



Goods and Services Tax (GST) Treatment of Feminine Hygiene Products

Consultation on Draft Definition
October 2018

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Consultation Process

Request for feedback and comments

Interested parties are invited to submit their comments on the draft definition of 'feminine hygiene products' for GST purposes.

Electronic lodgement is preferred. For accessibility reasons, please submit responses sent via email in a Word or RTF format. An additional PDF version may also be submitted.

If you would like part or all of your submission to remain in confidence, you should provide this information marked as such in a separate attachment. A request made under the *Freedom of Information Act 1982* (Cth) for a submission marked 'confidential' to be made available will be determined in accordance with that Act.

Closing date for submissions: 22 October 2018

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GST treatment of feminine hygiene products

At the Council on Federal Financial Relations (CFFR) meeting on 3 October 2018, the Commonwealth and states and territories agreed to make feminine hygiene products GST-free from 1 January 2019.

Background

The GST is a broad-based consumption tax that applies to applicable sales of goods and services at a rate of 10 per cent, with exemptions in areas such as fresh food, health and education.

Under Commonwealth legislation and Commonwealth-State agreements, changes to the GST base (such as making an item GST-free) require the unanimous agreement of the states and territories.

Draft definition of ‘feminine hygiene products’

The following draft definition of feminine hygiene products is proposed to be included in a Health Minister’s determination to make these products GST-free.

‘Feminine hygiene products’ refers to:

- (a) products that are specifically designed to absorb or collect menstrual or vaginal blood, such as tampons, pads and menstrual cups; and
- (b) panty liners and maternity pads specifically designed to absorb or collect menstrual or vaginal blood.

The following table provides an explanation of the types of products proposed to be included in the definition of feminine hygiene products. This table will be included in explanatory material supporting the determination.

Table 1: Description of terms within the draft definition

Items that could meet the draft definition	Comments
Tampons (all types – light, medium and heavy flow, mini, super, sport, overnight, ‘purse packs’)	Made of absorbent material, pressed tight into a small cylinder shape, used to absorb menstrual blood, disposable.
Tampons (all types as above) with applicator	Made of absorbent material, pressed tight into a small cylinder shape, used to absorb menstrual blood, disposable.
Menstrual pads (all types – light, medium and heavy flow, mini, super, sports, overnight, wings and no wings)	Made of absorbent material, used primarily while menstruating, however could also be used while recovering from vaginal surgery, for post birth bleeding, or in any other situation where it is necessary to absorb a flow of blood from the vagina.
Menstrual cups (disposable and reusable, all sizes)	Cups collect menstrual fluid, instead of absorbing, reusable.
Cloth/Flannel pads	Made of absorbent material, used to absorb menstrual blood, reusable.
Panty Liner (scented and unscented, thin, thin and long, with aloe vera/vitamin E etc., double)	Similar to pads, but a little lighter, thinner and not used to soak up too much blood. However, products marketed for general hygiene use or incontinence would be excluded from the definition.
Maternity pads	An absorbent item, designed for use in pre and post birth bleeding.
Period or leak-proof underwear	Products specifically designed to absorb or collect menstrual or vaginal blood during menstruation.