

TASIC & PARTNERS

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NEWSLETTER

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Adopted bylaws for the implementation of the Law on Fiscalization

The new Law on Fiscalization (“Official Gazette of the RS” No. 153/2020, hereinafter: the “**Law**”) entered into force on December 29, 2020 and its implementation shall begin on January 1st, 2022. Article 21 of the Law stipulates that the regulations for its implementation will be adopted within nine months from its entering into force and with that said, we outline a brief overview of bylaws and regulations adopted by the Ministry of Finance so far, as follows:

- **Rulebook on types of fiscal accounts, types of transactions, methods of payment, reference to the number of another document and details of other elements of the fiscal account,**

which regulates in more detail the fiscal documents that can be issued through the electronic fiscal device as well as the new possibilities that fiscal devices will have in terms of transactions, given that it will be possible to cancel invoices and perform refunds, as well as new codes for means of payment (if for example the payment is made by voucher). It shall be applied as of January 1st 2022.

- **Rulebook on the conditions and procedure for issuing and the manner of using the security element,**

which regulates in more detail what is a security element, the method of issuance and actions in case of theft, damage or destruction of such, bearing in mind that the taxpayer uses the security element to sign fiscal invoices for the purposes of fiscalization and identity verification during data exchange and with the Tax Administration. It shall be applied as of July 7th 2022.

- **Rulebook on the manner and procedure of submitting data on issued fiscal invoices to the Tax Administration,**

regulates which data on issued fiscal invoices the taxpayer is obliged to submit to the Tax Administration, the form and manner of submitting these data, conditions under which these data may be submitted to the Tax Administration periodically, protocols and security mechanisms for submission, standard error messages and protocols in case of errors as well as communication and data exchange between the electronic fiscal device and the Fiscalization Management System of the Tax Administration. It shall be applied as of January 1st 2022.

- **Rulebook on the manner of storing and protecting data in the internal memory of the electronic fiscal device,**

regulates the storage of data in the internal memory of the electronic fiscal device until the moment of transfer of fiscal data to the Fiscalization Management System of the Tax Administration. It shall be applied as of January 1st 2022.

- **Rulebook on the type and manner of submitting data on business premises as well as on the manner of generating a sign of the business premises,**

Considering that the taxpayer is obliged to submit data on business premises in which he will use the electronic fiscal device to the Tax Administration electronically before using the electronic fiscal device, separately for each business premises, the Rulebook prescribes that the taxpayer submits the request for the generation of a sign of business premises electronically, as well as the data that need to be submitted. It shall be applied as of November 1st 2021.

- **Rulebook on the manner of verification of reported fiscal accounts,**

It regulates in more detail the verification of fiscal invoices that buyers, that is recipients of fiscal invoices can perform through the system for verification of fiscal invoices of the Tax Administration. It shall be applied as of January 1st 2022.

Also, two decrees were adopted by the Government which additionally regulate the matter covered by the Law, as follows:

- Decree on the form and content of the register of elements of electronic fiscal devices, types of electronic fiscal devices, manner of their use and approval, automatic suspension of work of electronic fiscal device, details of alternative access to permanent internet connection and manner of insight into data submitted to the Tax Administration

- Decree on determining the business activity in the performance of which there is no obligation to record retail trade through an electronic fiscal device.

For any additional consultations or legal assistance, you can contact the Tasić & Partners team by email at na office@tasiclaw.com or by phone at +381116302233.