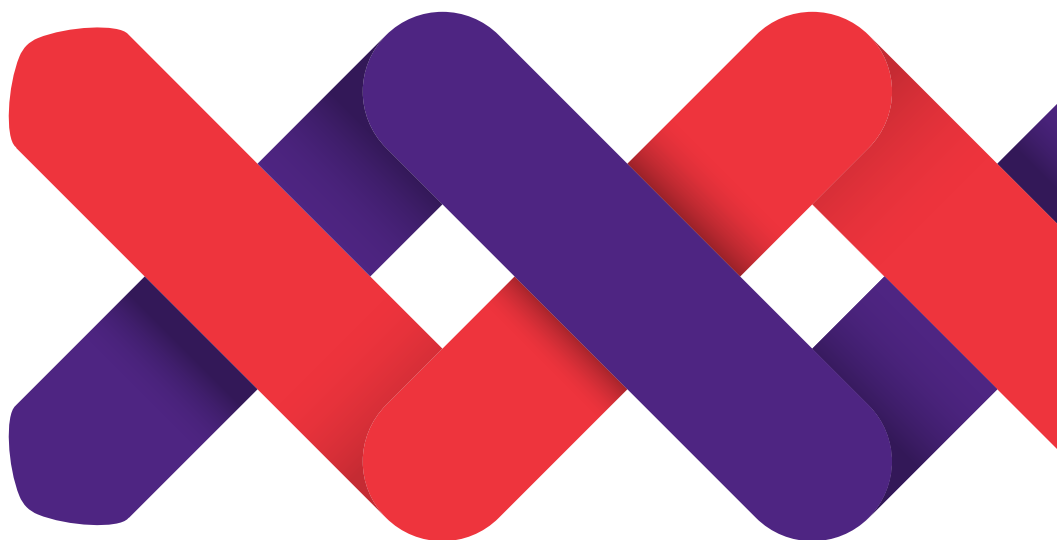


# Leoni & Partners

HR News

**COVID-19 emergency – Law Decree no. 34 dated 19 May 2020 So-called *Decreto Rilancio***

*Last updated on 21 May 2020*



# Focus on

The following provides some of the measures to support families and employers already introduced by the so-called “Cura Italia” Decree and has provided new safeguard measures in favour of new categories of workers, which were previously excluded from Law Decree no. 18/2020, as well as new measures to support businesses and self-employed mostly affected by the Covid-19 emergency.

The Law Decree will be converted into Law, therefore it could be subject to amendments.

Below are the main law provisions concerning workers and businesses.

Please feel free to contact us for any further clarification, we will keep providing you with updates on the next law provisions on this issue.

## Title I - Health and security

### Articles 1 to 23 - Health and security

New measures are introduced to further contrast COVID-19, intervening particularly on the tasks of the National Health Service and on the coordination and monitoring activities of other institutions involved in the emergency period.

## Title II - Support to businesses and to economy

### Art. 24 - Provisions on IRAP payments

In order to support business liquidity, the payment of IRAP (regional tax on production activities) final settlement for 2019 and advance for 2020 – due in June 2020, has been cancelled. The exemption from payment is granted to businesses that registered a turnover not higher than 250 million Euro in the FY preceding that in which the Decree came into force (2019). The exemption does not concern bank and insurance industries.

### Art. 25 - Non-refundable allowance

To help those subjects (businesses, self-employed, VAT-registered taxpayers) who have suffered from a decrease in turnover due to COVID-19 pandemic emergency, a non-refundable allowance will be granted if April 2020 turnover is lower by 2/3 compared to April 2019 turnover. The allowance is calculated applying a percentage to the difference in turnover that results from the comparison of both values, basing on the following rules:

- In case of revenues and considerations not higher than 400,000 Euro in 2019: allowance equal to 20% of the registered loss in turnover
- In case of revenues and considerations higher than 400,000 Euro and up to 1,000,000 Euro in 2019: allowance equal to 15% of the registered loss in turnover
- In case of revenues and considerations higher than 1,000,000 Euro and up to 5,000,000 Euro: allowance equal to 10% of the registered loss in turnover

It is expressly provided that the allowance will not be granted to those who received the bonuses provided by the “Cura Italia” decree, to those who terminated their activity before the filing date of the application, to subordinate employees, nor to professionals registered with private social security funds.

The allowance amount will not be lower than 1,000 Euro for individuals and 2,000 Euro for non-individuals and can be requested to the Revenue Office by filing an electronic application as soon as the relevant procedure will be available.

### **Art. 26 - Capital strengthening for middle-size enterprises**

The Decree has introduced measures to support businesses having a turnover between 5 million Euro and 50 million Euro which intend to strengthen their share capital and which registered a decrease in turnover by at least 33% in the two-months' period March - April 2020, compared to March - April 2019.

These measures consist in the granting of a 20% tax credit to who performs capital contributions for capital increase. The tax credit is granted up to a maximum contribution of 2,000,000 Euro.

### **Art. 28 - Tax credit for rents of real estate for non-residential use and for business leasing**

The access to the tax credit on "rents" introduced by the "Cura Italia" decree, originally granted only to owners of "shops and workshops" has been extended to all economic activities, i.e. including all keepers of business activities, arts, professions, etc. having registered in 2019 a remuneration or revenues not higher than 5 million Euro (no income limit for hotels and holiday farms). The tax credit will be equal to 60% of the rental actually paid in March, April, and May 2020.

However, the credit will be granted only in the event of a decrease in turnover by at least 50% compared to the same reference month in 2019. It is specified that April, May, and June are the concerned months for the tourism industry.

### **Art. 30 - Reduction of charges on electricity bills**

Resources have been allocated to allow a reduction in the electric energy expense with reference to non-home utilities, i.e. to commercial utilities. The reduction will concern May, June, and July 2020.

### **Art. 38 - Strengthening of the innovative start-up sector**

Non-refundable allowances have been allocated to support the innovative start-up sector, with particular reference to the videogames sector. Particular allowances are also introduced for those who invest in innovative start-ups, which will benefit from tax credits in the event of investments in research and development (production of prototypes, etc.).

### **Art. 43 - Fund for the safeguard of employment levels and the prosecution of the business activity**

A fund has been provided for the safeguard and restructuring of "historical brands" having not less than 250 employees that are suffering economic and financial difficulties.

### **Articles 54, 55 and 56 - Subventions to businesses by local authorities**

Within EU regulations, local authorities are allowed to grant businesses aids (up to 800,000 Euro for each business) in the form of subventions, guarantees on loans or loans at reduced rates. Such supporting measures, which will also be aimed at supporting specific research projects or avoiding dismissals, can be accessed once the regulations issued by the local authorities will be available.

## Title III - Measures in favour of employees

### **Artt. 68 and 69 - Ordinary redundancy fund and salary supplementary funds (FIS) - Special COVID-19 object**

Those employers who suspended or reduced working activities due to events derived from the COVID-19 emergency and applied for the ordinary redundancy funds or salary supplementary funds (FIS) for nine weeks as provided under "Cura Italia" Law Decree no. 18/2020 can apply for a such funds for a further period up to five weeks and in any case not beyond 31/08/2020.

Further four weeks are also granted for periods from 01/09/2020 to 31/10/2020.

Employers in tourism, fairs and conferences, amusement parks, live entertainment and cinemas can benefit from the abovementioned further four-weeks period also before 01/09/2020.

The procedure to apply for the above funds provides the submission of a notification to trade unions via certified email and a possible joint examination to be concluded, also through an electronic notification, within three days from the submission.

The above measures will be granted to all employees of the company at 25/03/2020.

The terms for the filing of the application with INPS have been modified, i.e. application can be submitted within the month following the starting of the suspension.

Such additional provisions are valid also for businesses that received exceptional redundancy funds and suspended it to apply for the ordinary redundancy funds with the special COVID-19 object.

### **Articles 70 and 71 - New provisions for Exceptional redundancy funds**

Businesses that are excluded from the scope of ordinary and extraordinary redundancy and salary supplementary funds, which therefore fall within the scope of exceptional redundancy funds, can benefit from the same conditions as provided in the above articles concerning the extension to further five + four weeks, without prejudice to the nine-weeks' term originally provided (thirteen weeks in Lombardy, Emilia Romagna and Veneto).

The Decree introduced a direct channel to INPS that should reduce delays due to the intermediate step to Regional authorities required for the first application, with the aim of speeding up the issue of funds to employees, though it introduces further bureaucratic procedures on businesses and their intermediaries.

Unlike previous dispositions, now employers can anticipate redundancy funds amounts to employees and balance them in the F24 form (recommended choice).

Also, an advance equal to 40% of authorized hours within the entire requested period is granted for employees of businesses that benefit from direct payment from INPS.

Clarification are however needed from institutions concerning the new procedure, which will come into force after 30 days from the publication of the Decree in the Official Gazette, also to allow INPS, businesses, and their intermediaries to adjust their systems to the new provisions.

## **Art. 72 - Leaves and allowances for private sector employees, for workers registered in the gestione separata contribution scheme and for self-employed**

The extraordinary leave (including the previous 15-days' leave already granted by "Cura Italia" decree) granted alternatively to both parents with children not older than 12 years has been extended to 30 days.

Therefore, parents with children not older than 12 years can benefit from further 15 days of leave, should they already have benefitted from the previous 15 days provided by Law Decree no. 18/2020.

The age limit does not apply for working parents of disabled children in law ascertained serious situations, who attend any school at any level.

Leaves can be benefitted up to 31 July 2020, covering the period starting from 5 March 2020.

Nothing has changed with regard to the right to obtain such leaves: the underlying requirement is that in the family there is no other parent benefitting from income support measures due to suspension or termination of the working activity, and no other parent that is unemployed or simply does not work.

Payment granted to employees has remained also unchanged: during the leave period, workers are granted an allowance equal to 50% of the consideration, calculated according to the provisions regulating maternity leave (excluding the incidence of additional monthly payments). Leave periods are also covered by imputed social security contributions. Any other parental leaves that were already used or ongoing at 5 March are turned into the leaves under this article, together with the right to receive a 50% allowance, provided that the above described requirements are met.

Further updates have been introduced to unpaid leave provided by "Cura Italia decree for parents of children between 12 and 16 years' old.

Specifically, with the recent Relaunch Decree, such unpaid leave is granted to parents employed in the private sector having children

younger than 16 years, who can suspend their working activity for the period of suspension of childcare and school educational activities, without receiving any allowance nor imputed social security contributions, and providing the prohibition to dismiss such employees and the obligation to keep their job in the company/organization. In the same way, such leave is granted provided that in the family there is no other parent benefitting from income support measures due to suspension or termination of the working activity and no other parent that is unemployed.

Operating procedures to apply for this leave period are the same defined by INPS (for further information, please refer to our newsletters dated 21 March and 26 March).

The Relaunch Decree has introduced further provisions on the bonus for the purchase of baby-sitting services, as an alternative to the leave, increasing its amount from 600 Euro to 1200 Euro.

Moreover, the Decree has extended its scope of application, providing that such baby-sitting bonus can be used not only for the purchase of baby-sitting services, but also, as an alternative, directly for the admission to local social-educational services, educational and recreational centres and babyhood integration or innovation centres. The use of such bonus cannot be combined with the nursery bonus.

On the contrary, the Decree provisions have remained unchanged with regard to the leave provided for workers registered with the so-called gestione separata (i.e. a separate compulsory Italian insurance and pension scheme for the self-employed) starting from 5 March and for the whole period of suspension of childcare and school educational activities, and from an allowance for children up to 12 years' old.

For each day included in the concerned period, such allowance is equal to 50% of 1/365 of income calculated according to the provisions regulating maternity leave.

The same allowance is granted to self-employed parents registered with INPS; in this case, it will be equal to 50% of the standard daily consideration established each year by law.

Also workers registered with INPS Gestione Separata and self-employed workers not registered with INPS, prior to the notification of the number of beneficiaries to the respective social security funds, can benefit from the baby-sitting bonus, according to the new measures and procedures.

The operating procedure to apply for such leave is the same as those already defined by INPS (for further information, please refer to our newsletters dated 21 March and 26 March).

#### **Art. 73 - Extension of paid leaves under Law no. 104/1992**

The number of paid monthly leave days covered by imputed social security contributions provided under art. 33, para. 3 of Law no. 104/1992, is extended – in case of serious handicap, by further total 12 days, to be used in May and June, in addition to the 3 ordinary leave days provided by law.

#### **Art. 74 - Urgent measures for the safeguard of the active-monitoring period of employees in the private sector**

The period spent by private sector employees in actively-monitored quarantine or in actively-monitored home isolation is still treated as sickness for remuneration purposes and is excluded from the calculation of the maximum period during which the employer is obliged to maintain the worker's job cannot be dismissed. This period will be certified according to the same procedures set under "Cura Italia Decree", i.e. through the doctor's sickness certificate.

The application of the payment provided for hospitalization is extended for workers having an attested serious disability pursuant to law, as well as those employees having a specific

certification issued by the competent local medical authority attesting a risk condition due to immunodepression, or to oncologic diseases, or to relevant life-saving therapies, for which the suspension of the working activities – to be prescribed by the relevant medical authorities – is compared to hospitalization. This remains applicable up to 31 July 2020.

Charges due by employers filing their application to the social security institution and those due by social security institutions that are related to the measures under this article are still paid by the State, up to a maximum expense limit of 380 million Euros for 2020. Social security institutions will monitor applications.

#### **Art. 78 - Fund for allowances to professionals registered with private social security funds**

With the aim of granting to professionals enrolled with private mandatory social security institutions who do not receive any pension or do not have a permanent working contract also for April and May 2020 the same allowance granted for March, the available resources of the specific allocated fund (so-called Fondo per il reddito di ultima istanza) have increased from 300 to 1.500 million Euro.

Also, to receive the allowance, the requirement of the exclusive registration with private mandatory social security institutions has been excluded.

#### **Art. 80 - Dismissal for a just objective cause**

The term provided for the prohibition to dismiss employees for a just objective cause has been extended to 17 August and ongoing dismissal procedures for a just objective cause are also suspended.

Employers who dismissed one or more employees for a just objective cause in the period from 23 February 2020 to 17 March 2020 can revoke the termination, provided that an application for exceptional salary supplementary funds is filed, starting from the effective day of the dismissal. The working relationship is deemed as restored seamlessly and charges and penalties are also excluded for the employer.

### **Art. 82 - “Emergency” allowance - *Reddito di emergenza***

The so-called “Reddito di emergenza” (Emergency allowance) has been introduced as a measure to support the income of those families that, following the COVID-19 pandemic emergency are in a difficult situation and meet all following requirements: they are resident in Italy; their ISEE (indicator of the economic condition) value is lower than 15,000 Euro; they own property for a value lower than 10,000 Euro (increased by 5,000 Euro for each family member – excluding the first one – and up to 20,000 Euro).

The Emergency allowance is granted to those families that, besides meeting the above requirements, will file application with INPS within June 2020 and will be issued by INPS into two instalments equal to 400 Euro each.

The Emergency allowance cannot be applied for if in the families there are members who:

perceive a direct or indirect pension (except for invalidity allowance); perceive a gross remuneration from subordinate employment higher than a specific amount (established based on the parameters used for the definition and issuance of the so-called citizenship income or *Reddito di cittadinanza*); perceive the so-called citizenship income or allowances with similar purposes.

### **Art. 83 - Health surveillance**

In order for a safe performance of manufacturing and commercial activities, the obligation has been introduced for employers to guarantee an exceptional health surveillance on employees who, basing on given criteria, are more exposed to the risk of COVID-19 contagion. It has also been provided for that employers who are not required to appoint a company physician in charge of health surveillance can ask the local INAIL (Italian Institute for insurance against accidents at work) agency to see to health surveillance with their labour physicians. The impossibility for the employer to withdraw from an employment contract has also been set forth, should the employee be unfit to perform his/her tasks.

### **Art. 84 - Indemnity for employees**

New indemnities have been introduced for all workers negatively impacted by the COVID-19 emergency.

Self-employed professionals and people working with continuous and coordinated collaboration contracts (so-called *co.co.co*), who already received a 600 Euro bonus in March, are entitled to receive a bonus of the same amount also in April 2020.





Furthermore, self-employed workers registered for VAT purposes, not entitled to a pension and not registered with other compulsory social security schemes, who suffered from a reduction equal to at least 33% of their income in the second two months of 2020 compared to the same period in 2019, are entitled to receive a bonus of 1,000 Euro in May.

People working with a continuous and coordinated collaboration contract registered with the compulsory Italian pension scheme for the self-employed and other compulsory social security schemes, who terminated their collaboration by 19 May 2020, are entitled to receive an indemnity for the month of May equal to Euro 1,000.

Self-employed registered with special schemes of the compulsory general insurance (AGO), who already benefitted from the 600 Euro indemnity for March, will now receive an indemnity of the same amount for April 2020.

Seasonal workers of the tourism and thermal establishments industries who already received the 600 Euro indemnity for March will receive an indemnity of the same amount for April 2020. The same indemnity is granted to agency-supplied temporary workers employed in the same industries whose working relation was terminated between 1 January 2019 and 17 March 2020 and who are not entitled to a pension, have no employment relationship, nor are entitled to a monthly unemployment allowance (so-called NASPI).

Seasonal employees in the tourism and thermal establishments industries whose employment relationship was terminated between 1 January 2019 and 17 March 2020 and who are not entitled to a pension, have no other employment relationship, nor are entitled to a monthly unemployment allowance (so-called NASPI), are granted an indemnity equal to 1,000 Euro for the month of May 2020. The same indemnity is granted to agency-supplied temporary workers employed by companies operating in the abovementioned industries, provided that they have the same prerequisites as employees.

Workers in the agricultural sector who in March already benefitted from the 600 Euro indemnity provided for under art. 30 of Law Decree n. 18 dated 18 March 2020, are granted an indemnity for April 2020 equal to 500 Euro.

Moreover, a monthly indemnity equal to 600 Euro is granted for April and May to:

- seasonal employees in industries other than tourism and thermal establishments whose employment relationship was terminated between 1 January 2019 and 31 January 2020 and who carried out their work for at least 30 days in the same period;
- on-call workers who carried out their work for at least 30 days in the period included between 1 January 2019 and 31 January 2020;
- self-employed not registered for VAT purposes and not registered with other compulsory social security schemes who in the period between 1 January 2019 and 23 February 2020 entered into freelance contracts and who had no existing contracts at 23 February 2020, provided that they were not already registered with the compulsory Italian pension scheme for the self-employed and had not paid, in the same period, at least one monthly contribution;
- door-to-door salespersons with an yearly income for 2019 over 5,000 Euro registered for VAT purposes and with the compulsory Italian pension scheme for the self-employed and other compulsory social security schemes.

Workers registered with the social security scheme for workers in the entertainment industry (FPLS) with specific requisites are granted a monthly indemnity equal to 600 Euro for April and May 2020, provided that they have not entered into any employment relationships and they are not entitled to any pension at the date of enforcement of this provision.



### **Art. 85 - Indemnity for domestic workers**

A monthly indemnity equal to 500 Euro is granted for the months of April and May 2020 to domestic workers who, at 23 February 2020, had one or more work contracts in force for a total duration of more than 10 hours per week, upon condition that they are not co-habitant with their employer.

Said indemnity is not granted to people entitled to receive emergency allowance or citizenship income and only upon meeting certain conditions (a sole integration of the citizenship income is eventually provided). The indemnity is actually not granted to people entitled to a pension, with the exception of the ordinary disability allowance and of people with a permanent employment relationship other than domestic work.

The indemnity is paid by INPS as a lump sum.

### **Art. 86 - Prohibition of cumulating indemnities**

Indemnities under articles 84 and 85 cannot be cumulated. They can however be obtained in addition to the ordinary disability allowance.

### **Art. 90 - Flexible working**

Up to the end of the state of emergency caused by the COVID-19 pandemic (to date, up to 31 July 2020), working parents in the private sector with at least one child below 14 years old, are entitled to carry out their job using flexible working arrangements, even without individual agreements.

This right is granted upon condition that the other parent in the same family is not a beneficiary of income support measures in case of suspension or termination of the working activity or that he/she does not carry out any working activity.

Employers of the private sector notify electronically the Ministry of Labour and Social Policies of the names of the employees and the date of termination of flexible working arrangements, using the documentation made available on the Ministry's website.

Only with reference to the period above (up to 31 July 2020) and in any case not beyond 31 December 2020, flexible work can be applied to private employers to any kind of employment relationship, even though lacking the individual agreements provided for by law.

It is confirmed that the obligation to inform on general and specific risks related to the specific way of performing the working relationship through flexible working is considered to have been complied with electronically also using the documents made available on the INAIL (Italian authority for compulsory insurance against accidents at work) website.

Employers of the private sector notify electronically the Ministry of Labour and Social Policy of the names of the employees and the date of termination of flexible working arrangements, using the documentation made available on the Ministry's website.

### **Art. 92 - Provisions on Naspi and Discoll monthly unemployment allowances**

A two-month extension to benefit from the Naspi (for employees) and Discoll (for people working with continuous and coordinated collaboration contracts) monthly unemployment allowance has been granted, whose term falls between 1 March and 30 April 2020.

The amount received will be equal to that of the last monthly salary due for the original work, upon condition that the beneficiary does not already receive other Covid-19 related indemnities provided for under Law Decree n. 18/2020 or in this Decree.

### **Art. 93 - Extension or renewal of fixed-term employment contracts**

The possibility to extend or renew, up to 30 August 2020, fixed-term employment contracts in force as at 23 February 2020 has been provided for, also without using the reasons introduced by art. 19, para. 1 of Legislative Decree n. 81/2015.

### **Art. 95 - Supporting measures for companies to reduce the risk of contagion**

In order to favour the measures introduced by the Protocol regulating the measures to contain and fight the diffusion of the COVID-19 pandemic in the workplace, the INAIL will promote extraordinary measures for companies which made interventions in their premises aimed at reducing the risk of contagion through the purchase of appliances, equipment and electronic devices useful to isolate or distancing workers.

### **Art. 98 - Provisions on sports workers**

An indemnity equal to 600 Euro will be paid by the company Sport e Salute Spa for April and May 2020 to all sports workers hired with collaboration contracts.

Furthermore, employees registered with the pension fund for sports professionals with a gross yearly remuneration not exceeding 50,000 Euro have the possibility to benefit from the exceptional layoff as under art. 22 of the so-called "Cura Italia" Decree for a maximum of 9 weeks.

Clarification on this provision are awaited from the Ministry of Labour and of Social Policies, as well as from the INPS, as concerns the criteria to determine the gross yearly remuneration.

### **Art. 103 - Emergence of working relationships**

The possibility has been introduced for employers to file a request with INPS to enter into an employment agreement with foreign citizens present on the Italian territory or to declare the existence of an irregular ongoing working relationship with Italian or foreign citizens. Moreover, foreign citizens whose residence permits have expired since 31 October 2019 and were not renewed or converted in any other type of permits, can apply for a six-month temporary permit. Should they, at the expiration of the temporary permit of stay demonstrate that they have an employment contract, the permit will be converted into a work permit.

The provisions of this article apply to the following industries: agriculture, farming and livestock growing, fishery, personal care services, domestic work.

## **Title IV- Provisions for people with disabilities and families**

### **Articles 104 and 105 - Provisions for people with disabilities and families**

Further to the COVID-19 emergency, specific measures have been adopted, aimed at strengthening the assistance to dependent disabled persons, with specific reference to the families taking care of them.

## **Title V - Local entities and trade payables**

### **Articles from 106 to 118 - Local entities and trade payables**

In order to guarantee the provision of essential services by local entities (regions, provinces, metropolitan cities, etc.), specific support and financing measures have been adopted, in order to allow the public administration to settle consolidated liabilities to private suppliers.

## **Title VI - Tax measures**

### **Art. 119 - Intervention aimed at improving energy efficiency (so-called Ecobonus, sismabonus etc.)**

In order to give a decided and prompt boost to some industries (construction, renewable energy, etc.) the tax measures in favour of people carrying out energy or seismic upgrading works or photovoltaic interventions have been strengthened.

The relevant tax deduction has actually been increased to 110% and specific mechanisms have also been introduced so that people can benefit from the discount immediately upon invoicing, or transfer it to third parties.

### **Art. 120 - Tax credit for the adaptation of working environments**

In order to facilitate the performance of the interventions needed to comply with healthcare provisions and COVID-19 containment measures, employers who carry out works in their premises (including construction works in changing rooms and canteen) are entitled to a 60% tax credit on the expenses borne in 2020, up to a maximum amount of 80,000 Euro.

### **Art. 122 - Transfer of the tax credits granted further to COVID-19 measures**

Specific provisions have been introduced allowing beneficiaries of tax credits related to the COVID-19 emergency (lease credits, adaptation of premises, sanitisations, etc.) to transfer them, wholly or in part, to third parties, including banks and financial intermediaries.

This measure is aimed at granted immediate liquidity and such way to use tax credits remains an alternative to the ordinary one, i.e. to offset tax, social security or other payables.

### **Art. 125 - Tax credit for the sanitisation and the purchase of protective equipment**

In order to promote the adoption of measures to fight the spread of COVID-19, a tax credit is granted to people carrying out business activities, arts and professions, non-commercial entities including third sector organisations and legally recognised religious entities, equal to 60% of the expenses borne in 2020 for the sanitisation of premises and equipment used, as well for the purchase of personal protective equipment and other devices aimed at guaranteeing workers' and users' health (gloves, masks, etc.). The tax credit is guaranteed up to a maximum amount of 60,000 Euro per each beneficiary.

### **Articles 126 and 127 - Extension of the terms for the resumption of the collection of suspended payments**

No step back by the Government on the extension of suspended payments related to the deadlines of 16 March 2020, 16 April 2020 and 18 May 2020: the provision, in its final version, confirms that the new deadline identified for the payment is 16 September 2020. As known, all three deadlines above had been suspended upon meeting specific criteria: the "Cura Italia" Decree suspended payments due on 16 March 2020, providing for their collection by 31 May or in 5 instalments, whereas the Liquidity Decree suspended payments due on 16 April 2020 and 18 May 2020, providing for their collection by 30 June 2020 or in 5 instalments.

This latter provision, therefore, supersedes the previous ones related to the May and June deadlines for suspended payments: all businesses which benefitted from the suspension as they met all the conditions set forth by law, will have to pay the relevant amounts either as a lump sum, without the application of fines and interest, by 16 September 2020, or in 4 instalments, starting from 16 September (thus with the last instalment due on 16 December 2020).

The suspension concerned both tax withholdings and social security contributions (INPS, INPGI, etc.) and insurance payments (INAIL) and specific provision had been introduced also for the suspension of VAT payments.

No suspension had been introduced, instead, for the next deadline on 16 June 2020, starting from when businesses and self-employed will have to start paying all amounts due, unless amendments will be introduced in the next few days (e.g. with the conversion into law of the Liquidity Decree).

The sole exception is the sports industry: it is actually provided for that national sports federations, sports promotion entities, sports associations and professional and amateur sports companies, the suspension of the payment of withholding taxes and social security and insurance contributions applies up to 30 June 2020. Such entities, therefore, will benefit from the suspension also for the 16 June 2020 deadline, resuming the payments starting from 16 September, together with the previous suspended amounts.

As a final note, it is specified that the deadline of 16 September, replacing those originally provided, applies also to self-employed who suspended the application of the withholding tax in their invoices for the period included between 17 March 2020 and 31 May 2020.

#### **Art. 145 - Suspension of the offsetting between tax credit and assessed arrears**

Only in 2020, the Revenue Office, when paying refunds, will not offset the tax credit due and the possible payables of assessed taxpayers.

#### **Art. 147 - Increase of the annual limit of credits which can be offset through F24 form**

Only for 2020 and in order to support businesses' liquidity and free-up tax credits, the maximum amount of credits which can be offset through the F24 form (or refunded in the tax account) is now increased from 700,000 Euro to 1,000,000 Euro.

#### **Art. 152 - Suspension of attachments on wages and pensions by the tax collector**

Starting from 19 May 2020 and until 31 August 2020, withholdings on wages and pensions against attachments made by the tax collector or other qualified subjects, are suspended. Therefore, during said period, attached amounts will not be withheld, but made available to the person subject to the attachment (as wage or pension). This is without prejudice to the amounts attached before 19 May 2020.

#### **Art. 159 - Extension of the number of taxpayers using the 730 form**

With reference only to the 730/2020 form relevant to FY 2019 income, in order to overcome the possible difficulties which may be encountered when making adjustments, workers having a withholding tax agent can file will also be entitled to use the income tax return "without withholding tax agent". This will allow workers to receive refunds directly by the Revenue Office, overcoming possible hindrances from the withholding tax agent in granting it, in case for example, they have liquidity issues or insufficient withholding taxes which make it impossible to grant a refund in the short term. The taxpayer should also consider the terms for refunds applied by the Revenue Office, which usually grants them within the end of the FY in which the 730 tax return is filed.

### **Title VII - Provisions for the protection of savings in the banking industry**

#### **Articles from 165 to 175 - Provisions for the protection of savings in the banking industry**

In order to sustain the financial stability of banks during the emergency period, specific State guarantees have been introduced in favour of credit institutions, as well as support regimes for the banking system to guarantee the orderly performance of administrative compulsory winding-up of smaller banks.

## Title VIII - Industry-specific measures

### Artt. da 176 a 264 - Industry-specific measures

Specific interventions are provided for to support the industries most affected by the emergency from an economic point of view. Specific measures are adopted for the tourism industry, such as the introduction of the so-called “holiday bonus”, up to a maximum amount of 500,000 Euro per family, to be used in the period from 1 July 2020 to 31 December 2020.

This industry has also been exempted from the payment of the IMU (municipal property tax) for the whole 2020 and restaurants and similar businesses will also be exempted, for the period between 1 May 2020 and 31 December 2020, from the payment of the tax for the occupation of public spaces and areas. The support measures contained in the Decree are also targeted to the culture and entertainment industries, through ad hoc funds, mainly aimed at supporting the promotional activity of these peculiar sectors.

Measures have also been introduced for the publishing industry, in the form of credits on advertising investments, expenses for the digitalisation and the purchase of printing paper, as well as a *una tantum* bonus equal to 500 Euro for businesses selling magazines and newspapers.

As far as the sports industry is concerned: the terms for the payment of lease rentals and concessions for the granting of public, State and local entities sports venues are suspended (for national sports federations, sports promotional entities, etc.) up to 31 June 2020 (previously 31 May) and the payment of previous instalments can be made by 31 July 2020 as a lump sum or in 4 instalments starting from July 2020. Given the suspension of sports activities, the procedures for the renegotiation of concession fees have also been facilitated.

As concerns the environmental sector, the so-called “mobility bonus” has been introduced, allowing some citizens resident in specific areas of the domestic territory to benefit from a contribution of maximum 500 Euro for the purchase of personal means of transport (bicycles, electrically propelled vehicles, etc.).

Additional measure to support the economy have also been introduced for the public transport (railways, air travel, etc.), judiciary, agricultural, fishery, education and university sectors.



For any further information or query you may have, please contact:

[studioleoniepartners@bgt.it.gt.com](mailto:studioleoniepartners@bgt.it.gt.com)

## Uffici

### Milan

Via Statuto, 4

20121, Milan

T +39 02 36 57 35 00



**Grant Thornton**

---

[www.bgt-grantthornton.it](http://www.bgt-grantthornton.it)

© 2020 Leoni & Partners. All rights reserved.

'Grant Thornton' refers to the brand under which the Grant Thornton member firms provide assurance, tax and advisory services to their clients and/or refers to one or more member firms, as the context requires.

Leoni & Partners is a subsidiary of Bernoni & Partners which is a member firm of Grant Thornton International Ltd (GTIL). GTIL and the member firms are not a worldwide partnership. GTIL and each member firm is a separate legal entity. Services are delivered by the member firms. GTIL does not provide services to clients. GTIL and its member firms are not agents of, and do not obligate, one another and are not liable for one another's acts or omissions.