

Advance Agreement for the 2025–2026 Biennium – Methods of Adhesion and Final Clarifications

1 PREAMBLE

Taxpayers who did not participate in the biennial advance agreement (Concordato Preventivo Biennale, CPB) for the 2024–2025 period may, if eligible, access the scheme for the 2025–2026 period. To do so, they must submit the **CPB 2025–2026 form**, which this year can be:

- attached to the ISA form and submitted simultaneously with the income tax return; or
- submitted independently.

The Italian Revenue Agency (Agenzia delle Entrate), in addition to approving the CPB 2025–2026 form and related filing procedures, has also issued clarifications on the applicability of certain exclusion grounds from the biennial advance agreement.

2 CPB 2025–2026 FORM

With **Provision No. 172928 of 9 April 2025**, the Revenue Agency approved the form and instructions for reporting the data necessary for the development and acceptance of the CPB proposal for the 2025–2026 period.

The CPB 2025–2026 form includes **Section P**, intended for the adhesion to the biennial advance agreement by taxpayers applying the ISA. Compared to the previous year, **transmission methods have changed**, as the form may now be submitted independently from the ISA data report and the income tax return.

2.1 COMPLETION GUIDELINES

The structure of the CPB 2025–2026 form is similar to that of the 2024–2025 version:

- The first three lines (P01 to P03) cover the eligibility conditions.
- Lines P04 and P05 are for reporting the income and production value relevant for the CPB.
- Lines P06 to P09 show the proposed values.
- Line P10 is used to confirm acceptance of the CPB proposal.

Additionally, three new preliminary lines have been added to capture:

- the ISA code;
- the ATECO 2025 code for the main activity;
- the income type: business (code 1) or self-employment (code 2).

Codice ISA		
Codice attività		
Tipologia di reddito (1 = impresa; 2 lavoro autonomo)		

QUADRO P Concordato Preventivo Biennale	Condizioni di accesso	
	P01 Presenza dei requisiti	<input type="checkbox"/> <small>Barre la casella</small>
	P02 Assenza di cause d'esclusione	<input type="checkbox"/> <small>(Dichiarazione sostitutiva ai sensi degli articoli 46 e 47 del DPR n. 445/2000) Barre la casella</small>
	P03 Presenza di eventi straordinari	<input type="checkbox"/> <small>(Dichiarazione sostitutiva ai sensi degli articoli 46 e 47 del DPR n. 445/2000)</small>
	Dati contabili	
	P04 Reddito rilevante ai fini del CPB	<input type="text"/> ,00
	P05 Valore della produzione netta IRAP rilevante ai fini del CPB	<input type="text"/> ,00
	Proposta CPB	
	P06 Reddito proposto ai fini del CPB p.i. 2025	<input type="text"/> ,00
	P07 Reddito proposto ai fini del CPB p.i. 2026	<input type="text"/> ,00
P08 Valore della produzione netta IRAP proposto ai fini del CPB p.i. 2025	<input type="text"/> ,00	
P09 Valore della produzione netta IRAP proposto ai fini del CPB p.i. 2026	<input type="text"/> ,00	
Accettazione proposta CPB e firma dichiarazione sostitutiva righe P02 e P03		
P10	Accettazione della proposta di reddito di impresa/lavoro autonomo e del valore della produzione netta IRAP ai fini CPB per il p.i. 2025 e il p.i. 2026 in assenza di una proposta di concordato in essere per il biennio 2024-2025 e firma delle dichiarazioni sostitutive P02 e P03	
	FIRMA	<input type="text"/>

2.2 SUBMISSION METHODS

As outlined in both the CPB 2025–2026 form instructions and **Provision No. 195422 of 24 April 2025**, submission may occur via two alternative methods:

- during income tax return submission, attaching it to the ISA form;
- separately, along with the cover page of the 2025 INCOME (REDDITI) form only.

In either case, **the deadline for joining the 2025–2026 CPB is 30 September 2025**, as set forth in the corrective Legislative Decree preliminarily approved by the Council of Ministers on 13 March 2025.

Independent Submission

In this case, the “1 – Adhesion” code must be entered in the new “**CPB Communication**” box within the “Type of Return” section of the 2025 INCOME form cover page. The cover page must only include:

- taxpayer identification details;
- taxpayer signature;
- e-filing information by the authorized intermediary.

Submission with INCOME and ISA forms

Alternatively, the CPB form can be submitted together with both the INCOME and ISA forms. In this case, the filing deadline is **30 September 2025** (instead of 31 October 2025).

Revocation of CPB Adhesion

Provision No. 195422 of 24 April 2025 allows taxpayers to **revoke** previously expressed adhesion to the 2025–2026 CPB. To do so, a new CPB form must be submitted, filling out only the following fields:

- ISA code;
- Activity code;
- Income type.

Revocation can **only be submitted independently** with the cover page of the 2025 INCOME form, entering the code “2 – Revocation” in the “CPB Communication” box.

The **revocation deadline is 30 September 2025**. Any late revocations will have **no effect**.

3 CRITERIA FOR DETERMINING THE CPB PROPOSAL

Ministerial Decree of 28 April 2025 defines the criteria by which the Revenue Agency formulates the biennial CPB proposal for 2025–2026 for ISA-applying taxpayers based on their 2024 tax period.

3.1 METHODOLOGY

The methodology used to determine the proposed income and net production value is similar to that adopted for the 2024–2025 CPB.

In general, the proposal is based on the taxpayer’s declared data and ISA-related information (including prior years). Specifically, the starting point is the **2024 declared income**, adjusted based on:

- ISA indicator results;
- business performance over the last three years, including the current year;
- comparison with sector benchmarks;
- overall economic trends as reported by ISTAT for 2025 and 2026.

The resulting proposal targets a **tax reliability score of 10** over the two-year agreement period.

3.2 TERMINATION OF THE CPB DUE TO EXCEPTIONAL EVENTS

Article 4 of the Ministerial Decree of 28 April 2025 reaffirms the exceptional events defined in Article 4 of the Decree of 14 June 2024. These events, if causing a reduction in income or net production value exceeding **30%**, lead to **termination** of the CPB. They include:

- officially declared natural disasters or emergencies;
- other extraordinary events causing:
 - damage to business premises rendering them partially or fully unusable;
 - significant inventory losses interrupting production;
 - inability to access premises;
 - suspension of operations due to a key customer halting activity from said events;
- ordinary, administrative, or judicial liquidation;
- leasing of the only business unit;
- administrative suspension of activity (filed with the Chamber of Commerce) or professional suspension (filed with the relevant professional body or pension fund).

3.3 REDUCTION OF THE PROPOSAL DUE TO EXCEPTIONAL EVENTS

The methodology also allows for reductions in proposed income/net production value for the 2025 tax year (excluding liquidation and leasing cases) if extraordinary events occur:

- **10% reduction** for suspensions lasting 30–60 days;
- **20% reduction** for suspensions of 61–120 days;
- **30% reduction** for suspensions exceeding 120 days.

Such events must have occurred during the 2025 tax period and **before** CPB adhesion.

In the CPB form, the presence and duration of these events must be indicated in **line P03** using codes 1 to 3.

4 CLARIFICATIONS ON EXCLUSION CRITERIA

The CPB's applicability has been clarified by the Revenue Agency through rulings addressing ISA requirements, access conditions, and exclusion criteria.

4.1 ISA APPLICATION

To access the CPB, the taxpayer must operate a business/profession for which an **ISA has been approved and applied** (i.e., no exclusion applies).

It is not enough to merely attach the CPB form to the ISA form. If the ISA is filed only for **statistical purposes**, the taxpayer is **not eligible**.

Example – Corporate Transformation

In **Ruling No. 109 of 16 April 2025**, the Agency denied CPB access to a company that changed its legal form (from partnership to limited company) in November 2022 and extended its fiscal year to 13 months under Article 76(2) of the Income Tax Code.

This situation triggered the “**start or end of activity**” exclusion under Article 9-bis(6)(a) of Decree-Law 50/2017, disqualifying the company from:

- applying ISA;
- submitting the ISA form;
- enjoying ISA-related benefits;
- adhering to CPB proposals for future periods.

4.2 TAX-EXEMPT INCOME EXCEEDING 40%

According to **Article 11(1)(b-bis) of Legislative Decree 13/2024**, taxpayers are excluded from the CPB if, in the year prior to the proposed period, they earned over **40%** of their business or professional income in the form of **exempt, excluded, or non-taxable income**.

Patent Box Incentive

In **Ruling No. 108 of 16 April 2025**, the Agency clarified that the **new Patent Box** (Article 6 of Decree-Law 146/2021) **does not preclude CPB access**, as it does **not fall** under the exclusion provisions.

The benefit reduces taxable income by increasing deductible costs, but the underlying income remains fully taxable.

4.3 TRANSFER OF SHAREHOLDINGS BY A SHAREHOLDER

Article 21 of Legislative Decree No. 13/2024 provides, among other things, that exclusion from the CPB applies:

- to companies or entities involved in mergers, demergers, or contributions of assets;
- or to partnerships or associations referred to in **Article 5 of the Income Tax Code (TUIR)** that undergo changes in their ownership structure resulting in an **increase in the number of partners**, except in cases where **two or more heirs** replace a deceased partner.

In **Ruling No. 102 of 15 April 2025**, the Italian Revenue Agency clarified that a **limited liability company (SRL)** that has joined the **2024–2025 CPB** does **not** lose its eligibility if its **sole shareholder** transfers or contributes the **entire shareholding** to another company.

In this case, the **termination ground** concerning the execution of merger, demerger, or contribution operations **does not apply**, since the SRL adhering to the CPB is **neither the transferor/contributor nor the transferee** of shares (or other assets). Instead, the subject of the transaction is the **shareholding itself**, which is transferred or contributed **by the sole shareholder** to a third-party company.

Similarly, the **other termination ground** relating to changes in the shareholder structure **does not apply**, as it only concerns **entities under Article 5 of the Income Tax Code** (i.e., partnerships or associations). In this specific case, the entity involved is an **SRL**, which is **not covered** by that provision.