

THE RETAIL SALES TAX ACT

CHILDREN'S CLOTHING AND FOOTWEAR

This bulletin explains the provincial sales tax exemption allowed for children's clothing and footwear, and outlines the procedure to be followed by the seller. As described in the following sections, tax exemption is allowed based on the size of the clothing or footwear, or the age of the child.

- Tax Exemption Based on Size**
- Children's clothing and footwear within the size ranges shown in the attached Schedule A are exempted from provincial sales tax **if the selling price is \$150 or less**. The seller is not required to obtain any statement from the customer when allowing the tax exemption in these size ranges.
 - This tax exemption includes the following baby items:
 - cloth diapers (but not disposable diapers designed for babies or young children)
 - diaper liners and rubber pants
 - bibs
 - bonnets and booties
 - receiving blankets.
- Tax Exemption Based on Age**
- Provincial sales tax exemption is also available for clothing and footwear larger than the sizes shown in Schedule A **if the selling price is \$150 or less** and the clothing or footwear is bought for a person under 15 years of age. To allow this exemption, the seller is required to obtain a written statement from the customer, certifying that the purchase is for a child under 15 years. The certification must include the information shown on the attached Schedule B.
- Cleaning and Repair Services**
- Generally, services to clean, repair or alter clothing are taxable. However, all-inclusive charges for diaper service, including diaper rental, are not taxable.
 - Repairing of footwear is not taxable.
- General Information**
- **Children's clothing and footwear priced over \$150 are fully taxable.** Clothing or footwear ordinarily sold in sets must be regarded as a single item. For example, a suit consisting of a coat and pants (or skirt) is fully taxable where the total selling price of the suit is greater than **\$150**.

Note: Revisions to the previous Bulletin have been identified by shading ().

- Disposable diapers designed for babies or young children are taxable.
- When allowing the tax exemption based on age (under 15 years), the seller must obtain a fully completed and signed certification from the customer (see Schedule B). If a fully completed and signed certification is not obtained and kept for tax audit purposes, the seller must collect and remit the provincial sales tax.
- Garments and articles specifically designed and used for sports and recreational activities are taxable, including the following:
 - skates, soccer shoes and bowling shoes.
 - helmets for baseball, hockey, football or cycling.
 - pants, shirts or uniforms for hockey and other sports.
 - hockey equipment such as shoulder pads and shin pads.

FURTHER INFORMATION

This bulletin is intended to serve as a guideline and is not all-inclusive. For the specific wording of the law, please refer to the Act and Regulation stated below. Further information may be obtained from:

Winnipeg Office

Manitoba Finance
Taxation Division
101 - 401 York Avenue
Winnipeg, Manitoba R3C 0P8
Telephone (204) 945-5603
Manitoba Toll-Free 1-800-782-0318
Fax (204) 948-2087
E-mail: MBTax@gov.mb.ca
Web Site: www.gov.mb.ca/finance/taxation

Westman Regional Office

Manitoba Finance
Taxation Division
349, 340 - 9th Street
Brandon, Manitoba R7A 6C2
Telephone (204) 726-6153
Manitoba Toll-Free 1-800-275-9290
Fax (204) 726-6763

Principal References in Legislation:

The Retail Sales Tax Act of Manitoba (C.C.S.M. c. R130), Sections 2(1), 3(1)(c), 3(1)(z), 3(1)(aa), 3(2), 3(2.1), 3(14);
Manitoba Regulation (75/88R), Section 1(1), definitions of "children's clothes" and "children's footwear."

SCHEDULE A
TAX-EXEMPT SIZE RANGES FOR CHILDREN'S CLOTHING AND FOOTWEAR

Item of Clothing or Footwear	Girls' Exempt Sizes	Boys' Exempt Sizes
Children's dresses, suits, coats, blouses, sweaters, undershirts, pyjamas, combinations, snow-suits, overalls, and such other children's garments as fit the upper half of or the whole body.	Up to and including girls' commercial trade size 14X, or girls' "Canada Standard Size" 14X.	Up to and including boys' commercial trade size 18, or boys' "Canada Standard Size" 20.
Sweaters designated for girls or boys.	Sized small, medium, and large.	Sized small, medium, and large
Children's trousers, slacks, jeans, slims, undershorts, briefs, outer shorts and other children's garments that fit at or below the waist.	Up to and including girls' commercial trade size 14X, or girls' "Canada Standard Size" 14X.	Up to and including boys' commercial trade size 18, or boys' "Canada Standard Size" 20.
Boys' dress and sport shirts as designated for boys.	--	Up to and including commercial trade size designation 14½, or "Canada Standard Size" 20 with 14½ neck.
Children's hose.	Up to and including girls' commercial trade size designation 10 or stretchy socks designed for children.	Up to and including boys' commercial trade size designation 10½, or stretchy socks designed for children.
Children's hats, caps and bonnets in styles designed for children.	Up to and including girls' commercial trade size designation 22.	Up to and including boys' commercial trade size designation 7½.
Children's gloves and mittens in styles designed for children.	Up to and including girls' commercial trade size designation 7.	Up to and including boys' commercial trade size designation 7.
Boys' footwear.	--	Up to and including boys' commercial trade size designation 6.
Girls' footwear.	Up to and including commercial trade size designation 6, and footwear designated as "small" where female footwear is normally designated by the manufacturer as "small," "medium" and "large."	--

Note: Where the sizes are stated in metric, the exemption applies to the metric equivalent of the size ranges listed above.

SCHEDULE B

Retail Sales Tax
EXEMPTION CERTIFICATE
For Children's Clothing and Footwear Under The Retail Sales Tax Act

NOTE: Any item of clothing or footwear over \$150.00 is taxable.

A FALSE CERTIFICATION BY A PURCHASER IS AN OFFENCE.							
Date	Description of Items Purchased	Invoice Number	Price	Purchaser's Name (Please Print)	Purchaser's Address	Purchaser's Phone No.	Purchaser's Signature and Certification I certify the clothing or footwear exempted on this sale is being purchased for a child under 15 years of age, and the information provided is true and correct

NOTE: This certificate must be retained by the seller for audit purposes.

