

What is the meaning of 'artificial teeth' for the purposes of section 38-45 and Schedule 3 - Item 30?

-

! This cover sheet is provided for information only. It does not form part of *What is the meaning of 'artificial teeth' for the purposes of section 38-45 and Schedule 3 - Item 30?* -

! This publication is extracted from the Health Industry Partnership - issues register. See issue 4.a.11 of that register. This publication should be read in conjunction with the related content of that register where further context is required.



Health Industry Partnership

What is the meaning of 'artificial teeth' for the purposes of section 38-45 and Schedule 3 – Item 30?

! This publication provides you with the following level of protection:

This publication (excluding appendixes) is a public ruling for the purposes of the *Taxation Administration Act 1953*.

A public ruling is an expression of the Commissioner's opinion about the way in which a relevant provision applies, or would apply, to entities generally or to a class of entities in relation to a particular scheme or a class of schemes.

If you rely on this ruling, the Commissioner must apply the law to you in the way set out in the ruling (unless the Commissioner is satisfied that the ruling is incorrect and disadvantages you, in which case the law may be applied to you in a way that is more favourable for you – provided the Commissioner is not prevented from doing so by a time limit imposed by the law). You will be protected from having to pay any underpaid tax, penalty or interest in respect of the matters covered by this ruling if it turns out that it does not correctly state how the relevant provision applies to you.

What is the meaning of 'artificial teeth' for the purposes of section 38-45 and Schedule 3 - Item 30?

1. Item 30 lists 'dentures and artificial teeth'. The ATO considers that an artificial tooth is one which is fabricated and replaces a natural tooth in form and function. The term 'artificial teeth' will include one single tooth as well as a multiple of teeth.
2. The supply of an artificial tooth will be GST-free at all points in the supply chain provided that the other requirements of section 38-45(1) are satisfied.
3. Under this interpretation, veneers would not be GST-free when being supplied from a dental laboratory to a dental professional as veneers are designed to cover only a part of the exposed anatomical surface of a natural tooth, rather than replace natural teeth in form and function. Full crowns and bridges will be GST-free under item 30 of Schedule 3 and will be GST-free at all points in the supply chain. However, veneers will in most cases be GST-free to a patient as goods supplied in the course of supplying a GST-free supply under section 38-10(3). For more information on 'in the course of supplying' see Issue 2.