Promoting and Protecting the Economic Outcomes of Older Partnered Women and Widows: Challenges for Australia's Retirement Income System

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Abstract

Historically, retirement income policy has responded to women's relatively limited ability to secure an independent retirement income through either a state age pension or a surviving spouse benefit, payable to widows upon death of their partner. The shift towards accumulation superannuation schemes in countries such as Australia has made surviving spouse pensions less relevant and left many women financially dependent on their partner in retirement. The economic risks faced by many women within retired couple households as a result of this shift have been neglected by policy makers, at least in part because of the pervasive assumption that intra-household resource allocations are beyond the purview of government. This paper aims to address the resulting policy gap by examining two broad approaches to protect economic outcomes for partnered older women in Australia's superannuation-based retirement income system. One approach features measures aimed at enhancing women's capacity to influence decision-making on household superannuation wealth; and the other focuses on regulatory settings that can influence who owns superannuation wealth within the household. We conclude

by identifying specific opportunities to address imbalances in the entitlements of older Australian women to the superannuation assets held in their households.

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1 Introduction

Historically, male breadwinner social contracts broadly recognised and responded to the economic risks experienced by many older partnered women and widows. When the Australian Commonwealth Superannuation Bill was introduced in 1922, for example, the then Attorney General expressed that the object of the scheme was, in part, to ensure that those who "have given a life-long service to the State…[be left, in retirement or if they become permanently incapacitated]… altogether without means of support, neither will their widows, or dependants, should death overtake the breadwinners, be penniless." [1] Australian women whose partners were members of this and similar schemes (a relatively privileged group) were able to access a reversionary spouse pension when their partner died. A broader group of women had entitlements to a state-funded age pension, and were able to access this at an earlier age than men.

Beyond such measures, the economic risk faced by many women within retired couple households has never been a clear area of policy concern. Rather, intra-household resource allocation has been typically treated as a private matter and beyond the purview of government. The household has commonly been assumed either to be a 'glued-together' unit where the interests of all its members are as one, or as a place where any differences in interests are harmoniously resolved and unaffected by who owns what. The approach has resulted in economic risks for older women because, due to their disproportionate responsibility for unpaid care and domestic work and their disadvantaged labour market position, many have relatively few economic resources. As a result, many older women are left vulnerable to decisions about superannuation and other financial assets that are made by their partner over his life course, and there are households where the 'happy household'

1 *Commonwealth Parliamentary Debates* on 19 September 1922: pp. 2364 quoted by Sharp, Rhonda and Broomhill, Ray, 1988, *Short-changed: Women and Economic Policies*. Sydney: Allen & Unwin: pp. 144.

assumptions do not hold true.[2] The risks for older partnered women have become more pronounced with the shift towards greater private provision for retirement and the highly individualised model of superannuation under the Superannuation Guarantee Charge (SGC) scheme.

This paper aims to help redress the gaps in our understanding of the risks created for older partnered women by the policy blind spot on intra-household resource allocation. It pursues this aim by examining two broad approaches that might be taken to protecting economic outcomes for partnered older women in a superannuation-based retirement income system: measures to enhance individuals' capacity to influence decision-making on household superannuation wealth (without affecting the ownership of these assets); measures that target who owns superannuation wealth within the household. We begin by reviewing the measures that have been used to protect outcomes of older partnered women and widows in a variety of industrial country contexts. This provides an international context for the discussion of the current Australian situation and helps to identify alternatives to the current approach. Subsequently, we identify some specific elements of the current Australian model of superannuation that are relevant to the outcomes for older partnered women and widows. These include provisions relating to income streams, insurance benefits and death beneficiary nominations. We also explore the broader issue of intra-household inequality and the elements within the current superannuation model that have some capacity to equalize the superannuation balances of partners within Australian households. In the final sections of the paper we make some specific recommendations to address imbalances in the entitlements of women to the superannuation assets held in older Australian couple households.

2 International approaches to promoting and protecting economic outcomes for older women and widows

The objective of protecting the economic outcomes of older women is shared within many retirement income systems, however, a variety of approaches to this task are apparent across different social welfare regimes. A comparatively common way of responding to women's relatively limited ability to secure an independent retirement income is a surviving spouse pension.[3] These pensions are especially common in familial social welfare regimes, such as Spain's, where the family is positioned as the primary source of support for individuals; where households are assumed to pool and share their finances; and where this sharing is perceived to be the best way of promoting the strength of the family unit both emotionally and economically.[4] Surviving spouse pensions provide support for older women as widows (that is, for women who remain married until their partner dies), but they do nothing directly to address the entitlements of currently partnered older women

2 For evidence of non-pooling and the importance of women earning their own income for control over household income in Australia see pioneering work of Edwards, Meredith, 1981, *Financial Arrangements Within Families*, National Women's Advisory Council. For evidence of inequality in wealth ownership see Joseph, Ricky and Rowlingson, Karen, 'Her House, His Pension? The Division of Assets Among (Ex-) Couples and the Role of Policy' (2012) 11(1) *Social Policy and Society* 69-80.

3 Chiara Saraceno and Wolfgang Keck, 'Towards an Integrated Approach for the Analysis of Gender Equity in Policies Supporting Paid Work and Care Responsibilities' (2011) 25(11) *Demographic Research* 371-407; OECD, *OECD Pensions Outlook 2018*, OECD Pensions Outlook, Paris: OECD Publishing 2018.

4 Charlott Nyman, Lasse Reinikainen and Janet Stocks, 'Reflections on a Cross-National Qualitative Study of Within-Household Finances' (2013) 75(3) *Journal of Marriage and Family* 640 – 650.

to a retirement income of their own.[5] The pensions thus can be viewed as an offshoot of a general policy approach that assume a male breadwinner household form which also features mechanisms to help entrench this particular household form.

A contrasting approach to promoting and protecting the economic outcomes of older women has been adopted by Sweden. In this social democratic policy regime, a relatively high value is placed on women's financial autonomy. Money from the state is commonly perceived by individuals as a right; and the receipt of money from the state is preferred by many women to receiving money from a partner.[6] Surviving spouse pensions have been opposed by women in Sweden because they reduce the incentive for women to build their own entitlements to retirement income, and due to the perception that such provisions can increase the vulnerability of women within the household.[7] A universal basic pension and measures to promote women's access to their own retirement income through participation in paid work are thus favoured policy options for promoting and protecting economic outcomes for older women in this country context.

Canada provides yet another alternative. Following the liberal welfare tradition, individuals and households are assumed to be largely able to rely on private resources and market mechanisms for provisioning their needs, but the state has a role in providing a basic "safety net" level of welfare. This approach tends to generally ignore intra-household issues and to promote gender equality in retirement income via policies that improve women's participation in paid work. However, at various times, measures that redistribute resources within households and reduce the economic risks faced by dependent partners have been contemplated. For example, the 1980 Federal Task Force on Retirement Income Policy recommended that a family focus should be retained in their system unless and until married women's labour market earnings were similar to those of married men. This communicated an understanding that the retirement incomes system needed to acknowledge the gendered division of labour and the way that it affects (unequally) the financial position of marital partners. It also highlighted how survivor benefits can be part of this response because they embed at least some compensation for (some) women's relatively greater role in unpaid work and they acknowledge the interdependencies within couple households in retirement.[8]

The United States *Retirement Equity Act of 1984* (REA) signaled a potentially stronger policy approach to intra-household issues within a liberal welfare state context. The Act stipulated that a spouse must provide written permission before their survivor spouse benefits (included in their partner's pension plan) could be waived. That is, the Act went one important step further than these early Canadian debates by regulating for transparency and control by spouses over at least part of their partner's pension assets. One pension reform proponent described this regulatory change as recognising 'marriage as a true partnership to which both spouses contribute and from which both should reap

5 Camila Arza, 'The Gender Dimensions of Pension Systems: Policies and Constraints for the Protection of Older Women' (Discussion paper: Progress of the World's Women 2015-2016, New York: UN Women, 2015) <https://www.unwomen.org/en/digital-library/publications/2015/7/dps-gender-dimension>. Saraceno and Keck above n 3.

6 Nyman et al above n 4.

7 OECD above n 3.

8 Elizabeth Shilton, 'Gender Risk and Employment Pension Plans in Canada' (2013) 17(1) *Canadian Labour and Employment Law Journal* 101-142, 121. Information on welfare state regimes is available in Walter Korpi and Joakim Palme, 'The Paradox of Redistribution and Strategies of Equality: Welfare State Institutions, Inequality, and Poverty in the Western Countries' (1998) 63(5) *American Sociological Review* 661-687.

the rewards'.[9] Others hailed the legislation as 'explicitly' meaning to 'redistribute resources within the family' for it made clear that both spouses have the right to benefit from their partner's occupational pension.[10] Research on the consequences of the REA suggested that by bringing spouses' voices into decisions over annuities, the policy had some important, yet unanticipated, effects on retirement decision-making in couple households. These included larger holdings of household life insurance and greater income security for widows.[11] This research suggests that efforts to ensure that partners, typically women, have a say in retirement decisions might not only improve retirement prospects for women but also boost household savings. However, as accumulation style accounts have become the more common form of retirement savings over time, the beneficial outcomes have been limited as the REA only applies to defined benefit style pension funds.[12]

Additional cross-national diversity in the approach to promoting and protecting the economic outcomes of older women arises because of the variety of institutional approaches to retirement income. For example, the need for a specific policy response to the circumstances of older women is minimised in New Zealand because its universal flat-rate age pension does not link individuals' entitlements to pension income to their labour market earnings. Furthermore, the need for surviving spouse protections is obviated because individuals' entitlements to retirement income are not transferable to partners or dependants. The point being made here is that retirement income systems which are based around a universal age pension are generally positive for the economic outcomes of older women even if they may not have been designed with gender equality objectives in mind.

In contrast, earnings-based state age pension systems, such as those which are common in continental Europe, tend to generate an intra-household inequality in retirement income that mirrors the unequal distribution of paid and unpaid work roles within the household. They also leave widows in a vulnerable economic position. Thus, additional policy measures are required in these contexts to remedy the adverse impacts of the retirement income system on gender equality. As noted above, survivor pensions or benefits become a relevant policy consideration in these contexts but the pensions are of value primarily to women with high income partners, and only if they remain married. State pensions are needed for low income widows and further measures are required to tackle the intra-household distribution of retirement wealth and income.[13 14]

Australia's model of retirement income has some similarities but also key differences from the above systems. We have tended to generally follow in the liberal welfare tradition

9 Geraldine Ferraro, 'Pension Reform' *New York Times*, 5 May 1985, 14.

10 Saku Aura, 'Essays in the Economics of Retirement Income Security and Household Decision-making' (Thesis Doctor of Philosophy in Economics, Massachusetts Institute of Technology 2001)11.

11 Aura above n 10.

12 US Government Accountability Office, 'Retirement Security Trends in Marriage and Work Patterns May Increase Economic Vulnerability for Some Retirees' (GAO-14-33) *Report to the Chairman of the Special Committee on Aging*, Washington: US Senate, 2014 < https://www.gao.gov/products/GAO-14-33>.

13 OECD above n 3; Arza above n 5.

14 On average, across OECD countries, survivor benefits replace 50 percent of the spouse's pension. Benefits provided to widows are means-tested to take account of individual pension and individual labour income in most OECD countries with the exception of Chile, Lithuania, Portugal, Mexico, Spain and Israel (for women). These protections are typically extended to widowers, however, on average across the 25 OECD countries, women represent more than 85 per cent of recipients of these benefits. OECD above n 3.

and since the 1907 Harvester Case[15] introduced the concept of the minimum wage, employment has been instrumental in delivering welfare. The Australian retirement income system has three pillars: an earnings-based system of private superannuation, a basic pension and private savings, including voluntary superannuation above the mandated superannuation guarantee rate.[16] [17] However, Australian superannuation accounts are now primarily of the defined contribution kind and thus managed at the level of the individual rather than the collective (as is the case with defined benefit superannuation), with little to no redistribution among members of the scheme. The Australian Age Pension is also distinguished by being targeted rather than universal. Of particular importance is the means testing of entitlements to the Australian Age Pension on *household* income and assets, as this causes an individual's pension entitlements to fall in couple household situations when their partner's income increases. As a result, individuals with a partner with high income or assets (e.g. from their superannuation account) have no or only limited access to the independent income that the Age Pension provides. Against this, the single Age Pension does provide economic support for low income/asset widows, widowers and divorcees. Furthermore, by splitting pension entitlements between marital or co-habiting partners, the couple Age Pension also has at least some aspects that promote intra-household equality in retirement income.

With the exception of defined benefit pensions, which are increasingly uncommon,[18] surviving spouse pensions are not a default feature of the Australian superannuation system, although as discussed in the next section, a reversionary pension can be established that has some similarities to a survivor pension. This absence might be explained by the fact that under a defined contribution system, superannuation account balances may be distributed to a death benefit dependant on the death of the member of the fund[19] and this arguably makes survivor pensions unnecessary. [20] However, a range of risks remain for widows, and for individuals who are financially dependent on a partner's retirement income. In a defined contribution system, all decisions relating to superannuation accounts lie solely with the member of the fund[21] and, as a result, outcomes of individuals who rely on their partner's retirement income (either whilst they are alive or after their death) are vulnerable to that person's decision-making priorities and processes.

To date, there has been a marked absence of policy attention in Australia to the economic risks faced by older partnered women and widows, despite broad acknowledgement of the gender inequity associated with superannuation. The 2016 Senate Committee Report "A

15 Harvester Case: *Ex-parte H.V. McKay* (1907) 2 CAR 1, Higgins J, President, 8 November 1907; Francis G Castles, 'The Institutional Design of the Australian Welfare State' (1997) 50(2) *International Social Security Review* 25-42.

16 See, for example, The Australian Government the Treasury, 2019, *Retirement Income Review: Consultation Paper*; Canberra: Commonwealth of Australia <https://treasury.gov.au/consultation/c2019-36292>.

17 Note that this paper does not discuss private savings outside the superannuation system.

18 At 30 June 2019 APRA reported 895,000 defined benefit accounts with an average account balance of $364,226 compared to 25,187,000 defined contribution (accumulation) interests with an average balance of $63,404. A further 278,000 accounts incorporated both defined benefit and defined contribution interests with an average balance of $343,211. See APRA, 2020, *Annual Superannuation Bulletin June 2019*, Sydney: APRA. <https://www.apra.gov.au/annual-superannuation-bulletin>.

19 A person who holds an account in a superannuation fund is a member of the fund, although they may be regarded as an account holder in an economic sense.

20 OECD above n 3.

21 Subject to the terms of the trust deed and the regulatory framework.

Husband is Not a Retirement Plan"[22] is a case in point as it highlighted gender inequality in retirement income. However, despite the title of report suggesting an emphasis on the relationships between husbands and wives, there was limited discussion of the intra-household distribution of superannuation, and most of the Committee's recommendations focused only on boosting women's own superannuation balances.[23] Similarly, the 2016-17 Federal Budget contained a number of measures aimed at supporting women's economic outcomes, however, the only measure relevant to the risks faced by women who are economically dependent on a partner was an increase in spouse offset provisions (that encourage taxpayers to make superannuation contributions on behalf of a low-income spouse).[24]

The significance of these issues cannot be understated. Older women are the majority of a rapidly growing older population in our community and widows are a high proportion of this population with 3.8 times as many widows as widowers in the 85+ age group.[25] Thus, the unequal distribution of superannuation wealth is affecting an increasing number of women, many of whom find themselves either dependent on the provision resources from *outside* their home, or on their partner, for their care in later life.[26] The lack of gender equality in superannuation is also large, reflecting the highly gendered patterns of labour market earnings.[27] This disadvantage in retirement savings starts early in women's working careers and although the gap is narrowing[28] it persists over time.[29] Other relevant research suggests that women's ability to influence household decisions on savings, investing and borrowing is also negatively affected by their limited roles in paid work (and their greater roles in unpaid care).[30] Of particular concern, limited financial resources are also more likely to make women more vulnerable to economic abuse by their partners. Emerging evidence in Australia suggests that economic abuse is more than double than that of men, peaking in the decades prior to retirement. Among 60-69 year-old women, economic abuse is also prevalent with 16.8 percent of women reporting experiencing at least one item of economic abuse.[31]

22 Economics References Committee, 2016, *A Husband is not a Retirement Plan: Achieving Economic Security for Women in Retirement*, Canberra: Commonwealth of Australia <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Economics/Economic_security_for_women_in_retirement/Report>.

23 Economic Reference Committee above n 22.

24 Commonwealth Government, 2016, Budget 2016 - Superannuation Reform: Extending the Spouse Tax Offset, *Superannuation Fact Sheet 09* (corrected 9/11/2016), Canberra: Commonwealth Government <https://archive.budget.gov.au/2016-17/factsheets/super/SFS-Combined-161209.pdf>.

25 Australian Bureau of Statistics (ABS) *Census of Population and Housing 2016*, Canberra: ABS, 2018.

26 ABS above n 25.

27 Relevant research shows that women's median total gross earnings over the 15 years from 2001 to 2016 was only 49.6 percent of men's. Siobhan Austen and Astghik Mavisakalyan, 'Gender Gaps in Long-Term Earnings and Retirement Wealth: The Effects of Education and Parenthood' (2018) 60(4) *Journal of Industrial Relations* 492-516.

28 Ross Clare'Better Retirement Outcomes: A Snapshot of Account Balances in Australia')Sydney: Association of Superannuation Funds of Australia, 2019) <https://www.superannuation.asn.au/ArticleDocuments/359/1907-Better-Retirement-Outcomes-a-snapshot-of-account-balances-in-Australia.pdf.aspx?Embed=Y>.

29 Jun Feng, Paul Gerrans, Carly Moulang, Noel Whiteside and Maria Strydom, 'Why Women Have Lower Retirement Savings: The Australian Case' (2019) 25(1) *Feminist Economics* 145-73.

30 David Johnston, Sonja Kassenboehmer and Michael Shields, 'Who makes the Financial Decisions? Intra-Household Evidence from Panel Data' (CSIRO-Monash Superannuation Research Cluster Working Paper Series, Melbourne: CSIRO-Monash Superannuation Research Cluster, 2015).

31 Janine McDowan, Jane Maree Maher, Tricia Malowney and Kate Thomas, *Identifying Economic Abuse amongst Women with Disability in Victoria: A Toolkit for Service Providers and People Affected by Family Violence* (Final Report, Melbourne: Monash Gender and Family Violence Prevention Centre, 2019); Jozica Kutin, Roslyn Russell, and Mike Reid, 'Economic Abuse Between Intimate Partners in Australia: Prevalence, Health Status, Disability and Financial Stress' (2017) 41(3) *Australian and New Zealand Journal of Public Health* 269-74.

One possible reason (but not excuse) for the invisibility of the risks faced by older partnered women in Australian policy debates on retirement income is the comparative recentness of the SGC scheme. The scheme is still maturing and it has only been in recent years that relatively large numbers of Australians with significant superannuation account balances have moved into retirement. To date, most commentary on the gender inequalities associated with this superannuation model has thus focused on women's generally lower ability to accumulate superannuation. As more people move into retirement, the issues associated with how people divest their superannuation are now starting to gain more attention.[32] However, little to no attention has thus far been paid to how older women might be vulnerable to decisions about superannuation divestment and insurance *within their household*.

Another possible, and more complex, reason for this policy oversight is the valorising of individuals' economic independence. Many of the policy measures for redressing gender inequality in retirement income that have thus far been advanced in Australia have targeted improvements in women's capacity to accumulate superannuation by increasing their rate of workforce participation, work hours and pay levels. As the superannuation system matures, and with changes in workforce participation patterns, the superannuation gap is decreasing.[33] However, there are still significant structural differences in labour market outcomes for men and women, which are reflected in superannuation balances,[34] and these will persist into the future. Australia has yet to grapple with how to (re)create a retirement income system that mitigates the economic vulnerabilities experienced by a large number of older women as a result of the unpaid care roles performed and labour market disadvantages experienced in earlier life stages.

3 Regulatory provisions within the Australian superannuation system that affect outcomes for older partnered women and widows

To identify ways forward in the policy debate on improving economic outcomes for older women, particular attention needs to be focused on the features of the income streams and insurance settings of defined contribution superannuation accounts, as well as on the key role of the Age Pension. The importance of defined contribution accounts in Australia's superannuation system creates large risks for older women. Without regulation, the economic outcomes of many older women will be highly vulnerable to decisions made by their partners about the superannuation assets that they own. Decisions about income streams and insurance, for example, will have ramifications for dependent partners as well as for the account holder. The default settings around income streams and insurance in the major superannuation funds and the options and advice available to members as they move into retirement are also likely to influence the economic outcomes of many older Australian women. It is important to know the details of these settings – and the options that are available – to guide fruitful policy work.

32 Productivity Commission, 2015, *Superannuation Policy for Post-Retirement*, Canberra: Productivity Commission. <https://www.pc.gov.au/research/completed/superannuation-post-retirement>.

33 Clare above n 28.

34 Austen and Mavisakalyan above n 27.

3.1 Income streams

The current Australian superannuation model features a number of pension types, each with different implications for the entitlements of dependent spouses.[35] Account-based and allocated pensions[36] are the most common form, reflecting the shift towards defined contribution superannuation. Nearly ¾ of pensions paid from superannuation fall into this category with 39 percent of pension accounts being account based pensions, and a further 35 percent described as allocated pensions. The other main pension types, which have largely been grandfathered into the current system, are defined benefit and complying lifetime pensions or annuities. The number of defined benefit accounts is decreasing,[37] with most corporate and public sector funds having now closed their defined benefit division to new members. Lifetime annuities play only a minor role in the Australian system, and comprised only 9 percent of pensions paid in 2017.[38]

When a member of a superannuation fund meets a condition of release for their superannuation assets, such as reaching the preservation age and being retired from paid work,[39] they are free to access their superannuation in the manner of their choosing: through either a lump sum payment or an agreed pension. If the account is a defined benefit account the default is a pension, although this can generally be commuted to a lump sum. However, in respect of a defined contribution fund the member has much more discretion. They can choose to withdraw a lump sum, and they can also decide how much, if anything, they wish to transfer to a pension account, with the requirement that they withdraw a minimum annual pension from that account.[40] The state does, however, seek to influence this decision-making by providing significant tax benefits for superannuation invested in the creation of a pension for the member, exempting the assets set aside for this purpose from taxation, up to a limit of $1.6m.[41]

The type of pension, if any, that the holder of a defined contribution account decides to create will affect outcomes for their surviving spouse. If a non-reversionary life expectancy income stream is established it will generate an income stream for the member over the term of their own remaining life expectancy, whilst a reversionary income stream can take both partners' life expectancies into account and include payments to a dependent spouse (if they are the nominated reversionary beneficiary[42]) on the death of the member.[43] Whilst a decision about whether to create a reversionary pension is most likely to be made by the member at the time of retirement, it can be revisited if the member wants to commute part

35 Note that the superannuation legislation takes a broad definition of who is a spouse, including de-facto and same-sex relationships: s. 995-1(1) *Income Tax Assessment Act 1997* (Cth); s.10(1) *Superannuation Industry Supervision Act 1993* (Cth) (hereafter SISA).

36 Account based pensions were known as allocated pensions prior to 2007.

37 APRA above n 18.

38 APRA above n 18.

39 SISR (*Superannuation Industry (Supervision) Regulations*) Schedule 1.

40 Reg 1.06 (9A) and Schedule 7 SISR.

41 Division 294, *Income Tax Assessment Act 1997* (Cth) (hereafter ITAA97). Further, s. 295-385 ITAA97 provides that the superannuation fund is exempt from tax on income from assets set aside to meet current pension liabilities.

42 Legislation both enables the inclusion of a reversionary clause and stipulates that a reversionary beneficiary must be a dependant of the member. SISR 1.05(2) and 1.06(2) provide that a reversionary beneficiary may be a spouse, a child under 16 or a full-time student under age 25.

43 Income streams paid out of superannuation are currently regulated by the *Superannuation Industry (Supervision) Regulations* (SISR). SISR 1.05 covers income streams paid by insurance companies and registered organisations, which include trade unions, friendly societies and other employee groups registered under the *Fair Work Act*: s.10(1) and SISR 1.06 covers income streams paid out of a superannuation fund. The terms are essentially the same for the purpose of this discussion.

of their income stream to a lump sum;[44] for example, if they want to purchase an asset or to pay for aged care. Thus, there are a number of 'decision points' where the interests of (a future) surviving spouse are likely to be affected.

Current tax policy settings make reversionary pensions a financially attractive option for high net worth households. The $1.6m transfer balance cap, for example, creates a financial incentive for high balance superannuation members to transfer a portion of their superannuation wealth to their partner, to maximise the benefit derived from the tax-free status of amounts in the pension phase. However, the balance cap also creates potential complexities for surviving spouses if a reversionary benefit received on the death of a spouse results in their own account balance exceeding the $1.6m transfer balance cap, necessitating a restructure of their superannuation pension arrangements.[45] The necessary restructure could require the withdrawal of funds from the fund to be reinvested outside the tax sheltered superannuation environment.

Indeed, since the introduction of the transfer balance cap, financial advisors have been recommending against the use of reversionary pensions for the small group of households where both partners have a high superannuation balance. Advisors are now more likely to recommend that the balance of the reversionary pension revert to the superannuation fund or the estate of the deceased member to be dealt with through death nominations and/or the deceased member's will.[46] This is an instance where current retirement income policy actively discourages the use of superannuation pensions as it may result in an overprovision for retirement with the taxpayer carrying the burden through concessional tax rates.

The older and now less common defined benefit pension types have different implications for surviving spouses. Whilst there may be an option to commute part of the income stream to a lump sum, most defined benefit superannuation accounts provide an income stream for life based on the member's salary level, tenure and specified conversion factors.[47] Importantly, most defined benefit schemes incorporate a reversionary pension to a spouse at a proportion of the original pension.[48] A complying lifetime income stream provides, as its name suggests, a guaranteed income stream over a specified term (for life or a specified period of time).[49] Such pensions can only be commuted back to a lump sum in limited circumstances.[50] A complying income stream can provide for a reversionary beneficiary; but on the death of the primary beneficiary, any remaining term can only be transferred to dependants of that beneficiary, including a spouse.[51]

44 The regulations require that an income stream must be able to be converted to a lump sum: 1.07A; 1.07B; 1.07C; 1.07D SISR.

45 Beneficiaries in such situations are allowed 12 months to commute the reversionary pension before the balance is included in the transfer balance cap (see S.294-25 ITAA97; ATO LCR 2016/9).

46 Daniel Marateo and Peter Slegers, 'Transfer Balance Cap: Post-30 June 2017 Issues' (2018) 52(6) *Taxation in Australia* 308-314.

47 Reg 103AA SISR.

48 For example, under the former Commonwealth Superannuation Scheme a spouse is entitled to a pension of 67 percent of the pension that the contributor would have been entitled to, with increased rates payable where there are dependent children (see Part VI *Superannuation Act 1976* (Cth)).

49 A fixed term must be no greater than the difference between the commencement age and 100 (see Reg 1.06 9(a)(b)(ii) SISR).

50 Reg 1.07D in SISR.

51 Reg 1.06(8)(g).

3.2 Insurance

Across the different types of superannuation, legislation currently requires trustees[52] to formulate, review and give effect to an insurance policy, taking account of both the cost of the policy to beneficiaries and the impact of insurance coverage on retirement benefits.[53] The types of insurance that can be offered within a superannuation fund (insurance for death, terminal illness, and permanent and temporary incapacity) are regulated, as is the release of insurance benefits.[54] Supporting this approach, MySuper, which is a default system applied to superannuation fund members who have not selected an alternative superannuation fund, and is frequently the entry point to the superannuation system, incorporates a range of insurance and other products that meet specified statutory requirements.[55]

However, from October 2019 members are able to opt out of insurance in default funds.[56] The Federal Government has passed legislation recommended by the Australian Productivity Commission,[57] requiring that insurance premiums not be deducted from inactive accounts. That is, for accounts that have not had contributions made during the previous 16 months and where the account has a balance of less than $6,000, unless the member has requested the trustee to continue to pay insurance cover,[58] insurance arrangements in superannuation will be changed to an opt-in basis for members below the age of 25.[59]

These measures are likely to add to existing levels of non-insurance within superannuation. Currently 64 percent of MySuper accounts hold default insurance, with 23 percent having opted out of that insurance. In other funds, known as choice funds, where the default provisions do not apply and members opt into insurance, only 16 percent of members are currently covered by a default insurance product, 16 percent have opted for a non-default insurance product through their fund, and 59 percent do not have any insurance cover within their fund.[60]

There are sometimes good reasons for people changing their insurance coverage within their superannuation account. A default insurance policy is unlikely to meet the specific needs of all members. For example, a default disability insurance policy may have conditions that limit a person from claiming if they work less than a prescribed number of hours each week, or if they are excluded by age restrictions.[61] However, the above data on the high opt out rate highlights the susceptibility of insurance coverage within superannuation to decisions made by individual members. This can leave the member and those dependent on their income economically exposed. The risks for surviving spouses and dependants are arguably especially large because, currently, with the exception of Self

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52 The legal form of a superannuation fund is a trust, with the fund held by a trustee: s.19 SISA.
53 Section 52(7) SISA Section 52(7)(b); s.52(7) (c) SISA.
54 Regulation 4.07D *Operating Standard: Permitted Types of Insurance Superannuation Industry (Supervision) Regulations* 1984 (hereafter SISR).
55 Section 68AA SISA.
56 Section 68AA (5) SISA.
57 Productivity Commission, Superannuation: Assessing Efficiency and Competitiveness (Report no.91, Canberra, 2018) <https://www.pc.gov.au/inquiries/completed/superannuation/assessment/report> (10 Jan 2019).
58 Section 68AAA SISA.
59 *Treasury Laws Amendment (Putting Members' Interests First) Act 2019.*
60 Productivity Commission above n 57, Figure 8.4.
61 Productivity Commission, above n 57, 393.

Managed Superannuation Funds (SMSFs),[62] there are no legislative provisions to ensure that their interests will be represented in decisions made about insurance by the member, or that they will have knowledge of the insurance coverage. This is a significant oversight.

3.3 Binding Death Nominations

An additional important role for superannuation trustees under the current legislative framework is to pursue insurance claims on behalf of a beneficiary where the claim has a reasonable chance of success. Any amount received must then be paid out by the trustee of the superannuation fund to the member in the case of illness or disability, or the member's beneficiary in the case of death.[63] In the latter case; that is, with life insurance, the member does not make a specific nomination as to who should receive the insurance benefit. Rather the proceeds of any life insurance claim are added to the balance of funds in the member's superannuation account and the trustee is then charged with the responsibility to pay the total balance to eligible death beneficiaries in accordance with legislated regulations.[64]

In this context, death benefits include the full balance of superannuation entitlements, including the proceeds of any life insurance policies and any superannuation balance, whether the fund is in the accumulation or pension phase. Legislation allows members to nominate their beneficiaries, subject to eligibility under the legislation, through a death nomination[65] which instructs the trustee on how their death benefit is to be distributed.

Death benefit nominations are not binding unless they are in the form of a Binding Death Benefit Nomination, required to be reviewed every three years, although some superannuation funds accept non-lapsing nominations from members. The 1993 Superannuation Industry Superannuation (SIS) Act allows death benefits to be paid to the legal personal representative[66] of the member or a dependant of the member,[67] and incorporates a broad definition of dependency that includes a spouse, any child of the member or any other person who may be reliant on the member for support (an interdependency relationship).[68] Under the SIS definition of dependants, adult children are eligible to receive a death benefit from a superannuation fund although the concessional taxation rules do not apply to those benefits.

Providing additional protections to spouses, the current taxation system favours the distribution of death benefits to spouses and other dependants. For taxation purposes, concessional taxation treatment is limited to benefits received by a spouse, a child under 18 or a person where there is an interdependency relationship.[69] Adult children, who are eligible to receive a benefit under the SISA, are subject to a higher rate of tax. Whilst this has led to the development of a range of strategies to reduce the tax payable on such

62 Members of SMSFs are arguably less exposed to this risk as all members of the fund must be trustees of the fund and thus are involved in decisions made in respect of insurance inside superannuation.
63 Section 52(7)(d) SISA.
64 Reg 6.21 in SISR.
65 Reg 6.17A(4) SISR.
66 Executor or administrator of the estate.
67 Reg 6.17A SISR.
68 Section 10; s.10A SISA.
69 Section 302-200 ITAA97.

distributions,[70] it has also led to some level of certainty that spouses will receive priority in the distribution of death benefits.

4 Provisions within the Australian superannuation system to equalise superannuation wealth within the household

Thus far, our discussion of the regulatory environment has focused only on how this might influence superannuation decision-making by members in ways that are important to the economic outcomes of their partners and/or others who are dependent on their income. The regulatory and other measures that we have discussed have not attempted to change the intra-household distribution of owned superannuation assets but, rather, they have focused on influencing how members use *their* assets.

The option of changing the ownership structure of household superannuation assets potentially offers a more direct way to protect and promote the interests of older partnered women and widows. Whilst this broad policy option has received little attention to date, there are features of the current regulatory and taxation arrangements for superannuation that do create incentives (largely for high net worth members) to redistribute superannuation assets within the household. Contribution splitting[71] allows members to transfer concessional contributions (that is contributions on which income tax has not been paid) that they have made to their own account[72] to their spouses' superannuation accounts. Currently, the maximum spousal contribution under this provision is 85 percent of concessional contributions in the previous tax year, up to the $25,000 concessional contributions cap. Contribution splitting is incentivised by the financial gains on offer for relatively high net worth households. For example, by redistributing superannuation wealth to a younger partner, a member may be able to remain within the $1.6m transfer balance cap at retirement. The transfer of superannuation assets to a currently employed spouse can also enable some members to access an age pension, by reducing their own individual asset position at retirement.[73]

Spouse offset provisions[74] grant a tax offset to superannuation members who make non-concessional contributions to their spouses' superannuation account. Initially these provisions only supported outcomes in traditional breadwinner households, providing a tax offset to the breadwinner if their spouse earned less than $13,400 in the previous financial year. From 1 July 2017 this offset was extended to households where the receiving spouse earned less than $40,000, however, the maximum offset remains very small - only $540 and, generally, the offset remains largely of benefit only to breadwinners with large earnings. Table 1 shows that the uptake of this offset has been historically low. The data is not yet available to identify whether the increase in the spouse income threshold has resulted in an increase in contributions on behalf of a low-income spouse after 1 July 2017.

70 For example, building up the tax-free component of the fund by increasing the level of non-concessional contributions.

71 Division 6.7 SISR.

72 Concessional contributions are defined in s. 291-25 ITAA1997. Concessional contributions are amounts contributed to a superannuation fund that are subject to tax in the fund at 15 percent instead of subject to marginal tax rates in the hands of the contributor. The cap is currently $25,000 pa.

73 The asset test on the age pension excludes superannuation assets that are in the contribution phase.

74 Subdivision 290D ITAA1997.

Table 1: Spouse Superannuation Tax Offsets, Australian Taxation Statistics, 2013-14 to 2016-17[75]

		2013-14	2014-15	2015-16	2016-17
Spouse Superannuation Tax Offset	number	12,050	11,591	10,253	10,498
	average $	414	424	440	449
	median $	540	540	540	540

In addition to the low uptake of the Spouse Superannuation Tax Offset the distribution of contributions on behalf of spouses has been very unequal. The data in Table 2 shows that over the four years from 1 July 2013 to 30 June 2017 there were only around 20,000 contributions received by superannuation funds each year from individuals on behalf of a spouse or child. Typically, these contributions were small, with the median contribution each year of only $3,000, consistent with the amount eligible for the Superannuation Spouse Tax Offset. However, the average contribution is considerably higher than the median, indicating that some contributions are significantly higher than $3,000.

Table 2: Spouse and Child Contributions to Superannuation Funds 2013-14 to 2016-17[76]

		2013-14	2014-15	2015-16	2016-17
Spouse and Child Contributions i.e. contributions made by a person to the superannuation account of their spouse or child	number	19,475	19,167	18,612	20,669
	average $	16,408	17,372	16,237	28,074
	median $	3,000	3,000	3,000	3,000

Table 3: Spouse and Child Contributions: No. of Superannuation Spouse Tax Offsets Unclaimed 2013-14 - 2016-17

		2013-14	2014-15	2015-16	2016-17
Tax Offsets Claimed	number	12,050	11,591	10,253	10,498
	average $	414	424	440	449
Spouse & child Contributions	number	19,475	19,167	18,612	20,669
	average $	16,408	17,372	16,237	28,074
Unclaimed Contributions	number	7,425	7,576	8,359	10,171
	average $	15,994	16,948	15,797	27,625

75 Australian Government – Taxation Office, Taxation Statistics 2015-16: Individuals, Table 1, <www.data.gov.au> updated 27/08/2019.

76 Australian Government – Taxation Office 2019, Table 23 above n 75

The contribution category of "Spouse and Child Contributions" is not further segregated in the Taxation Statistics into contributions for either a spouse or a child. However, it is possible to identify a significant difference between the number of people claiming a tax offset and the number of contributions made in the "Spouse and Child Contributions" category. This difference is likely to include contributions made by a person who is not eligible to claim a tax offset; for example, a person who is in receipt of an exempt superannuation pension who is not paying tax. It is also notable that in the data for the year ended 30 June 2017 the average value has increased significantly from previous years. This is likely to be a response to the introduction of the Transfer Balance Cap and other reforms that took effect from 1 July 2017,[77] which has encouraged members of superannuation accounts with high balances to split superannuation with their spouse to lower the balance of their own account.

The concessional taxation of contributions, combined with a contributions cap of $25,000 per annum creates additional financial incentives for some households to allocate additional household resources to building the superannuation wealth of a spouse with a low account balance. For example, tax advantages are available under this structure for households where one of the partners is already at the cap and the other is not. Specifically, additional contributions made by the second partner's account (up to the non-concessional cap amount) can benefit from the concessional tax rate. The current system also enables voluntary contributions[78] to be made to the superannuation account held by a person's spouse, up to $100,000 per annum.[79]

These strategies can be adopted at the point of retirement to equalise superannuation balances. A strategy known as a re-contribution strategy allows a person over the age of 60 who has reached a condition of release, most commonly having retired or reached age 65,[80] to utilise the tax-free status of superannuation payments to adjust superannuation balances. This is most commonly a restructuring of the member's own account,[81] but it can also be used to make non-concessional contributions of up to $300,000 every three years to a spouse aged under 65. This is particularly useful if the member with the higher balance is approaching one of the balance caps that regulate the fund; either the transfer balance cap of $1.6m, or the $500,000 cap that restricts the carry forward of concessional contribution caps.

The design of the means test for the Age Pension provides some additional incentives for superannuation transfers within couple households. Although superannuation is a personal entitlement, means testing for the Age Pension is based on the combined income and assets of a couple, regardless of whether both are eligible.[82] The deprivation (gifting) provisions that regulate whether transferred assets are counted in the means test do not apply between a couple as all income and assets are assumed to be shared within the household. Thus, these provisions do not inhibit the transfer of assets within the household. Furthermore, as superannuation is only considered in means testing for the Age

77 See section 294-35 ITAA97. From 1 July 2017 the transfer balance cap limits the amount that a person can hold in the tax-exempt retirement phase of superannuation to $1.6m.

78 Non-concessional contributions are defined in s 295-165 ITAA97. Non-concessional contributions are contributions that are not subject to tax in the fund. Non-concessional contributions may be from after tax savings or other lump sums received. The cap is currently $100,000 pa or $300,000 over a three-year period.

79 See s 295-165 ITAA 1997.

80 See schedule 1 in SISR.

81 For example, to convert a taxable component to a tax-free component to reduce the tax payable by beneficiaries who do not meet the definition of a dependant.

82 Section1064 *Social Security Act 1991*.

Pension once a person reaches Age Pension age,[83] such transfers are incentivised in some circumstances. Specifically, if there is an age discrepancy between the spouses and only one of them is above the Age Pension age, the Age Pension payable to the older spouse can be increased by transferring superannuation assets to their spouse because the assets will then be excluded from the application of the means tests.

It is worth noting that this strategy was developed to exploit design issues in the superannuation and Age Pension rules, not as a measure to address intra-household inequality. Indeed, it would be an interesting exercise to identify whether superannuation account holders and financial advisors consider the gender equity issues when exploring these strategies. It does, however, identify a mechanism within the current system that can be deliberately used to achieve a more equal distribution of superannuation assets within couple households.

Other elements of the current system work against the objective of equalising the intra-household distribution of superannuation assets. In many household situations the tax incentives created by the concessional treatment of superannuation make it more advantageous for household resources to be directed to building the superannuation balance of the higher income earner.[84] The tax savings from directing money to superannuation is proportional to the person's tax rate.

Although the tax on concessional contributions increases to 30 percent in respect of a person earning more than $250,000 (including superannuation contributions)[85] the higher tax rate does not apply to earnings of the superannuation fund. Investment income continues to be taxed at 15 percent instead of at the marginal tax rate of up to 45 percent, which applies if investments are made outside of superannuation. This tax preferred treatment encourages non-concessional contributions into superannuation.

Thus, a higher total level of household superannuation can be achieved, for an equivalent cost in terms of forgone disposable income, if contributions are made by the high-earning partner, into their account; or if the household can lock away funds until retirement as non-concessional contributions. In this sense, for many households the tax arrangements for superannuation encourage an even wider intra-household gap in superannuation and impose a financial penalty on households seeking a more equal distribution of retirement wealth.

5 Policy Issues

The above discussion identifies how a number of elements of the current Australian superannuation system, with its focus on defined contribution accounts, increase the economic vulnerability of older partnered women and widows. Broadly, key decisions around the use and management of superannuation assets are completely at the discretion of the member. Decisions about lump sum withdrawals vs. income streams, decisions about the amount and type of insurance purchased within superannuation, and (to a lesser degree) decisions about death beneficiaries are largely left with the member in a defined contribution system. In each case, the decisions that are made can be prejudicial to the

83 Department of Social Services, *Social Security Guide* 4.6.5.75 Version 1.257 - 12 August 2019, Australian Government <https://guides.dss.gov.au/guide-social-security-law>.

84 Productivity Commission above n 32, Vol 2 pp. 131.

85 Division 293 ITAA97.

economic wellbeing of dependants, including dependent spouses. However, spouses do not have any rights to information about their partners' superannuation account balances and settings, and there are no provisions in the Australian system to ensure that their interests will be represented in the decision-making process.

The trend toward defined contribution superannuation accounts is not limited to Australia, and the risks this poses for older women has been observed in several country contexts. The UK Women's Budget Group (WBG), for example, has highlighted how the movement towards such accounts in the UK is making it easier to withdraw one's retirement savings or commute an annuity, and how this is adversely affecting the economic security of many older women. The WBG argues that a partner should agree to any annuity sale. However, given concerns that women could be placed in a vulnerable position to agree for such sales, they go as far as asserting that it would be safer to prohibit such actions.[86] Currently, in both the United Kingdom and Australia, joint and survivor annuities remain voluntary however, a number of Latin American countries (such as Chile) defined contribution schemes have now imposed a requirement for joint annuities.[87]

The UK discussion of these issues highlights policy options around the default settings and the regulation of defined contribution superannuation accounts. It might be possible to establish a joint annuity as the default option for retirement income streams from Australian accounts for partnered account-holders. This would at least offer both partners rights in respect of the income stream. One way of strengthening this arrangement would be for the annuity payment to be made separately to each party, in a similar manner to the Australian Age Pension.

Another policy option is to increase the transparency of partners' superannuation accounts and decision-making. This option addresses some of the concerns raised in our analysis. As reflected in the arguments for the US REA (1984), transparency and influence over partner superannuation is warranted, inter alia, on the grounds that both spouses contribute, both paid and unpaid, to the household's resources and thus both have claims on the rewards, including pension wealth. Recently, the Australian Parliament has recognised the need for divorcing couples to have access to information on their partner's superannuation, and this expected to result in a fairer division of assets in property law proceedings. Under these changes the Family Court can request information from the Australian Tax Office to facilitate the full disclosure of superannuation holdings in proceedings before the Court.[88] Additional regulations are in place to ensure that the trustee of a superannuation fund implements the orders of the Family Court.[89] We argue that transparency provisions are also appropriate for partners in continuing relationships. The details of superannuation accounts that should, at a minimum, be transparent to partners include account balance, insurance settings, binding death nominations, and withdrawals that exceed a set limit or proportion of the fund.

We acknowledge that there will be inevitable difficulties involved in establishing who may have the right to information on an individual's superannuation account, particularly where

86 Women's Budget Group, 2015, *Response to Budget 2015 – The WBG Calls for Rebuilding the Foundations Before Fixing the Roof*, WBG <http://wbg.org.uk/wp-content/uploads/2015/04/WBG-Budget-2015.pdf>.

87 Arza above n 5; OECD above n 3.

88 Attorney General's Department, *Women's Economic Security Package: Improving the Visibility of Superannuation Assets in Family Law Proceedings* Media Release, 20 November 2018 <https://www.attorneygeneral.gov.au/media/media-releases/improving-visibility-superannuation-assets-family-law-proceedings-20-november-2018>.

89 Part 7A in SISR.

divorce or blended families may change relationships over time. However, we are confident that these are not insurmountable and, indeed, this type of transparency is already best practice among professionals in the financial advice industry. It should be possible for all individuals to be made aware of the key details of their partner's superannuation accounts where the system provides for default or opt-out settings. This would involve superannuation funds developing mechanisms to prompt a person and their partner to review their superannuation settings when key changes occur or trigger points are reached, including marriage, or becoming a parent, or change in employment. This could be supported by the establishment of an obligation on the trustees of superannuation funds to ensure that spouses are aware of any substantive decisions taken in relation to the member's superannuation account. Information technology could also be developed that would assist partners being involved in decision-making at critical points, such as changes in employment. In the absence of systems that prompt event-based reporting, a mechanism requiring regular review, similar to that already in place for binding death nominations, should be introduced.

Policy measures that target default settings and transparency are valuable because they would help to reduce the economic vulnerability of partnered older women and widows in the SGC system. However, the measures are really only a "bandaid" solution in that they do not address the unequal ownership of retirement wealth generated by an accumulation-based superannuation system and how this favours individuals who make paid vs unpaid contributions to household resources.

Achieving an equal intra-household distribution of retirement wealth would entail more substantial policy reform. As has been noted, some measures within the current system encourage spousal support for a lower income partner, and these could be applied more broadly. However, the current measures tend to largely produce financial benefits for high net worth households. Thus, the particular policy challenge that remains is how to redress the unequal distribution of retirement wealth both within and across households.

6 Conclusion

There are large challenges in designing policy interventions to redress the economic risks faced by many women in retired couple households. The interventions relate to controversial and complex aspects of both retirement income and gender equality policy and we can anticipate the likely response to our proposals from some quarters. Protections for spouses might be perceived as reinforcing norms that position women as care providers dependent on their husbands' savings. With higher divorce rates and cohabitation, and women's greater labour market participation, some might question the relevance and desirability of such an approach.[90] Others might raise a concern that measures to increase the transparency of their partner's superannuation wealth might expose women to further risks within their households.[91]

In response we argue that it is wrong to insist that all women fit the Procrustean bed of the male wage worker. The fundamental importance of the unpaid care work performed

90 Carole Bonnet and Marco Geraci 'Correcting Gender Inequality in Pensions, The Experience of Five European Countries' (2009) 453 *Populations & Societies* 2-4.

91 Marianne Ferber, Patricia Simpson and Vanessa Rouillon, 'Aging and Social Security, Women as the Problem and the Solution' (2006) 49(4) *Social Security Solutions, Challenge* 105-119.

by women must be recognised and supported; those who perform this work should not be exposed to economic vulnerability in old age.[92] Although payment of superannuation guarantee on paid parental leave payments, removing the superannuation guarantee exemption for low income earners and introducing a carer credit scheme would not have a dramatic effect it would signal that the challenges faced by carers are recognised.

A universal citizen's pension, administered at the individual level and not linked to paid labour comes close to achieving the desired outcomes.[93] Accordingly, the Age Pension must continue to play a central role in ensuring the well-being of all older Australians. Using regulation to mitigate the costs and risks of superannuation is clearly a second-best option. However, the political reality of the current commitment to superannuation means that this system must also change, and feature in the future protections for the substantial number of older women who are (or are likely to be) economically dependent on a partner.

Effecting positive change will require the state to cross the threshold into what has been seen as a private domain of household decision-making, and this might also be resisted. However, the state already involves itself in intra-household resource distribution decisions in particular instances. With the Age Pension, the state regulates an equal division of payments between couples. Under Section 72 (1) of the Family Law Act 1975 the Family Court may require one party to a marriage to make provision for the other member of the marriage. When it comes to superannuation, the state's role to regulate to promote and protect outcomes for older women is also clear, given that it allocates enormous resources to buttress the SGC and it does so on the grounds that superannuation is important to the retirement outcomes of all the older Australians dependent on it.

Beyond this, policy action is also necessary to redress the unequal distribution of retirement wealth across households. Key policies that will foster greater equality in retirement across households include buttressing the Age Pension and reining in the large tax expenditures on superannuation, especially those that flow to high earners and wealth holders. Improved government funding of health and aged care services will also play a key role in improving equality both within and across retired households in Australia.

As the Australian population ages, these types of policy action will become increasingly important both to women's economic well-being in later life and to the broader goal of gender equality.

92 Kittay, Eva, *Love's Labor: Essays on Women, Equality, and Dependency* (New York: Routledge 1999) 127.

93 Debora Price, 'Closing the Gender Gap in Retirement Income: What Difference Will Recent UK Pension Reforms Make? (2007) 36(4) *Journal of Social Policy* 561-584; Peter Orszag and Joseph Stiglitz, 'Rethinking Pension Reform: Ten Myths About Social Security Systems, *Conference on New Ideas About Old Age Security,* September 14-15, 1999,Washington, D.C.: The World Bank 1999.