THE WEEK IN BRIEF

News

DIRECT TAXES
IRES – Capital Gains – Debt Reduction from Simplified Composition – Tax Exemption of Gains – Exclusion
(*Italian Revenue Agency Ruling No. 179 of July 7, 2025*)

With Ruling No. 179 issued on July 7, 2025, the Italian Revenue Agency addressed the issue of whether the favorable tax regime set forth in Article 88(4-ter) of the TUIR (Italian Income Tax Code) applies to capital gains resulting from the reduction of debts under the simplified composition procedure governed by Articles 25-sexies and 25-septies of Legislative Decree No. 14/2019 (Business Crisis and Insolvency Code – "CCII").

Regulatory Framework
Article 88(4-ter) of the TUIR provides for the non-taxability of capital gains arising from debt reductions under bankruptcy composition or liquidation composition agreements, or equivalent foreign procedures. It allows for partial tax exemption when such gains result from restructuring arrangements, debt restructuring agreements, certified recovery plans, or equivalent foreign procedures.
In the latter case, the portion of capital gains exceeding the sum of the following is not considered taxable:

- Current or prior tax losses offsettable under Article 84 of the TUIR (without applying the 80% limit), including losses transferred within tax consolidation;
- The notional interest deduction (ACE) of the period and any surplus thereof pursuant to Article 1(4) of Decree-Law No. 201/2011 and Ministerial Decree of August 3, 2017;
- Interest expenses and similar financial charges as per Article 96(4) of the TUIR.

Calculation of Non-Taxable Amount
To calculate the non-taxable portion of the capital gain, the following steps are necessary (as clarified in Revenue Agency Rulings No. 183 of January 31, 2023; No. 120 of December 19, 2018; and No. 85 of November 23, 2018):

- Determine taxable income before deducting the capital gain from debt relief, considering the limits imposed by Article 96 of the TUIR on interest deductibility;
- Apply Article 84 of the TUIR to such taxable income, using prior losses up to 80% of the income amount, without considering the capital gain;

- Offset any remaining prior losses and non-deductible interest expenses (under Article 96(5) of the TUIR) against the gain from debt relief;
- Exempt, pursuant to Article 88(4-ter) of the TUIR, the portion of the capital gain that remains after the use of prior losses and interest expenses.

Exclusion of the Simplified Composition from the Tax Relief Regime
In the case submitted for ruling, the Agency was asked whether the above-mentioned tax exemption regime could also apply to the simplified composition for asset liquidation under Articles 25-sexies and 25-septies of Legislative Decree No. 14/2019.

In this regard, the Revenue Agency observed that the legislator did not extend the favorable regime provided by Article 88(4-ter) of the TUIR to the simplified composition procedure—unlike other crisis management tools such as the negotiated settlement. For instance, Article 25-bis(5) of the CCII explicitly states that from the date of registration of the contract or agreement (pursuant to Article 23(1)(a) and (c), or Article 23(2)(b) of the CCII), Articles 88(4-ter) and 101(5) of the TUIR (regarding deduction of bad debts) apply.

Therefore, in the Agency's view, since the legislator clearly intended to limit the application of the favorable measures to the agreements mentioned in Article 25-bis(5) of the CCII, the provision in Article 88(4-ter) cannot be applied to the simplified composition procedure. Contrary to the taxpayer's position, the fact that the explanatory report to Decree-Law No. 118/2021 described the simplified composition as a "new type of preventive composition" is not sufficient to justify an "extensive" application of the tax provisions under the first paragraph of Article 88(4-ter), which specifically applies to bankruptcy or liquidation compositions (or equivalent foreign procedures).

Critical Aspects

In legal literature (see: G. Andreani, *"No tax exemption for capital gains from debt relief"*, Il Sole 24 Ore, July 8, 2025, p. 43), the position taken by the Italian Revenue Agency has been described as "unacceptable."

First of all, when the legislator introduced the rules currently laid out in Article 88(4-ter) of the TUIR, it expressed a principle that stems from general income taxation principles—namely, that income which is not actually available to the taxpayer cannot be taxed. Undoubtedly, a company that, as a result of a liquidation composition, is fully dispossessed and allocates all its assets to creditors, has no income at its disposal. Therefore, this provision (which is an exclusion, not an exemption) should also apply to procedures which, although not explicitly mentioned, produce the same economic effects as those expressly listed.
From this perspective, the **simplified liquidation composition** generates the same substantial effects as a **liquidation-based preventive composition**.

Moreover, the approach taken by the tax authority also relies on Article 9(1)(a)(3) of Law No. 111/2023 (the enabling law for tax reform), which mandates that the implementing legislative decrees must extend the provisions of Articles 88(4-ter) and 101(5) of the TUIR to all procedures governed by Legislative Decree No. 14/2019.
The absence of such implementing decrees, as of today, limits the application of the tax exemption (total or partial) for capital gains only to those procedures explicitly referenced in Article 88(4-ter) of the TUIR.

Even this argument, however, "may make sense for **non-liquidation** procedures, to which the exemption rule applies strictly and cannot be extended to other cases, but not for **liquidation** procedures, where general tax principles alone suffice to exclude the taxation of gains from debt relief."
It is also worth noting that, in its Ruling No. 222 of November 13, 2024, the Italian Revenue Agency considered the favorable regime under Article 88(4-ter) of the TUIR to be applicable to gains from debt reduction under recovery plans pursuant to Article 56 of Legislative Decree No. 14/2019. These plans share the same purpose as the certified recovery plans referred to in Article 67(3)(d) of Royal Decree No. 267/42, which are explicitly mentioned in the legal text.

References:

- Article 88(4-ter), Presidential Decree No. 917 of December 22, 1986
- Italian Revenue Agency Ruling No. 179 of July 7, 2025
- *Il Quotidiano del Commercialista*, July 8, 2025 – “Taxation of gains in simplified composition” – Fornero
- *Il Sole 24 Ore*, July 8, 2025, p. 42 – “No tax exemption for capital gains from debt relief” – Andreani
- Eutekne Guides – Insolvency Procedures – “Simplified Composition (CCII)” – F. Diana, A. Nicotra

DIRECT TAXES

IRES – Capital Gains – Shareholder Debt Waivers – Credits Linked to Cash-Taxed Income – Taxability
(*Italian Revenue Agency Ruling No. 182 of July 8, 2025*)

Ruling No. 182, issued on July 8, 2025, once again addressed the tax treatment of shareholder waivers of receivables, particularly in the context of **non-business individual shareholders** and **credits linked to cash-taxed income** (in the specific case, dividends).

Tax treatment for the recipient company
Under Article 88(4-bis) of the TUIR (introduced by Article 13(1)(a) of Legislative Decree No. 147/2015, effective from the tax period following October 7, 2015), shareholder waivers of receivables generate a **capital gain** for the portion exceeding the **tax value** of the credit.

To this end, the shareholder must provide the company with a **written declaration** (substitute declaration of affidavit) indicating the tax value of the waived credit. In the absence of such a declaration, the tax value is deemed to be zero.

As clarified in the explanatory report to Legislative Decree No. 147/2015, under this rule:

- Up to the tax value of the credit, the company recognizes a **non-taxable contribution**;
- Any excess constitutes a **taxable capital gain**.

This rule applies both to **direct waivers of originally held receivables**, and to **transactions preceded by the acquisition of the credit (or the equity interest)** by the shareholder (or another creditor).

Waiver by Non-Business Individuals

In its **Ruling No. 124 of October 13, 2017** (regarding the waiver of severance indemnity by directors), the Italian Revenue Agency stated that, in the case of receivables held by individuals not carrying out business activities, there is **no difference between the tax value and the nominal value** of the waived receivables. Consequently:

- The participating company **does not recognize any taxable capital gain** under Article 88(4-bis) of the TUIR;
- No communication of the fiscal value of the waived receivable is required from the shareholder to the company.

This view was recently reaffirmed in **Ruling No. 59 of March 3, 2025**, which dealt with the **waiver of dividend entitlements**.

According to some scholars, however, in such cases the waived receivable should be considered to have **zero tax value**, and thus the company should treat the **entire nominal value as a taxable capital gain** (see, among others, AIDC Position Paper No. 201/2018).

Tax Treatment for the Shareholder

According to the Italian tax authority (Circular No. 73 of May 27, 1994, §3.20; Ruling No. 124/2017; Ruling No. 59/2025), a waiver of receivables **linked to income taxable on a cash basis** (such as directors' fees or interest on shareholder loans) implies that the receivable has been **legally collected** and must therefore be **subject to tax**, possibly through **withholding tax**.

However, the **Italian Supreme Court (Cassation)** in **Judgment No. 16595 of June 12, 2023**, held that the long-standing administrative practice (the so-called “legal collection theory”), once supported by case law, **no longer has legal grounding** under the tax regime in effect since the tax period following October 7, 2015.

This position aligns with the view held by a portion of legal scholars and lower courts.

Case Analysis

In **Ruling No. 182 of July 8, 2025**, concerning the waiver of dividend rights for the purpose of strengthening the equity position of the investee company, the Agency reiterated that **a person may waive only rights that they are legally entitled to**. Therefore, the issue is not about any hypothetical **tax leakage** resulting from the shareholder’s waiver (which is already addressed under Articles 88(4-bis), 94(6), and 101(7) of the TUIR), but rather about the **timing of income recognition** for tax purposes by the shareholder (in this case, natural persons).

In the specific situation analyzed—where the shareholders are **non-business individuals**—the tax value of the waived receivable **is not zero** (as claimed in the affidavit and supported by some doctrine), but rather **equals its nominal value**.

As a result, the waiver **does not generate a taxable capital gain** for the investee company.

Furthermore, since the shareholders’ **right to dividends arises with the shareholders’ resolution**, the dividends are considered **legally collected** and therefore **subject to a 26% withholding tax** under Article 27 of Presidential Decree No. 600/1973.

Thus, the Revenue Agency **reaffirms its adherence to the “legal collection” theory**.

Critical Remarks

It is noteworthy that, for the **first time**, the Agency explicitly refers to the **opposing view of the Supreme Court in Judgment No. 16595/2023**.

According to Ruling No. 182/2025, the present case differs from the one examined by the Court, where the **waiver concerned interest on a loan acquired by the waiving company** after the credit had already arisen.

However, the Revenue Agency’s reasoning is **questionable**, since, based on the **Explanatory Report to Legislative Decree No. 147/2015**, there is **no substantial difference** between:

- A direct waiver of a credit originally held by the shareholder, and
- A waiver of a credit **acquired** by the shareholder before the waiver.

In reality, the conclusions reached by **Cass. No. 16595/2023** seem to be based on the **principle that receivables linked to income taxed on a cash basis have zero tax value**. Therefore, any waiver would result in **full taxation of the gain** in the hands of the investee company.

This approach was also recently **confirmed by Supreme Court Judgment No. 14921 of June 4, 2025**.

References:

- Article 88(4-bis), Presidential Decree No. 917 of December 22, 1986
- Italian Revenue Agency Ruling No. 182 of July 8, 2025
- *Il Quotidiano del Commercialista*, July 9, 2025 – "Return of the Legal Collection Doctrine on Waived Receivables" – Latorraca
- *Italia Oggi*, July 9, 2025, p. 26 – "Legal Collection with Shareholder Taxation" – Stancati, Manguso
- **Eutekne Guides – Direct Taxes – "Shareholder Waivers of Receivables"** – S. Latorraca

TAX RELATIONS SETTLEMENT

Biennial Preventive Settlement (CPB) – Legislative Decree 13/2024
Grounds for Exclusion – Tax and Social Security Debts – Lapse from Installment Plan on Tax Debt Exceeding €5,000 – Effects
(**Italian Revenue Agency Ruling No. 176 of July 7, 2025**)

In **Ruling No. 176 of July 7, 2025**, the Italian Revenue Agency clarified that a **lapse occurred in 2024** from an installment plan for a **tax debt exceeding €5,000**, under the so-called "**Rottamazione-quater**" (Law 197/2022), **prevents eligibility for the 2024–2025 Biennial Preventive Settlement (CPB)**, even if the taxpayer was later readmitted through an application submitted in 2025 under **Art. 3-bis of Decree-Law 202/2024, converted by Law 15/2025**.

Debt Limit for CPB Eligibility

A taxpayer's debt position is a key factor in assessing CPB eligibility.
Art. 10(2) of Legislative Decree 13/2024 excludes access to the CPB if, with reference to the tax year **prior** to those covered by the settlement proposal, the taxpayer has **definitive debts** (from previous years) either for:

- taxes administered by the Italian Revenue Agency, or
- **contribution debts** definitively assessed by final judgment or unchallengeable administrative acts.

In the case of the **2025–2026 CPB**, this means that **all definitive debts as of 31 December 2024** are considered for exclusion.

Taxpayers may still be admitted to the CPB **if such debts are fully settled by the acceptance deadline**, provided that the **total residual amount**, including penalties and interest, **is below €5,000**.

This threshold applies to the **cumulative sum of both tax and social security debts**, even if comprised of multiple smaller items.
For companies, only the **company's own debts** are considered—not those of shareholders (per Circular 18/2024, § 6.11).

Debts subject to installment plans **still in good standing**, or **suspended by court or administrative order**, do **not** count toward the €5,000 threshold—unless and until the installment benefit is lost.

Debt Threshold and CPB Termination

The debt condition in **Art. 10(2)** must be met both:

- **at the time of CPB acceptance**, and
- **throughout the duration of the CPB**, due to the reference in **Art. 22(1)(d)** of the same decree.

If, for example, after joining the **2024–2025 CPB**, a taxpayer **loses the benefit** of an installment plan on a **€6,000 tax debt already definitive in 2023**, the access requirement is no longer satisfied, resulting in **termination of the CPB** for **both tax periods**.

Lapse from Rottamazione-Quater

Ruling No. 176 addressed a situation where the taxpayer, though exceeding the €5,000 debt threshold, joined the 2024–2025 CPB **based on an active installment plan** under the **Rottamazione-quater** (Law 197/2022).
However, in **2024**, the taxpayer **defaulted** on this plan due to **late payment of an installment**.

The taxpayer asked whether **readmission to the Rottamazione-quater**, via an application submitted by **April 30, 2025**, could **preserve CPB eligibility**.

Key Scenarios Distinguished

As the request did not specify **when in 2024** the default occurred, the Agency outlined two possible scenarios:

1. **Default occurred *before* CPB acceptance** → Under **Art. 10(2)**, this is a **barrier to CPB access**.
2. **Default occurred *after* CPB acceptance** → Under **Art. 22(1)(d)**, this results in **termination of the CPB** for both tax years.

According to the Agency, this assessment is **not altered** by the taxpayer's **later readmission** to the Rottamazione-quater in 2025, because **Art. 3-bis of Decree-Law 202/2024 (converted into Law 15/2025) does not extend the positive effects** of readmission to CPB eligibility or continuation.

References:

- **Art. 10(2), Legislative Decree No. 13 of February 12, 2024**
- **Art. 22, Legislative Decree No. 13 of February 12, 2024**
- **Italian Revenue Agency Ruling No. 176 of July 7, 2025**
- *Il Quotidiano del Commercialista*, July 8, 2025 – "Readmission to Rottamazione-quater Doesn't Save CPB" – Rivetti

TAX INCENTIVES

Tax Credit for Investments in Disadvantaged Areas – ZES Unica Mezzogiorno
Real Estate Investments – 50% Cap on the Eligible Investment Amount – Method of Calculation
(**Italian Revenue Agency Ruling No. 183 of July 8, 2025**)

In **Ruling No. 183 of July 8, 2025**, the Italian Revenue Agency provided clarifications regarding the **calculation method** for the **tax credit for investments in the ZES Unica Mezzogiorno**, under **Art. 16 of Decree-Law 124/2023**, specifically concerning the **50% cap for real estate investments**.

Regulatory Framework

Pursuant to **Art. 16(2) of Decree-Law 124/2023**, the tax credit applies to investments forming part of an "initial investment project" (as defined by **Art. 2(49)-(51)** of **EU Regulation No. 651/2014**), involving:

- the purchase (also through finance leases) of new machinery, plant, and equipment intended for production facilities already in place or being set up in the region;
- the **purchase of land**;
- the **acquisition, construction, or expansion of real estate instrumental to the investment**.

Eligible investments must be carried out between **January 1 and November 15, 2024**, and also from **January 1 to November 15, 2025** (as recently extended by **Art. 1(485)(c) of Law 207/2024**).

For **land and real estate assets**, **Art. 16(2)** of Decree-Law 124/2023 and **Art. 3(5)** of the Prime Ministerial Decree of May 17, 2024, provide that:

"The value of the land and buildings eligible for the incentive **cannot exceed 50%** of the total value of the eligible investment."

This rule raised several interpretative doubts—e.g., whether real estate exceeding 50% of the investment value could still be partially eligible.

Calculation of the Real Estate Component

According to Ruling No. 183/2025, given the objective of **limiting the share of the tax credit attributable to real estate**, the regulation should be interpreted to mean that:

- For each **eligible investment project**, the **real estate component** of the eligible expenditure must **not exceed 50%** of the **total eligible investment**.

This implies that:

- The **eligible real estate value** may **not exceed** the **non-real estate component**.
- If the **only investment** made concerns **real estate**, the project is **not eligible** for the ZES tax credit, since there are no qualifying non-real estate investments.

What is Included in the Real Estate Component

For purposes of the 50% cap, the **real estate component** includes:

- The **cost of acquiring** real estate assets (land or buildings);
- **Ancillary costs**, such as **notarial fees** related to the purchase;
- Other related **capitalized costs**, such as expenditures for **upgrades or expansion**, as long as they are accounted for in accordance with proper accounting principles.

Example Case

In the case presented, the taxpayer intends to invest in:

- New machinery and equipment: **€270,000**;
- A production-use building: **€600,000**.

Based on the Agency's interpretation, the **maximum eligible investment** for tax credit purposes is **€540,000**, comprised of:

- **€270,000** for machinery and equipment (**non-real estate component**);
- **€270,000** (i.e., 50% of total eligible investment) for the real estate component, even though the actual real estate cost is €600,000.

The **excess real estate cost (€330,000)** is **not eligible** for the tax credit.

Key Takeaways

- A real estate investment is **only eligible up to the value** of the non-real estate component.
- **Real estate-only investments** are **excluded** from the ZES tax credit.
- The 50% limit applies **per project**, not globally or across multiple investments.

References:

- **Art. 16(2), Decree-Law No. 124 of September 19, 2023**
- **Art. 3(5), Prime Ministerial Decree of May 17, 2024**
- **Italian Revenue Agency Ruling No. 183 of July 8, 2025**
- *Il Quotidiano del Commercialista*, July 9, 2025 – "No ZES Tax Credit for Real Estate-Only Projects" – Alberti
- *Italia Oggi*, July 9, 2025 – "ZES Unica: Real Estate Share Capped at Half the Investment" – Stancati, Manguso
- *Eutekne Tax Guide – Direct Taxes – 'ZES Unica Investment Bonus'* – Alberti P.

SOCIAL SECURITY & LABOR LAW

Maternity and Parental Leave – Pre- and Post-Natal Work Prohibition – Operational Guidelines and Clarifications (**INL Circular No. 5944 of July 8, 2025**)

The **National Labour Inspectorate (INL)**, through **Circular No. 5944 of July 8, 2025**, issued guidelines to its local offices to ensure consistent procedures during the evaluation and processing of requests for **work prohibition measures** in favor of pregnant and postpartum employees (pre- and post-natal leave).

Request for Work Prohibition

The request for the work prohibition measure (**interdizione**) may be submitted **either by the employer or by the employee**.

- If submitted by the **employer**, the application must specify the **inability to reassign the worker to alternative duties**, based on internal organizational factors.
- The employer should also indicate any **hazardous, strenuous, or unhealthy work conditions** to which the employee is exposed, potentially by including **excerpts from the Risk Assessment Document (DVR)** concerning pregnant or postpartum workers, pursuant to **Art. 11 of Legislative Decree 151/2001**.

Administrative Review and Evaluation by the INL Offices

Upon receiving the documentation, the local offices of the INL will initiate the **review process**, which includes the **evaluation of eligibility** for the work prohibition measure.

To grant the measure, both of the following conditions under **Art. 17(2)(b) and (c) of Legislative Decree 151/2001** must be met:

1. **Working or environmental conditions** deemed harmful to the health of the woman or the unborn child;
2. **Inability to reassign** the worker to other tasks.

During this phase, the INL must verify whether the worker's tasks fall within the **categories listed in**:

- **Annex A** (Art. 7(1), DLgs. 151/2001);
- **Annex B** (Art. 7(2), DLgs. 151/2001);
- **Annex C** (Art. 11(1), DLgs. 151/2001).

Specific Guidelines – Manual Handling and Standing Work

Regarding bans on **manual lifting and transport of loads**, the INL clarifies that:

- The mere **performance of such duties** by a pregnant/postpartum worker is sufficient for consideration, **provided there is no possibility of reassignment**;
- A **"load"** is defined as any **weight exceeding 3 kg**, handled **repeatedly** during a typical workday (i.e., not on an occasional basis);
- **Postpartum**: upon resuming work, if the **risk index** calculated under **UNI ISO 11228-1** is ≥ 1, the employee must **not be assigned manual handling tasks**.

Employer's Obligations – Risk Mitigation

The employer is required to implement one or more of the following actions to eliminate or minimize exposure to risk for the pregnant/postpartum worker:

- Temporarily modify working conditions or hours;
- Reassign the employee to another department or position;
- If neither option is viable, submit a **timely request** for **pre- or post-natal work prohibition**.

Issuance of the Work Prohibition Order

The work prohibition must be issued **within 7 days** of receiving **complete documentation**.

- The 7-day period starts **the day after** receipt of all required documents;
- If **supplemental documents** are requested, the clock starts the **day after** those are received.

The **prohibition takes effect from the date of the official order**, even if it is issued without a full prior investigation.

If the office intends to **reject the application**, it must notify the parties of the **reasons for denial** via email or certified email (PEC), pursuant to **Art. 10-bis of Law 241/1990**.

- This communication **is not immediately challengeable**;
- The employee may submit written **observations within 10 days**;
- The final decision period is suspended and resumes either:
    - 10 days after receipt of the observations, or
    - after the 10-day period if no feedback is submitted.

Standing for Over Half of the Workday

The circular confirms that in **any work schedule**, if the job requires the worker to **stand for more than 50% of her work hours**, the prohibition must be issued accordingly.

References:

- **Art. 17, Legislative Decree No. 151 of March 26, 2001**
- **Art. 18, Presidential Decree No. 1026 of November 25, 1976**
- **Art. 6, Legislative Decree No. 151/2001**
- **Art. 7, Legislative Decree No. 151/2001**
- **INL Circular No. 5944 of July 8, 2025**
- *Il Quotidiano del Commercialista*, July 10, 2025 – "Maternity Work Prohibition Starts from the Date of the Measure" – Gianola
- *Eutekne Labour Guide – Parenthood Protection – Mother's Leave* – Gianola G.

Highlight

PROVISION OF THE REVENUE AGENCY 3.7.2025 No. 280268
TAX
INDIRECT TAXES – VAT – OBLIGATIONS OF TAXPAYERS – ANNUAL VAT RETURN – VAT 2025 – VAT return relating to 2024 – Failure to submit or submission without sections VE or VJ or with "insignificant" taxable transactions – Communications to taxpayers and to the Guardia di Finanza – Regularization

Article 1, paragraphs 634 to 636 of Law No. 190 of 23 December 2014 (Stability Law 2015) provides that, by provision of the Revenue Agency, the methods shall be identified by which the taxpayer and the Guardia di Finanza are provided with elements and information held by the Agency referring to the same taxpayer, acquired directly or received from third parties, relating also to revenues or fees, income, turnover, and production value attributable to the taxpayer, benefits, deductions or tax credits, including cases where these are not due, so that the taxpayer can:

- report to the Revenue Agency any elements, facts, and circumstances not known to it;
- remedy any errors or omissions through the institution of voluntary correction (ravvedimento operoso).

In implementation of this regulation, this provision issues the rules regarding the methods by which the information signaling:

- the possible failure to submit the annual VAT return for the tax period 2024 (VAT form 2025);
- or the submission of the same without filling in section VE, or with taxable transactions declared for an amount less than €1,000.00;
- or the submission of the same without filling in section VJ, regarding the reporting obligations of the purchaser/contracting party related to the reverse charge mechanism,
  is made available to taxpayers and to the Guardia di Finanza.

For these purposes, the Revenue Agency uses data from issued and received electronic invoices, as well as daily receipts stored and transmitted electronically by VAT-registered taxpayers.

Contents of the communications
The communications include:

- the tax code, name or surname and first name of the taxpayer;
- the identification number and date of the communication, act code, and tax period (2024);
- the date of processing of the communication, in case of failure to submit the VAT return within the prescribed deadlines;
- the date and the telematic protocol of the VAT return submitted for the 2024 tax period, in case of submission without section VE or VJ or with "insignificant" taxable transactions;
- instructions on how the taxpayer can request information or report to the Revenue Agency any elements, facts, or circumstances unknown to it;
- instructions on how the taxpayer can regularize errors or omissions and benefit from the reduction of related penalties through voluntary correction (ravvedimento operoso).

Method of communication
The above communications are:

- sent to the taxpayer's certified email address (PEC) activated by the taxpayer;
- consultable by the taxpayer within the reserved area of the Revenue Agency's online portal called the "Tax drawer" and the web interface "Invoices and Receipts".
  The information is also made available to the Guardia di Finanza through IT tools.

Requests for clarifications and explanations

The taxpayer, including through intermediaries responsible for electronic transmission of returns, may:

- request information;
- or report to the Revenue Agency any elements, facts, or circumstances unknown to it, in the manner indicated in the communication, which could justify the alleged anomaly detected.

Regularization of violations

Violations committed in relation to the VAT return for the 2024 tax period may be regularized through voluntary correction (ravvedimento operoso), pursuant to Article 13 of Legislative Decree 472/97, as amended by Legislative Decree 14 June 2024 No. 87 (in the case of violations committed from 1 September 2024), benefiting from a reduction of penalties according to the time elapsed since the violation was committed.

It should be noted that voluntary correction can take place regardless of whether the violation has already been detected or control activities have begun, provided that:

- no “amicable notice” has been issued following automated liquidation of the return pursuant to Article 54-bis of Presidential Decree 633/72;
- no assessment notice has been notified.

In particular, taxpayers who have not submitted the VAT return relating to 2024 can remedy the non-compliance by:

- submitting the return within 90 days of the due date of 30 April 2025, thus by 29 July 2025;
- paying a reduced penalty of €25.00 (one tenth of €250.00) for late submission;
- paying any due taxes, legal interest, and the reduced penalty for failure to pay, unless opting, with the required increases, for deferred payment of the 2024 VAT balance.

Penalties for so-called “preliminary violations” remain due autonomously in the context of voluntary correction.

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