



Italy: Updates on e-invoicing

Tax Alert
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On 28 February 2020 the Italian Revenue Agency issued Regulation no. 99922 (the 'Regulation'), updating Implementing Regulation no. 89757 of 30 April 2018 (which implemented e-invoicing rules) and the related Technical Specifications (Attachment 'A' of the Implementing Regulation).

The amendments introduced by the Regulation are listed below.

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

The Regulation approves a new version of the Technical Specifications (version 1.6) for the issuance of e-invoices. In particular, the following amendments have been introduced.

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

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

- 'TD01': Invoice
- 'TD02': Advance/down payment on invoice
- 'TD03': Advance/down payment on fee note
- '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 transaction in the XML file of the e-invoice (for transactions with no VAT).

- 'N1': excluded pursuant to article 15 of Presidential Decree no. 633/72
- 'N2': out of scope
- '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
- '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)

- '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 product
- '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 to e-invoices issued and received as of **4 May 2020**. Between 4 May and 30 September 2020 taxpayers may either continue raising e-invoices based on the previous Technical Specifications or start using the new codes voluntarily.

As of 1 October 2020, the Sdl will only accept e-invoices issued in accordance with the updated Technical Specifications approved by the Regulation.

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

The Regulation extends the period during which taxable persons and their intermediaries may opt to activate the service allowing them to view and download, from the Italian Revenue Agency's website, e-invoices issued and received. The service activation deadline has been postponed to 4 May 2020 (it was 29 February 2020 previously).

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