

WATCHOUT LIST 2023 | PORTUGAL

BELIM
CASTILHO

New invoicing obligations for VAT registers* starting 1.1.2023

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INVOICING

ATCUD code

All invoices, credit notes and relevant tax documents issued from certified software need to bear an ATCUD code, besides the QR Code already in force

In order to obtain the ATCUD code, companies should register each document series sequence: (i) in their tax portal or (ii) through their certified invoicing software

Tip: obtaining the code is generally possible via the certified

Check out **FAQs** by Authorities [here](#) (PT language)

Monthly Report

All invoices + rectification documents issued from certified software need to be monthly reported to the Authorities by SAF-T file (generated from the certified software)

For 2023 this monthly reporting is to be made until the 8th of the following month; In 2024, the deadline is the 5th of the following month

Tip: automatic communication of invoices can generally be setup via the certified software

Penalties

The penalty for lack of use of certified invoicing software or the use of software not compliant with legal requirements ranges between € 3000 to € 18750**

The penalty for lack of reporting of invoices ranges between € 400 to € 10000**

In general, penalties can be reduced or waived in circumstances of, per example, 1st offences or no loss of tax revenue loss and diminished guilt by taxpayers



Report of absence of invoices - possible postponement

The 2022 State Budget indicated that absence of invoices in a given month should also be reported to the tax authorities starting 1.1.2023

The new functionality foreseen for the PT tax portal to report this absence of invoices is not ready. In this sense, a postponement of this obligation is expected

Use of pluriannual invoices series

Taxpayers can use pluriannual series, meaning businesses do not need to start from zero numbering in a new year, provided the sequential numbering is maintained throughout the use of the series

* i.e. non-established businesses with a VAT register in Portugal

**considering negligent behaviour by collective persons; penalties can be applied per each period of tax, although, in cases such as lack of use of certified invoicing we view one continuous infraction should be considered