

# Amended Rulebook on Electronic Invoicing

## Tax Alert

August 2024

The Ministry of Finance of Serbia has adopted the Rulebook on the amendments to the Rulebook on Electronic Invoicing (**Rulebook**), which was published in the Official Gazette of the Republic of Serbia No. 65/2024 dated 2 August 2024.

Amendments are applicable as of 1 September 2024, with the exception of the provisions related to electronic recording of input VAT, which are applicable for tax periods starting as of 1 September 2024.

The most important novelties are presented below.

### Determining the entity status and tax period

It is envisaged that in the System of Electronic Invoices (**SEF**) the user can determine the status of the entity in terms of whether the entity is VAT payer or not.

In this respect, an entity which is a VAT payer, determines the tax period for which they submit the VAT return, by choosing a calendar month or calendar quarter, on SEF.

### Tax categories

New tax categories are envisaged by the Rulebook amendments:

1. S20 – standard VAT calculation at the 20% rate;
2. S10 – standard VAT calculation at the 10% rate;
3. AE20 – reverse VAT calculation at the 20% rate;
4. AE10 – reverse VAT calculation at the 10% rate.

By respective amendments, previous tax categories S (standard VAT calculation) and AE (reverse VAT calculation) are replaced and separated by tax rates.

### Separate invoices for the supply of buildings

It is prescribed that in the electronic invoice (**e-invoice**) issued for the supply of buildings, economically divisible units within those buildings and ownership shares in those goods (buildings), data on other transactions cannot be stated.

The rule is applicable regardless of whether there is an obligation to calculate VAT, the VAT rate, and whether the taxpayer is a supplier or recipient of goods in accordance with the VAT Law.

### Electronic recording of input VAT

Electronic recording of input VAT is performed cumulatively, for the tax period, by manually or automatically entering certain data in SEF interface.

It is envisaged that data which refer to the procurement of goods and services from the VAT payer – tax debtor, are recorded cumulatively by the type of invoice, namely:

1. Electronic invoices;
2. Fiscal receipts;
3. Other invoices.

On the other hand, data which refer to the procurement of goods and services from a foreign person, that is a VAT payer, on the basis of which the recipient is a tax debtor, are recorded cumulatively from individual VAT records made on the basis of internal accounts, namely:

1. Internal account – foreign person
2. Internal account – VAT payer

Data are stated in RSD, with the maximum of two decimals.

### Data contained in the input VAT record

Input VAT record contains data on:

1. Number of input VAT record, status and date of recording;
2. Year, tax period (month or quarter) and period (particular month or quarter);
3. Procurement of goods and services in Serbia from VAT payers - supply for which the taxpayer is the supplier of goods, that is, the supplier of services;
4. Procurement of goods and services in Serbia from VAT payers - supply for which the taxpayer is the recipient of goods or services;

5. VAT paid for the import/delivery of goods put into free circulation in accordance with customs regulations;
6. VAT compensation paid to the farmer, including the increase;
7. Corrections of the input tax deduction.

The Rulebook specifies in more detail the above data.

### Automatic entry of data

Automatic entry of data is performed after the end of the tax period for which electronic recording of input is performed (from the 1st to the 10th day of the calendar month following that tax period), with the balance on the day preceding the day of automatic entry.

Data which are entered automatically relate to:

1. Procurement of goods and services in Serbia from VAT payers - supply for which the tax debtor is the supplier of goods/services;
2. Procurement of goods and services in Serbia - supply for which the tax debtor is the recipient of the goods;
3. VAT paid for the import/delivery of goods put into free circulation in accordance with customs regulations.

Automatic entry of data from e-invoices is done regardless of whether the e-invoice is accepted, cancelled, etc., while from individual records the entry is performed from records with the status recorded.

If e-invoice is issued in the period from the 10th day of the calendar month following the tax period in which the tax liability arose, until the deadline for submission of the VAT return for that tax period, or there was another change that has an impact on the electronic recording of input VAT, the VAT payer is obliged to correct input VAT records.

The correction is made within the deadline for submission of the VAT return for the tax period in which a change that has effect on the electronic recording of input VAT occurred.

### The deadline for electronic recording of VAT and input VAT

It is specified that the deadline for electronic recording of VAT, as well as the deadline for electronic recording of input VAT, expires on the 10th day of the calendar month following the tax period for which electronic recording of VAT/input tax is performed.

As a reminder, the Law on electronic invoicing prescribes penalties in cases when the electronic recording of VAT is not performed in accordance with the law.

### Delivery note as an attachment to the e-invoice

It is envisaged that delivery notes and transport documents can be attached to the e-invoice.

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