

The Regional Tax and Retribution Law (PDRD) is consolidated after the Job Creation Act

Composition in One Script of Law of the Republic of Indonesia Number 28 of 2009 concerning Regional Taxes and Regional Levies as Amended by Law of the Republic of Indonesia Number 11 of 2020 concerning Job Creation

General Explanation

In the framework of administering the government, the Unitary State of the Republic of Indonesia is divided into provincial regions and provincial regions consist of regencies and cities. Each of these regions has the right and obligation to regulate and manage their own government affairs to improve the efficiency and effectiveness of government administration and services to the community.

To administer the government, the Region has the right to impose levies on the community. Based on the 1945 Constitution of the Republic of Indonesia which places taxation as one of the embodiments of the state, it is emphasized that the placement of burdens on the people, such as taxes and other levies that are coercive in nature are regulated by law. Thus, the collection of Regional Taxes and Regional Levies must be based on the Act.

So far, regional levies in the form of taxes and levies are regulated by Law Number 18 of 1997 concerning Regional Taxes and Regional Levies as amended by Law Number 34 of 2000. In accordance with this law, regions are given the authority to collect 11 (eleven) types of Taxes, namely 4 (four) types of Provincial Taxes and 7 (seven) types of Regency/Municipal Taxes. In addition, regencies/cities are also still given the authority to determine other types of taxes as long as they meet the criteria stipulated in the law. The Law also stipulates the maximum tax rate for the eleven types of Taxes. With regard to levies, the law only regulates the principles in determining the types of levies that can be levied by regions. Both provinces and districts/cities are given the authority to determine the types of levies other than those stipulated in government regulations. Furthermore, the government regulation stipulates more detailed provisions regarding the object, subject, and basis of imposition of the 11 (eleven) types of taxes and stipulates 27 (twenty seven) types of levies that can be collected by regions and sets uniform tax rates for all types of provincial taxes. .

Revenues from taxes and levies are recognized as inadequate and have a relatively small role in the Regional Revenue and Expenditure Budget (APBD), especially for regencies and cities. Most of the APBD expenditures are funded by allocation funds from the center. In many cases, the allocation of funds from the center cannot be fully expected to cover all regional expenditure needs. Therefore, giving the opportunity to impose new levies which was originally expected to increase regional revenues, is in reality not much expected to cover the shortage of expenditure needs. With the criteria set out in the law, there

are almost no new types of taxes and levies that can be levied by the regions. Therefore, almost all new levies imposed by the regions have an unfavorable impact on the investment climate. Many regional levies

result in high economic costs because they overlap with central levies and hinder the flow of goods and services between regions.

For provincial areas, the types of taxes stipulated in the law have contributed greatly to the APBD. However, because there is no provincial authority in determining tax rates, the province cannot adjust its tax revenues. Thus, the province's dependence on funds allocated from the center remains high. This situation has also prompted the province to impose a new levy that contradicts the criteria set out in the law.

Basically, the regional tendency to create various levies that are not in accordance with the provisions of laws and regulations and are contrary to the public interest can be overcome by the Government by supervising each Regional Regulation that regulates such Taxes and Levies. The law gives the Government the authority to cancel any Regional Regulation that is contrary to the Law and the public interest. Regional regulations governing taxes and levies within 15 (fifteen) working days from the date of stipulation must be submitted to the Government. Within a period of 30 (thirty) working days, the Government may cancel the Regional Regulations that regulate Taxes and Levies.

In reality, the supervision of the Regional Regulation cannot run effectively. Many Regions do not submit Regional Regulations to the Government and some regions still enforce Regional Regulations that have been canceled by the Government. This supervision is ineffective because the existing law does not regulate sanctions against regions that violate these provisions and the supervisory system is repressive. Regional regulations can be directly implemented by the regions without obtaining prior approval from the government.

The current regulation of taxation and retribution authority does not support the implementation of regional autonomy. The granting of greater authority to the regions in the administration of government and services to the community should be followed by the granting of greater authority in taxation and levies. The very limited district and city tax bases and the absence of provincial authority in setting tax rates have resulted in the regions always having difficulty meeting their expenditure needs. The very large dependence of the regions on balancing funds from the center in many ways does not reflect the accountability of the regions.

In order to increase the accountability of regional autonomy implementation, regional governments should be given greater authority in taxation and user charges. In connection with the granting of such authority in accordance with Law Number 32 of 2004 concerning Regional Government and Law Number 33 of 2004 concerning Financial Balance between the Central Government and Regional Governments, the expansion of the authority of taxation and levies is carried out by expanding the regional tax base and granting authority to the Region in setting tariffs.

The expansion of the tax base is carried out in accordance with good tax principles. Taxes and levies do not cause a high cost economy and/or hinder the mobility of the population, the traffic of goods and services between regions and export-import activities. Charges such as levies on city entry permits, levies on expenditures/delivery of goods from one area to another and levies on export-import activities cannot be used as objects of tax or levy. Based on these considerations, the expansion of the regional tax base is carried out by expanding the existing tax base, regionalizing the central tax and adding new types of taxes.

Expansion of the existing tax base for Motor Vehicle Tax and Motor Vehicle Transfer Fee is extended to cover Government vehicles, The Hotel Tax was extended to cover all rentals in the hotel, the Restaurant Tax was extended to cover catering services. There are 4 (four) new types of taxes for the regions, namely the Rural and Urban Land and Building Tax and the Land and Building Rights Acquisition Fee which was previously a central tax and the Swallow's Nest Tax as a regency/city tax and Cigarette Tax which is a new tax for province.

In addition to the expansion of taxes, this Law also includes the expansion of several objects of levies and additional types of levies. The nuisance permit levy is extended to include continuous supervision and control of business activities to prevent disturbances to public order, safety or health, maintain environmental order and comply with occupational safety and health norms. There are 4 (four) new types of levies for the regions, namely retribution/calibration services, levies for education services, levies for controlling telecommunications towers, and levies for fisheries business permits.

In relation to the granting of authority in setting tariffs to avoid setting high tax rates which may increase the burden on the community excessively, Regions are only given the authority to set tax rates within the maximum limit stipulated in this Law. In addition, to avoid inter-regional tax rate wars for tax objects that are easy to move, such as motorized vehicles, this Law also sets a minimum rate for Motor Vehicle Tax.

It is also estimated that such tariff arrangements will still provide opportunities for people to move their vehicles to other areas with lower tax burdens. Therefore, in this Law the Selling Value of Motor Vehicles as the basis for imposition of Motor Vehicle Tax and Motor Vehicle Transfer Fee is still determined to be uniform nationally. However, in line with the demands of the community for better services in accordance with the tax burden it bears and certain considerations, the Minister of Home Affairs may delegate the authority to determine the Selling Value of Motor Vehicles to the Regions. Besides that, The motor vehicle tax rate policy is also directed at reducing the level of congestion in urban areas by giving the regions the authority to apply progressive tax rates for second vehicle ownership and so on. Specifically for Cigarette Tax, the basis for imposition is cigarette excise. Cigarette tax rates are definitively stipulated in this Law, so that the Government can maintain a balance between the excise burden that must be borne by the

cigarette industry and the national and regional fiscal needs through the determination of national excise rates.

In order to increase the accountability of the imposition of levies, in this Law a portion of the proceeds of Tax revenue is allocated to finance activities related to the said Tax. The Street Lighting Tax is partly allocated to finance street lighting, the Motor Vehicle Tax is partly allocated to the construction and/or maintenance of roads and the improvement of public transportation modes and facilities, and the Cigarette Tax is partly allocated to finance public health services and law enforcement.

With the expansion of the base of taxes and levies accompanied by the granting of authority in setting the rates, the types of taxes that can be levied by the Regions are only those stipulated in the Law. For levies, with government regulations there is still an opportunity to add other types of levies other than those stipulated in this law as long as they meet the criteria set out in this law. The opportunity to add types of

levies with government regulations is also intended to anticipate the transfer of service and licensing functions from the government to regions which are also regulated by government regulations.

Furthermore, to increase the effectiveness of regional levies supervision, the supervisory mechanism was changed from repressive to preventive. Every Regional Regulation concerning Taxes and Levies before being implemented must obtain prior approval from the Government. In addition, the Regions that stipulate policies in the field of regional taxes and regional levies that violate the provisions of higher laws and regulations will be subject to sanctions in the form of postponement and/or withholding of general allocation funds and/or profit-sharing funds or restitution.

With the enactment of this Law, the ability of regions to finance their expenditure needs is even greater because regions can easily adjust their income in line with an increase in the regional tax base and discretion in setting tariffs. On the other hand, by not giving the Regions the authority to stipulate new types of taxes and levies, it will provide certainty for the community and the business world which in turn is expected to increase public awareness in fulfilling their tax obligations.

CHAPTER I

GENERAL REQUIREMENTS

article 1

In this Law, what is meant by:

1. Autonomous Region, hereinafter referred to as Region, is a legal community unit that has territorial boundaries that are authorized to regulate and manage government affairs and the interests of the local community according to their own initiative based on the aspirations of the people in the system of the Unitary State of the Republic of Indonesia.
2. The Central Government, hereinafter referred to as the Government, is the President of the Republic of Indonesia who holds the power of government of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
3. Regional Government is the administration of government affairs by the Regional Government and the Regional House of Representatives according to the principle of autonomy and Co-administration Tasks with the principle of autonomy as wide as possible within the system and principles of the Unitary State of the Republic of Indonesia as referred to in the 1945 Constitution of the Republic of Indonesia.
4. Regional Government is the governor, regent or mayor, and regional apparatus as elements of regional government administration.
5. The Regional People's Representative Council, hereinafter abbreviated as DPRD, is a regional people's representative institution as an element of regional government administration.
6. The Regional Head is the governor for a provincial region or the regent for a regency area or the mayor for a city area.
7. Officials are employees who are given certain tasks in the field of regional taxation and/or regional levies in accordance with the laws and regulations.
8. Regional Regulations are statutory regulations established by the Provincial DPRD and/or Regency/Municipal regions with the joint approval of the Regional Head.
9. Regional Head Regulations are Governor Regulations and/or Regent/Mayor Regulations.
10. Regional Tax, hereinafter referred to as Tax, is a mandatory contribution to the Region which is owed by an individual or entity that is coercive in nature based on the Law, without receiving direct compensation and is used for the purposes of the Region for the greatest prosperity of the people.
11. Entity is a group of people and/or capital which is a unit, whether conducting business or not conducting business which includes limited liability companies, limited liability companies, other companies, state-owned enterprises (BUMN), or regionally-owned enterprises (BUMD) under the name and in any form, firm, kongsi, cooperative, pension fund, partnership, association, foundation, mass organization, socio-political organization, or other

organization, institution and other form of entity including collective investment contract and permanent establishment.

12. Motor Vehicle Tax is a tax on ownership and/or control of motorized vehicles.
13. Motorized Vehicles are all wheeled vehicles and their trailers that are used on all types of land roads, and are driven by technical equipment in the form of a motor or other equipment that functions to convert a certain energy resource into the driving force of the motorized vehicle concerned, including heavy equipment and tools. -Large equipment which in its operation uses wheels and motors and is not permanently attached as well as motorized vehicles operated in water.
14. Motorized Vehicle Transfer Fee is a tax on the transfer of ownership of a motorized vehicle as a result of an agreement by two parties or a unilateral act or a situation that occurs due to buying and selling, exchanging, grants, inheritance, or entry into a business entity.
15. Motor Vehicle Fuel Tax is a tax on the use of motor vehicle fuel.
16. Motor Vehicle Fuels are all types of liquid or gaseous fuels used for motor vehicles. 17. Surface Water Tax is a tax on the extraction and/or utilization of surface water. 18. Surface water is all water found on the surface of the land, excluding sea water, both in the sea and on land.
19. Cigarette Tax is a levy on cigarette excise that is levied by the Government.
20. Hotel tax is a tax on services provided by the hotel.
21. Hotel is a facility that provides lodging/resting services including other related services for a fee, which includes motels, inns, tourism huts, tourism guesthouses, guesthouses, lodging houses and the like, as well as boarding houses with more than 10 (ten) rooms.
22. Restaurant Tax is a tax on services provided by restaurants.
23. Restaurant is a facility that provides food and/or drinks for a fee, which includes restaurants, cafeterias, canteens, stalls, bars, and the like, including catering/catering services.
24. Entertainment Tax is a tax on the provision of entertainment.
25. Entertainment is any type of spectacle, show, game, and/or crowd enjoyed for a fee.
26. Advertisement Tax is a tax on the administration of advertisements.
27. Advertisements are objects, tools, actions, or media whose various forms and patterns are designed for commercial purposes to introduce, encourage, promote, or to attract public attention to goods, services, people, or bodies, which can be seen, read, heard, felt, and/or enjoyed by the public. 28. Street Lighting Tax is a tax on the use of electric power, either self-generated or obtained from other sources.
29. Tax on Non-Metal Minerals and Rocks is a tax on the activities of extracting non-metallic minerals and rocks, both from natural sources within and/or the earth's surface for use.
30. Non-Metal and Rock Minerals are non-metallic minerals and rocks as referred to in the legislation in the mineral and coal sector.
31. Parking Tax is a tax on the operation of off-street parking spaces, whether provided in connection with the main business or provided as a business, including the provision of a place for storing motorized vehicles.
32. Parking is a stationary state of a vehicle that is not temporary.
33. Groundwater Tax is a tax on the extraction and/or utilization of groundwater.
34. Groundwater is the water found in the soil or rock layer below the ground surface. 35. Swallow's Nest Tax is a tax on the activities of taking and/or operating swallow's nests. 36. Swallows are animals belonging to the collocalia clan, namely collocalia fuchliap haga, collocalia maxina, collocalia esculanta, and collocalia linchi.
37. Rural and Urban Land and Building Tax is a tax on land and/or buildings that are owned, controlled, and/or utilized by individuals or entities, except for areas used for plantation, forestry, and mining business activities.
38. Earth is the surface of the earth which includes land and inland waters as well as the sea in the regency/city territory.
39. Building is a technical construction that is permanently planted or attached to land and/or inland waters and/or sea.
40. Sales Value of Tax Object, hereinafter abbreviated as NJOP, is the average price obtained from sale and purchase transactions that occur fairly, and if there is no sale and purchase transaction, the NJOP is determined through price comparisons with other similar objects, or new acquisition value, or a substitute NJOP.

41. Fee for the acquisition of land and building rights is a tax on the acquisition of land and/or building rights.
42. Acquisition of Rights to Land and/or Buildings is an act or legal event that results in the acquisition of rights to land and/or buildings by an individual or entity.
43. Rights to Land and/or Buildings are rights to land, including management rights, along with buildings on it, as referred to in the law on land and buildings.
44. Tax Subjects are individuals or Entities that may be subject to Tax.
45. Taxpayers are individuals or entities, including taxpayers, tax cutters, and tax collectors, who have tax rights and obligations in accordance with the provisions of regional tax laws and regulations.
46. Tax Period is a period of 1 (one) calendar month or other period as regulated by a Regional Head Regulation no later than 3 (three) calendar months, which becomes the basis for the Taxpayer to calculate, deposit, and report the tax payable.
47. Fiscal Year is a period of 1 (one) calendar year, unless the Taxpayer uses a book year that is not the same as the calendar year.
48. Tax payable is tax that must be paid at a time, in a Tax Period, in a Tax Year, or in a Tax Year Section in accordance with the provisions of the regional taxation laws and regulations.
49. Collection is a series of activities starting from collecting data on objects and subjects of taxes or levies, determining the amount of taxes or levies owed to collecting taxes or levies to taxpayers or levies as well as supervising their deposit.
50. Regional Tax Return, hereinafter abbreviated as SPTPD, is a letter used by the Taxpayer to report the calculation and/or payment of taxes, tax objects and/or non-tax objects, and/or assets and liabilities in accordance with the provisions of regional tax laws and regulations. .
51. Tax Object Notification Letter, hereinafter abbreviated as SPOP, is a letter used by Taxpayers to report data on subjects and objects of Rural and Urban Land and Building Taxes in accordance with the provisions of regional taxation laws and regulations.
52. Regional Tax Payment Letter, hereinafter abbreviated as SSPD, is proof of payment or tax deposit that has been made using a form or has been made in other ways to the regional treasury through a place of payment appointed by the Regional Head.
53. Regional Tax Assessment Letter, hereinafter abbreviated as SKPD, is a tax assessment letter that determines the principal amount of tax payable.
54. Tax Return Tax Payable, hereinafter abbreviated as SPPT, is a letter used to notify the amount of Rural and Urban Land and Building Tax owed to the Taxpayer.
55. Underpaid Regional Tax Assessment, hereinafter abbreviated as SKPDKB, is a tax assessment letter that determines the amount of the tax principal, the amount of tax credit, the amount of underpayment of the tax principal, the amount of administrative sanctions, and the amount of tax still to be paid.
56. Additional Underpayment Regional Tax Assessment Letter, hereinafter abbreviated as SKPDKBT, is a tax assessment letter that determines the additional tax amount that has been determined.
57. Nil Regional Tax Assessment Letter, hereinafter abbreviated as SKPDN, is a tax assessment letter that determines the principal amount of tax is equal to the amount of tax credit or unpaid tax and no tax credit.
58. Regional Tax Overpayment Assessment Letter, hereinafter abbreviated as SKPDLB, is a tax assessment letter that determines the amount of tax overpayment because the amount of tax credit is greater than the tax payable or should not be payable.
59. Regional Tax Collection Letter, hereinafter abbreviated as STPD, is a letter to collect tax and/or administrative sanctions in the form of interest and/or fines.
60. Correctional Decree is a decision letter that corrects writing errors, calculation errors, and/or errors in the application of certain provisions in regional tax laws and regulations contained in Tax Returns Payable, Regional Tax Assessments, Underpaid Regional Tax Assessments, Letters Additional Underpayment Regional Tax Assessment, Zero Regional Tax Assessment, Overpaid Regional Tax Assessment, Regional Tax Collection Letter, Decision Letter of Correction, or Decision Letter of Objection.
61. Decision Letter on Objection is a decision letter on objections to Tax Returns Payable, Regional Tax Assessments, Underpaid Regional Tax Assessments, Additional Underpaid Regional Tax Assessments, Zero Regional Tax Assessments, Overpaid Regional Tax Assessments, or against withholding or collection by a third party submitted by the Taxpayer.
62. Appeal Decision is the decision of the tax court on the appeal against the Decision Letter of Objection filed by the Taxpayer.
63. Bookkeeping is a recording process that is carried out regularly to collect financial data and information which includes assets, liabilities, capital, income and costs, as well as the total cost of acquisition and

delivery of goods or services, which is closed by compiling financial statements in the form of balance sheets and income statements for period of the Fiscal Year.

64. Regional Retribution, hereinafter referred to as Retribution, is a regional levy as payment for services or the granting of certain permits specifically provided and/or granted by the Regional Government for the benefit of individuals or entities.
65. Services are regional government activities in the form of businesses and services that cause goods, facilities, or other benefits to be enjoyed by individuals or entities.
66. Public services are services provided or provided by the Regional Government for the purpose of public interest and benefit and can be enjoyed by individuals or entities.
67. Business Services are services provided by the Regional Government by adhering to commercial principles because basically they can also be provided by the private sector.
68. Certain Permits are certain activities of the Regional Government in the context of granting permits to individuals or Entities which are intended to foster, regulate, control and supervise activities, space utilization, as well as the use of natural resources, goods, infrastructure, facilities or certain facilities in order to protect the public interest. and protect the environment.
69. Mandatory Charges are individuals or Entities who, according to the laws and regulations of levies, are required to make payments of levies, including collectors or withholding certain levies. 70. The levy period is a certain period of time which is the time limit for the levy payer to take advantage of certain services and permits from the relevant regional government.
71. Regional Retribution Deposit Letter, hereinafter abbreviated as SSRD, is proof of payment or deposit of levies that have been made using a form or have been made in other ways to the regional treasury through a payment place designated by the Regional Head.
72. Regional Retribution Determination Letter, hereinafter abbreviated as SKRD, is a levy determination letter that determines the principal amount of levy owed.
73. Determination of Regional Levies Overpayment, hereinafter abbreviated as SKRDLB, is a letter of determination of retribution that determines the amount of overpayment of levies because the amount of credit for retribution is greater than the levy owed or should not be payable.
74. Regional Retribution Billing Letter, hereinafter abbreviated as STRD, is a letter to collect charges and/or administrative sanctions in the form of interest and/or fines.
75. Audit is a series of activities to collect and process data, information, and/or evidence carried out objectively and professionally based on an audit standard to test compliance with the fulfillment of regional taxation obligations and levies and/or for other purposes in the context of implementing the provisions of regional tax laws and regulations. and local fees.
76. Investigation of criminal acts in the field of regional taxation and retribution is a series of actions taken by investigators to seek and collect evidence with which evidence makes light of criminal acts in the field of regional taxation and levies that occur and find the suspect.

Explanation of Article 1

Quite clear.

Related Rules

There are no related regulations

CHAPTER II TAX

Section 2

- (1) Types of provincial taxes consist of:
 - a. Vehicle tax;
 - b. Duty on Transfer of Motor Vehicle Names;

- c. Motor Vehicle Fuel Tax;
- d. Surface Water Tax; and
- e. Cigarette Tax.

(2) Types of Regency/Municipal Taxes consist of:

- a. Hotel Tax;
- b. Restaurant tax;
- c. Entertainment Tax;
- d. Advertisement tax;
- e. Street Lighting Tax;
- f. Tax on Non-Metal and Rock Minerals;
- g. Parking Tax;
- h. Groundwater Tax;
- i. Swallow's Nest Tax;
- j. Rural and Urban Land and Building Tax; and
- k. Fee for the Acquisition of Rights on Land and Buildings.

(3) Regions are prohibited from collecting taxes other than the types of Taxes as referred to in paragraph (1) and paragraph (2).

(4) The types of taxes as referred to in paragraphs (1) and (2) may not be collected if their potential is insufficient and/or adjusted to the regional policies stipulated by regional regulations. (5) Especially for Regions that are at the same level as provincial regions, but not divided into autonomous districts/cities, such as the Special Capital Region of Jakarta, the types of Taxes that can be collected are a combination of Taxes for provincial regions and Taxes for regencies/municipalities.

Explanation of Article 2

Quite clear.

Related Rules

There are no related regulations

Article 3

(1) The object of the Motor Vehicle Tax is the ownership and/or control of the Motor Vehicle. (2) Included in the definition of Motorized Vehicles as referred to in paragraph (1) are wheeled motorized vehicles and their trailers, which are operated on all types of land roads and motorized vehicles operated on water with a gross volume of GT 5 (five *Gross Tonnage*) up to GT 7 (seven) *Gross Tonnage*).

(3) Exempted from the definition of Motorized Vehicle as referred to in paragraph (2)

- are:
- a. train;
 - b. Motorized Vehicles that are solely used for the purposes of state defense and security; c. Motorized Vehicles owned and/or controlled by embassies, consulates, representatives of foreign countries on the principle of reciprocity and international institutions that obtain tax exemption facilities from the Government; and
 - d. other Tax objects stipulated in the Regional Regulation.

Explanation of Article 3

Quite clear.

Related Rules

There are no related regulations

Article 4

(1) The subject of the Motor Vehicle Tax is an individual or entity that owns and/or controls a Motor Vehicle. (2) Motorized Vehicle Taxpayer is an individual or entity that owns a Motorized Vehicle. (3) In the case of corporate taxpayers, their tax obligations are represented by the management or proxy of the agency.

Explanation of Article 4

Quite clear.

Related Rules

There are no related regulations

Article 5

- (1) The basis for the imposition of Motor Vehicle Tax is the product of the multiplication of 2 (two) main elements:
- Selling Value of Motor Vehicles; and
 - a weight that reflects the relative level of road damage and/or environmental pollution due to the use of Motorized Vehicles.
- (2) Specifically for Motorized Vehicles used outside public roads, including heavy equipment and large equipment as well as vehicles on the water, the basis for the imposition of Motor Vehicle Tax is the Selling Value of Motorized Vehicles.
- (3) The weight as referred to in paragraph (1) letter b is stated in a coefficient whose value is 1 (one) or greater than 1 (one), with the following meanings:
- coefficient equal to 1 (one) means that road damage and/or environmental pollution by the use of the said Motor Vehicle is considered to be within the tolerance limit; and
 - a coefficient greater than 1 (one) means that the use of the Motorized Vehicle is deemed to have exceeded the tolerance limit.
- (4) The Selling Value of a Motor Vehicle is determined based on the General Market Price of a Motor Vehicle.
- (5) The General Market Price as referred to in paragraph (4) is the average price obtained from various sources of accurate data.
- (6) The Selling Value of Motorized Vehicles as referred to in paragraph (4) is determined based on the General Market Price in the first week of December of the previous Fiscal Year.
- (7) In the event that the General Market Price of a Motor Vehicle is unknown, the Selling Value of the Motor Vehicle may be determined based on part or all of the following factors:
- the price of a Motor Vehicle with the same cylinder contents and/or power unit;
 - use of Motorized Vehicles for public or private;
 - the price of a Motor Vehicle with the same Motor Vehicle brand;
 - the price of a Motor Vehicle with the same year of manufacture of the Motor Vehicle;
 - the price of the Motor Vehicle with the manufacturer of the Motor Vehicle;
 - the price of a Motorized Vehicle with a similar Motorized Vehicle; and
 - the price of the Motor Vehicle based on the document of Notification of Import of Goods (PIB).
- (8) The weight as referred to in paragraph (1) letter b is calculated based on the following factors: a. axle pressure, which is differentiated on the basis of the number of axles/axles, wheels, and the weight of the Motor Vehicle;

- b. type of fuel for Motor Vehicles which is differentiated according to diesel, gasoline, gas, electricity, solar power, or other types of fuel; and
 - c. the type, use, year of manufacture, and characteristics of the engine of the Motor Vehicle which are distinguished based on the type of 2-stroke or 4-stroke engine, and the contents of the cylinder. (9) The basic calculation of the imposition of Motor Vehicle Tax as referred to in paragraph (1), paragraph (2), paragraph (3), paragraph (4), paragraph (5), paragraph (6), paragraph (7), and paragraph (8) is stated in a table determined by the Regulation of the Minister of Home Affairs after receiving consideration from the Minister of Finance.
- (10) The basic calculation of the imposition of Motor Vehicle Tax as referred to in paragraph (9) is reviewed every year.

Explanation of Article 5

Quite clear.

Related Rules

There are no related regulations

Article 6

- (1) The rate of private Motor Vehicle Tax is determined as follows:
- a. for the ownership of the first Motor Vehicle, the minimum is 1% (one percent) and the highest is 2% (two percent);
 - b. for the ownership of the second Motor Vehicle and so on, the rate can be set progressively at a minimum of 2% (two percent) and a maximum of 10% (ten percent).
- (2) Ownership of a Motorized Vehicle is based on the same name and/or address. (3) Motorized Vehicle Tax rates for public transportation, ambulances, firefighters, religious social, social and religious institutions, Government/TNI/POLRI, Regional Governments, and other vehicles stipulated by Regional Regulations, are set at a minimum of 0.5% (zero point five percent) and a maximum of 1% (one percent).
- (4) The motor vehicle tax rate for heavy equipment and large equipment is set at a minimum of 0.1% (zero point one percent) and a maximum of 0.2% (zero point two percent).
- (5) Motorized Vehicle Tax Rates are determined by a Regional Regulation.

Explanation of Article 6

Sentence (1)

Letter A

Quite clear.

Letter b

Progressive tax for second ownership and so on is divided into less than 4 (four) wheeled vehicles and 4 (four) or more wheeled vehicles.

Example:

Individuals or entities that own one 2 (two) wheeled motorized vehicle, one 3 (three) wheeled vehicle, and one 4 (four) wheel motorized vehicle are each treated as first ownership so that they are not subject to progressive tax.

Sentence (2)

Quite clear.

Sentence (3)

Quite clear.

Sentence (4)

Quite clear.

Sentence (5)

Quite clear.

Related Rules

There are no related regulations

Article 7

- (1) The principal amount of Motor Vehicle Tax payable is calculated by multiplying the rate as referred to in Article 6 paragraph (5) with the tax base as referred to in Article 5 paragraph (9).
- (2) Motorized Vehicle Tax owed is collected in the area where the Motor Vehicle is registered. (3) Motor vehicle tax collection is carried out simultaneously with the issuance of a motorized vehicle registration certificate.
- (4) The following year's tax collection is carried out at the regional treasury or a bank appointed by the Regional Head.

Explanation of Article 7

Quite clear.

Related Rules

There are no related regulations

Article 8

- (1) Motor Vehicle Tax is imposed for a Tax Period of 12 (twelve) consecutive months commencing from the time of Motor Vehicle registration.
- (2) Motor Vehicle Tax is paid at once in advance.
- (3) For Motor Vehicle Taxes which due to *force majeure*, the Tax Period is not up to 12 (twelve) months, refunds can be made for the tax that has been paid for the portion of the Tax Period that has not been passed.
- (4) Further provisions regarding the procedure for implementing restitution shall be regulated by a Governor Regulation.
- (5) Motor vehicle tax revenues of at least 10% (ten percent), including those that are distributed to districts/cities, are allocated for road construction and/or maintenance as well as modes of improvement and public transportation advice.

Elucidation of Article 8**Sentence (1)**

Quite clear.

Sentence (2)

Quite clear.

Sentence (3)

What is meant by " *force majeure* " is a condition that occurs outside the will or power of the Taxpayer, for example a motor vehicle cannot be used anymore due to a natural disaster. **Sentence (4)**

Quite clear.

Sentence (5)

Quite clear.

Related Rules

There are no related regulations

Article 9

- (1) The object of the Tax on Transfer of Ownership of Motor Vehicles is the transfer of ownership of the Motor Vehicle.
- (2) Included in the definition of Motorized Vehicles as referred to in paragraph (1) are wheeled motorized vehicles and their trailers, which are operated on all types of land roads and motorized vehicles operated on water with a gross volume of GT 5 (five *Gross Tonnage*) up to GT 7 (seven) *Gross Tonnage*).
- (3) Excluded from the definition of Motorized Vehicle as referred to in paragraph (2):
 - a. train;
 - b. Motorized Vehicles that are solely used for the purposes of state defense and security;
 - c. Motorized Vehicles owned and/or controlled by embassies, consulates, representatives of foreign countries on the principle of reciprocity and international institutions that obtain tax exemption facilities from the Government; and
 - d. other tax objects stipulated in the Regional Regulation.
- (4) Ownership of Motorized Vehicles exceeding 12 (twelve) months may be considered as surrender. (5) The control of the Motor Vehicle as referred to in paragraph (4) does not include the control of the Motor Vehicle due to the lease purchase agreement.
- (6) Including the delivery of Motorized Vehicles as referred to in paragraph (1) is the importation of Motorized Vehicles from abroad for permanent use in Indonesia, except:
 - a. to be used by the individual concerned;
 - b. to be traded;
 - c. to be re-issued from the Indonesian customs territory; and
 - d. used for exhibitions, research, examples, and international sporting activities.
- (7) The exception as referred to in paragraph (6) letter c does not apply if for 3 (three) consecutive years it has not been re-issued from the customs territory of Indonesia.

Explanation of Article 9

Quite clear.

Related Rules

There are no related regulations

Article 10

- (1) The subject of the Tax on Transfer of Ownership of Motor Vehicles is an individual or entity that can receive delivery of a Motor Vehicle.
- (2) The Taxpayer of Transfer of Ownership of Motor Vehicles is an individual or entity that receives the delivery of Motorized Vehicles.

Explanation of Article 10

Quite clear.

Related Rules

There are no related regulations

Article 11

The basis for the imposition of the Transfer Fee for Motorized Vehicles is the Selling Value of Motorized Vehicles as referred to in Article 5 paragraph (9).

Elucidation of Article 11

Quite clear.

Related Rules

There are no related regulations

Article 12

- (1) Tariffs for Transfer of Names for Motor Vehicles are set at the highest respectively as follows:
 - a. first submission of 20% (twenty percent); and
 - b. second submission and so on by 1% (one percent).
- (2) Specifically for motorized vehicles, heavy equipment and large equipment that do not use public roads, the tax rates are set at the highest respectively as follows:
 - a. first submission of 0.75% (zero point seventy five percent); and
 - b. second submission and so on by 0.075% (zero point zero seventy five percent).
- (3) The rate of transfer of title for motorized vehicles is determined by a regional regulation.

Elucidation of Article 12

Quite clear.

Related Rules

There are no related regulations

Article 13

- (1) The principal amount of the Motor Vehicle Transfer of Title Tax owed is calculated by multiplying the rate as referred to in Article 12 paragraph (3) with the tax base as referred to in Article 11.
- (2) Transfer of Motor Vehicle Title Fee owed is collected in the area where the Motor Vehicle is registered.
- (3) Payment for

Transfer of Names for Motor Vehicles is made at the time of registration.

Elucidation of Article 13

Quite clear.

Related Rules

There are no related regulations

Article 14

The Taxpayer of Transfer of Ownership of Motor Vehicles is required to register the delivery of Motorized Vehicles within a period of no later than 30 (thirty) working days from the time of delivery.

Elucidation of Article 14

Quite clear.

Related Rules

There are no related regulations

Article 15

- (1) Individuals or Entities handing over Motorized Vehicles report in writing the delivery to the governor or appointed official within 30 (thirty) working days from the time of delivery.
- (2) The written report as referred to in paragraph (1) shall at least contain:
 - a. the name and address of the individual or Entity receiving the delivery;
 - b. date, month, and year of submission;
 - c. motorized vehicle registration number;
 - d. photocopy of Motorized Vehicle Registration Certificate; and
 - e. specifically for vehicles on the water are added the pass and number of the ship's pass.

Elucidation of Article 15

Quite clear.

Related Rules

There are no related regulations

Article 16

The object of the Motor Vehicle Fuel Tax is Motor Vehicle Fuel provided or deemed to be used for motorized vehicles, including fuel used for vehicles on water.

Elucidation of Article 16

Quite clear.

Related Rules

There are no related regulations

Article 17

(1) The subject of the Motor Vehicle Fuel Tax is the consumer of Motor Vehicle Fuel. (2) Motorized Vehicle Fuel Taxpayer is an individual or entity that uses Motor Vehicle Fuel. (3) The collection of Motor Vehicle Fuel Tax is carried out by the Motor Vehicle Fuel provider. (4) (3) Provider of Motor Vehicle Fuel as referred to in paragraph (3) is a producer and/or importer of Motor Vehicle Fuel, either for sale or for own use.

Elucidation of Article 17

Sentence (1)

Quite clear.

Sentence (2)

Quite clear.

Sentence (3)

Motor Vehicle Fuel Tax is collected by producers and/or importers or other similar names for fuel distributed or sold to:

1. Distribution agencies, among others, are Public Fuel Filling Stations (SPBU), Fuel Filling Stations for TNI/POLRI, Premium Agents and Diesel Oil (APMS), *Premium Solar Packed Dealers* (PSPD), Bunker Filling Stations (SPBB) , Gas Fuel Filling Stations (SPBG), which will sell fuel to final consumers (direct consumers);

2. Direct consumers, namely users of motor vehicle fuel.

In the event that the fuel is used alone, the producer and/or importer or other similar names are obliged to bear the Motor Vehicle Fuel Tax which is used alone for the motor vehicle.

Producers and/or importers or other similar names do not impose Motor Vehicle Fuel Tax on the sale of fuel oil for industrial businesses.

In the event that the purchase of Motor Vehicle Fuel is made between providers of Motor Vehicle Fuel, either for resale to distribution agencies and/or direct consumers, then those who are obliged to impose a Motor Vehicle Fuel Tax are the providers who distribute Motor Vehicle Fuel to the distribution agency and/or direct consumers.

Sentence (4)

Quite clear.

Related Rules

There are no related regulations

Article 18

The basis for the imposition of Motor Vehicle Fuel Tax is the Selling Value of Motor Vehicle Fuel before the Value Added Tax is imposed.

Elucidation of Article 18

Quite clear.

Related Rules

There are no related regulations

Article 19

- (1) The tariff for Motor Vehicle Fuel Tax is set at a maximum of 10% (ten percent). (2) In particular, the rate of Motor Vehicle Fuel Tax for fuel for public vehicles can be set at least 50% (fifty percent) lower than the rate of Motor Vehicle Fuel Tax for private vehicles.
- (3) The government may change the rate of Motor Vehicle Fuel Tax which has been stipulated in a Regional Regulation by Presidential Regulation.
- (4) The Government's authority to change the rate of Motor Vehicle Fuel Tax is exercised in the event that:
 - a. there is an increase in world oil prices exceeding 130% (one hundred and thirty percent) of the assumption of world oil prices as stipulated in the Law on State Revenue and Expenditure Budget for the current year; or
 - b. it is necessary to stabilize the price of fuel oil for a maximum period of 3 (three) years from the stipulation of this Law.
- (5) In the event that the world oil price as referred to in paragraph (4) letter a has returned to normal, the Presidential Regulation as referred to in paragraph (3) is revoked within a maximum period of 2 (two) months.
- (6) Motorized Vehicle Fuel Tax Rates shall be stipulated by a Regional Regulation.

Explanation of Article 19

Sentence (1)

Quite clear.

Sentence (2)

The enforcement of this provision is carried out by taking into account the readiness of the Region to distinguish fuel users for public vehicles from private vehicles.

Sentence (3)

The determination of the tariff and the mechanism for determining the price of Motor Vehicle Fuel by the Government is carried out for a maximum period of 3 (three) years, considering that Motor Vehicle Fuel is a strategic item that concerns the livelihood of many people.

The increase in oil prices will increase revenue sharing from the oil and gas mining sector in the form of additional general allocation funds.

Sentence (4)

Letter A

Quite clear.

Letter b

This provision is necessary to avoid social unrest due to the possibility of differences in the price of Motor Vehicle Fuel between regions.

Sentence (5)

Quite clear.

Sentence (6)

Quite clear.

Related Rules

[36 YEAR 2011 CHANGES TO MOTOR VEHICLE FUEL TAX RATES.](#)

Article 20

The principal amount of the Motor Vehicle Fuel Tax payable is calculated by multiplying the tax rate as referred to in Article 19 paragraph (6) with the tax base as referred to in Article 18.

Explanation of Article 20

Quite clear.

Related Rules

There are no related regulations

Article 21

(1) The object of the Surface Water Tax is the extraction and/or utilization of Surface Water. (2) Exempted from the Surface Water Tax object are:

- a. extraction and/or utilization of Surface Water for basic household purposes, irrigating people's agriculture and fishery, with due observance of environmental sustainability and statutory regulations; and
- b. taking and/or other use of Surface Water as stipulated in the Regional Regulation.

Elucidation of Article 21

Quite clear.

Related Rules

[9/PMK.02/2016](#) [195/PMK.02/2017](#)

PROCEDURES FOR PAYING SURFACE TAXES, GROUNDWATER TAXES, AND FINANCE NUMBER 9/PMK.02/2016 CONCERNING PROCEDURES FOR PAYING SURFACE TAX, GROUNDWATER TAX, AND STREET LIGHTING TAX FOR Upstream OIL AND GAS BUSINESS ACTIVITIES PAID BY THE PUBLIC GOVERNMENT

STREET LIGHTING TAXES FOR UPstream OIL AND GAS BUSINESS ACTIVITIES PAID BY THE CENTRAL GOVERNMENT

Article 22

AMENDMENT TO REGULATION OF THE MINISTER OF

- (1) The subject of the Surface Water Tax is an individual or entity that can take and/or utilize Surface Water.
- (2) Surface Water Taxpayer is an individual or entity that collects and/or utilizes Surface Water.

Elucidation of Article 22

Quite clear.

Related Rules

There are no related regulations

Article 23

(1) The basis for imposing the Surface Water Tax is the Acquired Value of Surface Water. (2) The Surface Water Acquisition Value as referred to in paragraph (1) is stated in rupiah which is calculated by considering some or all of the following factors:

- a. type of water source;
- b. location of water sources;
- c. the purpose of taking and/or utilizing water;
- d. volume of water taken and/or utilized;
- e. water quality;
- f. the area where water is taken and/or utilized; and
- g. the level of environmental damage caused by the extraction and/or utilization of water.

(3) The use of the factors as referred to in paragraph (2) shall be adjusted to the conditions of each Region.

(4) The amount of Surface Water Acquisition Value as referred to in paragraph (1) is determined by a Governor Regulation.

Elucidation of Article 23

Quite clear.

Related Rules

There are no related regulations

Article 24

(1) The surface water tax rate is set at a maximum of 10% (ten percent).

(2) The surface water tax rate is determined by a regional regulation.

Explanation of Article 24

Quite clear.

Related Rules

There are no related regulations

Article 25

(1) The principal amount of Surface Water Tax payable is calculated by multiplying the rate as referred to in Article 24 paragraph (2) with the tax base as referred to in Article 23 paragraph (4). (2) Surface Water Tax owed is collected in the area where the water is located.

Explanation of Article 25

Quite clear.

Related Rules

There are no related regulations

Article 26

(1) The object of the Cigarette Tax is cigarette consumption.
(2) Cigarettes as referred to in paragraph (1) include *cigarettes*, cigars, and leaf cigarettes. (3) Exempted from the object of Cigarette Tax as referred to in paragraph (1) are cigarettes that are not subject to excise based on the statutory regulations in the field of excise.

Explanation of Article 26

Sentence (1)

Quite clear.

Sentence (2)

What is meant by "*cigarettes*" are tobacco products made from chopped tobacco wrapped with paper by rolling it, for use, regardless of the substitute or auxiliary materials used in its manufacture.

Cigarettes consist of kretek cigarettes, *white* cigarettes, and *rhubarb* incense *cigarettes*.

Kretek Cigarettes are *Cigarettes* which are mixed with cloves, or parts thereof, either original or imitation, regardless of the amount.

White Cigarettes are *Cigarettes* that are not mixed with cloves, rhubarb or frankincense.

White cigarettes and *kretek cigarettes* consist of cigarettes *made* by machines or made by other means, from machines.

What is meant by "*White Cigarettes* and *Kretek Cigarettes* made by machine" are white *Cigarettes* and *Clove Cigarettes* whose manufacture starts from rolling, installing filters, packing them in packaging for retail sales, up to the attachment of excise stamps, wholly or partially using machines.

What is meant by "*white cigarettes* and *kretek cigarettes* made by other means than machines"

are white cigarettes and *kretek cigarettes* which are in the manufacturing process starting from rolling, installing filters, packaging in packages for retail sales, to sticking excise stamps, without using machines. .

Rhubarb frankincense cigarettes are *cigarettes which* are mixed with real or artificial rhubarb and/or frankincense, regardless of the amount.

What is meant by "cigar" is a tobacco product made from sliced tobacco leaves or not, by rolling them in such a way with tobacco leaves, for use, regardless of the substitute or auxiliary materials used in their manufacture.

What is meant by "leaf cigarettes" are tobacco products made with palm leaves, corn leaves (klobot), or the like, by rolling them, for use, without regard to substitute materials.

Sentence (3)

Quite clear.

Related Rules

There are no related regulations

Article 27

- (1) Cigarette Tax Subjects are cigarette consumers.
- (2) Cigarette Taxpayer is a cigarette factory entrepreneur/producer and cigarette importer who has a license in the form of a Taxable Goods Entrepreneur Identification Number.
- (3) Cigarette tax is levied by a government agency authorized to collect excise at the same time as the collection of cigarette excise.
- (4) Cigarette tax collected by Government agencies as referred to in paragraph (3) shall be deposited into the general treasury account of the province in proportion to the total population.
- (5) Further provisions regarding procedures for collection and deposit of Cigarette Tax are regulated by a Regulation of the Minister of Finance.

Explanation of Article 27

Quite clear.

Related Rules

11/PMK.07/2017 102/PMK.07/2015 41/PMK.07/2016	THIRD AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE FINANCE NUMBER 115/PMK.07/2013 CONCERNING PROCEDURES FOR COLLECTING AND DELIVERY OF CIGARETTE TAX
NUMBER 115/PMK.07/2013 CONCERNING PROCEDURES FOR COLLECTING AND DEPOSIT OF CIGARETTE TAX	SECOND AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE NUMBER 115/PMK.07/2013 CONCERNING PROCEDURES FOR COLLECTING AND DELIVERY OF CIGARETTE TAX
AMENDMENT TO REGULATION OF THE MINISTER OF 115/PMK.07/2013	PROCEDURE FOR COLLECTION AND DELIVERY OF CIGARETTE TAX.

Article 28

The basis for the imposition of Cigarette Tax is the excise set by the Government on cigarettes.

Elucidation of Article 28

What is meant by "excise" is a state levy imposed on tobacco products in the form of *cigarettes*, cigars, and leaf cigarettes in accordance with the legislation in the field of excise, which can be in the form of a percentage of the base price (advalorum) or the amount in rupiah for each cigarette. (specific) or a combination of the two.

Example:

Specific excise rate : Rp200/cigarette

advalorum : 40% of the Retail Selling Price (HJE) set by the Government.

If the Government only imposes a specific rate, the basic tax imposition is IDR 200/cigarette.

If the Government only imposes an advalorum rate, the tax base is 40% x HJE.

If the Government imposes a specific and advalorum tariff, the tax base will be (Rp200/cigarette + 40% HJE).

Related Rules

There are no related regulations

Article 29

Cigarette tax rates are set at 10% (ten percent) of cigarette excise.

Explanation of Article 29

At the time of enactment of the provisions concerning the Cigarette Tax, the imposition of a Cigarette Tax of 10% (ten percent) of the cigarette excise is taken into account in the determination of the national excise rate. This is intended so that there is a balance between the excise burden that must be borne by the cigarette industry and the national and regional fiscal needs.

Example:

In 2011 the national excise revenue was 100, and is projected to increase by 10% annually according to the national cigarette industry route map. Without the imposition of a Cigarette Tax by the Regions, the national excise tax revenue in 2012 was 110, then increased to 121 in 2013.

In 2014, when the Cigarette Tax came into effect, the national excise tax revenue was projected to be 133, consisting of 121 as Government excise revenues and 12 as Cigarette Taxes for the Regions. This pattern continues for 2015 and beyond.

Illustrations in tabular form can be seen below:

Tahun	2011	2012	2013	2014	2015
Cukai (Pusat)	100	110	121	121	133
Pajak Rokok (Daerah)				12	13
Total Pungutan Cukai (Pusat + Daerah)	100	110	121	133	146
Δ%	0	10%	10%	10%	10%
Rp.		10	11	12	13

Related Rules

There are no related regulations

Article 30

The principal amount of Cigarette Tax payable is calculated by multiplying the tax rate.

Explanation of Article 30

Quite clear.

Related Rules

There are no related regulations

Article 31

Cigarette tax revenue, both for the province and for the regency/municipality, shall be allocated at least 50% (fifty percent) to fund public health services and law enforcement by the competent authorities.

Elucidation of Article 31

Public health services, among others, development/procurement and maintenance of facilities and infrastructure for health service units, provision of adequate public facilities for smokers (*smoking area*), publicizing activities about the dangers of smoking, and public service advertisements regarding the dangers of smoking.

Law enforcement in accordance with the authority of the Regional Government that can be cooperated with other parties/agencies, among others, eradicating the circulation of illegal cigarettes and enforcing rules regarding the prohibition of smoking in accordance with statutory regulations.

Related Rules

There are no related regulations

Article 32

(1) Hotel Tax Objects are services provided by hotels with payment, including supporting services as a completeness of hotels that provide convenience and comfort, including sports and entertainment facilities.

- (2) Supporting services as referred to in paragraph (1) are telephone, facsimile, telex, internet, photocopying, washing, ironing, transportation and other similar facilities provided or managed by the hotel.
- (3) The object of Hotel Tax as referred to in paragraph (1) is not included:
- a. dormitory housing services organized by the Government or Regional Governments;
 - b. rental services for apartments, condominiums, and the like;
 - c. housing services in educational centers or religious activities;
 - d. housing services in hospitals, nurse dormitories, nursing homes, orphanages, and other similar social institutions; and
 - e. travel agency services or tour trips organized by hotels that can be used by the public.

Explanation of Article 32

Sentence (1)

Quite clear.

Sentence (2)

Quite clear.

Sentence (3)

Letter A

Quite clear.

Letter b

The exceptions for apartments, condominiums, and the like are based on their business licenses.

The letter c

Quite clear.

The letter d

Quite clear.

The letter e

Quite clear.

Related Rules

There are no related regulations

Article 33

- (1) The subject of Hotel Tax is an individual or entity that makes payments to an individual or entity that operates a hotel.
- (2) Hotel Taxpayer is an individual or entity that operates a Hotel.

Explanation of Article 33

Quite clear.

Related Rules

There are no related regulations

Article 34

Basis for Imposition of Hotel Tax is the amount paid or should be paid to the

Hotel. Explanation of Article 34

Quite clear.

Related Rules

There are no related regulations

Article 35

- (1) The Hotel Tax rate is set at the highest 10% (ten percent).
- (2) Hotel Tax Rates are determined by Regional Regulation.

Explanation of Article 35

Quite clear.

Related Rules

There are no related regulations

Article 36

- (1) The principal amount of Hotel Tax payable is calculated by multiplying the rate as referred to in Article 35 paragraph (2) with the tax base as referred to in Article 34.
- (2) Hotel tax payable is collected in the area where the Hotel is located.

Explanation of Article 36

Quite clear.

Related Rules

There are no related regulations

Article 37

- (1) Restaurant Tax Objects are services provided by restaurants.
- (2) The service provided by the restaurant as referred to in paragraph (1) includes the sale of food and/or beverages consumed by the buyer, whether consumed at the service place or elsewhere. (3) The object of the Restaurant Tax as referred to in paragraph (1) is not included in the service provided by a Restaurant whose sales value does not exceed a certain limit stipulated by a Regional Regulation.

Explanation of Article 37

Quite clear.

Related Rules

There are no related regulations

Article 38

- (1) The subject of the Restaurant Tax is an individual or entity that buys food and/or drinks from a Restaurant.
- (2) Restaurant Taxpayer is an individual or entity operating a restaurant.

Elucidation of Article 38

Quite clear.

Related Rules

There are no related regulations

Article 39

The basis for imposing Restaurant Tax is the amount of payment received or should be received by the Restaurant.

Explanation of Article 39

Quite clear.

Related Rules

There are no related regulations

Article 40

- (1) The Restaurant Tax Rate is set at the highest 10% (ten percent).
- (2) Restaurant Tax Rates are determined by Regional Regulation.

Explanation of Article 40

Quite clear.

Related Rules

There are no related regulations

Article 41

- (1) The principal amount of Restaurant Tax owed is calculated by multiplying the rate as referred to in Article 40 paragraph (2) with the tax base as referred to in Article 39.
- (2) Restaurant tax payable is collected in the area where the restaurant is located.

Explanation of Article 41

Quite clear.

Related Rules

There are no related regulations

Article 42

- (1) The object of the Entertainment Tax is the entertainment service for which a fee is collected. (2) Entertainment as referred to in paragraph (1) is:
 - a. movie viewing;
 - b. performing arts, music, dance, and/or fashion;
 - c. beauty contests, bodybuilding, and the like;
 - d. exhibition;
 - e. discotheques, karaoke, nightclubs, and the like;
 - f. circus, acrobatics and magic;
 - g. games of billiards, golf, and bowling;
 - h. horse racing, motor vehicles, and agility games;
 - i. massage parlors, reflexology, steam bath/spa, and fitness center (*fitness center*); and
 - j. sports matches.
- (3) The provision of entertainment as referred to in paragraph (2) may be excluded by a regional regulation.

Explanation of Article 42

Quite clear.

Related Rules

There are no related regulations

Article 43

- (1) Entertainment Tax Subjects are individuals or Entities who enjoy Entertainment. (2) Entertainment Taxpayer is an individual or Entity that organizes Entertainment.

Explanation of Article 43

Quite clear.

Related Rules

There are no related regulations

Article 44

- (1) The basis for imposition of Entertainment Tax is the amount of money received or should be received by the Entertainment organizer.
- (2) The amount of money that should be received as referred to in paragraph (1) includes discounted prices and free tickets given to recipients of Entertainment services.

Explanation of Article 44

Quite clear.

Related Rules

There are no related regulations

Article 45

- (1) The entertainment tax rate is set at a maximum of 35% (thirty five percent).
- (2) Especially for entertainment in the form of fashion shows, beauty contests, discotheques, karaoke, nightclubs, agility games, massage parlors, and steam baths/spa, the Entertainment Tax rate can be set at a maximum of 75% (seventy five percent).
- (3) Especially for folk/traditional arts entertainment, the entertainment tax rate is set at a maximum of 10% (ten percent).
- (4) Entertainment Tax Tariff is determined by Regional Regulation.

Explanation of Article 45

Sentence (1)

Quite clear.

Sentence (2)

Quite clear.

Sentence (3)

What is meant by "entertainment in the form of folk/traditional arts" is entertainment in the form of folk/traditional arts which is deemed necessary to be preserved and held in a place that can be visited by all levels of society.

Sentence (4)

Quite clear.

Related Rules

There are no related regulations

Article 46

- (1) The principal amount of Entertainment Tax payable is calculated by multiplying the rate as referred to in Article 45 paragraph (4) with the tax base as referred to in Article 44.

(2) Entertainment Tax payable is collected in the area where the Entertainment is held.

Explanation of Article 46

Quite clear.

Related Rules

There are no related regulations

Article 47

(1) Advertisement Tax Objects are all advertisement administrations.

(2) The Tax Objects as referred to in paragraph (1) include:

- a. Billboard/ *billboard* /videotron/megatron billboards and the like;
- b. Fabric billboards;
- c. Ads attached, stickers;
- d. flyer advertisement;
- e. Running advertisements, including on vehicles;
- f. Advertisements hit;
- g. Floating advertisements;
- h. Voice advertising;
- i. Advertising film/ *slide* ; Dan
- j. Show advertisement.

(3) Not included as objects of Advertising Tax are:

- a. organizing Advertisements through the internet, television, radio, daily news, weekly news, monthly news, and the like;
- b. product label/brand attached to the traded goods, which serves to distinguish it from other similar products;
- c. the name of the business or profession identifier that is attached to the building where the business or profession is held in accordance with the provisions governing the name of the business or profession identifier;
- d. Advertisements organized by the Government or Regional Governments; and
- e. implementation of other Advertisements stipulated by Regional Regulation.

Explanation of Article 47

Quite clear.

Related Rules

There are no related regulations

Article 48

(1) Advertisement Tax Subjects are individuals or entities that use Advertisements. (2) Advertisement Taxpayer is an individual or entity that organizes Advertisements. (3) In the event that the Advertisement is carried out directly by an individual or entity, the Taxpayer of the Advertisement Tax is the individual or the Entity.

(4) In the event that the Advertisement is administered through a third party, the third party shall become the Taxpayer of the Advertisement.

Explanation of Article 48

Quite clear.

Related Rules

There are no related regulations

Article 49

- (1) The basis for imposition of Advertising Tax is the Rent Value of Advertisements. (2) In the event that the Advertisement is held by a third party, the Rent Value of the Advertisement as referred to in paragraph (1) is determined based on the value of the Advertisement contract. (3) In the event that the Advertisement is self-administered, the Rent Value of the Advertisement as referred to in paragraph (1) is calculated by taking into account the factors of type, materials used, placement location, time, period of operation, quantity, and size of Advertisement media. (4) In the event that the Advertisement Rental Value as referred to in paragraph (2) is unknown and/or deemed unreasonable, the Advertisement Rental Value is determined by using the factors as referred to in paragraph (3). (5) The method of calculating the Advertising Rental Value as referred to in paragraph (3) is stipulated by a Regional Regulation. (6) The results of the calculation of the Advertising Rental Value as referred to in paragraph (5) shall be stipulated by a Regional Head Regulation.

Explanation of Article 49

Quite clear.

Related Rules

There are no related regulations

Article 50

- (1) The Advertising Tax rate is set at a maximum of 25% (twenty five percent). (2) Advertising Tax rates are determined by Regional Regulation.

Explanation of Article 50

Quite clear.

Related Rules

There are no related regulations

Article 51

- (1) The principal amount of Advertising Tax payable is calculated by multiplying the rate as referred to in Article 50 paragraph (2) with the tax base as referred to in Article 49 paragraph (6). (2) Advertisement tax payable is collected in the area where the advertisement is held.

Explanation of Article 51

Quite clear.

Related Rules

There are no related regulations

Article 52

- (1) The object of the Street Lighting Tax is the use of electricity, either self-generated or obtained from other sources.
- (2) Self-generated electricity as referred to in paragraph (1) covers all power plants. (3) Exempted from the object of the Street Lighting Tax as referred to in paragraph (1) are: a. use of electricity by Government agencies and Regional Governments;
- b. use of electric power in places used by embassies, consulates, and foreign representatives on the principle of reciprocity;
 - c. the use of self-generated electricity with a certain capacity that does not require a permit from the relevant technical agency; and
 - d. other use of electricity regulated by Regional Regulation.

Explanation of Article 52

Quite clear.

Related Rules

There are no related regulations

Article 53

- (1) The subject of the Street Lighting Tax is an individual or entity that can use electricity. (2) Street Lighting Taxpayer is an individual or entity that uses electricity. (3) In the event that electricity is provided by other sources, the taxpayer for street lighting is the provider of electricity.

Explanation of Article 53

Quite clear.

Related Rules

There are no related regulations

Article 54

- (1) The basis for the imposition of the Street Lighting Tax is the Selling Value of Electricity. (2) The Selling Value of Electricity as referred to in paragraph (1) is stipulated:
- a. in the event that the electricity comes from other sources with payment, the Selling Value of Electricity is the total bill of charge/fixed charges plus the cost of using kWh/variable which is billed in the electricity bill;

- b. in the case of self-generated electricity, the Selling Value of Electricity shall be calculated based on the available capacity, the level of electricity use, the period of electricity usage, and the unit price of electricity applicable in the area of the relevant Region.

Explanation of Article 54

Quite clear.

Related Rules

There are no related regulations

Article 55

- (1) The rate of Road Lighting Tax is set at a maximum of 10% (ten percent).
- (2) The use of electricity from other sources by industry, mining, oil and natural gas, the rate of the Street Lighting Tax is set at a maximum of 3% (three percent).
- (3) The use of self-generated electricity, the tariff for the Street Lighting Tax is set at a maximum of 1.5% (one point five percent).
- (4) Street Lighting Tax Rates are determined by Regional Regulation.

Explanation of Article 55

Quite clear.

Related Rules

There are no related regulations

Article 56

- (1) The principal amount of the Road Lighting Tax payable is calculated by multiplying the tariff as referred to in Article 55 paragraph (4) with the tax base as referred to in Article 54.
- (2) Street Lighting Tax payable is collected in the area where electricity is used.
- (3) Part of the revenue from the Street Lighting Tax is allocated for the provision of street lighting.

Explanation of Article 56

Quite clear.

Related Rules

There are no related regulations

Article 57

- (1) Objects of Tax on Non-Metal Minerals and Rocks are activities for taking Non-Metal Minerals and Rocks which include:
 - a. asbestos;
 - b. slate;

- c. semi-precious stones;
- d. limestone;
- e. pumice;
- f. gemstone;
- g. bentonite;
- h. dolomite;
- i. feldspar;
- j. rock salt (*halite*);
- k. graphite;
- l. granite/andesite;
- m. gypsum;
- n. calcite;
- o. kaolin;
- p. leucite;
- q. magnesit;
- r. mika;
- s. marble;
- t. nitrate;
- u. serve;
- v. wrong
- w. sand and gravel;
- x. quartz sand;
- y. perlite;
- z. phosphate;
- aa. talk;
- ab. absorption soil (*fullers earth*);
- ac. diatomaceous earth;
- ad. clay;
- ae. alum (alum);
- of. after;
- ag. corrosive;
- ah. zeolite;
- ai. basal;
- aj. tractor; and

and. Other Non-Metal Minerals and Rocks in accordance with the provisions of laws and regulations. (2)
 Exempted from the object of Tax on Non-Metal Minerals and Rocks as referred to in paragraph (1) are: a. non-metallic minerals and rock extraction activities that are clearly not used commercially, such as land extraction activities for household purposes, erection of electricity/telephone poles, planting of electricity/telephone cables, planting of water/gas pipes;
 b. non-metallic and rock extraction activities which are a follow-up to other mining activities, which are not used commercially; and
 c. extraction of other Non-Metal Minerals and Rocks stipulated by Regional Regulation.

Explanation of Article 57

Quite clear.

Related Rules

There are no related regulations

Article 58

- (1) Tax Subjects for Non-Metal Minerals and Rocks are private persons or Entities that can take Non-Metal Minerals and Rocks.
- (2) Non-Metal and Rock Mineral Taxpayer is an individual or Entity who takes Non-Metal and Rock Minerals.

Elucidation of Article 58

Quite clear.

Related Rules

There are no related regulations

Article 59

- (1) The basis for imposition of Tax on Non-Metal Minerals and Rocks is the Selling Value of the Proceeds of Taking Non-Metal Minerals and Rocks.
- (2) The selling value as referred to in paragraph (1) is calculated by multiplying the volume/tonnage taken by the market value or standard price of each type of Non-Metal Mineral and Rock. (3) The market value as referred to in paragraph (2) is the average price prevailing at the local location in the area concerned.
- (4) In the event that the market value of the production of Non-Metal Minerals and Rocks as referred to in paragraph (3) is difficult to obtain, the standard price determined by the authorized agency in the field of Mining of Non-Metal Minerals and Rocks is used.

Elucidation of Article 59

Quite clear.

Related Rules

There are no related regulations

Article 60

- (1) The tax rate for non-metallic minerals and rocks is set at a maximum of 25% (twenty five percent).
- (2) Tax rates for non-metallic minerals and rocks are stipulated by a regional regulation.

Explanation of Article 60

Quite clear.

Related Rules

There are no related regulations

Article 61

(1) The principal amount of the Non-Metal Mineral and Rock Tax payable is calculated by multiplying the tax rate as referred to in Article 60 paragraph (2) with the tax base as referred to in Article 59. (2) Tax on Non-Metal Minerals and Rocks owed is collected in the area where Non-Metal and Rock Minerals are collected.

Elucidation of Article 61

Quite clear.

Related Rules

There are no related regulations

Article 62

- (1) The object of the parking tax is the operation of off-street parking spaces, whether provided in connection with the main business or provided as a business, including the provision of a place for storing motorized vehicles.
- (2) The tax objects as referred to in paragraph (1) not included are:
- a. administration of Parking lots by the Government and Regional Governments;
 - b. administration of parking spaces by offices that are only used for their own employees;
 - c. maintenance of Parking spaces by embassies, consulates, and foreign country representatives on a reciprocal basis; and
 - d. the operation of other Parking places regulated by Regional Regulation.

Elucidation of Article 62

Quite clear.

Related Rules

There are no related regulations

Article 63

- (1) The subject of the Parking Tax is an individual or entity that parks a motorized vehicle. (2) Parking Tax Payer is an individual or entity that operates a parking space.

Elucidation of Article 63

Quite clear.

Related Rules

There are no related regulations

Article 64

- (1) The basis for imposition of Parking Tax is the amount of payment or that should be paid to the parking lot operator.

- (2) The basis for imposition of Parking Tax as referred to in paragraph (1) can be determined by a Regional Regulation.
- (3) The amount that should be paid as referred to in paragraph (1) includes the discounted parking price and free parking provided to the recipient of the parking service.

Explanation of Article 64

Sentence (1)

Quite clear.

Sentence (2)

Parking rental/tariff as the basis for imposition of Parking Tax which is managed in a monopoly can be regulated by Regional Regulation.

Sentence (3)

Quite clear.

Related Rules

There are no related regulations

Article 65

- (1) The parking tax rate is set at a maximum of 30% (thirty percent).
- (2) Parking Tax Rates are determined by Regional Regulation.

Explanation of Article 65

Quite clear.

Related Rules

There are no related regulations

Article 66

- (1) The principal amount of Parking Tax payable is calculated by multiplying the rate as referred to in Article 65 paragraph (2) with the tax base as referred to in Article 64.
- (2) Parking tax payable is collected in the area where the Parking is located.

Elucidation of Article 66

Quite clear.

Related Rules

There are no related regulations

Article 67

- (1) The object of the Groundwater Tax is the extraction and/or utilization of Groundwater. (2) Exempted from the Ground Water Tax object are:
- a. extraction and/or utilization of Groundwater for basic household needs, irrigating people's agriculture and fisheries, as well as worship; and
 - b. other groundwater extraction and/or utilization regulated by Regional Regulation.

Elucidation of Article 67

Quite clear.

Related Rules

There are no related regulations

Article 68

- (1) The subject of the Groundwater Tax is an individual or entity that collects and/or utilizes Groundwater. (2) Groundwater Taxpayer is an individual or entity that collects and/or utilizes Groundwater.

Elucidation of Article 68

Quite clear.

Related Rules

There are no related regulations

Article 69

- (1) The basis for imposition of Groundwater Tax is the Acquired Value of Groundwater. (2) Groundwater Acquisition Value as referred to in paragraph (1) is stated in rupiah which is calculated by considering some or all of the following factors:
- a. type of water source;
 - b. location of water sources;
 - c. the purpose of taking and/or utilizing water;
 - d. volume of water taken and/or utilized;
 - e. water quality; and
 - f. the level of environmental damage caused by the extraction and/or utilization of water. (3) The use of the factors as referred to in paragraph (2) shall be adjusted to the conditions of each Region.
- (4) The amount of the Acquired Value of Groundwater as referred to in paragraph (1) is determined by a Regent/Mayor Regulation.

Elucidation of Article 69

Quite clear.

Related Rules

There are no related regulations

Article 70

- (1) The rate of Groundwater Tax is set at a maximum of 20% (twenty percent).
- (2) Groundwater Tax Rates are determined by Regional Regulation.

Explanation of Article 70

Quite clear.

Related Rules

There are no related regulations

Article 71

- (1) The principal amount of Groundwater Tax payable is calculated by multiplying the rate as referred to in Article 70 paragraph (2) with the tax base as referred to in Article 69 paragraph (4).
- (2) The Groundwater Tax owed is collected in the area where the water is taken.

Elucidation of Article 71

Quite clear.

Related Rules

There are no related regulations

Article 72

- (1) The object of the Swallow's Nest Tax is the collection and/or exploitation of the Swallow's Nest.
- (2) The tax objects as referred to in paragraph (1) not included are:
 - a. taking Swallow's Nest that has been subject to Non-Tax State Revenue (PNBP);
 - b. other Swallow's Nest extraction and/or exploitation activities stipulated by Regional Regulation.

Elucidation of Article 72

Quite clear.

Related Rules

There are no related regulations

Article 73

- (1) The subject of the Swallow's Nest Tax is an individual or entity that collects and/or operates Swallow's Nest.

(2) Swallow's Nest Taxpayer is an individual or entity that collects and/or manages Swallow's Nest.

Elucidation of Article 73

Quite clear.

Related Rules

There are no related regulations

Article 74

(1) The basis for imposition of the Swallow's Nest Tax is the Sale Value of the Swallow's Nest. (2) The selling value of swallow's nests as referred to in paragraph (1) is calculated based on the multiplication of the general market price of swallow's nests prevailing in the area concerned with the volume of swallow's nests.

Elucidation of Article 74

Quite clear.

Related Rules

There are no related regulations

Article 75

(1) The Swallow's Nest Tax rate is set at a maximum of 10% (ten percent).
(2) The Swallow's Nest Tax Rate is determined by a Regional Regulation.

Elucidation of Article 75

Quite clear.

Related Rules

There are no related regulations

Article 76

(1) The principal amount of the Swallow's Nest Tax payable is calculated by multiplying the rate as referred to in Article 75 paragraph (2) with the tax base as referred to in Article 74.
(2) Swallow's Nest Tax owed is collected in the area where the Swallow's Nest is collected and/or operated.

Elucidation of Article 76

Quite clear.

Related Rules

There are no related regulations

Article 77

- (1) Objects of Rural and Urban Land and Building Tax are Land and/or Buildings that are owned, controlled, and/or utilized by private persons or entities, except for areas used for plantation, forestry, and mining business activities.
- (2) Included in the definition of Building are:
 - a. a neighborhood road located in a building complex such as a hotel, factory, and its emplacement, which is an integral part of the building complex;
 - b. toll road;
 - c. swimming pool;
 - d. luxury fence;
 - e. Sports venues;
 - f. shipyards, docks;
 - g. luxury park;
 - h. oil, water and gas storage facilities/plants, oil pipelines; and
 - i. the tower
- (3) Tax objects that are not subject to Rural and Urban Land and Building Tax are tax objects that:
 - a. used by the Government and Regions for the administration of government;
 - b. used solely to serve the public interest in the fields of worship, social, health, education and national culture, which is not intended to gain profit;
 - c. used for graves, ancient relics, or the like;
 - d. is a protected forest, forest nature reserve, forest tourism, national park, grazing land controlled by the village, and state land that has not been encumbered with a right;
 - e. used by diplomatic representatives and consulates based on the principle of reciprocal treatment; and
 - f. used by agencies or representatives of international institutions as stipulated by a Regulation of the Minister of Finance.
- (4) The amount of the sale value of the non-taxable tax object is set at a minimum of Rp. 10,000,000.00 (ten million rupiah) for each Taxpayer.
- (5) The sale value of the non-taxable tax object as referred to in paragraph (4) is determined by a regional regulation.

Elucidation of Article 77

Sentence (1)

What is meant by "area" is all land and buildings used by plantation, forestry and mining companies on land granted with plantation business rights, land granted forest concession rights and land which is a mining business area.

Sentence (2)

Quite clear.

Sentence (3)

Letter A

Quite clear.

Letter b

What is meant by "not intended to gain profit" is that the object of the tax is endeavored to serve the public interest, and is clearly not intended to seek profit. This can be seen, among

others, from the articles of association and by-laws of the foundations/agencies engaged in worship, social, health, education, and national culture. This understanding includes state-owned tourism forests in accordance with the provisions of laws and regulations.

The letter c

Quite clear.

The letter d

Quite clear.

The letter e

Quite clear.

The letter f

Quite clear.

Sentence (4)

Quite clear.

Sentence (5)

Quite clear.

Related Rules

[148/PMK.07/2010](#) AGENCY OR REPRESENTATIVE OF INTERNATIONAL INSTITUTIONS THAT ARE NOT SUBJECT TO RURAL AND URBAN LAND AND BUILDING TAX.

[23/PMK.03/2014](#) ADJUSTMENT OF THE SELLING VALUE OF TAX OBJECTS NOT TAXABLE LAND AND BUILDING TAX

Article 78

- (1) The subject of the Rural and Urban Land and Building Tax is an individual or entity that actually has a right to the Earth and/or obtains benefits over the Earth, and/or owns, controls, and/or obtains benefits over the Building.
- (2) Rural and Urban Land and Building Taxpayers are individuals or Entities that actually have a right to the Earth and/or obtain benefits over the Earth, and/or own, control, and/or obtain benefits over the Buildings.

Elucidation of Article 78

Quite clear.

Related Rules

There are no related regulations

Article 79

- (1) The basis for imposition of Rural and Urban Land and Building Tax is NJOP.
- (2) The amount of NJOP as referred to in paragraph (1) is determined every 3 (three) years, except for certain tax objects which can be determined annually in accordance with the development of the area. (3)
- (2) The determination of the amount of NJOP as referred to in paragraph (2) is carried out by the Regional

Head.

Elucidation of Article 79

Sentence (1)

The determination of the NJOP can be done by:

- a. price comparison with other similar objects, is an approach/method of determining the selling value of a tax object by comparing it with other similar tax objects which are located close together and have the same function and the selling price is known.
- b. new acquisition value, is an approach/method of determining the selling value of a tax object by calculating all costs incurred to acquire the object at the time of the valuation, which is reduced by depreciation based on the physical condition of the object.
- c. replacement selling value, is an approach/method of determining the selling value of a tax object based on the production results of the tax object.

Sentence (2)

Basically, the determination of NJOP is every 3 (three) years. For certain regions whose development progress results in a large increase in NJOP, the determination of the NJOP can be determined once a year.

Sentence (3)

Quite clear.

Related Rules

There are no related regulations

Article 80

(1) Rural and Urban Land and Building Tax rates are set at a maximum of 0.3% (zero point three percent). (2) Rural and Urban Land and Building Tax rates are stipulated by Regional Regulation.

Explanation of Article 80

Quite clear.

Related Rules

There are no related regulations

Article 81

The principal amount of the Rural and Urban Land and Building Tax payable is calculated by multiplying the rate as referred to in Article 80 paragraph (2) with the tax base as referred to in Article 79 paragraph (3) after deducting the Sales Value of the Non-Taxable Tax Object as referred to in Article 77 paragraph (5).

Elucidation of Article 81

The selling value for the building before the tax rate is applied is reduced by the Non-Taxable Selling Value of Rp. 10,000,000 (ten million rupiah).

Example:

Taxpayer A has a tax object in the form of:

- Land with an area of 800 m² with a selling price of Rp. 300,000.00/m²;
- Building area of 400 m² with a selling value of Rp. 350,000.00/m²;
- A garden of 200 m² with a selling value of Rp. 50,000.00/m² ;
- The fence is 120 m long and the average height of the fence is 1.5 m with a selling value of Rp. 175,000.00/m².

The principal amount of tax payable is as follows:

1.	NJOP Bumi: 8 x Rp300.000,00	= Rp	240.000.000,00
2.	NJOP Bangunan		
	a. Rumah dan garasi 400 x Rp350.000,00	= Rp	140.000.000,00
	b. Taman 200 x Rp50.000,00	= Rp	10.000.000,00
	c. Pagar (120 x 1,5) x Rp175.000,00	= Rp	31.500.000,00 +
	Total NJOP Bangunan	= Rp	181.500.000,00
	Nilai Jual Objek Pajak Tidak Kena Pajak	= Rp	10.000.000,00 -
	Nilai Jual bangunan Kena Pajak	= Rp	171.500.000,00 +
3.	Nilai Jual Objek Pajak Kena Pajak	= Rp	411.500.000,00
4.	Tarif pajak efektif yang ditetapkan dalam Peraturan Daerah 0,2%.		
5.	PBB terutang: 0,2% x Rp411.500.000,00	= Rp	823.000,00

Related Rules

There are no related regulations

Article 82

- (1) Fiscal Year is a period of 1 (one) calendar year.
- (2) The time to determine the tax payable is according to the state of the tax object on January 1st.
- (3) The place of tax payable is in the regional area which includes the location of the tax object.

Elucidation of Article 82

Quite clear.

Related Rules

There are no related regulations

Article 83

- (1) Data collection is done using SPOP.
- (2) SPOP as referred to in paragraph (1) must be filled out clearly, correctly, and completely and signed and submitted to the Regional Head whose working area includes the location of the tax object, no later than 30 (thirty) working days after the date of receipt of the SPOP by the Tax Subject.

Elucidation of Article 83

Quite clear.

Related Rules

There are no related regulations

Article 84

- (1) Based on the SPOP, the Regional Head issues the SPPT.
- (2) The Regional Head may issue SKPD in the following cases:
 - a. SPOP as referred to in Article 83 paragraph (2) is not submitted and after the Taxpayer is reprimanded in writing by the Regional Head as specified in the Warning Letter;
 - b. based on the results of the examination or other information it turns out that the amount of tax payable is greater than the amount of tax calculated based on the SPOP submitted by the Taxpayer.

Elucidation of Article 84

Sentence (1)

Quite clear.

Sentence (2)

The determination of this SKPD is only for Rural and Urban Land and Building Taxes.

Related Rules

There are no related regulations

Article 85

- (1) The object of the Tax on Acquisition of Rights on Land and Buildings is the Acquisition of Rights on Land and/or Buildings.
- (2) The acquisition of Land and/or Building Rights as referred to in paragraph (1) includes:
 - a. transfer of rights due to:
 - 1) buy and sell;
 - 2) barter;
 - 3) grant;
 - 4) testamentary grants;
 - 5) heirs;
 - 6) entry into a company or other legal entity;
 - 7) separation of rights resulting in transition;
 - 8) appointment of buyers in the auction;
 - 9) the implementation of a judge's decision that has permanent legal force;
 - 10) business combination;
 - 11) business consolidation;
 - 12) business expansion; or
 - 13) gift
 - b. granting new rights because:
 - 1) continuation of the waiver of rights; or
 - 2) outside the release of rights.
- (3) The land rights as referred to in paragraph (1) are:
 - a. right of ownership;
 - b. Cultivation Rights;
 - c. building rights;
 - d. right of use;
 - e. ownership rights to the apartment unit; and

- f. management rights.
- (4) Tax objects that are not subject to Duties on the Acquisition of Rights on Land and Buildings are tax objects that are obtained:
 - a. diplomatic and consular representation based on the principle of reciprocal treatment; b. the state for the administration of government and/or for the implementation of development in the public interest;
 - c. agency or representative of an international institution stipulated by a Regulation of the Minister of Finance on condition that they do not run a business or carry out other activities outside the functions and duties of the agency or representative of the organization;
 - d. individual or Entity due to conversion of rights or due to other legal actions in the absence of name change;
 - e. individual or Entity due to waqf; and
 - f. private persons or entities used for worship purposes.

Elucidation of Article 85

Quite clear.

Related Rules [147/PMK.07/2010](#)

AGENCY OR REPRESENTATIVE OF INTERNATIONAL INSTITUTIONS WHICH ARE NOT SUBJECT TO DUTY FOR THE ACQUISITION OF LAND AND BUILDING RIGHTS.

Article 86

- (1) The subject of the Tax on the Acquisition of Rights on Land and Building is an individual or entity that acquires the Right to Land and/or Building.
- (2) Taxpayer of Customs Duty on Land and Building Rights is an individual or entity that acquires Land and/or Building Rights.

Elucidation of Article 86

Quite clear.

Related Rules

There are no related regulations

Article 87

- (1) The basis of imposition of Duty on the Acquisition of Rights on Land and Buildings is the Acquired Value of the Tax Object.
- (2) The Acquired Value of the Tax Object as referred to in paragraph (1), in the event that:
 - a. sale and purchase is the transaction price;
 - b. exchange rate is market value;
 - c. grant is market value;
 - d. testamentary grants are market value;
 - e. inheritance is market value;
 - f. income in a company or other legal entity is the market value;
 - g. the separation of rights resulting in the transition is the market value;

- h. the transfer of rights due to the implementation of a judge's decision which has permanent legal force is the market value;
 - i. the granting of new land rights as a continuation of the relinquishment of rights is the market value;
 - j. the granting of new rights on land beyond the release of rights is the market value; k. business combination is market value;
 - l. business consolidation is market value;
 - m. business expansion is market value;
 - n. the prize is market value; and/or
 - o. the appointment of the buyer in the auction is the transaction price listed in the minutes of the auction.
- (3) If the Acquired Value of the Tax Object as referred to in paragraph (2) letter a to letter n is unknown or lower than the NJOP used in the imposition of Land and Building Tax in the year the acquisition occurs, the basis for imposition is the NJOP of Land and Building Tax.
- (4) The amount of the Acquired Value of Non-Taxable Tax Objects is determined to be a minimum of Rp60,000,000.00 (sixty million rupiah) for each Taxpayer.
- (5) In the case of acquisition of rights due to inheritance or testamentary grants received by individuals who are still in a blood family relationship in a straight lineage one degree up or one degree down with the grantor of the will, including husband/wife, the Acquired Value of the Non-Taxable Tax Object is determined a minimum of Rp.300,000,000.00 (three hundred million rupiah).
- (6) The Acquired Value of Non-Taxable Tax Objects as referred to in paragraph (4) and paragraph (5) shall be stipulated by a Regional Regulation.

Elucidation of Article 87

Quite clear.

Related Rules

There are no related regulations

Article 88

(1) The Tariff for the Acquisition of Rights on Land and Buildings is set at a maximum of 5% (five percent). (2) Tariffs for Acquisition of Rights on Land and Buildings shall be determined by a Regional Regulation.

Elucidation of Article 88

Quite clear.

Related Rules

There are no related regulations

Article 89

(1) The principal amount of Land and Building Rights Acquisition Fee payable is calculated by multiplying the rate as referred to in Article 88 paragraph (2) with the tax base as referred to in Article 87 paragraph (1) after deducting the Acquired Value of Non-Taxable Tax Objects as referred to in Article 88 paragraph (1). Article 87 paragraph (6).

- (2) Fees on the Acquisition of Rights on Land and Buildings owed are collected in the area where the Land and/or Buildings are located.

Elucidation of Article 89

Example:

Taxpayer "A" buys land and buildings with

Nilai Perolehan Objek Pajak	= Rp	65.000.000,00
Nilai Perolehan Objek Pajak Tidak Kena Pajak	= Rp	60.000.000,00 (-)
Nilai Perolehan Objek Pajak Kena Pajak	= Rp	5.000.000,00
Pajak Yang Terutang = 5% x Rp5.000.000	= Rp	250.000,00

Related Rules

There are no related regulations

Article 90

- (1) When the Tax on the Acquisition of Rights on Land and/or Building becomes due, it is determined to:
- a. sale and purchase is from the date the deed is made and signed;
 - b. exchange is from the date the deed is made and signed;
 - c. the grant is from the date the deed was made and signed;
 - d. testamentary grant is from the date the deed was made and signed;
 - e. inheritance is from the date the person concerned registers the transfer of his rights to the land office;
 - f. entry into a company or other legal entity is from the date the deed is made and signed;
 - g. the separation of rights resulting in the transfer is from the date the deed was made and signed;
 - h. the judge's decision is from the date of the court's decision which has permanent legal force;
 - i. the granting of new rights to land as a continuation of the release of rights is from the date of issuance of the decree granting rights;
 - j. the granting of new rights apart from the waiver is from the date of issuance of the decision on granting rights;
 - k. business merger is from the date the deed is made and signed;
 - l. business consolidation is from the date the deed is made and signed;
 - m. business expansion is from the date the deed was made and signed;
 - n. the gift is from the date the deed was made and signed; and
 - o. auction is from the date of appointment of the winner of the auction.
- (2) The tax payable must be paid off at the time of the acquisition of the rights as referred to in paragraph (1).

Explanation of Article 90

Quite clear.

Related Rules

There are no related regulations

Article 91

- (1) The Land Deed Making Officer/Notary can only sign the deed of transfer of Land and/or Building Rights

after the Taxpayer submits proof of tax payment.

- (2) The head of the office in charge of state auction services can only sign the minutes of auction of the Acquisition of Land and/or Building Rights after the Taxpayer submits proof of tax payment. (3) The head of the land office can only register Land Rights or register transfer of Land Rights after the Taxpayer submits proof of tax payment.

Elucidation of Article 91

Sentence (1)

Quite clear.

Sentence (2)

What is meant by "minutes of auction" is an excerpt from the minutes of auction signed by the Head of the Office in charge of State auction services.

Sentence (3)

Quite clear.

Related Rules

There are no related regulations

Article 92

- (1) The Land Deed Maker Official/Notary and the head of the office in charge of state auction services shall report the preparation of the deed or minutes of the auction of the Acquisition of Land and/or Building Rights to the Regional Head at the latest on the 10th (tenth) of the following month.
- (2) The reporting procedure for officials as referred to in paragraph (1) is regulated by a Regional Head Regulation.

Elucidation of Article 92

Quite clear.

Related Rules

There are no related regulations

Article 93

- (1) The Land Deed Maker/Notary Officer and the head of the office in charge of state auction services, violating the provisions as referred to in Article 91 paragraph (1) and paragraph (2) shall be subject to administrative sanctions in the form of a fine of Rp. 7,500,000.00 (seven million five hundred thousand rupiahs).) for each violation.
- (2) The Land Deed Maker/Notary official and the head of the office in charge of state auction services, violating the provisions as referred to in Article 92 paragraph (1) shall be subject to administrative sanctions in the form of a fine of Rp. 250,000.00 (two hundred and fifty thousand rupiahs) for each report.
- (3) The head of the land office who violates the provisions as referred to in Article 91 paragraph (3) shall be subject to sanctions in accordance with the provisions of laws and regulations.

Elucidation of Article 93

Quite clear.

Related Rules

There are no related regulations

BAB III SHARE PROVINCE TAX RESULTS

Article 94

- (1) The results of the provincial Tax revenue as referred to in Article 2 paragraph (1) are partly allocated to the regencies/municipalities in the relevant province with the following provisions: a. the proceeds from the receipt of the Motor Vehicle Tax and the Transfer Fee for Motor Vehicles shall be submitted to the regency/municipality in the amount of 30% (thirty percent);
b. the result of receipt of the Motor Vehicle Fuel Tax shall be submitted to the regency/municipality in the amount of 70% (seventy percent);
c. the results of the Cigarette Tax receipts are submitted to the regency/municipality in the amount of 70% (seventy percent); and
d. 50% (fifty percent) of the revenue from Surface Water Tax shall be submitted to the regency/municipality.
- (2) Specifically for Surface Water Tax receipts from water sources located only in 1 (one) district/city area, 80% (eighty percent) of the said Surface Water Tax receipts shall be submitted to the relevant district/city.
- (3) The district/municipality share as referred to in paragraph (1) is determined by taking into account the aspect of equity and/or inter-regency/municipality potential.
- (4) Further provisions regarding the revenue sharing of provincial Taxes destined for regencies/municipalities as referred to in paragraph (1) and paragraph (3) shall be stipulated by a Provincial Regulation.

Elucidation of Article 94

Quite clear.

Related Rules

There are no related regulations

CHAPTER IV DETERMINATION AND CONTENT REGULATED IN LOCAL REGULATIONS CONCERNING TAXES

Article 95

- (1) Taxes are determined by Regional Regulation.
- (2) Regional Regulations concerning Taxes are not retroactive.
- (3) Regional Regulations concerning Taxes at least stipulate provisions regarding: a. name, object, and Tax Subject;
b. basis of imposition, tariff, and method of calculating tax;
c. collection area;

- d. Tax period;
 - e. determination;
 - f. payment and billing procedures;
 - g. expired;
 - h. administrative sanctions; and
 - i. effective date.
- (4) Regional Regulations concerning Taxes may also regulate provisions regarding:
- a. granting reduction, relief, and exemption in certain cases on the principal tax and/or sanctions thereof;
 - b. procedures for writing off expired tax receivables; and/or
 - c. the principle of reciprocity, in the form of providing tax reductions, reliefs, and exemptions to embassies, consulates, and representatives of foreign countries in accordance with international custom.

Elucidation of Article 95

Quite clear.

Related Rules

There are no related regulations

BAB V TAX COLLECTION

Article 96

- (1) Tax collection is prohibited.
- (2) Every Taxpayer is obliged to pay the Tax payable based on the tax assessment letter or paid by the Taxpayer himself based on the taxation laws and regulations.
- (3) Taxpayers who fulfill their tax obligations based on the determination of the Regional Head are paid using SKPD or other equivalent documents.
- (4) Other equivalent documents as referred to in paragraph (3) are in the form of a ticket and a note of calculation.
- (5) Taxpayers who fulfill their own tax obligations are paid using SPTPD, SKPDKB, and/or SKPDKBT.

Elucidation of Article 96

Sentence (1)

Quite clear.

Sentence (2)

This provision regulates the procedure for the imposition of tax, which is determined by the Regional Head or paid for by the Taxpayer himself.

The first method is that the tax is paid by the taxpayer after it has been determined by the regional head through the SKPD or other equivalent document.

The second way, self-paid tax is a tax imposition that gives taxpayers the confidence to calculate, calculate, pay, and self-report the tax payable using the SPTPD.

Sentence (3)

Quite clear.

Sentence (4)

Quite clear.

Sentence (5)

Taxpayers who fulfill their obligations by paying themselves are required to report the tax payable using the SPTPD.

If a Taxpayer who is entrusted with calculating, calculating, paying, and self-reporting the tax payable does not fulfill its obligations properly, an SKPDKB and/or SKPDKBT may be issued as a means of collection.

Related Rules

There are no related regulations

Article 97

- (1) Within a period of 5 (five) years after the time the tax is due, the Regional Head may issue:
 - a. SKPDKB in terms of:
 - 1) if based on the results of the examination or other information, the tax payable is not or is underpaid;
 - 2) if the SPTPD is not submitted to the Regional Head within a certain period of time and after being reprimanded in writing, it is not submitted on time as specified in the warning letter; 3) if the obligation to fill out the SPTPD is not fulfilled, the tax payable is calculated on an exemplary basis.
 - b. SKPDKBT if new data is found and/or data that was not previously disclosed which causes an increase in the amount of tax payable.
 - c. SKPDN if the amount of tax payable is equal to the amount of the tax credit or the tax is not payable and there is no tax credit.
- (2) The amount of tax deficiencies owed in the SKPDKB as referred to in paragraph (1) letter a number 1) and number 2) is subject to administrative sanctions in the form of interest of 2% (two percent) a month calculated from taxes that are less or late to be paid for a period of not more than 24 (twenty-four) months calculated from the time of tax payable.
- (3) The amount of tax deficiencies owed in the SKPDKBT as referred to in paragraph (1) point b is subject to administrative sanctions in the form of an increase of 100% (one hundred percent) of the amount of tax shortfall.
- (4) The increase as referred to in paragraph (3) is not charged if the taxpayer reports himself before the inspection action is carried out.
- (5) The amount of tax payable in the SKPDKB as referred to in paragraph (1) letter a number 3) is subject to administrative sanctions in the form of an increase of 25% (twenty five percent) of the tax principal plus administrative sanctions in the form of interest of 2% (two percent) a month calculated from taxes that are underpaid or late in payment for a maximum period of 24 (twenty four) months calculated from the time the tax becomes due.

Elucidation of Article 97

This provision regulates the issuance of tax assessment letters on self-paid taxes. The issuance of tax assessment letters is addressed to certain Taxpayers due to incorrect filling in the SPTPD or due to the discovery of fiscal data not being reported by the Taxpayer.

Sentence (1)

This provision authorizes the Regional Head to be able to issue SKPDKB, SKPDKBT or SKPDN only for certain cases, in other words only for certain Taxpayers who clearly or based on the results

of the examination do not fulfill formal obligations and/or material obligations.

Example:

1. A Taxpayer does not submit an SPTPD in the 2009 tax year. After being reprimanded for a certain period of time and has not submitted an SPTPD, within a maximum period of 5 (five) years, the Regional Head may issue an SKPDKB for the tax payable.
2. A Taxpayer submits an SPTPD for the 2009 tax year. Within a maximum period of 5 (five) years, it turns out that the results of the SPTPD examination submitted are incorrect. For the underpaid tax payable, the Regional Head may issue an SKPDKB plus administrative sanctions.
3. The Taxpayer as referred to in the sample whose SKPDKB has been issued, if within a period of no later than 5 (five) years after the tax payable is found new data and/or previously undisclosed data which causes an increase in the amount of tax payable, the Regional Head may issue the SKPDKBT .
4. Taxpayers based on the results of the Regional Head's examination, it turns out that the amount of tax owed is equal to the amount of tax credit or unpaid taxes and there is no tax credit, the Regional Head may issue SKPDN.

Letter A

Number 1)

Quite clear.

Number 2)

Quite clear.

Number 3)

What is meant by "office tax determination" is the determination of the amount of tax payable by the Regional Head or the appointed official based on existing data or other information held by the Regional Head or the appointed Official.

Letter b

Quite clear.

The letter c

Quite clear.

Sentence (2)

This provision regulates sanctions against Taxpayers who do not fulfill their tax obligations, namely imposing administrative sanctions in the form of interest of 2% (two percent) a month from taxes that are not or late to be paid for a maximum period of 24 (twenty four) months on taxes that are not or late paid. Administrative sanctions in the form of interest are calculated from the time the tax is payable until the issuance of the SKPDKB.

Sentence (3)

In the event that the Taxpayer does not fulfill his tax obligations as referred to in paragraph (1) letter b, namely with the discovery of new data and/or previously undisclosed data originating from the results of the audit, so that the tax payable increases, the Taxpayer is subject to administrative sanctions in the form of increase of 100% (one hundred percent) of the amount of tax underpayment. This administrative sanction is not imposed if the Taxpayer reports it before the audit action is held.

Sentence (4)

Quite clear.

Sentence (5)

In the event that the Taxpayer does not fulfill his tax obligations as referred to in paragraph (1) letter a number 3), namely the Taxpayer does not fill out the SPTPD that he should have done, he will be subject to administrative sanctions in the form of a tax increase of 25% (twenty five percent) of the principal tax paid. owed.

In this case, the Regional Head determines the tax payable in office through the issuance of SKPDKB.

In addition to administrative sanctions in the form of an increase of 25% (twenty five percent) of the principal tax payable, administrative sanctions in the form of interest of 2% (two percent) a month are calculated from underpaid or late taxes for a period of no longer than 24 (twenty) four months. Administrative sanctions in the form of interest are calculated from the time the tax is payable until the issuance of the SKPDKB.

Related Rules

There are no related regulations

Article 98

Further provisions regarding the types of Taxes that can be collected based on the determination of the Regional Head or paid by the Taxpayer himself and other provisions relating to the collection of Taxes are regulated by a Government Regulation.

Elucidation of Article 98

Quite clear.

Related Rules

There are no related regulations

Article 99

(1) The procedure for issuing SKPD or other equivalent documents, SPTPD, SKPDKB, and SKPDKBT as referred to in Article 96 paragraph (3) and paragraph (5) is regulated by a Regional Head Regulation. (2) Further provisions regarding the procedure for filling out and submitting SKPD or other equivalent documents, SPTPD, SKPDKB, and SKPDKBT as referred to in Article 96 paragraph (3) and paragraph (5) shall be regulated by a Regional Head Regulation.

Explanation of Article 99

Quite clear.

Related Rules

There are no related regulations

Article 100

- (1) The Regional Head can issue STPD if:
 - a. tax in the current year is not or underpaid;
 - b. from the results of the SPTPD research there is a lack of payment as a result of writing errors and/or miscalculations;
 - c. Taxpayers are subject to administrative sanctions in the form of interest and/or fines. (2) The amount of tax underpayment in STPD as referred to in paragraph (1) letter a and letter b is added with an administrative sanction in the form of interest of 2% (two percent) every month for a maximum of 15 (fifteen) months from the time the tax becomes due.
- (3) SKPD that is not or underpaid after the due date of payment is subject to administrative sanctions in the form of interest of 2% (two percent) a month and is billed through STPD.

Explanation of Article 100

Quite clear.

Related Rules

There are no related regulations

Article 101

- (1) The Regional Head determines the due date for payment and deposit of the tax payable no later than 30 (thirty) working days after the tax becomes due and no later than 6 (six) months from the date of receipt of the SPPT by the Taxpayer.
 - (2) SPPT, SKPD, SKPDKB, SKPDKBT, STPD, Correction Decree, Objection Decision, and Appeal Decision, which cause the amount of tax to be paid to increase are the basis for tax collection and must be paid within a maximum period of 1 (one) month from the date of issue .
- (3) The Regional Head at the request of the Taxpayer after fulfilling the specified requirements may give approval to the Taxpayer to pay in installments or postpone tax payments, subject to an interest of 2% (two percent) a month.
- (4) Further provisions regarding the procedures for payment, deposit, place of payment, installments, and postponement of tax payments are regulated by a Regional Head Regulation.

Elucidation of Article 101

Quite clear.

Related Rules

There are no related regulations

Article 102

- (1) Taxes payable based on SPPT, SKPD, SKPDKB, SKPDKBT, STPD, Correction Decree, Objection Decision, and Appeal Decision that are not or underpaid by the Taxpayer on time can be collected by Forced Letter.
- (2) Collection of taxes with a warrant is carried out based on the laws and regulations.

Elucidation of Article 102

Quite clear.

Related Rules

There are no related regulations

Article 103

- (1) A Taxpayer may file an objection only to the Regional Head or an appointed official on
 - a. a. SPPT;
 - b. SKPD;
 - c. SKPDKB;
 - d. SKPDKBT;
 - e. SKPDLB;
 - f. SKPDN; and
 - g. Withholding or collection by third parties based on the provisions of regional tax laws and regulations.
- (2) Objections are submitted in writing in Indonesian accompanied by clear reasons. (3) Objections must be submitted within a maximum period of 3 (three) months from the date of letter, date of withholding or collection as referred to in paragraph (1), unless the Taxpayer can show that the period cannot be fulfilled due to circumstances beyond his control.
- (4) An objection can be filed if the Taxpayer has paid at least the amount that has been approved by the Taxpayer.
- (5) Objections that do not meet the requirements as referred to in paragraph (1), paragraph (2), paragraph (3), and paragraph (4) are not considered as a Letter of Objection so they are not considered. (6) The receipt of the objection letter given by the Regional Head or appointed official or the receipt of the objection letter by registered post as proof of receipt of the objection letter.

Elucidation of Article 103

Quite clear.

Related Rules

There are no related regulations

Article 104

- (1) The Regional Head within a maximum period of 12 (twelve) months, from the date of receipt of the Objection Letter, must make a decision on the objection submitted.
- (2) The decision of the Regional Head on the objection can be in the form of accepting in whole or in part, refusing, or increasing the amount of tax payable.
- (3) If the period as referred to in paragraph (1) has elapsed and the Regional Head does not make a decision, the proposed objection is deemed to have been granted.

Elucidation of Article 104

Quite clear.

Related Rules

There are no related regulations

Article 105

- (1) Taxpayers may file an appeal only to the Tax Court against the decision regarding the objection determined by the Regional Head.
- (2) The application for appeal as referred to in paragraph (1) shall be submitted in writing in the Indonesian language, with clear reasons within 3 (three) months after the decision is received, attached with a copy of the decision on the objection.
- (3) The filing of an appeal suspends the obligation to pay taxes up to 1 (one) month from the date of issuance of the Appeal Decision.

Elucidation of Article 105

Quite clear.

Related Rules

There are no related regulations

Article 106

- (1) If the objection or appeal is granted in part or in full, the tax overpayment is returned plus an interest rate of 2% (two percent) a month for a maximum of 24 (twenty four) months.
- (2) The interest rate as referred to in paragraph (1) is calculated from the month of payment until the issuance of the SKPDLB.
- (3) In the event that the Taxpayer's objection is rejected or partially granted, the Taxpayer is subject to an administrative sanction in the form of a fine of 50% (fifty percent) of the total tax based on the objection decision less the tax paid before filing the objection.
- (4) In the event that the Taxpayer files an appeal, the administrative sanction in the form of a fine of 50% (fifty percent) as referred to in paragraph (3) is not imposed.
- (5) In the event that the appeal application is rejected or partially granted, the Taxpayer is subject to administrative sanctions in the form of a fine of 100% (one hundred percent) of the total tax based on the Appeal Decision minus the payment of taxes that have been paid before filing an objection.

Elucidation of Article 106

Quite clear.

Related Rules

There are no related regulations

Article 107

- (1) At the request of the Taxpayer or because of his position, the Regional Head may correct the SPPT, SKPD, SKPDKB, SKPDKBT or STPD, SKPDN or SKPDLB in which there are written errors and/or calculation errors and/or errors in the application of certain provisions in the regional tax laws and regulations. .
- (2) Regional Heads can:
 - a. reduce or abolish administrative sanctions in the form of interest, fines, and increase in taxes payable

- according to regional taxation laws and regulations, in the event that the sanctions are imposed due to the taxpayer's negligence or not due to his/her fault;
- b. reduce or cancel the incorrect SPPT, SKPD, SKPDKB, SKPDKBT or STPD, SKPDN or SKPDLB;
 - c. reduce or cancel the STPD;
 - d. cancel the results of tax audits or assessments carried out or issued that are not in accordance with the prescribed procedures; and
 - e. deducting the assessment of the tax payable based on the consideration of the taxpayer's ability to pay or certain conditions of the tax object.
- (3) Further provisions regarding the procedure for reducing or eliminating administrative sanctions and reducing or canceling tax assessments as referred to in paragraph (2) shall be regulated by a Regional Head Regulation.

Elucidation of Article 107

Sentence (1)

Quite clear.

Sentence (2)

Letter A

Quite clear.

Letter b

Quite clear.

The letter c

Quite clear.

The letter d

Quite clear.

The letter e

What is meant by "certain conditions of tax object", among others, very limited agricultural land, self-occupied buildings which are controlled or owned by certain Taxpayer groups. **Sentence (3)**

Quite clear.

Related Rules

There are no related regulations

BAB VI RETRIBUTION

Article 108

- (1) Objects of Retribution are:
- a. General Services;
 - b. Business Services; and
 - c. Certain Permissions.
- (2) The levy imposed on public services as referred to in paragraph (1) letter a is classified as Public Service Retribution.
- (3) The levy imposed on business services as referred to in paragraph (1) letter b is classified as Business Service Retribution.

- (4) The levy imposed on certain permits as referred to in paragraph (1) letter c is classified as Certain Licensing Retribution.

Elucidation of Article 108

Quite clear.

Related Rules

There are no related regulations

Article 109

Objects for Public Service Retribution are services provided or provided by the Regional Government for the purpose of public interest and benefit and can be enjoyed by private persons or entities.

Elucidation of Article 109

Quite clear.

Related Rules

There are no related regulations

Article 110

(1) Types of General Service Retribution are:

- a. Health Service Retribution;
- b. Garbage/Cleaning Service Retribution;
- c. Retribution for Reimbursement for Printing Identity Cards and Civil Registry Deeds;
- d. Burial Service Fees and Burial of the Dead;
- e. Parking Service Fees on the Edge of Public Roads;
- f. Market Service Charges;
- g. Motor Vehicle Testing Retribution;
- h. Fire Extinguisher Inspection Fee;
- i. Map Printing Fee Reimbursement;
- j. Levy for the Provision and/or Draining of Toilets;
- k. Liquid Waste Treatment Fees;
- l. Retribution for Calibration/Recalibration Services;
- m. Education Service Fees; and
- n. Telecommunication Tower Control Fee.

(2) The types of levies as referred to in paragraph (1) may not be collected if the potential for revenue is small and/or on the basis of national/regional policies to provide these services free of charge.

Elucidation of Article 110

Quite clear.

Related Rules

There are no related regulations

Article 111

- (1) The object of the Health Service Retribution as referred to in Article 110 paragraph (1) letter a is health services at public health centers, mobile health centers, sub-health centers, medical centers, regional general hospitals, and other similar health service places owned and/or managed by the government. Region, except for registration services.
- (2) Excluded from the object of health service levies are health services carried out by the Government, BUMN, BUMD, and private parties.

Elucidation of Article 111

Quite clear.

Related Rules

There are no related regulations

Article 112

- (1) Objects for Retribution for Waste/Cleaning Services as referred to in Article 110 paragraph (1) letter b are waste/cleaning services organized by the Regional Government, including:
 - a. collection/collection of waste from its source to a temporary disposal site;
 - b. transportation of waste from the source and/or temporary disposal location to the final waste disposal/disposal location; and
 - c. providing a location for the final disposal/destruction of waste.
- (2) Exceptions from the object of levies as referred to in paragraph (1) are cleaning services for public roads, parks, places of worship, social and other public places.

Elucidation of Article 112

Sentence (1)

Quite clear.

Sentence (2)

What is meant by "other public places" is a place that can be used by the general public and managed by the Regional Government.

Related Rules

There are no related regulations

Article 113

Objects for Retribution for Reimbursement for Printing Resident Identity Cards and Civil Registration Deeds as referred to in Article 110 paragraph (1) letter c are services:

- a. identity card;
- b. residence certificate;

- c. work identity card;
- d. temporary resident card;
- e. seasonal resident identity card;
- f. family card; and
- g. civil registration certificate which includes marriage certificate, divorce certificate, deed of ratification and acknowledgment of children, deed of name change for foreign nationals, and death certificate.

Elucidation of Article 113

Quite clear.

Related Rules

There are no related regulations

Article 114

Objects for Retribution for Funeral Services and Burial Services as referred to in Article 110 paragraph (1) letter d are funeral services and cremation services which include:

- a. burial/funeral services including excavation and backfilling, burning/cremation of corpses; and b. rental of burial sites or burning/cremation of corpses owned or managed by the Regional Government.

Elucidation of Article 114

Quite clear.

Related Rules

There are no related regulations

Article 115

The object of Retribution for Parking Services on the Edge of Public Roads as referred to in Article 110 paragraph (1) letter e is the provision of parking services on the edge of public roads determined by the Regional Government in accordance with the provisions of the legislation.

Elucidation of Article 115

Quite clear.

Related Rules

There are no related regulations

Article 116

- (1) The object of the Market Service Retribution as referred to in Article 110 paragraph (1) letter f is the provision of traditional/simple market facilities, in the form of courtyards, stalls, kiosks managed by the Regional Government, and specifically provided for traders.

(2) Exempted from the object of levies as referred to in paragraph (1) are market facility services managed by BUMN, BUMD, and private parties.

Elucidation of Article 116

Quite clear.

Related Rules

There are no related regulations

Article 117

The object of the Motor Vehicle Testing Retribution as referred to in Article 110 paragraph (1) letter g is the service for testing motor vehicles, including motorized vehicles on water, in accordance with the provisions of the legislation, which is administered by the Regional Government.

Elucidation of Article 117

Quite clear.

Related Rules

There are no related regulations

Article 118

The object of Retribution for the Examination of Fire Extinguisher Equipment as referred to in Article 110 paragraph (1) letter h is the service for inspection and/or testing of fire extinguishers, fire fighting equipment, and life-saving equipment by the Regional Government on fire extinguishing equipment, fire fighting equipment, and lifesaving tools owned and/or used by the community.

Elucidation of Article 118

Quite clear.

Related Rules

There are no related regulations

Article 119

The object of the Retribution for Reimbursement for Printing Costs of Maps as referred to in Article 110 paragraph (1) letter i is the provision of maps made by the Regional Government.

Elucidation of Article 119

What is meant by "map" is a map made by the Regional Government, such as base map (line), photo map, digital map, thematic map, and technical map (structure).

Related Rules

There are no related regulations

Article 120

- (1) The object of the levy for the provision and/or suction of latrines as referred to in Article 110 paragraph (1) letter j is the service for the provision and/or suction of latrines carried out by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are services for the provision and/or desludging of latrines provided, owned and/or managed by BUMN, BUMD and private parties.

Explanation of Article 120

Quite clear.

Related Rules

There are no related regulations

Article 121

- (1) The object of levy for Liquid Waste Treatment as referred to in Article 110 paragraph (1) letter k is a household, office, and industrial wastewater treatment service provided, owned, and/or managed specifically by the Regional Government in the form of a liquid waste treatment plant.
- (2) Exempted from the object of levies as referred to in paragraph (1) are liquid waste treatment services provided, owned, and/or managed by the Government, BUMN, BUMD, private parties, and liquid waste disposal directly into rivers, drainage, and/or facilities. other disposal.

Elucidation of Article 121

Quite clear.

Related Rules

There are no related regulations

Article 122

Objects of Retribution for Calibration/Recalibration Services as referred to in Article 110 paragraph (1) letter l are:

- a. service for testing measuring instruments, measuring, weighing, and their equipment; and b. testing of goods in a wrapped condition which is required in accordance with the provisions of the legislation.

Elucidation of Article 122

Quite clear.

Related Rules

There are no related regulations

Article 123

(1) The object of the Education Service Retribution as referred to in Article 110 paragraph (1) letter m is the service of providing education and technical training by the Regional Government. (2) Exempted from the object of levies as referred to in paragraph (1) are:

- a. basic and secondary education services organized by the Regional Government;
- b. education/training organized by the Government;
- c. education/training organized by BUMN, BUMD; and
- d. education/training organized by the private sector.

Elucidation of Article 123

Quite clear.

Related Rules

There are no related regulations

Article 124

The object of the Telecommunication Tower Control Retribution as referred to in Article 110 paragraph (1) letter n is the utilization of space for telecommunications towers by taking into account the aspects of spatial planning, security, and public interest.

Elucidation of Article 124

Considering that the level of use of services that are supervisory and controlling is difficult to determine and for ease of calculation, the levy rate is set at a maximum of 2% (two percent) of the selling value of the tax object used as the basis for calculating the Land and Building Tax of telecommunication towers, the amount of which is associated with frequency of supervision and control of the telecommunication towers.

Related Rules

There are no related regulations

Article 125

- (1) The subject of the Public Service Retribution is an individual or entity that uses/enjoys the public service concerned.
- (2) Mandatory Public Service Retribution is an individual or Entity which, according to the provisions of the statutory regulations for Levy, is required to pay the Levy, including the collector or withholding of the General Service Retribution.

Elucidation of Article 125

Quite clear.

Related Rules

There are no related regulations

Article 126

Objects for Business Services Retribution are services provided by the Regional Government by adhering to commercial principles which include:

a. services by using/utilizing regional assets that have not been used optimally; and/or b. services by the Regional Government as long as it has not been provided adequately by the private sector.

Elucidation of Article 126

Quite clear.

Related Rules

There are no related regulations

Article 127

Types of Business Service Retribution are:

- a. Retribution for the Use of Regional Wealth;
- b. Wholesale Market and/or Shops Retribution;
- c. Auction Place Retribution;
- d. Terminal Charges;
- e. Retribution for Special Parking Places;
- f. Retribution for Lodging/Restaurant/Villa;
- g. Slaughterhouse levies;
- h. Port Service Retribution;
- i. Retribution for Recreational and Sports Places;
- j. Water crossing levies; and
- k. Retribution for Sales of Regional Business Production.

Elucidation of Article 127

Quite clear.

Related Rules

There are no related regulations

Article 128

- (1) The object of Retribution for the Use of Regional Assets as referred to in Article 127 letter a is the use of regional assets.
- (2) Excluded from the definition of the use of regional assets as referred to in paragraph (1) is the use of land that does not change the function of the land.

Elucidation of Article 128

Sentence (1)

The use of regional assets, among others, is the rental of land and buildings, laboratories, rooms, and motorized vehicles.

Sentence (2)

Use of land that does not change the function of the land, among others, erecting electricity/telephone poles or planting/stretching electric/telephone cables on the edge of public roads.

Related Rules

There are no related regulations

Article 129

- (1) The object of Retribution for Wholesale Markets and/or Shops as referred to in Article 127 letter b is the provision of wholesale market facilities of various types of goods, and market/shopping facilities that are contracted out, provided/organized by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are market facilities provided, owned, and/or managed by BUMN, BUMD, and private parties.

Elucidation of Article 129

Quite clear.

Related Rules

There are no related regulations

Article 130

- (1) The object of the Retribution for Auction Site as referred to in Article 127 letter c is the provision of an auction place specifically provided by the Regional Government to conduct auctions of fish, livestock, agricultural products, and forest products including auction services and other facilities provided at the auction site.
- (2) The object of levies as referred to in paragraph (1) is a place contracted by the Regional Government from another party to serve as a place for auction.
- (3) Exempted from the object of levies as referred to in paragraph (1) are auction places provided, owned and/or managed by BUMN, BUMD, and private parties.

Elucidation of Article 130

Quite clear.

Related Rules

There are no related regulations

Article 131

- (1) The object of the Terminal Retribution as referred to in Article 127 letter d is the service of providing parking spaces for passenger vehicles and public buses, places of business activities, and other facilities in the terminal environment, which are provided, owned, and/or managed by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are terminals provided, owned, and/or managed by the Government, BUMN, BUMD, and private parties.

Elucidation of Article 131

Quite clear.

Related Rules

There are no related regulations

Article 132

- (1) The object of Retribution for Special Parking Places as referred to in Article 127 letter e is the service of special parking places provided, owned, and/or managed by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are parking lot services provided, owned, and/or managed by the Government, BUMN, BUMD, and private parties.

Elucidation of Article 132

Quite clear.

Related Rules

There are no related regulations

Article 133

- (1) The object of the Retribution for Lodging/Restaurant/Villa as referred to in Article 127 letter f is the service for lodging/pesanggrahan/villa provided, owned, and/or managed by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are lodging/resorts/villas provided, owned, and/or managed by the Government, BUMN, BUMD, and private parties.

Elucidation of Article 133

Quite clear.

Related Rules

There are no related regulations

Article 134

- (1) Objects for Retribution for Animal Slaughterhouses as referred to in Article 127 letter g are services for providing facilities for livestock slaughterhouses including animal health inspection services before and after slaughter, which are provided, owned, and/or managed by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are services for providing livestock slaughterhouse facilities provided, owned, and/or managed by BUMN, BUMD, and private parties.

Elucidation of Article 134

Quite clear.

Related Rules

There are no related regulations

Article 135

- (1) The object of the Port Service Retribution as referred to in Article 127 letter h is port services, including other facilities in the port environment that are provided, owned, and/or managed by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are port services provided, owned and/or managed by the Government, BUMN, BUMD, and private parties.

Elucidation of Article 135

Quite clear.

Related Rules

There are no related regulations

Article 136

- (1) Objects for Retribution for Recreational and Sports Places as referred to in Article 127 letter i are services for recreation, tourism, and sports that are provided, owned, and/or managed by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are services for recreation, tourism, and sports that are provided, owned, and/or managed by the Government, BUMN, BUMD, and private parties.

Elucidation of Article 136

Quite clear.

Related Rules

There are no related regulations

Article 137

- (1) The object of Retribution on Water Crossing as referred to in Article 127 letter j is the service of crossing people or goods using vehicles on water that are owned and/or managed by the Regional Government.
- (2) Exempted from the object of levies as referred to in paragraph (1) are crossing services managed by the Government, BUMN, BUMD, and private parties.

Elucidation of Article 137

Quite clear.

Related Rules

There are no related regulations

Article 138

(1) The object of the Retribution for Sales of Regional Business Production as referred to in Article 127 letter k is the sale of the production results of the Regional Government's business. (2) Exempted from the object of levy as referred to in paragraph (1) is the sale of production by the Government, BUMN, BUMD, and private parties.

Elucidation of Article 138**Sentence (1)**

The results of the regional government's business production, among others, are plant seeds or seeds, livestock seeds, and fish seeds or seeds.

Sentence (2)

Quite clear.

Related Rules

There are no related regulations

Article 139

- (1) The subject of Business Services Retribution is an individual or entity that uses/enjoys the relevant business services.
- (2) Mandatory for Business Services Levy is an individual or entity which, according to the provisions of the laws and regulations of Levies, is required to pay Levies, including collectors and withholding of Business Services Levies.

Elucidation of Article 139

Quite clear.

Related Rules

There are no related regulations

Article 140

Objects for Certain Licensing Retribution are certain licensing services by the Regional Government to individuals or entities intended to regulate and supervise activities on the use of space, use of natural resources, goods, infrastructure, facilities, or certain facilities in order to protect the public interest and preserve the environment.

Explanation of Article 140

Quite clear.

Related Rules

There are no related regulations

Article 141

Certain Types of Licensing Retribution include:

- a. Business Licensing Retribution related to building approval, hereinafter referred to as Building Approval Retribution;
- b. Business Licensing Retribution related to places where alcoholic beverages are sold, hereinafter referred to as Retribution for Permits for Sales of Alcoholic Beverages;
- c. Business Licensing Retribution related to routes, hereinafter referred to as Route Licensing Retribution; and
- d. Business Licensing Retribution related to fisheries, hereinafter referred to as Fisheries Business Permit Retribution.

Elucidation of Article 141

Quite clear.

Related Rules

There are no related regulations

Article 142

- (1) The object of Retribution for Building Construction Permits as referred to in Article 141 letter a is the granting of permits to construct a building.
- (2) The granting of the permit as referred to in paragraph (1) includes the activities of reviewing the design and monitoring the implementation of its construction so that it remains in accordance with the technical plan of the building and the spatial plan, while taking into account the basic coefficient of the building (KDB), the coefficient of building area (KLB), the coefficient of building height (KKB), and supervision of the use of the building which includes inspection in order to meet the safety requirements for those who occupy the building.
- (3) The object of levies as referred to in paragraph (1) is not included in the granting of permits for buildings owned by the Government or Regional Governments.

Elucidation of Article 142

Quite clear.

Related Rules

There are no related regulations

Article 143

The object of the Retribution for the Permit for Selling Alcoholic Drinks as referred to in Article 141 letter b is the granting of a permit to sell alcoholic beverages in a certain place.

Elucidation of Article 143

Quite clear.

Related Rules

There are no related regulations

Article 144

Deleted.

Elucidation of Article 144

Quite clear.

Related Rules

There are no related regulations

Article 145

The object of Retribution for Route Permits as referred to in Article 141 letter d is the granting of permits to private persons or entities to provide public passenger transportation services on one or several specific routes.

Elucidation of Article 145

Quite clear.

Related Rules

There are no related regulations

Article 146

The object of Retribution for Fisheries Business Permits as referred to in Article 141 letter e is the granting of permits to individuals or entities to carry out fishing and fish farming business activities.

Elucidation of Article 146

Quite clear.

Related Rules

There are no related regulations

Article 147

- (1) Subjects of Certain Licensing Retribution are individuals or entities that obtain certain permits from the Regional Government.
- (2) Mandatory for Certain Licensing Retribution is an individual or Entity which, according to the provisions of the laws and regulations of Levies, is required to pay Levies, including collecting or withholding Certain Licensing Levies.

Elucidation of Article 147

Quite clear.

Related Rules

There are no related regulations

Article 148

The technical granting of certain permits as referred to in Article 141 is carried out in accordance with the provisions of the legislation.

Elucidation of Article 148

Quite clear.

Related Rules

There are no related regulations

Article 149

- (1) Types of Public Service Retribution and Certain Licensing Retribution as referred to in Article 110 paragraph (1) and Article 141, for provincial Regions and Regency/Municipal Regions, are adjusted to the respective regional authorities as regulated in laws and regulations.
- (2) The types of Business Services Retribution as referred to in Article 127, for provincial regions and regency/municipal regions, are adjusted to the services provided by the respective regions. (3) Details of the type of object of each levy as referred to in Article 110 paragraph (1), Article 127, and Article 141 are regulated in the relevant Regional Regulation.

Elucidation of Article 149

Quite clear.

Related Rules

There are no related regulations

Article 150

Types of Charges other than those stipulated in Article 110 paragraph (1), Article 127, and Article 141 as long as they meet the following criteria:

a. General Service Retribution:

1. General Service Charges are non-tax in nature and are not Business Service Levies or Certain Licensing Retributions;
2. the service concerned is the authority of the Region in the context of implementing decentralization;
3. the service provides special benefits for individuals or entities who are required to pay a levy, in addition to serving public interests and benefits;
4. the service is only provided to individuals or entities that pay the retribution by providing relief for people who can't afford it;
5. Charges do not conflict with national policies regarding their implementation;
6. Levies can be collected effectively and efficiently, and are one of the potential sources of regional income; and
7. Levy collection allows the provision of these services with a better level and/or quality of service.

b. Business Service Fees:

1. Business Service Charges are non-tax in nature and are not General Service Charges or Certain Licensing Charges; and
2. the service concerned is a service of a commercial nature which should be provided by the private sector but is not sufficient or there are assets owned/controlled by the Region which have not been fully utilized by the Regional Government.

c. Certain Licensing Fees:

1. the licensing includes government authority that is handed over to the Regions in the framework of the principle of decentralization;
2. the permit is really needed to protect the public interest; and
3. the costs that become the burden of the Region in administering the permit and the costs to overcome the negative impact of the granting of the permit are large enough so that it is feasible to be financed from the licensing retribution; determined by Government Regulation.

Explanation of Article 150

Quite clear.

Related Rules

There are no related regulations

Article 151

- (1) The amount of the levy payable is calculated based on the multiplication between the level of service use and the levy rate.
- (2) The level of service use as referred to in paragraph (1) is the amount of service usage that is used as the basis for the allocation of the cost burden borne by the Regional Government for the operation of the service concerned.
- (3) If the level of service use as referred to in paragraph (1) is difficult to measure, the level of service use can be estimated based on the formula drawn up by the Regional Government.
- (4) The formula as referred to in paragraph (3) must reflect the burden borne by the Regional Government in providing these services.
- (5) The Tariff of Charges as referred to in paragraph (1) is the value of rupiah or a certain percentage determined to calculate the amount of Charges owed.
- (6) Tariffs for levies as referred to in paragraph (1) may be determined uniformly or vary according to groups in accordance with the principles and targets for setting rates for levies.

Elucidation of Article 151

Quite clear.

Related Rules

There are no related regulations

Article 152

- (1) The principles and targets in determining the tariff for Public Service Retribution are determined by taking into account the costs of providing the services concerned, the capacity of the community, aspects of justice, and the effectiveness of control over these services.
- (2) The costs as referred to in paragraph (1) include operating and maintenance costs, interest costs, and capital costs.
- (3) In the event that the tariff setting fully considers the cost of providing services, the tariff setting is only to cover part of the costs.
- (4) Retribution for Reimbursement for Printing Identity Cards and Retribution for Reimbursement for Printing Costs for Maps only takes into account printing and administration costs.

Elucidation of Article 152

Quite clear.

Related Rules

There are no related regulations

Article 153

- (1) The principles and targets in determining the tariff for Business Services Retribution are based on the objective of obtaining a reasonable profit.
- (2) The proper profit as referred to in paragraph (1) is the profit obtained if the business services are carried out efficiently and oriented towards market prices.

Elucidation of Article 153

Quite clear.

Related Rules

There are no related regulations

Article 154

- (1) The principles and targets in determining the tariff for Certain Licensing Retribution are based on the objective of covering part or all of the costs of administering the granting of the relevant permit. (2) The cost of administering the granting of a permit as referred to in paragraph (1) includes the issuance of a permit document, supervision in the field, law enforcement, administration, and the costs of the negative impact of the granting of the permit.

Elucidation of Article 154

Quite clear.

Related Rules

There are no related regulations

Article 155

- (1) Levy rates are reviewed at the latest every 3 (three) years.
- (2) The review of the levy rates as referred to in paragraph (1) is carried out by taking into account the price index and economic developments.
- (3) (2) The determination of the levy rates as referred to in paragraph (2) shall be stipulated by a Regional Head Regulation.

Elucidation of Article 155

Sentence (1)

Quite clear.

Sentence (2)

Quite clear.

Sentence (3)

In the event that the amount of levy rates that have been stipulated in the Regional Regulations needs to be adjusted because the cost of providing services is quite large and/or the tariffs are no longer effective in controlling the demand for these services, the Regional Head may adjust the levy rates.

Related Rules

There are no related regulations

BAB VII

DETERMINATION AND CONTENT REGULATED IN REGIONAL REGULATIONS CONCERNING RETRIBUTIONS

Article 156

- (1) Charges are determined by Regional Regulation.
- (2) Regional Regulations concerning Levies cannot be applied retroactively.
- (3) The Regional Regulation on Levies at least regulates the provisions regarding:
 - a. name, object, and Subject of Levies;
 - b. levy class;
 - c. how to measure the level of use of the service concerned;
 - d. the principles adopted in determining the structure and amount of levy rates;
 - e. structure and amount of levy tariffs;
 - f. collection area;

- g. determination of payment, place of payment, installment, and postponement of payment;
 - h. administrative sanctions;
 - i. billing;
 - j. write-off of expired levy receivables; and
 - k. effective date.
- (4) Regional Regulations concerning Levies may also stipulate provisions regarding:
- a. Retribution Period;
 - b. granting relief, reduction, and exemption in certain cases on the subject of Charges and/or sanctions; and/or
 - c. procedures for writing off expired levy receivables.
- (5) The reduction and relief as referred to in paragraph (4) letter b shall be granted by observing the ability of the obligatory levy.
- (6) Exemption of Charges as referred to in paragraph (4) letter b is granted by looking at the function of the object of Charges.
- (7) Regional regulations for the types of levies classified as certain licensing levies must first be socialized with the community before being stipulated.
- (8) Further provisions concerning procedures and mechanisms for the implementation of the dissemination of Regional Regulations as referred to in paragraph (7) shall be regulated by Regional Head Regulations.

Elucidation of Article 156

Quite clear.

Related Rules

There are no related regulations

CHAPTER VII

NATIONAL FISCAL POLICY RELATING TO TAXES AND levies

Article 156A

- (1) In the context of implementing the national fiscal policy and to support the ease of investment policy as well as to encourage the growth of industries and/or businesses that are highly competitive and provide fair protection and regulation, the Government in accordance with the national priority program may make adjustments to the Tax and Levy policies stipulated by the Government of the Republic of Indonesia. Local government.
- (2) The national fiscal policies related to taxes and levies as referred to in paragraph (1) are in the form of: