

# Studio Tributario e Societario



Tax Flash News

Special

2022 Tax Decree | 2022 Budget Law

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# 2022 Tax Decree

Law Decree no. 146, dated 21 October 2021, converted into law, with amendments, by Law no. 215, dated 17 December 2021

## A1-Evolved payment systems to send of daily considerations

*(Art. 5, paragraph 12 bis)*

Qualified retailers adopting specific advanced payment systems (so called “sistemi evoluti di incasso”) may electronically store and transmit to the tax authorities data of daily considerations through such systems starting from 1 July 2022 (previously, 1 July 2021).

The definition of the technical characteristics of the evolving collection systems and of the information to be transmitted, as well as the terms of transmission, is delegated to a Provision of Italian Tax Authority to be published.

## A2-The transmission of daily considerations to the Health Card System

*(Art. 5, paragraph 12 ter)*

Qualified healthcare professionals or entities are exempt from issuing electronic invoices through the tax authorities' SdI system and electronically store and transmit to the tax authorities data of daily considerations until 1 January 2023 (previously, 1 January 2022).

## A3-Postponement of the prohibition to issue electronic invoices for healthcare services

*(Art. 5, paragraph 12-quater)*

With the amendment to Article 10-bis of Law Decree no. 119/2018, the prohibition of issuing electronic invoices through the Interchange System has been postponed to 2022, for entities:

- obliged to send the data to the Health Card System, with reference to invoices for transactions whose data must be sent to the so called TS System (Article 10-bis of Decree-Law 119/2018);
- who, although not obliged to send the data to the TS System, issue invoices for healthcare services provided to individuals (art. 9-bis of Law Decree no. 135/2018).

## A4-Postponement of changes to the communication-reporting invoice details of cross-border transactions (esterometro)

*(Article 5, paragraph 14-ter)*

With respect to supplies carried on from 1 July 2022 (previously, 1 January 2022), the communication reporting data of cross-border transactions (so called “Esterometro”) is abolished and the transmission of relevant data will take place through the tax authorities' SdI system (sistema di interscambio). The tax authorities updated the technical rules with Protocol No. 293384/2021 (in Italian) and Protocol No. 374343/2021 (in Italian).

Please note that the communication obligation is optional for transactions for which a customs bill has been issued or an electronic invoice has been issued or received through the Interchange System.

In relation to the transmission deadlines, the Article 1, par. 3-bis of Legislative Decree 127/2015 provides that:

- sales side: the submission has to be performed within the term established for issuing the invoice that documents the transaction (for example: for immediate invoices, within 12 days from carrying out the transaction, pursuant to article 21, par. 4, of Presidential Decree no. 633/1972);
- purchases side: the submission has to be performed within the 15th day of the month following the one in which (i) the invoice has been received for EU purchases or (ii) the transaction has been carried out for Extra-EU purchases.

## **A5-Supplies to the European Commission**

*(Article 5 paragraph 15-bis)*

Supplies of goods to the European Commission, or to an agency or body established under EU law, to be used to respond to the COVID-19 pandemic are VAT zero-rated, subject to certain conditions. In line with EU Directive no. 2021/1159, the new rules retroactively apply to supplies carried on from 1 January 2021.

These rules shall not apply where the goods and services purchased are used, immediately or subsequently, for the purposes of further supplies or services for consideration by the Commission or other agency or body.

## **A6-VAT regime for non-commercial entities and special regime for ODV and APS**

*(Art. 5 paragraph 15-quater, par. 15-quinquies and par. 15-sexies)*

Articles 4 and 10 of Presidential Decree no. 633/72 have been amended.

It has been provided that some transactions carried out by associations, that were previously excluded from VAT, are now relevant for VAT purposes, benefiting of VAT exemption regime.

Therefore, the following transactions are included within the scope of VAT, although under a VAT exemption regime:

- the supply of goods and services carried out for specific consideration or additional contributions by political, religious, welfare, cultural, amateur sports, social promotion and sports associations, even if rendered to members, associates or participants and in accordance with their institutional purposes (Article 4, par. 4, second sentence, of Presidential Decree no. 633/72);
- the supply of goods and services provided at propaganda events by political parties represented in national and regional assemblies (Article 4, par. 5 of Presidential Decree no. 633/72);
- the supply of food and beverages to members of associations for social promotion included among the bodies referred to in art. 6, Law no. 287/1991 at the premises of their institutional activity (art. 4, par. 6 of Presidential Decree no. 633/72).

Moreover, the exception provided for by art. 4, par. 5(a) of Presidential Decree no. 633/72 for publications sold by associations has been deleted. Consequently, also publications of such entities, sold mainly to their members, are considered in any case transactions falling within the scope of their commercial activities.

The new paragraphs 4-6 of art. 10 of Presidential Decree no. 633/72 introduce new cases of exemption from VAT.

More in detail, the following transactions are exempt from VAT:

- the provision of services and the supply of goods closely related to them carried out in accordance with the institutional purposes by political, religious, welfare, cultural, social promotion associations, against payment of specific consideration, rendered to members, associates or participants, as well as of associations carrying out the same activity and which by law, regulation or statute form part of a single local or national organization, and of their respective members, associates or participants and of members of their respective national organizations;
- the supply of services closely linked to the practice of sport or physical education by amateur sporting associations to persons practicing sport or physical education and by associations carrying on the same activity and which by law, regulation or statute form part of a single local or national organization, and of their members, associates or participants and of members of their respective national organizations;
- the supply of goods and services carried out at propaganda events by the bodies and organizations referred to in the first point (i.e. political, trade union and professional, religious, welfare, cultural, social promotion and extracurricular training associations) organized for their exclusive benefit;
- the serving of food and drink to destitute people, carried out by social promotion associations included among the bodies referred to in art. 3, par. 6(e) of Law 287/91, whose charitable purposes are recognized by Government, provided that this serving activity is strictly complementary to those carried out in direct implementation of the institutional purposes.

Moreover, the application of these exemptions under Article 10, paragraph 4, of Presidential Decree 633/72 should meet the following requirements:

- they do not distort competition of commercial enterprises subject to VAT;
- the associations concerned are prohibited from distributing, even indirectly, profits or operating surpluses, as well as funds, reserves or capital during the life of the association, unless the destination or distribution is required by law;
- the same associations comply with certain clauses, indicated in the new paragraph 5 of art. 10 of Presidential Decree no. 633/72, to be included in the relevant deeds of incorporation or articles of association drawn up in the form of a public deed or an authenticated or registered private deed, or with the corresponding clauses provided for by Legislative Decree no. 117/2017 (Third Sector Code).

The provision is applicable only for the purposes of value added tax (Article 5, paragraph 15-quinquies).

### **A7-Special regime for ODV and APS**

*(Article 5, paragraph 15-quinquies)*

The VAT rules for the flat-rate regime have been extended, as set out in art. 1, par. 58-63 of Law no. 190/2014:

- to voluntary organizations and associations for social promotion
- with annual revenues not exceeding €65,000.

This regime implies the exclusion from the mechanism so called *rivalsa* and deduction of tax, as well as the exemption from VAT obligations, with the exception of the obligations of numbering and storage of purchase invoices and customs bills, the certification of fees and the storage of related documents.

The provision is applicable only for the purposes of value added tax (Article 5, paragraph 15-quinquies).

The provision has transitional nature pending the full operation of Title X of the Code of the Third Sector (Legislative Decree 117/2017), the applicability of which is subject to the operation of the Single National Register of the Third Sector (which took place on 23.11.2021) and to the authorization of the European Commission, according to Article 101 paragraph 10 and Article 104 paragraph 2 of Legislative Decree 117/2017.

### **A8-Zero-rated VAT regime for international transport of goods**

*(Article 5-septies)*

In the field of international transport, a new provision has been introduced in art. 9 of Presidential Decree no. 633/72.

In particular, the new paragraph 3 of Article 9 provides that the supplies of cross-border transportation services carried on from 1 January 2022 are no longer VAT zero-rated if provided to persons other than:

- exporter;
- holder of the transit regime;
- importer;
- consignee of the goods;
- the supplier of services referred to in paragraph 4 (i.e. (i) shipping services related to the transport of persons carried out partly in Italy and partly in foreign territory under a single contract, (ii) transport of goods for export, in transit or temporary importation, (iii) as well as the transport of imported goods, provided that the consideration for shipping services is included in the taxable amount; by the supplier of services related to customs operations)

as a result of the amendments, while under the previous wording of Article 9 the zero-rated regime of transport is conditional on the fact that the service is "related" to goods being exported or imported, the amendments to that provision also introduce the additional requirement that the zero-rated regime of the services is applicable only where the service is provided directly to the persons listed above.

## A9-Virtual stamp duty

*(Article 5, paragraph 14-bis)*

Article 5, pa. 14-bis amends Article 15-bis of Presidential Decree no. 642/72.

More in detail:

- paragraph 1 provides that the advance payment is equal to 100% of the provisionally assessed tax (instead of 70%);
- paragraph 2, the deadline for submitting the documents actually issued in the previous year has been postponed to February of each year;
- paragraph 3 outlines the entities to which the provisions of the article under review shall apply, and in particular
  1. the company Poste Italiane S.p.a;
  2. banks;
  3. asset management companies;
  4. the parent companies of the banking groups referred to in Article 61 of the Consolidated Law on Banking and Credit, referred to in Legislative Decree no. 385 of 1 September 1993;
  5. securities brokerage companies;
  6. entities indicated under titles V, V-bis and V-ter of the Consolidated Act referred to in legislative decree n. 385 of 1993, as well as the companies pursuing other financial activities indicated in article 59 (1, b) of the same Act;
  7. Insurance undertakings.

# 2022 Budget Law

## Law no. 234, December 30, 2021

### Balance-sheet of the Italian State for the fiscal year 2022 and for the 2022-2024 fiscal years

#### **B1-Amendments to the step-up and realignment regime provided by art. no. 110, Law Decree 104/2020 for intangibles – brand and goodwill**

*(art. 1, paragraph 622 ss.)*

The art. 110 of the Law Decree no. 104/2020 (so called, August Decree) had foreseen that Italian companies (different from IAS/IFRS adopters) could step up assets and participations owned in the statutory financial statement including December 31, 2019. The step up had to be opted in the subsequent financial statement (i.e. 2020) and the higher value could be recognized for tax purposes by the payment of a substitute tax equal to 3% for both depreciable assets and not depreciable. The fiscal value of the assets stepped up was recognized from the fiscal year subsequent to that the step up refers to (i.e. 2021). Moreover, the mentioned Law Decree no. 104/2020 had provided that both ITA GAP and IAS compliant companies could opt for the realignment between fiscal and accounting value (if higher than the fiscal ones) of certain assets by applying the 3% substitute tax with the effects of the step up similar to the ones mentioned above.

The 2022 Budget Law, amending the above discipline, foresees that:

- the **deduction for income tax purposes of the depreciation of the higher value** (stepped up or realigned) **of brands and goodwill** is extended to **50 years** (the original tax depreciation was 18 years),
- in case of **sale, transfer or dismissal** of the mentioned intangible assets the relevant capital loss is deductible under the relevant residual tax depreciation period. Also the transferee of the intangible can deduct for income tax purposes the portion of the fiscal value acquired referred to the stepped up (or realigned) value on the residual tax depreciation period as communicated by the transferor,
- in order to avoid the postponement of the tax depreciation (and deduct the tax depreciation over the original 18 years period), taxpayers can opt for an **additional substitute tax (equal to 12% for amounts up to 5mil Euro, 14% from 5 to 10mil Euro and 16% over 10mil Euro)**, net of the 3% already applied.

In any case taxpayers **can fully or partially revoke the tax effects of the step up or the realignment** recovering by refund or by offsetting the substitutive tax already paid.

The provision is effective since the fiscal year subsequent to that in which the step up or the realignment was opted (i.e. for the major part of the Italian companies, the fiscal year 2021).

#### **B2-Postponement of the business combination incentive**

*(art. 1, paragraph 70-71)*

The 2021 Budget Law (Law no. 178/2020) had foreseen that in case of **business combination** carried out by merger, demerger or business contribution, resolved from January 1, 2021 to December 31, 2021, the entity resulting from such extraordinary transactions was entitled to transform into tax credit the deferred tax assets (DTA), even though not booked in the statutory financial statement, referred to:

- tax losses to be carried forward, available up to the fiscal year preceding the one in which the extraordinary transaction occurs;
- Notional Interest Deduction excess (i.e. "eccedenza ACE"), available up to the fiscal year preceding the one in which the extraordinary transaction occurs;

up to the amount of 2% of the assets registered by all the companies involved in the extraordinary transaction as resulting from the balance sheet prepared in accordance with the art. 2501-quarter of the Italian Civil Code, excluding the entity showing the highest values (in case of business contribution the 2% was referred to the value of the assets contributed). The transformation was subject to the payment of a fee equal to 25% of the DTA transformed.

The provision under exam could be applied if the companies involved (i) were operative at least from two years, (ii) were not part of the same group or having control relationship higher than 20% or controlled under the Italian Civil Code provisions, in the last two years and at the date of the extraordinary transaction, (iii) were not under a financial trouble procedure or under insolvency situation according to the Italian law provisions.

However, the transformation rule could be applied by the companies purchased or whose control was reached from January 1, 2021, and December 31, 2021, by different transactions, under the condition that the extraordinary transaction relevant for the application of the provision under exam was executed within one year.

The 2022 Budget Law postpones the incentive to the transactions occurred by **June 30, 2022**, and in case of purchasing the control the extraordinary transaction has to be made by **two years**, finally, the DTA conversion is allowed up the lower amount between **500mil Euro** and 2% of the assets registered by all the companies involved determined as provided by the 2021 Budget Law.

In addition, the Budget Law 2022 foresees that in case of extraordinary transactions participated by controlling corporations drafting the consolidated financial statement, the assets to be considered, for the provision under exam purpose, are those included in the last consolidated financial statement.

### **B3-Postponement of the tax credit for investments in new instrumental assets and of the R&D tax credit**

*(art. 1, paragraph 44 e ss.)*

As known, the 2020 Budget Law had replaced the super and hyper depreciation relieves with a tax credit to be applied to new investments in tangible and intangible assets. The incentive has been postponed by the 2021 Budget Law.

The 2022 Budget Law extends furtherly the tax credit relieves:

- for the investments in generic tangible and intangible assets (different from those “Industry 4.0”) the actual measure of the tax credit is confirmed (see the table below);  
for the investments in **tangible assets “Industry 4.0”** (assets included in the annex A attached to the 2017 Budget Law) made from January 1, 2023 to December 31, 2025 or June 30, 2026 (provided that the relevant purchase order is accepted and at least 20% of the purchase price is paid within December 31, 2025) the tax credit is equal to:
  - **20%** for investment up to 2.5mil Euro;
  - **10%** for investments from 2.5 to 10mil Euro and
  - **5%** for investments over 10 mil Euro up to 20 mil Euro;
- for the investments in **intangible assets “Industry 4.0”** (assets included in the annex B attached to the 2017 Budget Law, as integrated by the 2018 Budget Law):
  - made from November 16, 2020 to December 31, 2023, or June 30, 2024 (provided that the relevant purchase order is accepted and at least 20% of the purchase price is paid within December 31, 2023) the tax credit is equal to **20%** up to the maximum amount of admitted cost of 1mil Euro, including cost for shared calculation and cloud computing;
  - made from January 1, 2024, to December 31, 2024, or June 30, 2025 (provided that the relevant purchase order is accepted and at least 20% of the purchase price is paid within December 31, 2024) the tax credit is equal to **15%**, up to the maximum amount of admitted cost of 1 mil Euro, including cost for shared calculation and cloud computing;
  - made from January 1, 2025 to December 31, 2025, or June 30, 2026 (provided that the relevant purchase order is accepted and at least 20% of the purchase price is paid within December 31, 2025), the tax credit is equal to **10%**,



up to the maximum amount of admitted cost of 1 mil Euro, including cost for shared calculation and cloud computing.

Investment	Tax credit	Timing
<i>Tangible instrumental assets</i>	Tax credit 10% (15% smart working) max admitted cost 2 mil euro	Investments from 16.11.2020 to 31.12.2021 (or extended time 30.06.2022)
	Tax credit 6% max admitted cost 2 mil euro	Investments from 1.1.2022 to 31.12.2022 (or extended time 30.06.2023)
<i>Intangible assets</i>	Tax credit 10% (15% smart working) max admitted cost 1 mil euro	Investments from 16.11.2020 to 31.12.2021 (or extended time 30.06.2022)
	Tax credit 6% max admitted cost 1 mil euro	Investments from 1.1.2022 to 31.12.2022 (or extended time 30.06.2023)
<i>Tangible assets Industry 4.0 (attachments A, Law December 11, 2016, on. 232)</i>	Tax credit: - 50% up to 2,5 mil euro - 30% from 2,5 mil to 10 mil euro - 10% from 10 to 20 mil euro	Investments from 16.11.2020 to 31.12.2021 (or extended time 30.06.2022)
	Tax credit: - 40% up to 2,5 mil euro - 20% from 2,5 to 10 mil euro - 10% from 10 to 20 mil euro	Investments from 1.1.2022 to 31.12.2022 (or extended time 30.06.2023)
	Tax credit: - 20% up to 2,5 mil euro - 10% from 2,5 to 10 mil euro - 5% from 10 to 20 mil euro	Investments from 1.1.2023 to 31.12.2025 (or extended time 30.06.2026)
<i>Intangible assets Industry 4.0 (attachments B, Law December 11, 2016, on. 232)</i>	Tax credit 20% max admitted cost 1 mil euro per year	Investments from 16.11.2020 to 31.12.2022 (or extended time 30.06.2023)
	Tax credit 20% max admitted cost 1 mil euro	Investments from 1.1.2023 to 31.12.2023 (or extended time 30.06.2024)
	Tax credit 15% max admitted cost 1 mil euro	Investments from 1.1.2024 to 31.12.2024 (or extended time 30.06.2025)
	Tax credit 10% max admitted cost 1 mil euro	Investments from 1.1.2025 to 31.12.2025 (or extended time 30.06.2026)

The 2022 Budget Law modifies and extends also the discipline of the **R&D, ecological transition, technology innovation 4.0 and other innovative activities tax credit** introduced by the 2020 Budget Law (Law no. 160/2019), as follows:

- for the **R&D activities** (i.e. fundamental research activity, industrial research and development in technology or scientific areas), the bonus is equal to:

- **20%** of the admitted expenses up to 4mil Euro per year, for the tax period running as of December 31, 2022, (the limit can be increased from 25% to 45% for entities located in the South of Italy according to specific rules)
- **10%** of the admitted expenses up to 5mil Euro per year, for the tax period subsequent to that running as of December 31, 2022 until that running as of December 31, 2031,
- for the **technology innovation activity**, the bonus is equal to:
  - **10%** of the admitted expenses up to 2mil Euro per year, until the tax period running as of December 31, 2023;
  - **5%** of the admitted expenses up to 2mil Euro per year, for the tax period subsequent to that running as of December 31, 2023 until that running as of December 31, 2025;
- for the **design activity or esthetic new ideas**, the bonus is equal to:
  - **10%** of the admitted expenses up to 2mil Euro per year, until the tax period running as of December 31, 2023;
  - **5%** of the admitted expenses up to 2mil Euro per year, for the tax period subsequent to that running as of December 31, 2023 until that running as of December 31, 2025;
- for the **technology innovation** aim to realize products, new production processes, an ecological transition or digital innovation 4.0, the bonus is equal to:
  - **15%** of the admitted expenses up to 2mil Euro per year, until the tax period running as of December 31, 2022;
  - **10%** of the admitted expenses up to 4mil Euro per year, for the tax period subsequent to that running as of December 31, 2022;
  - **5%** of the admitted expenses up to 4mil Euro per year, for the tax period subsequent to that running as of December 31, 2023 until that running as of December 31, 2025.

Tax credit	2022	2023	2024	2025	From 2026 to 2031
<i>R&amp;D</i>	20%, max 4 mil euro	10%, max 5 mil euro	10%, max 5 mil euro	10%, max 5 mil euro	10%, max 5 mil euro
<i>Technology innovation</i>	10%, max 2 million euro	10%, max 2 mil euro	5%, max 2 mil euro	5%, max 2 mil euro	-
<i>Design activity or esthetic new ideas</i>	10%, max 2 mil euro	10%, max 2 mil euro	5%, max 2 mil euro	5%, max 2 mil euro	-
<i>Technology innovation aim to realize an ecological transition or digital innovation 4.0</i>	15%, max 2 mil euro	10%, max 4 mil euro	5%, max 4 mil euro	5%, max 4 mil euro	-

## B4-Patent Box

(art. 1, paragraph 10 e ss.)

The art. 6 of the Law Decree no. 146/2021 (converted into Law no. 215/2021) had substituted the Patent Box relief, providing a tax exemption of the profits from certain intangibles, with an **extra deduction (equal to 90%) of R&D costs sustained for the development of software protected by copyrights, industrial patents, brands, designs or models, processes, formulas and experience matured in industrial, commercial or scientific business, subject to juridical protection**. The regime of the Patent Box is **optional** and, if requested, covers **five fiscal years**, cannot be revoked in the meanwhile and is renewable. If supported by proper documentation, the extra-deduction is covered by the **penalty protection** in case of tax audit challenging the extra-deduction computation.

The 2022 Budget Law has increased the extra tax deduction of the above mentioned R&D cost up to **110%** and reduced the number of the intangibles subject to the bonus providing that the R&D cost to be computed for the tax relief have to be referred to **software protected by copyrights, industrial patents, designs and models utilized directly or indirectly in the business activity carried out**. The 2022 Budget Law allows that the Patent Box and the R&D tax credit can be both applied by the taxpayers.

Moreover, a new **transitory regime** from the previous Patent Box relief (i.e. profit exemption) to the new one (i.e. extra cost deduction) has been introduced, basically based on a taxpayers' option to be communicated to the Tax Authorities according to rules to be issued by the Italian Tax Agency.

Finally, it has been foreseen that in case R&D cost are sustained for the creation of new intangibles, the relevant 110% extra deduction is allowed starting from the tax period in which the intangible gets the relevant industrial protection; however, the extra deduction cannot be applied for costs sustained before the eighth tax period preceding that in which the industrial protection is granted.

### **B5-Tax and social security contribution credit and debt offsetting**

*(art. 1, paragraph 72)*

The 2022 Budget Law has increased the tax and social security contributions credit and debt offsetting up to **2mil euro** per year since the fiscal year 2022 onwards.

### **B6-Assets depreciation suspension**

*(art. 1, paragraph 711)*

The August Decree (no. 104/2020, art. 60) had provided that for the tax period running as of August 15, 2020, Italian companies not IAS/IFRS adopters (i.e. ITA GAAP subjects) could avoid the full or partial accounting of the tangible and intangible assets depreciation in the statutory financial. The accounting depreciation had to be postponed to the subsequent financial statement and the relevant depreciation period was, as a consequence, extended of one year. For income tax purposes, taxpayers could opt for the deduction of the assets depreciation in the relevant tax return.

The 2022 Budget Law foresees that the **assets depreciation suspension** can be applied also in the financial statements referred to the tax period subsequent to that running as of August 15, 2020, for the taxpayers that had not fully made assets depreciation in the preceding one.

### **B7-Plastic Tax e Sugar Tax**

*(art. 1, paragraph 12)*

The effectiveness of the Plastic Tax and Sugar Tax is postponed to **January 1, 2023**.

### **B8-Tax credit for the small-medium size companies listing on the stock exchange**

*(art. 1, paragraph 46)*

The tax credit attributable to small-medium size companies listing on the stock exchange is extended to **December 31, 2022**.

### **B9-Individuals' income tax rates reduction (IRPEF)**

*(art. 1, paragraph 2 e ss.)*

**Individuals' income tax rates** have been modified as follows: the 41% rate has been abolished, the second rate has been reduced from 27% to 25% and the third from 38% to 35% (including income up to 50.000 euro). A new system of **tax deduction for individuals' income** has been introduced by the 2022 Budget Law.

### **B10-Local tax on production (IRAP) exemption for individuals carrying on commercial, art and professional activities**

*(art. 1, paragraph 8)*

From 2022 IRAP is not applied to individuals carrying on certain commercial, art and professional activities.

## **B11-Decrease of the VAT rate to 10% for non-compostable women's hygiene products**

*(art. 1, paragraph 13)*

It has been introduced number 114-bis to Table A, Part III, attached to Presidential Decree no. 633/1972.

In particular, the provision **decrease from 22% to 10% the VAT** rate applicable to 'tampons and pads, intended for the protection of female hygiene, not included in number 1-quinquies) of Table A, Part II-bis'. The latter provision, introduced starting from 1st January 2020, provides for a **VAT rate of 5%** for feminine hygiene products that are compostable according to UNI EN 13432:2002 or washable, as well as for menstrual cups.

## **B12-Postponement of stamp duty exemption on digital certifications**

*(art. 1, paragraph 24)*

Paragraph 24 postpones to 2022 the **exemption for stamp duty** for personal certificates issued in digital form in accordance with Article 62 of Legislative Decree NO. 82, dated of 7 March 2005.

## **B13-Decrease of VAT rate to 5% for gas supplies**

*(art. 1, paragraph 506)*

Paragraph 506 provides the application of the **5% VAT** rate to the **supply of methane gas** intended for combustion in civil and industrial use (ex art. 26, par. 1, Legislative Decree no. 504, dated 26 October 1995) accounted in the invoices issued for the estimated or actual consumption in the months of January, February and March 2022. Please note that the VAT rate to 5% applies to **"civil use" and "industrial use"**, and does not apply to the use of natural gas for motor vehicles or the use of natural gas for the production of electricity, as these uses are completely independent and different from the civil and industrial uses facilitated by the provision.

## **B14-Postponed VAT concession for the supply of bovine and pig species**

*(art. 1, paragraph 527)*

Paragraph 527 postpones to 2022 the increasing of VAT compensation percentages referred to in Article 34, paragraph 1, of Presidential Decree no. 633/1972, applicable to **the supply of live animals** of the bovine and pig species, to an extent not exceeding 9.5%.

## **B15-Postponement of the VAT exemption treatment of commercial services carried out by associations**

*(art. 1, paragraph 683)*

Paragraph 683 postpones to **1st January 2024** the entry into force of art. 5, par. 15-quarter, 15-quinquies and 15-sexies of Law Decree no. 146/2021.

In particular, starting from 2024, commercial services provided by the associations (currently considered to be outside the VAT scope) will become VAT-exempt transactions according to Article 10 of Presidential Decree no. 633/1972. For more details, please see below alert on Law Decree no. 146/2021.

## **B16-Postponement of deadlines for tax and social security payments in the sports sector**

*(art. 1, paragraph 923)*

Paragraph 923 suspends the deadlines for VAT payments due in January, February, March and April 2022 for **national sports federations, sports promotion organizations, professional and amateur sports associations and companies** that have their tax domicile, legal office or operational office in Italy and operate in the context of ongoing sports competitions, according to the Decree dated 24 October 2020.

## **B17-Provisions on investments and safety in the motorway infrastructure sector**

*(art. 1, paragraph 964)*

Paragraph 964, amending Article 2, Decree-Law no. 121, dated 10 September 2021, provides the relevance, for VAT purposes, of services rendered by the concessionaire beneficiary of the financial resources to the motorway **infrastructure sector** to the concessionaire that makes such financial resources available.

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