

# **“Rilancio” (Relaunch) decree: main tax novelties arising from the draft decree**



# Focus on...

In the waiting for the publication of the so-called “Relaunch Decree” in the Official Gazette, we illustrate here below some of the main novelties concerning the tax fulfilments included in the draft text of the Decree, taking into account the Government’s press release.

## **IRAP payments**

The payment of IRAP (regional production tax) final settlement for 2019 is expected to be cancelled: however, the advance payments already paid remain. The payment of 40% of the first IRAP advance payment for 2020 is not due. Sources of the Ministry of Economy and Finance (MEF) have specified that the 2019 final settlement and the first 2020 instalment due in June 2020 should be definitively cancelled. The measure excludes financial intermediaries, insurance companies, public administrations and in any case any entity with revenues or remuneration exceeding €250 million.

## **Incentives for energy efficiency, earthquake bonus, photovoltaics**

The deduction for some energy requalification, seismic risk mitigation, installation of photovoltaic systems and electric vehicle charging columns is expected to increase to 110%. Instead of the deduction, it will be possible to opt for a discount on the invoice by the supplier or to opt for the transfer of the receivables. The measure should relate to condominiums and real estate units used as primary residence.

## **Further extension of payment deadlines**

Payments already subject to suspension (withholding taxes, VAT and contributions) as a result of specific provisions of the *Liquidity Decree* and the *Cura Italia Decree* could be made by 16 September 2020 (and no longer by 20 May 2020).

## **IMU - municipal property tax - and TOSAP - fee for the occupation of public spaces and areas - for hotels and bathing, lake and river establishments**

The draft decree should remove the obligation to pay the instalment due on 16 June 2020, only when owner and operator coincide.

## **Public Administration payments to be made without prior verification of assessed tax arrears recorded in the register**

In case of tax refunds, the procedure involving the preliminary verification of assessed tax arrears entered in the register, as well as, if necessary, the opening of a procedure for the preliminary offset of debt through the tax collection office should be suspended during the whole 2020. Also suspended, but only between 8 March and 31 May, the procedure for blocking payments by the Public Administration in the case of assessed tax arrears entered on the register for amounts exceeding € 5,000.

## **Tax credit for rents**

Companies and professionals with revenues/remunerations less than or equal to 5 million Euro in 2019 will benefit from a tax credit equal to 60% of the March, April and May monthly instalment for rent, leasing or concession of real estate for non-residential use intended for the carrying out of their business. The benefit is available only in the event of a decrease in turnover, in the month of reference, greater than or equal to 50% if compared to the same month in 2019.

## Sanitation Tax Credit

For business or professional activities in places open to the public, the draft decree foresees a tax credit for COVID-19 sanitation and containment costs, equal to 60% of the expenditure up to 80 thousand Euro per beneficiary.

## Electronic filing of considerations/cash receipts

The deferment on penalties for the electronic filing of considerations has been extended to 1 January 2021. During the deferment, sales still need to be documented with receipts and tax receipts, the relevant tax must be promptly and accurately settled, data must be filed with the Revenue Office, through available online procedures, within the end of the month following the month in which the transactions were carried out.

## Extension of limitation terms

Acts of assessment, dispute, imposition of penalties, recovery of tax credits, settlements and settlement adjustments, whose limitation terms expire between 9 March 2020 and 31 December 2020, shall be issued by 31 December 2020 and notified not before 1 January 2021 and until 31 December 2021. Evidence of the timely issue shall be drawn through the tax collector's IT systems.

## Extension of payment deadlines arising from tax assessment settlement agreements and mediations

The deadline for the payment of the first or single instalment relating to undersigned acts of tax assessment settlement agreements, mediation, conciliation, recovery of tax claims and certain settlement notices is extended to 16 September 2020.

## Relief from the deadlines for the payment of amicable tax payment slips

The draft Decree sets forth a relief from the deadlines for payments due. In particular: (i) between 8 March 2020 and the day prior to

the date the Decree enters into force and (ii) in the period between the entry into force of the Decree and 31 May 2020, also for instalments in progress, of the amounts due on the basis of the tax slips of irregularities - notified as a result of automated settlement or formal check of returns - as well as through the notifications of the outcome of settlements with regard to income to be taxed separately. Payments shall be made by 16 September 2020.

## Extension of the terms for the notification of initiating appeals

The deadline for the notification of first instance tax appeals expiring between 9 March 2020 and 31 May 2020 shall be postponed to 16 September 2020, provided that they relate to enforcement notices and certain settlement notices. Acts challenging or imposing sanctions and, in general, all other acts for which an application for a tax assessment settlement agreement has been submitted are excluded.

## Combination with the suspension of tax assessment settlement agreements under the Cura Italia Decree

It is established that the terms of suspension (90 days) of the tax assessment settlement agreement procedure can be cumulated with the jurisdictional one established under the Cura Italia Law Decree (from 9 March to 11 May).

*The above concerns information on regulations that are yet unofficial, collected by the press and government media releases. It will be necessary to wait for the publication of the Law Decree in the Official Gazette in order to have a more precise and clearer picture of the measures adopted and their scope of application. It will also be necessary to wait to report on the many supporting regulations that have already been announced.*

Our professionals would be pleased to provide you with any further information you may need.

Please refer to Clever Desk on our website - [bgt-grantthornton.it](https://bgt-grantthornton.it) - for further details on any issues concerning COVID-19.

