Comploj Vieider Lorenzon
Lechner Zanellato

PDC Partner
Wirtschaftsprüfer und Steuerberater
Dottori Commercialisti

Senior partner
Dott. Lodovico Comploj
Dott. Emilio Lorenzon
Dott. Josef Vieider
Dott. Alessandro Zanellat
Dott. Martin Lechner

Wirtschaftsprüfer und
Steuerberater / Dottori
Dott.ssa Elena Gattolin
Dott.ssa Sabrina Tabiador
Dott.ssa Monika Mattivi
Dott. Nicola Sartori
Dott. Thomas Pichler
Dott. Samuel Vittur
Dott. Christian Gentilini
Dott. Stefan Lanznaster
Dott.ssa Martina Santin
Dott.ssa Serena Giacomo
Dott. Lorenz Bonadio
Dott.ssa Giulia Fortin

Bilanzbuchhalter / Esper
Dott. Antonio Gocev

To all
clients

Circular
No. 16/2023

Bolzano, 24 February 2023

Subject: Archiving of accounting records – conclude an agreement with the Italian Revenue Agency for electronic invoices

The deadline for either printing out or digitally archiving the accounting records for the year 2021 expires on 28 February 2023; in the case of digital archiving, not only must the digital time stamp be applied by that date, but the digital signature must also be affixed, which is intended to rule out any subsequent alteration of the stored data. In the light of the recent easing measures, however, the question arises whether such digital archiving still makes sense under the strict rules in force. But caution: electronic invoices must in any case be kept digitally; this task may, however, be entrusted to the Italian Revenue Agency free of charge.

As we have already informed you, the so-called Simplification Decree of last August (Law Decree 73/2022) provided that all accounting records kept by electronic means are in any event deemed to be properly kept and preserved, even without being printed out on paper, provided that they are up to date on the IT system at the time of an audit or of the auditors' access and that they can be printed out immediately at the auditors' request and in their presence. This expressly applies even where the records are kept only in digital form but the relevant rules on digital preservation are not complied with, i.e. where no person responsible for digital archiving has been appointed, the relevant preservation manual has not been drawn up, or the time stamp and

GGi A GLOBAL ALLIANCE OF INDEPENDENT PROFESSIONAL FIRMS

39100 Bozen, via F.Crispi / F.-Crispi-Straße 9
tel +39 0471 288333, fax +39 0471 272521
e-mail info@pdc-partner.it

20121 Milano / Mailand
Foro Buonaparte 70
tel +39 02 36687469

39036 Stern / La Villa di Badia
Str. Ninz 63
tel +39 0471 847360

digital signature are missing. The Italian Revenue Agency itself has not yet commented on the changes outlined above; the wording of the aforementioned Simplification Decree is, however, relatively clear, so that there is hardly any scope for a subsequent restrictive interpretation by the tax authorities.

As stated above, the easing measures of the Simplification Decree do not apply to electronic invoices. As is well known, these must be sent or received via the digital SdI platform and are in fact already known to the tax authorities. Nevertheless, they must in any case be preserved digitally in accordance with the relevant strict rules, and printing them out on paper in the course of an audit is of no help here. The Italian Revenue Agency does, however, offer the digital preservation of these documents in accordance with the applicable law free of charge. The only precondition is that a relevant agreement be concluded with the Agency.

Recommendations:

- From a purely tax law perspective, digital archiving of accounting records in accordance with the relevant strict provisions can hardly be recommended any longer; it merely imposes unnecessary constraints on you and entails the risk of objections on account of some formal or technical error. It is more advantageous to carry out simple digital preservation (without a time stamp, without a digital signature, etc.) and, in the event of an audit, to offer the auditors a printout of the documents in paper form, as provided for in the aforementioned Simplification Decree.
- Irrespective of whether or not the remaining accounting records are preserved digitally in accordance with the strict AgID rules, we recommend making use of the free archiving service of the Italian Revenue Agency for electronic invoices. This avoids any formal errors occurring in the archiving procedure (appointment of the person responsible for archiving, preparation of the manual, etc.). And quite frankly: the Agency already has the information in any case; no subsequent changes are possible here either, even where you archive the invoices yourself. In recent days we have reviewed all client positions and, in the few cases where no agreement with the Agency is yet in place, we will contact you without delay.

We remain at your disposal for any further information.

Yours sincerely

Josef Vieider