THE WEEK IN BRIEF

News

ACCOUNTING PRINCIPLES

National accounting principles – Revenues (OIC 34) – Dismantling and restoration costs (amendments to OIC 16 and 31 documents) – Determination of the IRES and IRAP tax base – Coordination provisions (Ministerial Decree 27.6.2025)

With Ministerial Decree (MD) dated June 27, 2025, coordination provisions were established in implementation of Article 4, paragraph 7-quinquies of Legislative Decree 38/2005, providing alignment between the indications of the OIC 34 document regarding revenues (issued April 19, 2023), the amendments to OIC 16 and OIC 31 documents concerning dismantling and/or restoration costs (published March 18, 2024), and the rules for determining the taxable base for IRES and IRAP.

Scope of Application
The decree sets out tax coordination provisions for entities adopting the reinforced derivation principle (Article 83, paragraph 1 of the TUIR), which determines the tax relevance of the criteria of qualification, timing, and classification adopted in the financial statements.

General Rules on Tax Relevance
As highlighted in the explanatory report, the decree does not include provisions aimed at confirming the recognition of the phenomena of qualification, timing, and classification, as these are inherent in the system.

In this regard, the following indications of the OIC 34 document fully assume tax relevance, for example:

- the procedure for identifying the elementary accounting units;
- provisions on contract grouping;

- methods for determining the total contract price (discounting of future financial flows) applicable in the case of contracts with payment terms exceeding 12 months;
- timing criteria for revenue recognition from the sale of goods and provision of services;
- criteria for revenue recognition by entities acting on behalf of third parties.

The decree regulates, however, those phenomena of uncertain qualification/classification or mere evaluation.

Specifically, the following cases regulated by the OIC 34 document are addressed:

- costs for obtaining the contract;
- penalties;
- sales with the right of return.

Costs for Obtaining the Contract
Pursuant to Article 2 of MD 27.6.2025, costs for obtaining the sales contract, recorded among intangible assets according to the indications of the OIC 34 document (§ A.13), are deductible pursuant to Article 108, paragraph 1 of the TUIR.

Penalties
Article 3 of MD 27.6.2025 establishes that variations in consideration arising from legal and contractual penalties, which according to the OIC 34 document (§ 15) are recognized as reductions of revenue, contribute to taxable income in the fiscal year in which the existence and amount of the penalties become certain and objectively determinable.
For this purpose, the requirements of prior recognition in the income statement required by Article 109, paragraph 4 of the TUIR are deemed satisfied in any case.

Sales with Right of Return
Pursuant to Article 4 of MD 27.6.2025, the amount recognized (as a reduction of revenues) in the case of a collective evaluation (i.e., overall on all sales of similar goods) of the return risk, based on the correct application of OIC 34 (§ 28), corresponding to the cost of goods returned by the customer, is deductible at the time the liability for future refunds is extinguished.
For this purpose, the requirements of prior recognition in the income statement required by Article 109, paragraph 4 of the TUIR are deemed satisfied in any case.

IRAP
Article 5 of Ministerial Decree (MD) 27.6.2025 provides that the provisions regarding penalties and sales with the right of return, as analyzed above, also apply for the purpose of determining the net production value for IRAP.

Dismantling and/or Restoration Costs
Pursuant to Article 6 of MD 27.6.2025, dismantling and removal costs of assets and/or site restoration costs, capitalized in accordance with OIC 16 (§ 40A):

- are included in the tax cost of assets determined pursuant to Article 110 of the TUIR;
- are considered deductible amortizations according to the provisions of Articles 102 and 103, paragraph 2 of the TUIR.

These provisions also apply to estimate updates of dismantling and/or restoration costs, capitalized based on OIC 31 (§ 19A).
For IRAP purposes, dismantling and/or restoration costs and related estimate updates are considered among amortization entries.

Estimate updates to the provision for dismantling and/or restoration costs related to the passage of time or the adjustment of the discount rate, recognized in the income statement according to OIC 31 (§ 19A), are considered costs recorded against liabilities of uncertain timing or amount, not deductible pursuant to Article 9, paragraph 3 of MD 8.6.2011 for income taxes and IRAP net production value, and are recognized for tax purposes in the fiscal year in which the existence and amount of the related liability become certain and objectively determinable.

If estimate updates related to the passage of time or the adjustment of the discount rate have not been recognized in the income statement separately from the amortization of capitalized dismantling and/or restoration costs, for tax purposes the present value of the obligation relating to asset dismantling and removal or site restoration must be determined in any case. For this purpose, the cost related to the passage of time is determined as 5% of the amount of dismantling and/or restoration costs and allocated on a straight-line basis in each tax period over the amortization period.

Effective Date
Article 7, paragraph 1 of MD 27.6.2025 establishes that the provisions contained in the decree apply from the tax period corresponding to the first year of adoption of the OIC 34 document and the amendments to the OIC 16 and 31 documents, which apply to financial statements relating to periods beginning on or after January 1, 2024, or a later date.

IAS/IFRS Entities
Pursuant to Articles 6, paragraph 6, and 7, paragraph 2 of MD 27.6.2025, the provisions contained in the decree relating to dismantling and/or restoration costs also apply to entities preparing financial statements under the international accounting standards IAS/IFRS starting from the tax period following that ongoing at December 31, 2023.
For these entities, however, the effects on the determination of the IRES and IRAP taxable base deriving from the application of tax rules both consistent and inconsistent with the provisions of the decree are preserved with reference to the tax period ongoing at December 31, 2023, and previous periods.

References:
Ministerial Decree 27.6.2025, Ministry of Economy and Finance
Explanatory Report to MD 27.6.2025, Ministry of Economy and Finance
OIC Document No. 34/2023
Il Quotidiano del Commercialista July 3, 2025 – "Revenue recognition based on service progress with tax relevance" – Latorraca
Il Quotidiano del Commercialista June 28, 2025 – "Tax discipline coordinated with OIC 34" – Bava – Devalle

DIRECT TAXES
Employment income – Income determination – Flexible early retirement "Quota 103" – Incentive for retention in service – Updates from Law 207/2024 (2025 Budget Law)

- Tax regime – Clarifications (Revenue Agency Resolution 30.6.2025 No. 45)

With Resolution No. 45 of June 30, 2025, the Italian Revenue Agency provided clarifications regarding the scope of application of the non-inclusion regime for employment income of salary portions recognized to workers deriving from the waiver of "Quota 103" and early retirement, as provided by Article 51, paragraph 2, letter i-bis) of the TUIR (Italian Income Tax Code).

Incentive to Postpone Retirement
Article 1, paragraph 286 of Law 197/2022 (2023 Budget Law), as amended by Article 1, paragraph 161 of Law 207/2024 (2025 Budget Law), provides an incentive for employees who, although having met by December 31, 2025, the minimum requirements for the flexible early retirement under Article 14.1 of Decree Law 4/2019 (the so-called "Quota 103") or early retirement under Article 24, paragraph 10 of Decree Law 201/2011, decide not to retire.

The incentive consists of the possibility to waive the social security contribution credit of the portion of contributions payable by the worker relating to:

- compulsory general insurance (AGO) for disability, old age, and survivors;
- substitute and exclusive schemes of the AGO.

If the worker decides to waive the contribution credit, the employer:

- is not required to pay the contributions payable by the worker (starting from the first pension eligibility deadline established by the current legislation following the date of exercising the option by the worker);
- must pay the worker the contribution portion not paid due to exercising this option.

Tax Regime
The legislation provides for the application of Article 51, paragraph 2, letter i-bis) of the TUIR. This provision establishes a regime of non-inclusion in employment income of the remuneration portions deriving from the worker's exercise of the option to waive the contribution credit with:

- compulsory general insurance for disability, old age, and survivors of employees;
- substitute schemes of the same insurance.

Based on the literal wording of the rule, this non-inclusion regime:

- would only apply to employees registered with AGO and its substitute schemes;
- would not apply to employees registered with "exclusive" schemes, thus excluding from the regime employees enrolled in the Public Management scheme, as an exclusive form of AGO.

Extension of the Non-Inclusion Regime
Based on parliamentary documents, the Revenue Agency notes that the legislative amendment introduced by Article 1, paragraph 161 of Law 207/2024 aims to broaden the pool of workers eligible for incentives to postpone retirement and to exempt from taxation the amounts corresponding to the contribution portion entirely paid to the worker. Applying literally Article 51, paragraph 2, letter i-bis) of the TUIR, with the consequent impossibility of applying the non-inclusion regime to the contribution portions recognized to workers enrolled in the exclusive forms of AGO, the incentive would be partly ineffective.

Therefore, the Agency has deemed that the legislative amendment has:

- firstly, defined the subjective scope of application of the incentive (employees registered with AGO or substitute and exclusive forms thereof);
- secondly, established the application of the non-inclusion regime in employment income for the amount corresponding to the worker's contribution portion.

In essence, the non-inclusion regime applies to all workers enrolled in the social security schemes listed in paragraph 161, namely:

- workers registered with compulsory general insurance for disability, old age, and survivors of employees;
- workers registered with substitute and exclusive forms of AGO.

Revenue Agency Resolution 30.6.2025 No. 45
Il Quotidiano del Commercialista, July 1, 2025 – "Non-taxable incentive for postponed retirement for the 'exclusive' forms of AGO" – Silvestro
Eutekne Guides – Social Security – "INPS Contributions – Benefits" – Silvestro D.

DIRECT TAXES
Employee Income – Income Determination – Company Cars Provided for Mixed Use to Employees – Fringe Benefit Determination – Updates from Law No. 207/2024 (2025 Budget Law) and Decree Law No. 19/2025 (the so-called "Bills" Decree) converted – Clarifications (Revenue Agency Circular 3.7.2025 No. 10)

The Italian Revenue Agency, with Circular No. 10 dated 3 July 2025, provided guidance on the determination of fringe benefits relating to vehicles granted for mixed use to employees in light of the new regulations introduced by Law No. 207/2024 (2025 Budget Law) and the transitional provisions introduced by Decree Law No. 19/2025 (the so-called "Bills" Decree).

New Regulation from 1 January 2025
Article 51, paragraph 4(a) of the TUIR (Consolidated Income Tax Act), as amended by Article 1, paragraph 48 of Law No. 207/2024, establishes that for newly registered cars, motorcycles, and mopeds provided for mixed use under contracts entered into from 1 January 2025 onwards, the fringe benefit is calculated as 50% of the amount corresponding to a conventional mileage of 15,000 kilometers, based on the operating cost per kilometer derived from the tables prepared by ACI (Automobile Club of Italy), net of any amounts withheld from the employee. This percentage is reduced to 10% for battery-powered exclusively electric vehicles and to 20% for plug-in hybrid electric vehicles.

The new regulation therefore applies to vehicles that simultaneously meet the following requirements:

- Registered from 1 January 2025;
- Provided for mixed use to employees under contracts entered into from 1 January 2025;
- Assigned (i.e., delivered) to employees from 1 January 2025.

To identify the vehicles subject to the amended regulation granted for mixed use, the Revenue Agency confirms, consistent with clarification given in Resolution No. 46/2020, that granting a vehicle for mixed use is not a unilateral act by the employer but

requires the employee's acceptance, which is manifested both through the signing of the fringe benefit assignment document by employer and employee and by the actual delivery of the vehicle to the employee.

Therefore, the date on which the assignment document is signed by both employer and employee is the relevant date for identifying "contracts entered into from 1 January 2025 onwards."

Transitional Regulation
The Revenue Agency also analyzes the transitional regulation provided by Article 1, paragraph 48-bis of Law No. 207/2024, introduced by Article 6, paragraph 2-bis of the converted Decree Law No. 19/2025 ("Bills" Decree).

According to the Revenue Agency, since paragraph 48-bis refers exclusively to the "granting of mixed use" of the vehicle and not to the signing of the related contract, the relevant date for the matter is the delivery date of the vehicle to the employee.

Furthermore, paragraph 48-bis specifies that the existing regulation remains in force until 31 December 2024, with reference both to vehicles granted for mixed use from 1 July 2020 to 31 December 2024, and to those ordered by employers by 31 December 2024 and granted for mixed use from 1 January 2025 to 30 June 2025. Consequently, paragraph 48-bis must be applied, as far as compatible, in conjunction with Article 51, paragraph 4(a) of the TUIR as it stood until 31 December 2024.

Thus, the previous taxation regime applies to vehicles registered, subject to mixed-use granting contracts and delivered to employees between 1 July 2020 and 31 December 2024, until the natural expiration of said contracts.

The second part of paragraph 48-bis also provides for the application of the previous regime if the vehicle was ordered by the employer (date of vehicle purchase or rental order is relevant) by 31 December 2024 and delivered to the employee between 1 January 2025 and 30 June 2025.

The Agency notes that, for the provision to apply, the further requirements of registration and contract stipulation must also be met between 1 July 2020 and 30 June 2025.

The previous regime therefore applies, for example:

- If a vehicle was ordered on 10 July 2024, granted under a contract signed on 20 December 2024, registered and delivered to the employee in February 2025;
- If a vehicle was ordered on 10 July 2024, granted under a contract signed on 5 February 2025, registered and delivered to the employee in May 2025.

If a vehicle ordered by 31 December 2024, and for which registration, contract signing, and delivery occurred between 1 January 2025 and 30 June 2025, falls within the category of vehicles entitled to higher benefit percentages due to the new rules, the Agency considers the more favorable regulation introduced by paragraph 48 applicable, given that all the conditions for the new regulation are met in 2025.

Normal Value Criterion
The taxation criterion for the fringe benefit based on the "normal value" net of business use (cf. Resolution No. 46/2020) applies in the case of vehicles ordered by 31 December 2024, granted for mixed use to employees under contracts entered into in 2024, registered in 2025, and delivered to the employee in July 2025.

Extension of the Mixed-Use Grant Contract
Regarding the extension of the mixed-use grant contract, the Agency considers the tax regulation applicable at the time of signing the original contract valid until its natural expiry, provided the legal requirements are met at the date of stipulation.

Vehicle Reassignment
In the case of reassignment of the vehicle to another employee, the applicable tax regulation is determined based on the provisions in force at the time of reassignment.

Relevant References:

- Art. 1, paragraph 48-bis, Law No. 207 of 30 December 2024
- Art. 1, paragraph 48, Law No. 207 of 30 December 2024
- Art. 51, paragraph 4, DPR No. 917 of 22 December 1986
- Art. 6, paragraph 2-bis, DL No. 19 of 28 February 2025
- Revenue Agency Circular 3 July 2025 No. 10
- Various professional journal articles and guides as cited.

DIRECT TAXES
IRES – Determination of Total Income – Loss Carryforward – Intragroup Losses – Implementing Provisions (Ministerial Decree 27.6.2025)

The Ministerial Decree (MD) dated 27 June 2025, pending publication in the Official Gazette, contains the implementing provisions of Article 177-ter of the TUIR (Consolidated Income Tax Act) regarding the unrestricted compensation of intragroup losses.
This provision ensures that the limitations on loss carryforward under Article 84, paragraph 3 of the TUIR—related to the "vitality" of the company (determined based on revenue and employee expense parameters) and its net equity—do not apply if the "monitored" transactions occur within the same group.

The "monitored" transactions are:

- Transfer of controlling interests involving a change in business activity;
- Neutral extraordinary transactions (merger, demerger, and business contribution).

Identification of "Intragroup" and "Approved" Losses
According to Article 3 of the MD, "intragroup" losses, which can be carried forward without limitation, are losses incurred during a tax period in which the companies involved in the transaction already belonged to the same group.
Group membership must be verified at the start of the tax period; if entry into the group occurs on any day after the first day of the tax period, only losses generated from that subsequent period qualify as intragroup losses eligible for unrestricted compensation.

According to Article 4 of the MD, "approved" losses, which are also carryforward without limitation, are losses produced in periods prior to the company's entry into the group but that have been subject to the vitality test and net equity limit in a transaction involving that company (e.g., a merger).
Losses generated before 2024 are not considered approved losses; however, they become so at the first operation subjecting them to the vitality test and net equity limit.

Age of Losses
For the purposes of this regulation, losses are deemed incurred in the tax period in which they undergo the vitality and net equity tests.
Consequently, the limitations on carryforward are automatically disregarded if the companies belong to the same group at the time of the transaction and have been part of the group either:

- Since the beginning of the tax period in which the losses were generated;
- Since the moment losses were approved through the vitality and net equity tests.

Group Membership Age
For each "monitored" transaction, the age of group membership is determined (Article 5 of the MD).
For mergers, for example:

- If companies belonging to the same group merge, the acquiring or resulting company is assigned the shortest group membership period of the merging companies;
- If companies not belonging to the same group merge, group membership age starts from the merger's effective date.

Priority Criteria for Using Losses
If a company holds intragroup losses, approved losses, and losses falling outside these categories, and the total amount of losses exceeds the net equity, the excess (not deductible) is considered to be from the third category of losses subject to limited carryforward (Article 6).

Relations with Consolidated Taxation Rules
The implementing provisions include, at Article 7, specific coordination rules with the consolidated taxation framework, establishing, for example, that upon termination of group taxation, losses reallocated to individual companies regain the status of non-approved losses.

References:

- Art. 177-ter DPR 22.12.1986 No. 917
- Ministerial Decree 27.6.2025, Ministry of Economy and Finance
- Quotidiano del Commercialista, 28.6.2025 – "Operative le norme sulla libera compensabilità delle perdite infragruppo" – Odetto
- Il Sole 24 Ore, 28.6.2025, p. 26 – "Nel gruppo l'anzianità di appartenenza guida il riporto delle perdite" – Germani A.
- Italia Oggi, 28.6.2025, p. 25 – "Definito l'utilizzo delle perdite" – Liburdi D. – Sironi M.
- Guide Eutekne – Direct Taxes – "Tax Losses – IRES Entities" – Bernardi S. – Corso L.

SUBSTITUTE TAXES
Write-down of Funds and Tax-Deferred Reserves – Write-down pursuant to Article 14 of Legislative Decree 192/2024 – Implementing Provisions (Ministerial Decree 27.6.2025)

The Ministerial Decree (MD) dated 27 June 2025, pending publication in the Official Gazette, contains the implementing provisions of the extraordinary write-down regime of tax-deferred reserves pursuant to Article 14 of Legislative Decree 13 December 2024 No. 192.

Identification of Write-down Eligible Reserves
According to Article 2, paragraph 2 of the MD 27.6.2025, the following qualify for the tax relief:

- Positive revaluation balances, tax-deferred, recorded due to the revaluation of business assets with consequent fiscal recognition of higher values, carried out according to specific normative provisions (letter a);
- Funds or other tax-deferred reserves, except those generated from the application of extra-accounting deductions under the "old" Article 109, paragraph 4, letter b) of the TUIR (letter b).

In both cases, the write-down is possible not only if these reserves are separately recorded in the financial statements but also if the tax-deferred values have been attributed to share capital.

Quantification of Write-down Eligible Reserves
Article 3, paragraph 1 of the MD 27.6.2025 provides that the reserves and tax-deferred funds existing in the financial statements for the fiscal year ending 31 December 2023 and still present at the end of the fiscal year ending 31 December 2024 are eligible for write-down.
Article 3, paragraph 2 excludes from write-down those tax-deferred reserves whose distribution to shareholders was approved by a resolution dated before the start of the fiscal year following the one ending 31 December 2024.

Partial Write-down
According to Article 2, paragraph 3 of the MD, the write-down can concern:

- Individually, some of the positive balances and other tax-deferred reserves existing in the financial statements;
- Or a partial amount of one or more of these reserves and funds.

Tax Base for the Substitute Tax
The explanatory report to the MD clarifies that the tax base for the substitute tax on the write-down is represented by the amount of the reserve as shown in the financial statements (net of the substitute tax for revaluation, in the case of positive revaluation balances).

Effects of Write-down on the Company
The write-down removes the tax suspension status of the reserve. For positive revaluation balances, Article 3, paragraph 3 of the MD provides that in the event of distribution:

- The written-down amounts do not contribute to the formation of the company's, corporation's, or entity's taxable income (similarly to the distribution of other tax-deferred reserves subject to write-down);
- Any tax credits possibly provided by the provisions establishing the reserves (peculiar for positive revaluation balances) are not granted.

Effects of Write-down on Shareholders
For shareholders of corporations, the obligation to tax distributions of written-down reserves remains. Conversely, for shareholders of partnerships, the amounts written down increase the fiscal cost of the participation, although the 10% substitute tax burden lies on the company; subsequent distributions merely reduce the cost of the participation, so distributions no longer generate taxation for the shareholders.

Payment of the Substitute Tax
Article 14 of Legislative Decree 192/2024 requires the substitute tax payment in 4 equal installments, the first due together with the balance payment for the tax period ending 31 December 2024, and the others by the deadlines for balance payments for subsequent tax periods.
This is confirmed by Article 4, paragraph 2 of the MD 27.6.2025, which explicitly states that no interest is due on installments after the first.
The 10% tax payment is made using tax code "1867", established by the Revenue Agency resolution of 4 June 2025 No. 35.
The explanatory report also clarifies that payments can be made:

- Within 30 days after the deadline with a 0.4% interest as compensatory interest;
- After legal deadlines by using the "ravvedimento operoso" (voluntary correction) under Article 13 of Legislative Decree 472/97.

Filing the Schedule in the RQ Section of the Tax Return
Article 4, paragraph 1 of the MD 27.6.2025 establishes that the option is finalized by indicating in the tax return for the tax period ending 31 December 2024 the reserves subject to write-down and the corresponding substitute tax.
This refers to the schedule entitled "Extraordinary Write-down of Reserves" contained in Section VII-B of the RQ framework of the REDDITI 2025 SC and REDDITI 2025 SP models.

References:

- Art. 14 Legislative Decree 13.12.2024 No. 192
- Ministerial Decree 27.6.2025, Ministry of Economy and Finance
- Quotidiano del Commercialista, 28.6.2025 – "Write-down of reserves with significant benefits for IRPEF taxpayers" – Odetto
- Il Sole 24 Ore, 28.6.2025, p. 26 – "Stop to distributions approved before 2024" – Gavelli G.
- Italia Oggi, 28.6.2025, p. 24 – "The write-down is clear" – Poggiani F.G.

TAX INCENTIVES
Super Deduction for New Hires – Calculation of the Incentive for Groups – New Guidelines (Ministerial Decree 27.6.2025)

With Ministerial Decree (MD) 27.6.2025, published by the Ministry of Economy and Finance (MEF) on the Finance Department website, the calculation of the super deduction for new hires pursuant to Article 4 of Legislative Decree 216/2023 with reference to internal groups has been further clarified.

General Rules for the "Internal Group"
The explanatory report accompanying MD 27.6.2025 notes that, with regard to companies belonging to an "internal group," MD 25.6.2024 outlined two distinct phases.
First, companies within the internal group must meet the conditions set by the relevant regulations as if they were standalone entities (increase in permanent employment and overall employment growth) at the group level, considered as a single "economic entity."
The second phase of determining the increase concerns how the employment dynamics of companies within the "internal

group," particularly any net reductions in employees, affect the calculation of the benefit for other companies within the same group. To this end, the implementing rules have defined a specific provision.

Method of Determining the Increase
According to Article 5, paragraph 8 of MD 25.6.2024, as replaced by the aforementioned MD 27.6.2025, each entity belonging to the internal group calculates the increase, if applicable, by reducing the cost eligible for the increase by an amount equal to the product of:

- the lesser amount between the cost attributable to its new permanent hires and the overall increase in its personnel costs;
- the ratio between the sum of any overall employment decreases and the sum of overall employment increases attributable to all companies in the internal group.

The previous version of paragraph 8 instead referred, in its latter part, to the "overall employment increase observed in the companies entitled to the cost increase."
As highlighted in the explanatory report to MD 27.6.2025, the new paragraph 8 clarifies that the benefit each member of the "internal group" can claim is determined by applying to the "eligible cost" – initially calculated according to the rules set for standalone entities (i.e., the lesser amount between the cost attributable to its new permanent hires and the overall increase in its personnel costs) – a "correction factor" consisting of the "ratio between the sum of any overall employment decreases and the sum of overall employment increases attributable to all companies in the internal group."
Essentially, companies within the internal group, when determining the "correction factor" for each tax period during which the incentive applies, must distinguish, for each such period, between those that have decreased the overall "workforce" and those that have increased it. The former contribute to increasing the numerator of the ratio through their respective overall employment decreases and are not entitled to the increase; the latter contribute to the denominator through their respective overall employment increases.
According to the explanatory report to MD 27.6.2025, the new formulation overcomes some interpretative uncertainties that could have led to applications of the regulation inconsistent with the rationale of the incentive provision, aiming to give relevance to the group as a single "economic entity," so as to determine the benefit approximately equal to what would have been established if the "economic entity" coincided with a single legal entity.

Effective Date of the Amendments
According to the explanatory report to MD 27.6.2025, the amendment applies from the first tax period during which the incentive scheme is in force and therefore affects the balance payment of taxes for the tax period following the one in progress as of 31.12.2023 (2024 for calendar-year taxpayers) and the related tax returns, i.e., the 2025 tax returns (normally due by 31.10.2025 for calendar-year taxpayers).

Exclusion of Controlled Companies from the Group Scope
It is noted that this amendment adds to the provisions of Article 3 of DL 84/2025, which, by amending Article 4, paragraph 2 of Legislative Decree 213/2023, effectively excluded affiliated companies from the group scope for determining employment increases.

References:

- Art. 4 Legislative Decree 30.12.2023 no. 216
- Art. 5, paragraph 8 MD 25.6.2024 Ministry of Economy and Finance
- MD 27.6.2025 Ministry of Economy and Finance
- Il Quotidiano del Commercialista, 28.6.2025 – "Super Deduction for New Hires with Clarifications for Internal Groups" – Manguso
- Il Sole 24 Ore, 28.6.2025, p. 27 – "Super Deduction for New Hires: Net Reductions for the Group" – Reich E., Vernassa F.
- Eutekne Guides – Direct Taxes – "Super Deduction for New Hires" – Alberti P.

SOCIAL SECURITY
IVS Contributions for Artisans and Merchants – Instructions for Completing Section RR of the 2025 PF INCOME TAX RETURN (INPS Circular No. 105 dated 27.6.2025)

INPS Circular No. 105 of 27 June 2025 summarizes the procedures for completing Section RR of the 2025 PF Income Tax Return. This section is designated for determining the social security contributions due by:

- artisans and merchants registered with the respective INPS Social Security Funds, for contributions due on income exceeding the minimum threshold (Section I of Section RR);
- professionals registered with the INPS Separate Management Fund, either because they lack a specific professional pension fund or are not required to register or pay contributions to an existing professional fund (Section II of Section RR);
- self-employed amateur sports workers registered with the Separate Management Fund (Section III of Section RR).

Within Section RR of the 2025 PF Income Tax Return, a summary section has been added to report the totals of Sections II and III, contributions owed, contributions credited, contributions offset via the F24 form, and those requested as refunds.

Contribution Tax Base for Artisans and Merchants Management
For artisans and merchants, the taxable base for contributions consists of the total business income earned in 2024, net of any prior years' losses deducted from that year's income (Article 3-bis, paragraph 1 of DL 384/92).

For determining the taxable base, reference should be made in the PF Income Tax Return to the incomes reported in Sections RF, RG, RH, and LM. Following clarifications in INPS Circular 84/2021, worker-members of limited liability companies (SRL) registered in the Artisans' or Merchants' Funds must also include the share of the company's business income corresponding to their profit participation, or the income allocated to them for companies under a transparency regime.

Tax Base for Separate Management – Non-Sporting Registrants
For registrants in the INPS Separate Management Fund (other than sports workers), the taxable base consists of all self-employed professional income declared for IRPEF purposes in Sections RE, RH, LM, and RL, including indemnities paid to honorary justices of the peace and honorary deputy prosecutors.

Tax Base for Separate Management – Amateur Sports Work
For self-employed VAT holders performing amateur sports work as defined under Articles 25 et seq. of Legislative Decree 36/2021, the taxable base consists of the compensation (not income) received in 2024 exceeding the exempt amount of €5,000 (Article 35, paragraph 8-bis of Legislative Decree 36/2021).
Until 31 December 2027, contributions are due on 50% of the taxable base (Article 35, paragraph 8-ter of Legislative Decree 36/2021). This reduction applies only to the IVS base, while contributions for non-pension benefits must be calculated on the total compensation less the €5,000 exemption.
If sports work and other types of activities are performed simultaneously, two distinct taxable bases must be determined: income from non-sports activities must be reported in Section II, and compensation as a sports worker must be reported in Section III, referencing amounts declared in lines:

- RE2, field 2;
- LM2 (if the "self-employed" box is checked);
- LM22 (or following lines if the ATECO code is declared on another line), field 3 (if the "self-employed" box is checked).

Two-Year Preventive Agreement (Concordato Preventivo Biennale)
The determination of the contribution taxable base within Section RR of the 2025 PF Income Tax Return is affected by participation in the two-year preventive agreement for tax periods 2024 and 2025 (Articles 6 et seq. of Legislative Decree 12.2.2024 no. 13).
As a general rule, acceptance of the proposal results in the calculation of taxes and social security contributions based on the agreed amounts. Actual income, whether higher or lower than the amount agreed with the Revenue Agency, does not affect the determination of taxes and mandatory social security contributions. However, if actual income exceeds the agreed amount, taxpayers may elect to calculate and pay social security contributions based on the actual income (Articles 19 paragraph 1 and 30 paragraph 1 of Legislative Decree 13/2024).
The circular also details the lines in Sections RF, RG, RH, LM, and CP to consider when determining the contribution taxable base. For example, for a professional registered with the Separate Management Fund adhering to the two-year preventive agreement, the following should be considered:

- line RE21, column 5 (net of losses reported in line RE24) and any portion of income subject to substitute tax (line CP2, column 3), if contributions are calculated based on the agreed income;
- or line CP10, column 3 (instead of lines RE23 to RE25), if contributions are calculated based on actual income.

Payment Deadlines
Regarding payment of contributions due on income exceeding the minimum threshold for artisans and merchants, and on self-employed income for professionals registered with the Separate Management Fund, the same deadlines established for income tax payments apply (Article 3-bis paragraph 3-bis of DL 384/92 and Article 18 paragraph 4 of Legislative Decree 241/97).
According to Article 17 of Presidential Decree 7.12.2001 no. 435, payment deadlines are:

- for the 2024 balance and the first 2025 advance installment, 30 June 2025 without a 0.4% surcharge, or 30 July 2025 (the 30th day after 30 June) with a 0.4% surcharge;
- for the second 2025 advance installment, 1 December 2025, as 30 November falls on a Sunday.

The possibility remains to benefit from the payment extension from 30 June 2025 to 21 July 2025 without the 0.4% surcharge, or to 20 August 2025 with the 0.4% surcharge, established by Article 13 of DL 17.6.2025 no. 84 in favor of ISA subjects and "minimum" taxpayers (INPS message 27.7.2021 no. 2731 and Revenue Agency FAQ 26.7.2024).

References:

- Article 10 Legislative Decree 9.7.1997 no. 241
- INPS Circular 27.6.2025 no. 105
- Il Quotidiano del Commercialista, 28.6.2025 – "Focus on the Two-Year Preventive Agreement to Complete Section RR" – Rivetti
- Eutekne Guides – Direct Taxes – "Contributions for Artisans and Merchants" – Rivetti P.
- Eutekne Guides – Direct Taxes – "INPS Separate Management" – Rivetti P.

SOCIAL SECURITY
Social Safety Nets – Interruption or Suspension of Work Activity Due to High Temperatures – Wage Supplement Benefits – Guidelines (INPS message 3.7.2025 No. 2130)

With message No. 2130 dated July 3, 2025, INPS provided operational guidelines regarding the procedures for requesting wage supplement benefits in cases where the suspension or reduction of work activities is necessary due to weather conditions characterized by high temperatures.

Subject Scope
The recipients of the instructions provided by the Social Security Institute are employers who may request:

- Ordinary Wage Guarantee Fund (CIGO);
- Wage supplement allowance from the Wage Supplement Fund (FIS) under Article 29 of Legislative Decree 148/2015 or bilateral Solidarity Funds under Articles 26 and 40 of Legislative Decree 148/2015.

Furthermore, the instructions apply, as far as compatible, also within agricultural work, according to the regulations of the Wage Guarantee Fund for permanent agricultural workers (CISOA) under Article 8 of Law 457/1972.

Reasons for Intervention
In the message, INPS firstly identifies the valid reasons employers can invoke to request wage supplement benefits due to weather conditions characterized by high temperatures.
Firstly, it is recalled that if the suspension or reduction of work activities is ordered by a public authority ordinance, wage supplement benefits may be requested using the reason code "suspension or reduction of activity by public authority order for reasons not attributable to the company or workers."
In this case, INPS specifies that employers must only indicate the details of the ordinance in the technical report without the need to attach it.

In any case, when excessive heat prevents the regular performance of work activities, it remains possible to request wage supplement benefits using the reason code "weather event" for "high temperatures."
In this case, wage supplement benefits may be granted if the temperatures exceed 35°C.

Assessment Criteria
Regarding the reason "weather event" for "high temperatures," INPS clarifies that even when temperatures do not exceed 35°C, the request for wage supplement benefits may still be accepted if the so-called "perceived temperature" is considered, which is

higher than the actual temperature.
This situation, for example, arises if work is carried out in areas not protected from the sun or involves the use of materials or machinery that generate heat, thus increasing workers' discomfort.
Moreover, the use of protective equipment such as suits and helmets may cause the perceived temperature by the worker to be higher than that recorded by the weather bulletin.

In this case, the employer requesting wage supplement benefits must:

- Indicate the meteorological event that occurred (in this case, excessive heat);
- Describe the work activity or type of jobs suspended or reduced, as well as how the activities are performed.

It is also reminded that employers do not need to attach weather bulletins to their application as these are obtained ex officio by INPS.
Message 2130/2025 further specifies that a high humidity rate also significantly contributes to a "perceived" temperature higher than the actual one.
Therefore, when evaluating applications, INPS will also consider the humidity levels recorded on the requested days or hours.

Finally, it is specified that the INPS instructions also apply to indoor work in cases where:

- Ventilation or cooling systems cannot be used due to unforeseeable and non-attributable reasons to the employer;
- The use of such systems is incompatible with the work being carried out.

Procedural Simplifications
It is recalled that, concerning CIGO and the wage supplement allowance from the FIS and bilateral Solidarity Funds, both the reason "suspension or reduction of activity by public authority order for reasons not attributable to the company or workers" and the reason "weather event" for "high temperatures" are classified among objectively unavoidable events (so-called EONE).
Therefore, the message clarifies that for applications submitted under these reasons:

- The 30-day minimum length of actual work at the production unit for which the treatment is requested is not required;
- Employers are not required to pay the additional contribution under the conditions set out, for CIGO, by Article 5 of Legislative Decree 148/2015, and for the wage supplement allowance from the FIS and bilateral Solidarity Funds respectively, by Article 29, paragraph 8 of Legislative Decree 148/2015 and the founding decrees of the Solidarity Funds, in accordance with Article 33, paragraph 2 of Legislative Decree 148/2015;
- The deadline for submitting the application is the last day of the month following the month in which the event occurred;
- The union information pursuant to Article 14 of Legislative Decree 148/2015 is not preventive, and it is sufficient for employers, even after the suspension or reduction of work has begun, to inform the company trade union representatives (RSA) or the unitary trade union representatives (RSU), if any, as well as the territorial branches of the most representative national trade union organizations, about the expected duration of the wage supplement intervention and the number of affected workers;
- For companies referred to in Article 10, paragraph 1, letters m), n), and o) of Legislative Decree 148/2015 (i.e., companies in the construction industry and stonework craftsmanship), the above union information is only required for requests for extensions of treatment with work suspension beyond 13 continuous weeks.

References:

- Art. 21 Legislative Decree 14.9.2015 No. 148
- Art. 26 Legislative Decree 14.9.2015 No. 148
- Art. 29 Legislative Decree 14.9.2015 No. 148
- INPS Message 3.7.2025 No. 2130
- Il Quotidiano del Commercialista, 4.7.2025 – "Perceived temperature among the events for requesting wage guarantee" – Mamone
- Il Sole 24 Ore, 4.7.2025, p. 32 – "CIG also on safety officer's report" – Cannioto A., Maccarone G.
- Italia Oggi, 4.7.2025, p. 32 – "CIGO grants a repeat for the heatwave" – Cirioli D.
- Eutekne Guides – Social Security – "Wage supplement allowance" – Bonini P.
- Eutekne Guides – Social Security – "Social safety nets – Ordinary Wage Guarantee Fund (CIGO)" – Bonini P.

- Eutekne Guides – Social Security – "Social safety nets – Special Wage Guarantee Fund for agricultural workers (CISOA)" – Silvestro D.

HIGHLIGHTED LAWS

MEASURE OF THE REVENUE AGENCY 1.7.2025 No. 277593
TAX
AUDIT – DECLARATIONS – FORM 730 – 730/2025 – Preventive checks on 730/2025 forms with refunds – Approval of criteria for identifying inconsistencies

Article 5, paragraph 3-bis, of Legislative Decree No. 175 of 21 November 2014 establishes that the Revenue Agency may carry out preventive checks in cases where the Form 730 is submitted directly by the taxpayer or through the withholding agent providing tax assistance, with modifications to the pre-filled declaration that affect the calculation of income or tax and that:

- present elements of inconsistency according to specific criteria determined by a provision of the Revenue Agency itself;
- or result in a refund exceeding €4,000.00.

In implementation of this provision, this measure approves the criteria to identify inconsistencies to be used for preventive checks of the 730/2025 forms resulting in a refund to the taxpayer. Essentially, the Revenue Agency has confirmed the criteria previously approved regarding:

- 730/2017 forms (see measure 9.6.2017 No. 108815);
- 730/2018 forms (see measure 25.6.2018 No. 127084);
- 730/2019 forms (see measure 19.6.2019 No. 207079);
- 730/2020 forms (see measure 5.6.2020 No. 225347);
- 730/2021 forms (see measure 24.5.2021 No. 125708);
- 730/2022 forms (see measure 30.5.2022 No. 184653);
- 730/2023 forms (see measure 9.6.2023 No. 203543);
- 730/2024 forms (see measure 17.6.2024 No. 267777).

Criteria to determine inconsistencies
To identify these inconsistencies, it is established that one must identify:

- Significant deviations in amounts from payment forms, Single Certifications, and declarations from the previous year;
- Or the presence of other significant inconsistencies compared to data sent by external entities or those shown in the Single Certifications.

An element of inconsistency is also considered the presence of risk situations identified based on irregularities in previous years for 730/2025 tax refund declarations.

Conducting the audit activity
The preventive control activity can take place automatically or through verification of supporting documentation, within four months from the deadline for submitting Form 730, or from the submission date if later than the deadline.
Checks provided for income taxes remain unaffected.

Refund payment to the taxpayer
At the end of the preventive control operations, the Revenue Agency issues the refund due no later than the sixth month after the deadline for submitting Form 730, or from the submission date if later.

Forms 730 submitted via CAF and professionals
Pursuant to Article 1, paragraph 4, of Legislative Decree 175/2014, the above preventive check rules also apply to 730 forms submitted:

- through CAFs and authorized professionals providing tax assistance;
- regardless of whether it is a pre-filled declaration (modified or not) or a declaration submitted by ordinary means.

Effects for tax adjustments
If the 730/2025 form is subject to preventive checks:

- The Revenue Agency does not make available the accounting result for adjustments (form 730-4) and informs the assisting party (professional, CAF, or withholding agent) or the taxpayer if submitted directly;
- The taxpayer must independently pay the second or single installment of IRPEF and/or the flat tax on rental income by 1 December 2025 (since 30 November 2025 falls on a Sunday), using form F24 (see Revenue Agency circular 12.3.2018 No. 4, § 7).

730/2025 forms with INPS as withholding agent
Starting from 730/2020 forms, due to changes introduced by the Revenue Agency provision of 21.11.2019 No. 890659 to the previous provision of 12.3.2019 No. 58168, the ordinary procedures for receiving 730-4 forms made available by the Revenue Agency have been extended to INPS as withholding agent, as is done with other withholding agents, even when the 730 form was submitted to a CAF or authorized professional; previously, in such cases, INPS received the 730-4 forms through its own telematic channels.
For preventive checks, therefore, ordinary procedures also apply to 730/2025 forms submitted to a CAF or professional with INPS as withholding agent.