
THE NATIONAL E-INVOICE SYSTEM WILL BECOME MANDATORY FROM JULY 1, 2024

On August 4, 2023, the President signed the Act of June 16, 2023 amending the Act on Goods and Services Tax and certain other acts, which provides for the mandatory National e-Invoice System (hereinafter referred to as "KSeF"). Now the act is just waiting for publication in the Journal of Laws. Without KSeF it will be impossible to issue or collect an invoice. Taxpayers have 11 months to adjust. Each taxpayer must not only adapt their financial and accounting system, but also properly prepare their staff for the changed procedures.

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What is the National e-Invoice System

KSeF is an IT system used to issue, receive and gain access to structured invoices. This document is a type of electronic invoice in XML format.

Through the program, **it is also possible to grant, change or withdraw authorizations, as well as analyze and control the information contained in e-Invoices.** After entering the data into the system, each invoice receives a unique identifying number and is then verified to ensure that the data complies with the structured invoice template. A structured invoice will be considered issued and delivered when it is assigned an identifying number.

KSeF: mandatory or voluntary?

After an optional period, the **platform is expected to become a binding standard throughout the country.** This is expected to take place **from July 1, 2024.** It is worth noting that Poland will be the fourth country in the EU (after Italy, Spain and Portugal) to implement this solution.

From July 1, 2024, KSeF will apply to:

1. entrepreneurs registered as active VAT taxpayers;
2. entrepreneurs who are exempt from VAT;
3. taxpayers verified in Poland for the EU OSS procedure who have a Polish tax identification number (NIP).

Logical structure of e-Invoice

As we read on the website of the Ministry of Finance: *The logical structure of e-Invoice, in addition to the elements whose occurrence is regulated by Art. 106a - 106q of the VAT Act, also contains elements whose use is completely voluntary and arbitrary. Their inclusion in the structure results from business practice observed on the market, including comments submitted during social consultations on the structure. This is the so-called additional invoice elements that do not result from VAT regulations and whose use in the invoice is not prohibited. Therefore, the regulations introducing KSeF do not impose new obligations regarding the content of the invoice.*

KSeF implementation

Using KSeF involves the need to adapt your IT systems, in particular accounting software. The most important issue is to verify whether the system used has a field for entering the data necessary for a structured invoice. Another important point is to connect your own system with KSeF and test the entire process at all its stages, such as, among others: issuing an invoice and verifying data.

In order to facilitate the entire process, the Ministry of Finance has published the draft of the logical structure of the system. Software suppliers from outside our country also have access to structure documentation in English. In a separate article we describe how to register invoices in KSeF.

KSeF system – login and authentication

In the case of taxpayers who are not natural persons and have an electronic qualified stamp containing the Tax Identification Number, it is possible to use the KSeF based on the original ownership rights without reporting to the tax office.

Access to the National e-Invoice System is possible after creating an individual account - it can be operated from a computer and mobile devices. The system has an authentication mechanism that verifies the identity of the entity based on qualified sources such as qualified certificates (electronic signature, electronic seal or trusted signature) and the Trusted Profile.

Should you have further questions, we remain at your disposal.

** This Newsletter does not constitute legal or tax advice.*

