

Cross-border VAT exemption scheme – Quarterly reporting – Implementing measure

1 PREAMBLE

With the Italian Revenue Agency's measure no. 460166 of 30 December 2024, the procedures and deadlines for submitting the advance notification were established. This notification must be submitted by taxable persons established in Italy in order to access the cross-border VAT exemption scheme, as well as the information to be included in the application.

Conditions for Accessing the Scheme

To access the scheme, a taxable person established in Italy who wishes to apply the exemption in one or more EU Member States must meet certain conditions, summarized in the table below:

Eligibility Conditions for the Cross-Border VAT Exemption Scheme in Other Member States

(for taxable persons established in Italy)

- In the calendar year preceding the notification, the annual turnover in the European Union did not exceed €100,000;
- In the current calendar year, up to the date of the notification, the annual turnover in the EU has not exceeded €100,000;
- The annual turnover generated in the exemption Member State does not exceed the threshold set by that State for applying the exemption scheme;
- The taxable person has previously notified the Italian Revenue Agency of their intention to apply the exemption scheme in the territories of other Member States;
- The taxable person is identified for exemption purposes only in the territory of Italy.

Access to the scheme is granted to **taxable persons** established in Italy; therefore, the scope is not limited to natural persons only (Art. 70-octiesdecies of Presidential Decree No. 633/72).

Assignment of the Identification Number

Following submission of the access request, and after successful checks by the national tax authority and the competent authorities of the Member States where exemption is requested, the operator is admitted to the scheme. The Italian Revenue Agency assigns a so-called "**EX identification number**," consisting of the VAT number followed by the suffix "EX".

Quarterly Reporting

The operator is required to submit certain information to the Italian Revenue Agency by the last day of the month following each calendar quarter. This includes, in particular, data on the turnover achieved in Italy and in each Member State where the exemption scheme is applied (Art. 70-unvicies of Presidential Decree No. 633/72).

With measure no. 155649 of 28 March 2025, the Italian Revenue Agency approved the **Quarterly Communication Form** for the cross-border VAT exemption scheme, along with the related completion instructions and technical specifications for electronic transmission.

2 METHODS AND DEADLINES FOR SUBMISSION

The communication must be submitted **exclusively by electronic means** through the telematic channels of the Italian Revenue Agency:

- By the taxable person established in Italy who has opted for the cross-border VAT exemption scheme in one or more EU Member States;
- Or by an intermediary authorized under Art. 3(2-bis) and (3) of Presidential Decree No. 322/98.

Submission Deadlines for the Communication

The communication must be submitted by the last day of the month following each calendar quarter.

Reference Quarter / Deadline for Quarterly Communication Submission

January, February, and March / April 30

April, May, and June / July 31

July, August, and September / October 31

October, November, and December / January 31 of the following year

A communication submitted within the deadline but rejected by the online service shall still be considered timely if it is successfully re-submitted within five calendar days.

The instructions clarify that, if the deadline falls on a Saturday or a public holiday, it is **not** postponed to the next working day.

Exceeding the €100,000 Threshold

If, during the calendar year, the volume of business carried out within the European Union exceeds the threshold of €100,000.00, the taxable person must cease to apply the cross-border exemption scheme (Art. 70-duovicies, para. 2 of Presidential Decree 633/72).

In this case, the operator is required to submit a specific communication within **15 working days** from the date the threshold is exceeded, to inform the Tax Authority of the date of occurrence and the total value of goods supplied and services rendered from the beginning of the calendar quarter up to that date.

Late Submission of the Communication

The Italian Revenue Agency will notify the exemption Member States if the taxable person has submitted the communication with a delay of more than 30 days or if at least two consecutive communications were submitted late.

These Member States may temporarily suspend the VAT simplifications associated with the exemption scheme.

3. CONTENT OF THE COMMUNICATION

According to Art. 70-undecies of Presidential Decree 633/72, the taxable person admitted to the cross-border exemption scheme in an exemption Member State must submit a quarterly communication to the Italian Revenue Agency containing the following information:

- The total value of supplies and services carried out during the calendar quarter within the territory of the State, or a statement of no operations if none were carried out;
- The total value, expressed in euros, of supplies and services carried out during the calendar quarter in each other Member State of the European Union, including those where the exemption is not applied, or a statement of no operations if none were carried out.

The model approved by Provision No. 155649 of March 28, 2025, issued by the Italian Revenue Agency, consists of:

- A **cover page**, where general information is to be provided (including the “EX Identification Number”);
- **Section A**, where the operations carried out during the quarter must be indicated.

Below is the aforementioned “Section A”.

QUADRO A Operazioni effettuate nel corso del trimestre		– OPERAZIONI EFFETTUATE NEL TERRITORIO DELLO STATO			
	Valore al netto dell’IVA	Trimestre precedente l’ammissione	Assenza operazioni		
Italia	2	3	4		
– OPERAZIONI EFFETTUATE IN ALTRI STATI MEMBRI DELL’UE					
Stato estero	Valore al netto dell’IVA	Trimestre precedente l’ammissione	Assenza operazioni	Codice attività	
	2	3	4	5	
Austria					
Belgio					
Bulgaria					
Cipro					
Croazia					
Danimarca					
Estonia					
Finlandia					
Francia					
Germania					
Gracia					
Irlanda					
Lettonia					
Lituania					
Lussemburgo					
Malta					
Paesi Bassi					
Polonia					
Portogallo					
Repubblica Ceca					
Romania					
Slovacchia					
Slovenia					
Spagna					
Svezia					
Ungheria					
Totale	2	3			

3.1 Definition of Turnover for the Purposes of the Cross-Border Exemption Scheme

Article 70-terdecies of Presidential Decree 633/72 defines:

- **Annual EU turnover** as “the total annual value, net of VAT, of the supply of goods and provision of services carried out within the territory of the European Union during a calendar year” (Art. 70-terdecies, para. 1, letter b);

- **Annual turnover of the Member State** as “the total annual value, net of VAT, of the supply of goods and provision of services carried out in a Member State of the European Union” (Art. 70-terdecies, para. 1, letter c).

According to paragraph 3 of the same article, the following are excluded when calculating the turnover:

- Supplies of capital goods, whether tangible or intangible;
- Exempt transactions pursuant to Article 10 of Presidential Decree 633/72, **except** those listed under numbers 1 to 4, 8, 8-bis, and 9 (unless they are ancillary in nature), as well as those under number 11 of the same article.

3.2 Transactions Carried Out in the Territory of the State

In the row referring to operations carried out within the territory of the State, the total value of supplies and services carried out during the quarter, net of VAT, must be indicated.

If no transactions were carried out during the period covered by the communication, **box 4 must be checked**.

3.3 Transactions Carried Out in Other EU Member States

For each Member State of the European Union, including those where the exemption regime is not applied, the amount of supplies and services carried out during the quarter, net of VAT, must be indicated in **column 2**, corresponding to the Member State listed in the “Foreign Country” column. The amount must be expressed in **euros** (Art. 70-terdecies, para. 4 of Presidential Decree 633/72).

If no transactions were carried out in the Member State during the reporting period, **box 4 must be checked**.

In **column 5**, the applicable ATECO code (economic activity code) must be provided, either current at the time of submission or the one corresponding to the main activity during the quarter (if multiple activities are conducted).

If the Member State has established **different exemption thresholds by sector**, multiple rows must be completed for the same Member State, using additional forms after the first.

According to the instructions, to **avoid duplication**, the value of transactions that the taxable person is required to declare for the ongoing quarter at the date of entry into the scheme **must not include** the value already reported in the **preliminary communication** under Article 70-octiesdecies, paragraph 1, letter d), submitted during the same quarter for scheme admission.

3.4 Special Cases

Below are three special cases included in the communication instructions.

Assignment of the “EX Identification Number” in the Quarter Following the Preliminary Communication

Consider the case of a taxable person submitting the preliminary communication on **March 4, 2025**, indicating the Member State(s) in which they intend to apply the exemption, as well as the total value of transactions carried out in the **two preceding calendar years (2023 and 2024)** and from **January 1 to March 3, 2025**.

On **April 7, 2025**, the “EX Identification Number” is assigned, from which date the taxpayer may begin applying the scheme.

As a result, the **first full quarterly communication** to be submitted will cover the **second quarter (April, May, June)**.

The operations from **January 1 to March 3, 2025** have already been included in the preliminary communication.

However, since it is necessary to declare transactions performed between the date of the preliminary communication (March 4, 2025) and the end of the first quarter (March 31, 2025), which are relevant for annual turnover purposes, the taxpayer must also submit a communication for the **first quarter 2025**, indicating in **column 3 of Section A** ("Quarter preceding admission") **only the transactions carried out between March 4 and March 31**, without reporting them in column 2.

Assignment of the “EX Identification Number” and Submission of Preliminary Communication in the Same Quarter

This case involves a taxable person who submitted the preliminary communication on **July 15, 2025**, including the amount of supplies and services provided in **2023, 2024**, and from **January 1 to July 14, 2025**.

Assume the “EX Identification Number” is assigned on **August 7, 2025**. From that date, the operator may begin applying the scheme.

The **first quarterly communication** to be submitted will relate to the **third quarter 2025 (July, August, September)**.

Since the preliminary communication already included transactions up to **July 14, 2025**, the first communication must include **only the transactions carried out between July 15 and September 30, 2025**, to be reported in **column 2 of Section A**; **column 3 should not be completed**.

Member State with Sector-Specific Exemption Thresholds

This case involves a taxable person applying the exemption scheme **only in Member State 1 (MS1)** and conducting **no economic activity in other Member States**.

MS1 has established two exemption thresholds: one for the **construction sector** and one for all other sectors.

In the **second quarter**, the taxpayer performs operations in the **construction sector** in MS1 amounting to **€6,000**.

As the operator is active **exclusively in that sector**, they must complete the communication for the second quarter as follows:

- In the **first form**, under the row corresponding to MS1 in Section A, indicate **€6,000 in column 2** and the **ATECO code** of the activity in column 5;
- In the **second form**, again for MS1, **check box 4** in the relevant row. Columns 2 and 5 are **not** to be filled in this form.

4. Corrective Communication

A taxable person participating in the cross-border exemption scheme who discovers **errors or omissions** in a previously submitted communication, or in cases where **transactions carried out during a civil quarter are wholly or partially voided**, may submit a **corrective communication** within **three years** from the ordinary deadline.

If multiple communications are submitted for the same quarter, **the most recent version will replace the previous ones**.

It is **not possible** to submit a corrective communication to amend the **final communication** submitted after exceeding the €100,000 EU turnover threshold.