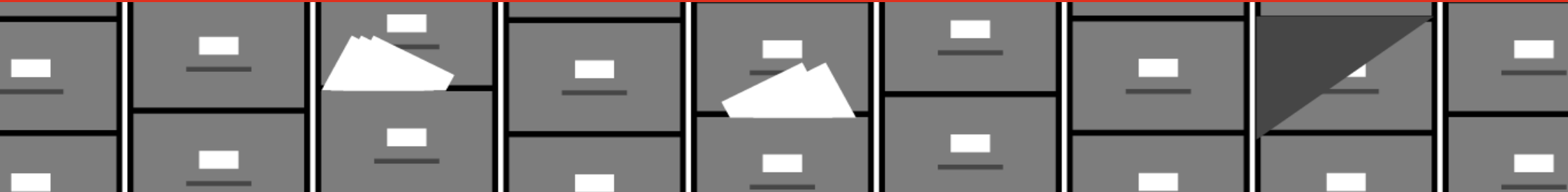


New decree pushes back compulsory e-invoicing to 2022



23 October 2020

At a glance...

On 19 October, the government issued Decree 123/2020 guiding invoices and documents, including e-invoice related matters.

One of the decree's notable points is a delay of the deadline for compulsory implementation of e-invoices from 1 November 2020 until 1 July 2022. This delay gives some breathing room for companies which have not yet implemented e-invoicing.

A long bridge spanning a body of water at sunset. The bridge is illuminated with lights, and the sky is a mix of orange, pink, and blue. The water is calm, and the bridge's reflection is visible. The bridge has multiple lanes and a central divider.

Some notable changes:

Effectiveness

- The Decree will take effect from 1 July 2022, but taxpayers that meet information technology infrastructure requirements are encouraged to apply the provisions on e-invoices and e-documents in this Decree prior to 1 July 2022.
- Decree 51/2010, Decree 04/2014 amending Decree 51/2010 and Decree 119/2018 shall remain in effect up to 30 June 2022. Having said that, Clause 2 and Clause 4, Article 35 of Decree 119/2018 will be abolished from 1 November 2020, i.e. the compulsory requirement that e-invoices must be implemented from 1 November 2020 is abolished and Decree 51/2010 and Decree 04/2014 on invoices for providing goods and services will still be effective after 1 November 2020
- The requirements for data transmission to the tax authorities and the use of e-invoices with a verification code under Clause 12, Article 5 of Decree 12/2015 is abolished.

Transitional clause

- Enterprises using self-printed invoices, pre-printed invoices, e-invoices with/without a verification code or who purchased invoices from the tax authorities before the issuance date of the Decree, i.e., 19 October 2020, will be allowed to continue using such invoices until 30 June 2022.
- During the period from the issuance date of this Decree, i.e., 19 October 2020 to 30 June 2022, in the event that the tax authorities instruct enterprises to start the transition to implement e-invoices in accordance with this Decree or Decree 119/2018, and if the enterprises cannot meet information technology infrastructure requirements for e-invoices and continue using their current invoices, they must submit the information relating to invoices in Form 03 (promulgated together with this Decree) together with submission of VAT returns.
- For enterprises which are established during the period from the issuance date of this Decree, i.e., 19 October 2020 to 30 June 2022, if the tax authorities instruct the implementation of e-invoicing according to this Decree, these enterprises should follow the instruction. If they cannot meet the information technology infrastructure requirements, they can use invoices in accordance with Decree 51/2010 and Decree 04/2014, but need to submit Form 03 as mentioned above.

Other changes

Generally, the new Decree extends the scope of application to not only cover e-invoices but also e-document-related matters. There are various changes, such as guidance with respect to the timing for the issuance of invoices, the content required on e-invoices, etc. More detailed comments on these changes will be communicated in a subsequent publication.

Contact us

This publication has been prepared for general guidance on matters of interest only, and does not constitute professional advice. For further information, please reach out to us.

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