



Italy: Updates on e-invoicing, transmission of daily payment details and the tax receipt lottery

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The following document summarizes the main new e-invoicing rules that will apply mandatorily from January 2021, after their introduction earlier this year (see our previous [Tax Alert of 9 March 2020](#)). It also gives a brief update on procedures affecting retailers, including the transmission of daily payment details and the tax receipt lottery.

1. New technical specifications for e-invoicing through the Sistema di Interscambio (SdI)

New technical specifications for e-invoicing through the SdI (the 'New Technical Specifications') apply as of:

- **1 October 2020** (instead of 4 May 2020), on a voluntary basis;
- **1 January 2021** (instead of 1 October 2020), mandatorily.

The Technical Specifications⁽¹⁾ were updated earlier this year⁽²⁾, with effect from May 2020 (see our previous [Tax Alert of 9 March 2020](#)); however, due to the COVID-19 outbreak, the application of the New Technical Specifications was postponed⁽³⁾ to October 2020/January 2021, as indicated above.

Amendments to the 'Document type' and 'Nature' codes for the XML file

The New Technical Specifications (version 1.6.1) apply to e-invoices and the so-called 'Esterometro' report (communication of cross-border transactions). In particular, the following amendments have been introduced.

a) 'Document type'

The New Technical Specifications provide a new set of codes to identify the type of transaction in the XML file of the e-invoice and of the 'Esterometro' report.

- 'TD01': Invoice
- 'TD02': Advance/down payment on invoice
- 'TD03': Advance/down payment on fee note

(1) Attachment A to Implementing Regulation no. 89757 of 30 April 2018.

(2) By Regulation no. 99922 of 28 February 2020.

(3) By Regulation no. 166579 of 20 April 2020.

- 'TD04': Credit note
- 'TD05': Debit note
- 'TD06': Fee note
- 'TD16': Invoice integration for domestic reverse charge
- 'TD17': Invoice integration/self-billing for purchase of services from non-established parties
- 'TD18': Invoice integration for intra-Community purchase of goods
- 'TD19': Invoice integration/self-billing for purchase of goods as per article 17(2) of Presidential Decree no. 633/72
- 'TD20': Self-billing for regularization and integration of invoices (article 6[8] of Legislative Decree no. 471/97 or article 46[5] of Law Decree no. 331/93)
- 'TD21': Self-billing for exceeding the 'plafond'
- 'TD22': Withdrawal of goods from the VAT warehouse
- 'TD23': Withdrawal of goods from the VAT warehouse with payment of VAT
- 'TD24': Deferred invoice as per article 21(4)(a) of Presidential Decree no. 633/72
- 'TD25': Deferred invoice as per article 21(4)(b) of Presidential Decree no. 633/72
- 'TD26': Sale of depreciable assets and their transfer within the same business activity (as per article 36 of Presidential Decree no. 633/72)
- 'TD27': Self-billing for self-consumption or for free transfer without recharge.

b) 'Nature'

The New Technical Specifications provide a new set of codes to identify the nature of the transactions in the XML file of the e-invoice or the 'Esterometro' report (for transactions with no VAT).

- 'N1': excluded pursuant to article 15 of Presidential Decree no. 633/72
- 'N2': out of scope (this will no longer apply from 1 January 2021)
- 'N2.1': out of scope pursuant to articles 7 - 7-septies of Presidential Decree no. 633/72
- 'N2.2': out of scope - other cases
- 'N3': zero-rated (this will no longer apply from 1 January 2021)
- 'N3.1': zero-rated - exported goods
- 'N3.2': zero-rated - intra-Community supplies
- 'N3.3': zero-rated - supplies to San Marino
- 'N3.4': zero-rated - transactions treated as export supplies
- 'N3.5': zero-rated - receipt of a declaration of intent
- 'N3.6': zero-rated - other transactions that are not counted in calculating the available ceiling ('plafond') within the habitual exporters scheme
- 'N4': VAT-exempt
- 'N5': margin regime
- 'N6': reverse charge (for transactions subject to reverse charge, also for services rendered by non-EU suppliers and for importation of goods subject to reverse charge) (this will no longer apply from 1 January 2021)

- 'N6.1': reverse charge - supply of scrap and other recyclable materials
- 'N6.2': reverse charge - supply of gold and pure silver
- 'N6.3': reverse charge - subcontracting in the building sector
- 'N6.4': reverse charge - supply of a building
- 'N6.5': reverse charge - supply of mobile phones
- 'N6.6': reverse charge - supply of electronic products
- 'N6.7': reverse charge - provisions in the building and other sectors
- 'N6.8': reverse charge - transactions in the energy sector
- 'N6.9': reverse charge - other cases
- 'N7': VAT paid in other EU countries (distance sales pursuant to article 40[3] and [4] and article 41[1][b] of Law Decree no. 331/93; telecommunications, tele-broadcasting and supply of electronic services pursuant to article 7-sexies [f] and [g] and article 74-sexies of Presidential Decree no. 633/72).

The New Technical Specifications apply as of **1 October 2020**. Between 1 October and 31 December 2020 taxpayers may either continue raising e-invoices and filing the 'Esterometro' report based on the previous technical specifications or start using the new codes voluntarily. As of 1 January 2021, the SdI will only accept e-invoices and 'Esterometro' reports in accordance with the New Technical Specifications.

This transition to the New Technical Specifications and new codes could trigger practical issues, very recently clarified by the Italian tax authorities in FAQ no. 149 of 15 October 2020.

- E-invoices and 'Esterometro' reports dated December 2020 and transmitted through the SdI in December 2020 can follow both the old version and the New Technical Specifications.
- E-invoices and 'Esterometro' reports dated December 2020 and transmitted through the SdI in January 2021 can follow both the old version and the New Technical Specifications.
- E-invoices and 'Esterometro' reports dated January 2021 and transmitted through the SdI in January 2021 must be issued under the New Technical Specifications.

2. Tax receipt lottery

After a postponement earlier this year, the tax receipt lottery will begin on 1 January 2021⁽⁴⁾.

In order to participate in the lottery, B2C customers, aged at least 18, will have to provide the retailer with a lottery code ('codice lotteria'), to be downloaded from the online portal ('portale lotteria') run by the Italian tax authorities.

Retailers who (i) refuse to include the lottery code of customers wishing to participate in the lottery or (ii) do not transmit the customer's lottery code to the Italian Tax Authority electronically through their cash registers ('registratore telematico') will not be subject to penalties.

(4) The introduction of the tax receipt lottery was postponed from 1 July 2020 to 1 January 2021 by Law Decree no. 34/2020 (see our [Tax Alert of 21 May 2020](#)).

However, the customer will be able to report any such retailer in a specific section of the Italian Tax Authority's website (a sort of whistle-blowing process), accessible by the tax police (see our [Tax Alert dated 8 January 2020](#)).

Retailers must therefore ensure that their cash registers (*'registratore telematico'*) are duly updated by 31 December 2020, as per the technical specifications issued by the Italian tax authorities and applicable as of 1 January 2021⁽⁵⁾.

3. Transmission of daily payment details by retailers

The technical specifications for the transmission of daily payment details have been updated⁽⁶⁾.

The new rules will be effective from 1 January 2021 and therefore cash registers (*'registratore telematico'*) must be updated by 31 December 2020.

4. E-invoice consultation service on the Italian Revenue Agency's website

There has been an extension of the period during which taxable persons and their intermediaries can optionally activate the service allowing them to view and download e-invoices (issued and received) from the Italian Revenue Agency's website. The deadline by which service activation becomes mandatory has been postponed⁽⁷⁾ to 28 February 2021 (it was previously 30 September 2020).

(5) By Regulation no. 248558/2020, published on 30 June 2020.

(6) By Regulation no. 248558/2020, published on 30 June 2020.

(7) By Regulation no. 311557 of 24 September 2020.

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