

Law on Amendments to the Law on Electronic Invoicing

December 2024

In brief

The National Assembly has adopted the Law on Amendments to the Law on Electronic Invoicing (hereinafter: the Law). The amendments will come into effect on 15 December 2024, and will be applied from 1 January 2025, except for the provisions relating to:

- status of entities in the Electronic Invoicing System (hereinafter SEF) - effective from 15 December 2024;
- new rules on recording calculated and input VAT in the SEF - applicable from the tax period starting after 31 December 2024;
- preliminary tax return - applicable from the tax period starting after 31 December 2025.

The most significant changes relate to amendments and supplements to the rules concerning the recording of VAT in the SEF. It is also expected that by-laws will be adopted to further regulate some of the enacted amendments.

Scope of regulation

The most significant amendments to the Law on Electronic Invoicing include the following:

1. Status of entities in the SEF
2. Recording VAT in the SEF
3. Cross-border transactions
4. Preliminary tax return
5. Penalty provisions

Below are the most important amendments summarized.

Status of entities in SEF

Every entity within the electronic invoicing system is obliged to disclose information about their status in SEF. For entities registered on the list of SEF users who have not declared their status in SEF by 15 December 2024, the relevant data will be entered based on information obtained from the Tax Administration.

Recording of VAT in the SEF

The key innovations in recording of VAT in SEF are:

- There is an obligation to record VAT in the aggregate records for retail transactions for which a fiscal receipt has been issued.
- VAT calculated on the first transfer of the right to dispose of newly constructed buildings, economic units within them, or ownership shares is recorded in the individual VAT records.
- The deadline for electronic recording of VAT is extended from 10 to 12 calendar days after the end of the tax period for which VAT is electronically recorded.
- There is a provision for the possibility, but not the obligation, to correct the electronic VAT records.

- Electronic recording of input VAT is performed with the status as of the day preceding the day of electronic recording. If the recording is done after the 10th day of the calendar month following the tax period being recorded, the recording is performed with the status as of the 10th day of that calendar month.

Cross-border transactions

A user of the electronic invoicing system can access information on the import or delivery of goods placed into free circulation in accordance with customs regulations by accessing the list of customs declarations for the import or delivery of goods.

The list is compiled based on customs declarations and other documentation related to the clearance of imported or delivered goods placed into free circulation in accordance with customs regulations.

Preliminary Tax return

In the electronic invoicing system, a preliminary tax return is prepared based on the data available in the system.

Penal provisions

It is stipulated that in the case of correcting electronic VAT recording and electronic recording of input VAT where an error has been identified, it will not be considered a violation provided that the correction is made before the initiation of the inspection procedure.

Let's talk

For a deeper discussion of how this issue might affect your business, please contact:

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