

September 2021

In focus: Law on Electronic Invoicing

On 9 July 2021, based on the Law on Electronic Invoicing which entered into force on 7 May 2021, three decrees and three rulebooks were published ("Official Gazette of RS", No. 44/2021 - hereinafter: the "Law"), which regulate the following areas in more detail:

1. conditions and manner of keeping, as well as presentation of electronic invoices, manner of ensuring the authenticity and integrity of the contents of the invoice in paper form,
2. conditions and manner of using the invoice management system,
3. procedure and conditions for issuing and revoking consent for performing the activities of an information intermediary,
4. manner and procedure of registration for access to the electronic invoice system, manner of access and use of the system and manner of use of data available in the electronic invoice system,
5. the minimum content of the electronic invoice necessary for its processing through the system of electronic invoices, cases in which certain elements of the electronic invoice may be omitted, cases in

which the obligation to express additional elements is provided, based on other regulations governing the issuance of certain types of invoices, forms and the manner of delivery of accompanying and other documentation through the system of electronic invoices, the manner and procedure of electronic recording of value added tax calculation in the system of electronic invoices and the manner of application of electronic invoicing standards,

6. the manner of action of the Central Information Intermediary in performing the tasks of managing the system of electronic invoices and keeping the Register of Information Intermediaries which have received the consent of the Ministry of Finance.

All bylaws will be applied from 1 January 2022.

As a reminder, the Law regulates the new manner of issuing, sending, receiving, processing and keeping invoices, as well as the new content of invoices in transactions between public sector entities, between private sector entities, i.e. between public and private sector entities, and other issues of importance for electronic invoicing.

We draw your attention to the fact that the gradual introduction of electronic invoices prescribed by the Law implies the following:

PUBLIC SECTOR ENTITIES

- from 1 January 2022, the obligation to receive and keep an electronic invoice issued in accordance with the Law, as well to issue an electronic invoice to another public sector entity and electronically record VAT calculation, both in transactions with and without a fee;
- from 1 July 2022, the obligation to issue an electronic invoice to a private sector entity.

PRIVATE SECTOR ENTITIES

- from 1 January 2022, the obligation to issue an electronic invoice to a public sector entity;
- from 1 July 2022, the obligation to receive and keep electronic invoices issued by public and private sector entities;
- from 1 January 2023, the obligation to issue and keep electronic invoices in transactions with private sector entities.

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