



# Italy: Habitual exporters - Updates on letters of intent

**Tax Alert**  
2 March 2020



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On 27 February 2020 the Italian Revenue Agency issued Statement of Practice no. 96911/2020, providing guidance on the changes made to the rules on letters of intent (LOIs) by Law Decree no. 34 of 30 April 2019. These new rules came into force on 1 January 2020.

## 1. Rules in force until 31 December 2019

Under the previous rules, an habitual exporter had to provide its supplier with a copy of the LOI and the Italian Revenue Agency filing receipt. If the supplier issued a zero-rated invoice before obtaining this documentation and checking its validity on the Revenue Agency's website, a fixed penalty ranging from EUR250 to EUR2,000 was applied.

## 2. Changes introduced by Law Decree no. 34 of 30 April 2019

On 1 January 2020, the following changes came into effect (see our [Tax Alert](#) of 8 January 2020).

- Habitual exporters no longer have to provide their suppliers (or the Customs Agency) with a copy of the LOI and the Italian Revenue Agency receipt.
- Habitual exporters and their suppliers no longer have to post the LOIs in a special ledger.
- Suppliers must indicate on their invoices the reference number issued by the Italian Revenue Agency when it confirms receipt of the LOI.
- Habitual exporters filing a LOI at the Customs Agency must indicate this reference number in the customs declaration.
- Suppliers no longer have to give details of the LOIs in their annual VAT return or number and post the LOIs in a special ledger.
- Suppliers must check the validity of the LOI through their own personal account ('*Cassetto fiscale*') on the Italian Revenue Agency website. Failure to do so will be punished with a proportional penalty ranging from 100 percent to 200 percent of the VAT (as opposed to the fixed penalty – ranging from EUR250 to EUR2,000 – previously applied).

### 3. Guidance provided by Statement of Practice no. 96911/2020

This statement of practice outlines the new operating procedures to be adopted so that habitual exporters can make purchases without the application of VAT, in light of the changes made by Law Decree no. 34 of 30 April 2019.

Starting from today – **2 March 2020** – the Italian Revenue Agency will be providing in each supplier's 'Cassetto fiscale' the information on LOIs e-filed by the habitual exporter with the Revenue Agency.

In addition, a new LOI template, called Form DI, is available with updated instructions at this [link](#).

This form:

- no longer contains a box for the progressive number assigned to the LOI;
- is now suitable also for LOIs issued by VAT group members.

The old form can be used until 27 April 2020.

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