



Italy: Mandatory e-invoicing

Tax Alert

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The Italian tax authorities are providing many clarifications on various matters related to the e-invoicing rules that have become mandatory for invoices issued from 1 January 2019. This Alert provides a summary of the most recent clarifications.

Paper or electronic invoices?

E-invoicing rules have become mandatory with respect to invoices issued from 1 January 2019 (see our Tax Alerts dated [4 January 2018](#) and [25 October 2018](#)).

The transition from paper (e.g. PDF invoices attached to emails) to electronic invoices (i.e. xml invoices transmitted via the '*Sistema di Interscambio*' or SDI) has triggered some practical issues, very recently clarified by the Italian tax authorities.

- Invoices dated December 2018 and sent to the customer in December 2018 could be issued in paper format (and not through the SDI).
- Invoices dated December 2018 and sent to the customer by 15 January 2019 could be issued in paper format (and not through the SDI).
- Invoices dated December 2018 and sent to the customer after 15 January 2019 must be issued in electronic format via the SDI.
- Invoices dated January 2019 for supplies carried out in December 2018 must be issued in electronic format via the SDI.

Invoices dated from 1 January 2019 and issued in paper format are not valid for VAT purposes and have to be treated as not issued. In order to recover the related input VAT the customer should ask the supplier to issue a compliant e-invoice via the SDI. If the supplier does not issue the e-invoice via the SDI, the customer should issue an electronic self-invoice ('*autofattura*') via the SDI, in accordance with article 6(8) of Legislative Decree no. 471 of 18 December 1997.

Credit and debit notes dated 2019 and relating to invoices issued in paper format in 2018 must be issued in electronic format via the SDI.

Acquisitions from non-established suppliers

Italian customers can opt between issuing an electronic self-invoice ('autofattura') through the SDI or filing the monthly cross-border transactions report to declare:

- acquisitions of generic services from non-Italian suppliers (both EU and non-EU)
- intra-EU acquisitions of goods.

Supplies to non-established customers

The e-invoicing rules do not apply to non-residents.

However, Italian suppliers can choose to send e-invoices through the SDI to non-resident customers, or to report the data to the Italian tax authorities via the monthly cross-border transactions report.

Should the Italian suppliers send e-invoices through the SDI to non-resident customers, they should also provide their non-resident customers with a paper copy of the e-invoice, where it should be mentioned that this is a paper copy of the e-invoice sent through the SDI.

Tax free shopping e-invoices

Tax free shopping e-invoices issued by retailers through the Otello platform (mandatory as of 1 September 2018, see our Tax Alert of 4 January 2018) should not be transmitted through the SDI also and are excluded from the monthly cross-border transactions report.

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