

TASIC & PARTNERS

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NEWSLETTER

19/07/2021

Bylaws adopted in order to implement the Law on Electronic Invoicing

The new Law on Electronic Invoicing ("Official Gazette of the RS", No. 44/2021, hereinafter: the "**Law**") entered into force on May 7th, 2021. Article 22 of the Law stipulates that the bylaws for its implementation will be adopted within six months from the day the Law enters into force, which bylaws are adopted and apply as of July 17th, 2021.

- 1. Decree on the conditions and manner of keeping of electronic invoices and making such available and the manner of ensuring the authenticity and integrity of the contents of invoices in paper form ("Official Gazette of RS", No. 69/2021)**

This Decree regulates the conditions and manner of keeping electronic invoices, conditions and manner of making electronic invoices available on the basis of the request of the competent authority, as well as the manner of ensuring the authenticity and integrity of the contents of the invoice in paper form.

2. Decree on the conditions and manner of using the invoice management system ("Official Gazette of RS", No. 69/2021)

This Decree regulates the conditions and manner of using the invoice management system. The invoice management system contains data on electronic invoices as well as data on creditors and debtors. Electronic invoices issued in transactions involving a debtor who is a public sector entity with multiple levels of consent and who does not own its own system or part of an invoice management system, may be received through an invoice management system that is a web application established and managed by an appropriate Government service.

3. Rulebook on elements of electronic invoice, form and manner of delivery of accompanying and other documentation through the system of electronic invoices, manner and procedure of electronic recording of value added tax calculation in the system of electronic invoices and manner of application of electronic invoicing standards ("Official Gazette of RS", no. 69/2021)

This Rulebook prescribes the minimum content of the electronic invoice necessary for its processing through the system of electronic invoices, cases in which certain elements of the electronic invoice may be left out, cases in which the obligation to insert additional elements, form and manner of delivery of supporting and other documentation through the electronic invoice system, manner and procedure of electronic recording of value added tax calculation in the system of electronic invoices and manner of application of electronic invoicing standards (Serbian standard of electronic invoicing, SRPS EN 16931-1: 2019 / A2: 2020).

4. Rulebook on the manner and procedure of registration for access to the electronic invoice system, the manner of access and use of the electronic invoice system and the manner of using the data available in the electronic invoice system ("Official Gazette of RS", No. 69/2021)

This Rulebook stipulates that a legal or natural person who has access to the electronic invoice system as an issuer or recipient of an electronic invoice, must be previously registered to access the system. Registration for access is done through the appropriate web application and is only possible for entities that have a TIN (tax identification number).

5. Decree on the procedure and conditions for giving and revoking consent for performing the activities of an information intermediary ("Official Gazette of RS", No. 69/2021)

The consent for performing the activities of an information intermediary may be obtained by a person who meets the conditions prescribed by this Decree and which consent is given by the Ministry of Finance. After obtaining the consent to perform the activities of an information intermediary, the person must provide liability insurance as well as public availability of the general conditions for the provision of services on its website. The Ministry of Finance may, by a decision, revoke the consent for the performance of the activities of the information intermediary, which shall contain a deadline within which it is necessary to suspend the

performance of the activities of the information intermediary in cases prescribed by the Decree.

For additional consultations and assistance, feel free to contact us at Tasic&Partners through our email office@tasiclaw.com or by phone +381116302233.