA

**TR 2002/D1****Table 7 - Contributions prior to 1953****All Contributions**

Period	Contribution Rate	Maximum Monthly Threshold	Estimated Average Monthly Earnings	Estimated Average Monthly Contribution
(Column)	(A)	(B)	(C)	(D) = (A) x (C)
		Austrian Sch	Austrian Sch	Austrian Sch
1/1/1939 to 30/6/1942	5.00%	300	98	5
July 1942 to Dec 1942	5.00%	300	98	5
1943	5.00%	300	195	10
1944	5.00%	300	195	10
1945	5.00%	300	195	10
1946	5.00%	300	195	10
1947	5.00%	575	374	19
1948	5.00%	758	493	25
1949	5.00%	938	609	31
1950	5.00%	1,163	756	38
1951	5.00%	1,625	1,057	53
1952	5.00%	1,800	1,170	59

**Example**

42. The following example illustrates the method used for calculating the UPP and deductible amount of an age pension received under the Austrian social insurance scheme.

43. Claudia retires on 1 August 1993, aged 65, and begins receiving an Austrian age pension on that date. At the time the pension commences, Claudia's spouse is aged 68. The Austrian superannuation insurance fund has provided Claudia with a copy of the *Calculation of Assessment Basis* statement which includes the following information.

**Beitragsgrundlagen:**

Jahr	Art	Monate ges./o.B	Monatl. Ges. BG
1956	P	12 12	772
1957	P	12 12	682
1958	P	11 11	667

1959	P	10	10	1,597
1960	P	12	12	2,051
1961	P	12	12	2,315
1962	P	12	12	2,414
1963	P	12	12	2,477
1964	P	12	12	2,801
1965	P	12	12	3,228
1966	P	12	12	3,162
1975	P	10	10	3,694
1976	P	12	12	4,369
1977	P	12	12	4,905
1978	P	12	12	5,960
1979	P	12	12	6,466
1980	P	12	12	6,820
1981	P	12	12	7,045
1982	P	12	12	7,537
1983	P	12	12	8,647
1984	P	12	12	8,485
1985	P	12	12	12,367
1986	P	12	12	10,079
1987	P	12	12	9,947
1988	P	12	12	10,872
1989	P	12	12	12,595
1990	P	12	12	11,968
1991	P	09	09	13,238

**Zeitenaufgliederung:**

von	bis	Monate	Art der Versicherungszeit	Tech.Bez
08.53	11.58	64	Pflichtversicherung als Arbeiter	AP 10/2
12.58	12.58	1	Ersatzzeit für Wochengeldbezug	AE 34/2
01.59	01.59	1	Ersatzzeit für Wochengeldbezug	AE 34/2
02.59	02.59	1	Ersatzzeit, Zeiten der Kindererziehung	AE E3/2
03.59	12.62	46	Pflichtversicherung als Arbeiter	AP 10/2
01.63	12.66	48	Pflichtversicherung als Arbeiter	AP 10/2
01.67	02.67	2	Ersatzzeit für Wochengeldbezug	AE 34/2
03.67	03.67	1	Ersatzzeit für Wochengeldbezug	AE 34/2
04.67	02.71	47	Ersatzzeit, Zeiten der Kindererziehung	AE E3/2
03.71	02.75		Keine Versicherung	
03.75	03.75	1	Pflichtversicherung als Arbeiter	AP 10/2
04.75	09.91	198	Pflichtversicherung als Arbeiter	AP 10/2
10.91	07.93	22	Ersatzzeit für Arbeitslosengeldbezug	AE 38/2

**Anzahl der nachgewiesenen Versicherungsmonate:**

	Wartezeit	Leistung	
ASVG:	357	357	Monate der Pflichtversicherung
	075	075	Monate einer Ersatzzeit
gesamt:	432	432	Versicherungsmonate

44. Claudia's UPP is calculated as follows:

- (i) *Contributions where actual monthly salary is known:*  
Using the average actual salary figures listed in the **Beitragsgrundlagen** section, Claudia is entitled to multiply the average actual salary per month by the contribution rate which applied for that month to calculate the average actual monthly contributions. As the statement shows that Claudia's contributions were compulsory contributions under the ASVG, the rates set out in Column A of Table 1 are the relevant rates. As Claudia's average monthly salaries were all below the maximum monthly threshold for each period, it is not necessary to use the maximum monthly threshold figures in the calculation. Using Table 1, Claudia's total average actual contributions are Sch185,979.

**Average actual contributions**

<b>Period</b>	<b>Contribution Rate</b>	<b>Average Monthly Earnings</b>	<b>No. of Months in Period</b>	<b>Total Monthly Contributions</b>
<b>(Column)</b>	<b>(A)</b>	<b>(B)</b>	<b>(C)</b>	<b>(D)= (A) x (B) x (C)</b>
		<b>Austrian Sch</b>		<b>Austrian Sch</b>
1/1/1956 to 31/12/1956	6.00%	772	12	556
1/1/1957 to 31/12/1957	6.00%	682	12	492
1/1/1958 to 30/11/1958	6.00%	667	11	441
1/3/1959 to 31/12/1959	6.00%	1,597	10	959
1/1/1960 to 31/12/1960	6.00%	2,051	12	1,477
1/1/1961 to 31/12/1961	6.50%	2,315	12	1,806
1/1/1962 to 31/12/1962	7.00%	2,414	12	2,028
1/1/1963 to 30/4/1963	7.00%	2,477	4	694
1/5/1963 to 31/12/1963	7.25%	2,477	8	1,437
1/1/1964 to 31/12/1964	7.50%	2,801	12	2,521
1/1/1965 to 30/4/1965	7.50%	3,228	4	969
1/5/1965 to 31/12/1965	8.00%	3,228	8	2,066
1/1/1966 to 31/12/1966	8.00%	3,162	12	3,036
1/3/1975 to 31/12/1975	8.75%	3,694	10	3,233
1/1/1976 to 31/12/1976	8.75%	4,369	12	4,588
1/1/1977 to 31/12/1977	8.75%	4,905	12	5,151
1/1/1978 to 31/12/1978	9.25%	5,960	12	6,616
1/1/1979 to 31/12/1979	9.25%	6,466	12	7,178
1/1/1980 to 31/12/1980	9.75%	6,820	12	7,980
1/1/1981 to 31/12/1981	9.75%	7,045	12	8,243
1/1/1982 to 31/12/1982	9.75%	7,537	12	8,819
1/1/1983 to 31/12/1983	9.75%	8,647	12	10,117
1/1/1984 to 31/12/1984	9.75%	8,485	12	9,928
1/1/1985 to 31/12/1985	10.25%	12,367	12	15,212
1/1/1986 to 31/12/1986	10.25%	10,079	12	12,398
1/1/1987 to 31/12/1987	10.25%	9,947	12	12,235
1/1/1988 to 31/12/1988	10.25%	10,872	12	13,373
1/1/1989 to 31/12/1989	10.25%	12,595	12	15,492
1/1/1990 to 31/12/1990	10.25%	11,968	12	14,721
1/1/1991 to 30/9/1991	10.25%	13,238	9	<u>12,213</u>
<b>Total:</b>				<u>185,979</u>

- (ii) *Contributions where actual monthly salary is not known:* Using the contribution periods listed in the *Zeitenaufgliederung* section, Claudia is entitled to

**TR 2002/D1**

claim the average monthly contribution figures listed in Column D of Table 1. However, Claudia can only claim for those periods for which contributions were actually made (and not merely credited) and for which actual average monthly salary figures are not known. Using Table 1, Claudia's total average monthly contributions are Sch2,016.

**Average estimated monthly contributions**

<b>Period</b>	<b>Average Monthly Contributions</b>	<b>No. of Months in Period</b>	<b>Total Monthly Contributions</b>
<b>(Column)</b>	<b>(A)</b>	<b>(B)</b>	<b>(C)=(A) x (B)</b>
<b>Austrian Sch</b>			<b>Austrian Sch</b>
1/8/1953 to 31/12/1953	58	5	290
1/1/1954 to 31/12/1954	67	12	804
1/1/1955 to 31/7/1955	71	7	497
1/8/1955 to 31/12/1955	85	5	<u>425</u>
<b>Total:</b>			<u>2,016</u>

45. Therefore, Claudia's total UPP is Sch187,995 (i.e., Sch185,979 plus Sch2,016). The deductible amount for section 27H purposes is her total UPP *divided by* the greater of her or her spouse's life expectancy. According to the 1985 to 1987 Australian Life Tables<sup>1</sup>, Claudia's life expectancy at the time the pension commences is 18.56 years and her spouse's life expectancy is 12.66 years. Therefore, the deductible amount which Claudia can off-set against her pension each year is Sch187,995 *divided by* 18.56, i.e., Sch10,129.

**Detailed contents list**

46. Below is a detailed contents list for this Ruling:

	<b>Paragraph</b>
<b>What this Ruling is about</b>	<b>1</b>
Class of person/arrangement	4

<sup>1</sup> These were the Australian Life Tables most recently published before the year in which Claudia's pension commenced to be payable (Income Tax Regulations 1936 regulation 9).

<b>Ruling</b>	<b>6</b>
(a) Deductible amount determined by the Commissioner	6
(b) The exact method for calculating deductible amount	8
(c) Currency translation	12
<b>Date of effect</b>	<b>16</b>
<b>Explanations</b>	<b>17</b>
(a) Deductible amount determined by the Commissioner	19
<i>(A) Contributions in 1953 and later years</i>	22
<i>(i) Contributions where actual monthly salary is known</i>	22
<i>(ii) Contributions where actual monthly salary is not known</i>	26
<i>(B) Contributions before 1953</i>	31
(b) The exact method for calculating deductible amount	34
<b>Glossary</b>	<b>40</b>
<b>Tables</b>	<b>41</b>
Table 1 - 1953 to 2000 ASVG (Compulsory Contributions)	Page 12
Table 2 - 1953 to 2000 ASVG (Voluntary Contributions)	Page 14
Table 3 - 1958 to 2000 GSVG (Compulsory Contributions)	Page 16
Table 4 - 1958 to 2000 GSVG (Voluntary Contributions)	Page 18
Table 5 - 1978 to 2001 BSVG (Compulsory Contributions)	Page 20
Table 6 - 1978 to 2001 BSVG (Voluntary Contributions)	Page 21
Table 7 - All contributions prior to 1953	Page 22
<b>Example</b>	<b>42</b>
<b>Detailed contents list</b>	<b>46</b>
<b>Your comments</b>	<b>47</b>

---

## Your comments

47. If you wish to comment on this Draft Taxation Ruling, please send your comments by 8 March 2002 to:

**Contact Officer:** Craig Woods

**Email:** [craig.woods@ato.gov.au](mailto:craig.woods@ato.gov.au)

# TR 2002/D1

**Telephone:** (02) 9374 8386  
**Facsimile:** (02) 9374 8200  
**Address:** Australian Taxation Office  
Centrepoint, 100 Market Street  
SYDNEY NSW 2001

---

## Commissioner of Taxation

23 January 2002

---

*Previous draft:*

Not previously released in draft form

*Related Rulings/Determinations:*

IT 2498; TR 92/20

*Subject references:*

- Australia-Austria Double Tax Agreement
- Austrian age pensions
- Austrian disability pensions
- Austrian invalid pensions
- Austrian orphan's pensions
- Austrian pensions
- Austrian premature age pensions
- Austrian social insurance scheme
- Austrian social security pensions
- Austrian superannuation insurance pensions

- Austrian widowed person's pensions
- currency translation
- deductible amount
- pensions - undeducted purchase price
- undeducted purchase price

*Legislative references:*

- ITAA 1936 20
- ITAA 1936 26AA
- ITAA 1936 27A(1)
- ITAA 1936 27A(5C)
- ITAA 1936 27H
- ITAA 1936 27H(2)
- ITAA 1936 27H(3)
- ITAA 1953 Schedule 27, Article 18

---

ATO references:

NO: 98/7423-2

ISSN: 1039-0731