Indonesian tax news

# Highlight

No. 15/2020
============
17 Nov. 2020

## Job Creation Law

## Amendment to the taxation laws

Law Number 11 of 2020 concerning Job Creation (Job Creations Law) has been promulgated and comes into effect since November 2, 2020. This law is quite thick: according to the official version stamped by the Ministry of State Secretariat and signed by the competent official, the Law consists of 1,187 pages.

Structurally, the Job Creation Law consists of 15 Chapters (Chapters I-XV) plus two extra Chapters, namely Chapter VIIIA and Chapter “V”. Unlike Chapter V, Chapter “V” appears between Chapter VII and Chapter VIII. Some Chapters consist of several sections and some parts consist of several paragraphs.

As an *omibus law* and in line with the objective for which it was created, the Job Creation Law changes various provisions covered in many other laws, including the taxation laws.

The term "Article" in the Job Creation Law can be confusing because in its writing there is no distinction between the Articles which are the main part of the Job Creation Law itself and the Articles which are part of the Law amended by the Job Creation Law. To solve this problem, this paper uses the term "Main Article" to refer to Articles which are the main parts of the Job Creation Law.

## UU Cipta Kerja

## Perubahan undang-undang perpajakan

Undang-undang Nomor 11 Tahun 2020 tentang Cipta Kerja (UU Cipta Kerja) telah diundangkan dan mulai berlaku sejak tanggal 2 November 2020. UU ini cukup tebal: menurut versi resmi yang bercap Kementerian Sekretariat Negara yang ditandatangani oleh pejabat yang berwenang, UU terdiri dari 1.187 halaman.

Secara struktur, UU Cipta Kerja terdiri dari 15 Bab (Bab I-XV) ditambah dua Bab ekstra, yaitu Bab VIIIA dan Bab “V”. Berbeda dengan Bab V, Bab “V” muncul di antara Bab VII dan Bab VIII. Beberapa Bab terdiri atas beberapa Bagian dan beberapa Bagian terdiri atas beberapa Paragraf.

Sebagai *omibus law* dan sesuai tujuan pembuatannya, UU Cipta Kerja mengubah beragam ketentuan banyak undang-undang yang lain, tidak terkecuali UU perpajakan.

Istilah “Pasal” dalam UU Cipta Kerja bisa membingungkan karena dalam penulisan tidak dibedakan antara Pasal yang merupakan bagian pokok dari UU Cipta Kerja dan yang merupakan bagian dari UU yang diubah. Untuk mengatasi masalah tersebut, tulisan ini memakai istilah “Pasal Utama” untuk merujuk Pasal yang merupakan bagian pokok UU Cipta Kerja.

The following is a brief overview of several amendments made to the provisions of the provisions of the taxation laws:

- *Main Article 113:* Amendments to the Law on General Provisions and Tax Procedures (UU KUP)
- *Main Article 111:* Amendments to the Income Tax Law (PPh Law)
- *Main Article 112*: Amendments to the Value Added Tax Law (VAT Law)

As a navigation tool, the structure for presenting the Job Creation Law is attached to this paper. This structure simultaneously revises the structure of the Law presented at ITNH No. 14/2020 which is based on the "812 pages" version of the Law document

Berikut adalah tinjauan singkat atas beberapa perubahan terhadap ketentuan UU perpajakan:

- *Pasal Utama 113:* Perubahan terhadap UU Ketentuan Umum dan Tatacara Perpajakan (UU KUP)
- *Pasal Utama 111:* Perubahan terhadap UU Pajak Penghasilan (UU PPh)
- *Pasal Utama 112:* Perubahan terhadap UU Pajak Pertambahan Nilai (UU PPN)

Sebagai alat navigasi, struktur penyajian UU Cipta Kerja dilampirkan pada tulisan ini. Struktur ini sekaligus merevisi struktur UU yang disajikan pada ITNH No. 14/2020 yang didasarkan pada dokumen UU versi "812 halaman".

## Tax Administration Law

### Administrative sanctions

An administrative sanction in the form of interest is charged at an interest rate per month set by the Minister of Finance. The interest rate per month is determined from one twelfth of the benchmark interest rate (one year) plus a specified premium.

For example, if the benchmark interest rate is set at 6% and the premium is 5%, then the prevailing monthly interest rate is (1/12) X (6% + 5%) = 0.92%.

The benchmark interest rate is determined by the Minister of Finance. Depending on the type of wrongdoing, the premium is set at 0%, 5%, 10% or 15% a year.

- The 0% premium applies, among others, for interest sanctions for late payment of SKPKB, Objection decision, or Appeal Verdicts;
- The 5% premium applies, among others, for interest penalties for late payment of

## UU KUP

### Sanksi administrasi

Sanksi administrasi berupa bunga dikenakan dengan tarif bunga per bulan yang ditetapkan oleh Menteri Keuangan. Tarif bunga per bulan ditentukan dari seperduabelas suku bunga acuan (satu tahun) ditambah premi.

Sebagai contoh, apabila suku bunga acuan ditetapkan sebesar 6% dan premi 5%, maka tarif bunga per bulan yang berlaku adalah (1/12 )X (6%+5%) =0,92%.

Tingkat bunga acuan ditetapkan oleh Menteri Keuangan. Tergantung jenis kesalahannya, premi ditetapkan sebesar 0%, 5%, 10% atau 15% setahun.

- Premi 0% berlaku antara lain untuk sanksi bunga keterlambatan membayar SKPKB, Keputusan Keberatan, atau Putusan Banding;
- Premi 5% berlaku antara lain untuk sanksi bunga keterlambatan

tax underpayment in both annual and monthly tax returns, including those arising from revised tax returns prior to tax audit.

- The 10% premium applies to interest sanctions on the underpayment amount which a taxpayer disclosed during a tax audit
- The 15% premium applies, among others, for the underpayment amount in the SKPB based on an examination.

In general, interest penalties are imposed for a maximum of 24 months.

Any delay in issuing tax invoices, or making incorrect tax invoices, will be subject to an administrative sanction of 1% of the tax base, down from 2% of the previous applicable rate.

### Interest compensation

In the event that the Taxpayer is entitled to interest compensation, the interest rate is determined based on the reference interest rate determined by the Minister of Finance. In contrast to administrative sanctions, the interest rate for interest compensation does not contain a premium element.

### Increased certainty

The amount of tax payable reported in the tax return is declared to be certain if within five years after the time the tax becomes due or after the end of the tax period or tax year concerned is not issued a tax assessment, unless the taxpayer concerned commits a criminal offense in the field of taxation during the tax year or tax period in question.

Tax offenses committed by the Taxpayer after the end of the 5 year period referred to above, cannot be used as a basis for issuing

membayar pajak kurang bayar dalam SPT tahunan maupun SPT masa, termasuk yang timbul dari pembetulan SPT sebelum dilakukan pemeriksaan.

- Premi 10% berlaku untuk sanksi bunga atas jumlah kurang bayar yang diungkapkan sendiri oleh Wajib Pajak pada saat pemeriksaan
- Premi 15% berlaku antara lain untuk jumlah kurang bayar dalam SKPKB berdasarkan suatu pemeriksaan.

Pada umumnya, sanksi bunga dikenakan untuk paling lama 24 bulan.

Terhadap keterlambatan penerbitan faktur pajak, atau pembuatan faktur pajak yang tidak benar, dikenakan sanksi administrasi sebesar 1% dari dasar pengenaan pajak, turun dari 2% dari tarif sebelumnya.

### Imbalan bunga

Dalam hal Wajib Pajak berhak atas imbalan bunga, tingkat bunga ditentukan berdasarkan tingkat bunga acuan yang ditantukan oleh Menteri Keuangan. Berbeda dengan sanksi administrasi, tingkat bunga untuk imbalan bunga tidak mengandung unsur premi.

### Peningkatan kepastian

Besarnya pajak terutang yang dilaporkan dalam SPT menjadi pasti apabila dalam lima tahun setelah saat terutangnya pajak atau berakhirnya masa atau tahun pajak yang bersangkutan tidak diterbitkan surat ketetapan pajak, kecuali Wajib Pajak melakukan tindak pidana di bidang perpajakan pada masa tahun pajak dimaksud.

Tindak pidana pajak yang dilakukan Wajib Pjak setelah berakhirnya jangka waktu 5 tahun tersebut di atas, tidak dapat dijadikan dasar untuk menerbitkan a tax assessment for that tax period or tax year.

In line with the provisions above, the existence of new data cannot be used as a basis for issuing an Additional Underpayment Assessment Letter (SKPKBT).

Article 13A KUP is deleted. This article becomes the legal basis for the issuance of "Special SKPKB", namely for taxpayers who have committed a tax crime for the first time.

ketetapan pajak untuk masa pajak atau tahun pajak tersebut.

Selaras dengan ketentuan di atas, adanya data baru tidak bisa dijadikan dasar untuk menerbitkan Surat Ketetapan Kurang Bayar Tambahan (SKPKBT).

Pasal 13A KUP dihapus. Pasal ini menjadi dasar hukum penerbitan ‘SKPKB Khusus’, yakni untuk Wajib Pajak yang melakukan tindak pidana perpajakan untuk pertama kalinya.

# Income tax law

## Tax subject

Individual tax subjects are distinguished into Indonesian citizens (WNI) and foreign nationals (WNA). The criteria for tax subjects are determined by the principle of residence (domicile). An Indonesian citizen by default is considered residing in Indonesia and is therefore classified as a domestic tax subject. However, if in fact he resides outside Indonesia for more than 183 days for a 12-month period and meets several other requirements (among others, regarding residence, place of main activity, place of practice, etc.), his status will change to become a foreign tax subject.

Foreigners who reside in Indonesia, intend to stay in Indonesia, or stay in Indonesia for more than 183 days within a 12 month period are also classified as domestic tax subjects.

Corporate tax subjects are classified as domestic tax subjects if they are established or have effective mangement in Indonesia.

# UU Pajak Penghasilan

## Subjek Pajak

Subjek pajak orang pribadi (SPOP) dibedakan antara orang pribadi warga negara Indonesia (WNI) dan warga negara asing (WNA). Kriteria subjek pajak ditentukan dengan asas tempat tinggal (domisili). Seorang WNI dianggap bertempat tinggal di Indonesia dan oleh karenanya digolongkan sebagai subjek pajak dalam negeri. Namun, apabila secara faktual dia berada di luar Indonesia lebih dari 183 hari selama 12 bulan dan memenuhi beberapa syarat lainnya (antara lain tempat tinggal, tempat kegiatan utama, tempat menjalankan kebiasaan dll), statusnya berubah menjadi subjek pajak luar negeri.

WNA yang bertempat tinggal di Indonesia, berniat tinggal di Indonesia, atau tinggal di Indonesia selama lebih dari 183 hari dalam jangka waktu 12 bulan juga digolongkan sebagai subjek pajak dalam negeri.

Subjek pajak badan digolongkan sebagai subjek pajak dalam negeri apabila

Corporate body entities that are not established and not domiciled in Indonesia are classified as foreign tax subjects.

## Relaxation of the domicile principle of taxation

With the principle of domicile, domestic tax subjects by default are taxed on the basis of worldwide income.

The Job Creation Law provides relaxation of the application of a worldwide income basis for foreigners who have status as domestic tax subjects who have certain expertise. For the intended foreigners, income tax is only imposed on income earned or received from Indonesia. The relaxation is valid for 4 years from the time the foreigner becomes domestic tax subjet.

Included in the definition of “income obtained or received from Indonesia” is income received or earned by foreigners from work, services, or activities in Indonesia under whatever name and form that is paid outside Indonesia.

## Tax on dividends

With certain conditions, dividends received by domestic taxpayers are exempt from the imposition of income tax.

*Dividends from within the country*

- Received by domestic corporate taxpayers. The minimum capital ownership requirement of 25% is no longer relevant;

didirikan atau berkedudukan di Indonesia. Badan yang tidak didirikan dan tidak berkedudukan di Indonesia digolongkan sebagai subjek pajak luar negeri.

## Relaksasi asas domisili pengenaan pajak

Dengan asas domisili, subjek pajak dalam negeri *by default* dikenakan pajak atas dasar penghasilan dari seluruh dunia (*worldwide income)*.

UU Cipta Kerja memberikan relaksasi pemberlakuan *worldwide income basis* terhadap WNA yang telah berstatus sebagai subjek pajak dalam negeri yang memiliki keahlian tertentu. Terhadap WNA dimaksud, pajak penghasilan hanya dikenakan terhadap penghasilan yang diperoleh atau diterima dari Indonesia. Relaksasi berlaku selama 4 tahun terhitung sejak WNA tersebut menjadi subjek pajak dalam negeri.

Termasuk dalam pengertian “penghasilan yang diperoleh atau diterima dari Indonesia” adalah penghasilan yang diterima atau diperoleh WNA dari pekerjaan, jasa, atau kegiatan di Indonesia dengan nama dan dalam bentuk apapun yang dibayarkan di luar Indonesia.

## Pajak atas dividen

Dengan syarat-syarat tertentu, dividen yang diterima Wajib Pajak dalam negeri dibebaskan dari pengenaan pajak penghasilan.

*Dividen dari dalam negeri*

- Diterima oleh Wajib Pajak badan dalam negeri. Syarat kepemilikan modal minimal 25% tidak lagi relevan;

- Received by individual domestic taxpayers and invested in the territory of the Republic of Indonesia for a certain period of time

*Dividends from abroad, including profit after tax BUT*

- Dividends are invested or used to support other business activities in the territory of the Republic of Indonesia for a certain period of time;
- The amount of dividends invested is at least 30% of profit after tax;
- Dividends from foreign entities whose shares are not traded on the stock exchange and subject to the deemed dividend (CFC Rule), the investment is made before the Director General of Taxes (DGT) issues a tax assessment.

For dividends from foreign entities subject to the CFC rule, the following additional provisions apply:

- The amount of dividends / income after tax invested in the territory of the Republic of Indonesia is not subject to income tax;
- If the amount invested is less than 30% of the profit after tax, Income Tax is imposed on the difference in the amount invested amounting to 30% of the profit after tax;
- If the amount invested in the territory of the Republic of Indonesia is equal to or greater than 30% of profit after tax, the remaining profit after tax (70% or less) will no longer be subject to income tax.

## Income Tax Article 26 on interest

With a Government Regulation, Income Tax Article 26 on interest can be reduced from the current rate (20%).

- Diterima oleh Wajib Pajak orang pribadi dalam negeri dan diinvestasikan di wilayah NKRI dalam jangka waktu tertentu

*Dividen dari luar negeri, termasuk laba setelah pajak BUT*

- Dividen diinvestasikan atau dipakai untuk mendukung kegiatan usaha lainnya di wilayah NKRI dalam jangka waktu tertentu;
- Jumlah dividen yang diinvestasikan minimal 30% dari laba setelah pajak;
- Dividen dari badan LN yang sahamnya yang tidak diperdagangkan di bursa efek dan terkena aturan *deemed dividend* (CFC Rule), investasi dimaksud dilakukan sebelum Direktur Jenderal Pajak (DJP) menerbitkan surat ketetapan pajak.

Terhadap dividen dari badan LN yang terkena *CFC rule* berlaku ketentuan tambahan sebagai berikut:

- Atas jumlah dividen/penghasilan setelah pajak yang diinvestasikan di wilayah NKRI tidak dikenakan pajak penghasilan;
- Apabila jumlah yang diinvestasikan kurang dari 30% dari laba setelah pajak, PPh dikenakan terhadap selisih jumlah yang diinvestasikan jumlah 30% dari laba setelah pajak;
- Apabila jumlah yang diinvestasikan di wilayah NKRI sama atau lebih besar dari 30% laba setelah pajak, laba setelah pajak yang tersisa (70% atau kurang) tidak lagi dikenakan pajak penghasilan.

## PPh Pasal 26 atas bunga

Dengan Peraturan Pemerintah, PPh Pasal 26 atas bunga dapat diturunkan dari tarif yang saat ini berlaku (20%).

## VAT Law

### Taxable goods and taxable deliveries

Coal is classified as a Taxable Goods (BKP).

BKP submission by consignment is no longer classified as BKP submissio

### General provisions regarding input tax crediting

In principle, all input taxes that meet the formal and material requirements can be credited. This provision also applies to:

- Input tax related to the acquisition / import of BKP / JKP before being confirmed as PKP. The amount that can be credited is determined to be 80% of the Output Tax which should be collected.
- Input tax that has not been reported in the periodic SPT found during the audit; and
- Input tax billed by means of a tax assessment.

The provisions regarding the crediting of the three types of input tax are regulated in a Regulation of the Minister of Finance.

### Input tax crediting before making any delivery / exporting export of taxable goods or taxable services

PKPs that have not made any delivery/ export of taxable goods or taxable services can still credit all input taxes as long as the general requirements for crediting input taxes are met.

## UU PPN

### Barang Kena Pajak dan Penyerahan Kena Pajak

Batubara digolongkan sebagai Barang Kena Pajak (BKP).

Penyerahan BKP secara konsinyasi tidak lagi digolongkan sebagai penyerahan BKP.

### Ketentuan umum tentang pengkreditan pajak masukan

Pada prinsipnya semua pajak masukan yang memenuhi syarat-syarat formal dan material dapat dikreditkan. Ketentuan ini juga berlaku bagi:

- Pajak masukan terkait perolehan/impor BKP/JKP sebelum dikukuhkan sebagai PKP. Jumlah yang dapat dikreditkan ditentukan sebesar 80% dari Pajak Keluaran yang seharusnya dipungut.
- Pajak masukan yang belum dilaporkan dalam SPT Masa yang ditemukan pada saat pemeriksaan; dan
- Pajak masukan yang ditagih dengan surat ketetapan pajak.

Ketentuan mengenai pengkreditan ketiga jenis pajak masukan tersebut di atas diatur dalam Peraturan Menteri Keuangan.

### Pengkreditan pajak masukan sebelum melakukan penyerahan/ekspor BKP/JKP

PKP yang belum melakukan penyerahan/ekspor BKP/JKP tetap dapat mengkreditkan semua pajak masukan sepanjang dipenuhi syarat-syarat umum pengkreditan pajak masukan.

However, if within 3 years of the first input tax crediting period, the said Taxable Entrepreneur (PKP) does not deliver / export taxable goods or taxable services, then the creditable input tax status changes to non-creditable. This provision applies equally to:

- PKP that stops operating before the end of the 3 year period;
- Entrepreneurs whose status as PKP is revoked before the end of the 3 year period.

With the change in the status of the input tax above, the Taxpayer (taxable company) is obliged to pay the input tax back to the State Treasury if he has:

- Received refund on the overpaid input tax;
- Credited the input tax against the output tax payable during a tax period.

Input tax that has changed to non- creditable cannot be compensated for the next tax period.

The criteria regarding “not yet delivering / exporting taxable goods or taxable services” will be regulated by a Minister of Finance Regulation. Based on MoF Regulation, for certain sectors it can be determined that the period of not producing for more than 3 years.

### Buyer's identity on the tax invoice

The identity of the buyer of taxable goods or recipient of taxable services must be included in the tax invoice, including:

Namun demikian apabila dalam jangka waktu 3 tahun sejak masa pajak pengkreditan pajak masukan yang pertama Pengusaha Kena Pajak (PKP) dimaksud tidak juga melakukan penyerahan/ekspor BKP/JKP, maka status pajak masukan yang dapat dikreditkan berubah menjadi tidak dapat dikreditkan. Ketentuan ini berlaku sama terhadap:

- PKP yang berhenti berusaha sebelum akhir jangka waktu 3 tahun;
- Pengusaha yang dicabut statusnya sebagai PKP sebelum akhir jangka waktu 3 tahun.

Dengan berubahnya status pajak masukan tersebut di atas, Wajib Pajak (PKP) wajib membayar kembali ke Kas Negara apabila ia telah:

- Menerima pengembalian kelebihan pajak masukan;
- Mengkreditkan pajak masukan dimaksud terhadap pajak keluaran yang terutang dalam suatu masa pajak.

Pajak masukan yang telah berubah menjadi tidak dapat dikreditkan tidak dapat dikompensasikan ke masa pajak berikutnya.

Kriteria mengenai “belum melakukan penyerahan/ekspor BKP/JKP akan diatur dengan Peraturan Menteri Keuangan. Berdasarkan PMK, untuk sektor terntentu dapat ditetapkan jangka waktu belum berproduksi lebih dari 3 tahun.

### Identitas pembeli dalam faktur pajak

Identitas pembeli BKP atau penerima JKP harus dicantumkan dalam faktur pajak, termasuk :

- name, address, and Taxpayer Identification Number or residence identification number or passport number for an individual foreign tax subject;
- name and address, in the event that the buyer of the Taxable Goods or the recipient of the Taxable Services is a foreign tax entity or not a tax subject.

A retail merchant Taxable Entrepreneur can make a Tax Invoice without including information regarding the buyer's identity as well as the name and signature of the seller in the case of delivering Taxable Goods and/ or Taxable Services to buyers with final consumer characteristics which are further regulated by a Regulation of the Minister of Finance.

Please consult with your contact at PreciousNine for further elaboration or assistance regarding this matter.

- nama, alamat, dan Nomor Pokok Wajib Pajak atau Nomor Induk Kependudukan atau nomor paspor bagi subjek pajak luar negeri orang pribadi;
- nama dan alamat, dalam hal pembeli Barang Kena Pajak atau penerima Jasa Kena Pajak merupakan subjek pajak luar negeri badan atau bukan merupakan subjek pajak.

Pengusaha Kena Pajak pedagang eceran dapat membuat Faktur Pajak tanpa mencantumkan keterangan mengenai identitas pembeli serta nama dan tanda tangan penjual dalam hal melakukan penyerahan Barang Kena Pajak dan/atau Jasa Kena Pajak kepada pembeli dengan karakteristik konsumen akhir yang diatur lebih lanjut dengan Peraturan Menteri Keuangan.

Silakan menghubungi kontak Anda di PreciousNine untuk pembahasan lanjutan atau bantuan terkait masalah ini

Struktur penyajian UU Cipta Kerja
The Structure of Job Creation Law

| Bab<br>Chap-ter | Tentang<br>Regarding | Bagian<br>Section | Paragraf<br>Para-graph | Mengenai<br>Regarding | Hala-man<br>Page |
|---|---|---|---|---|---|
| I | Ketentuan Umum<br>General provisions | | | | 3 |
| II | Azas tujuan dan ruang lingkup<br>The principle, purpose and scope | | | | 4 |
| III | Peningkatan ekosistem investasi dan kegiatan berusaha<br>Improvement of the investment ecosystem and business activities | | | | 6 |
| | | Kesatu<br>First | Umum<br>General | | 6 |
| | | Kedua<br>Second | Penetapan perizinan Berusaha Berbasis Risiko<br>Risk-based business licensing | | 6 |
| | | | 1 | Umum<br>General | 6 |
| | | | 2 | Perizinan Berusaha Kegiatan Usaha Berisiko Rendah<br>Low-Risk Business Activities Licensing | 8 |
| | | | 3 | Perizinan Berusaha Kegiatan Usaha Berisiko Menengah<br>Business Licensing for Medium Risk Business Activities | 8 |
| | | | 4 | Perizinan Berusaha Kegiatan Usaha Berisiko Tinggi<br>Business Licensing for High Risk Business Activities | 9 |
| | | | 5 | Pengawasan<br>Supervision | 10 |
| | | | 6 | Peraturan Pelaksanaan | 10 |

| Bab<br>Chap-ter | Tentang<br>Regarding | Bagian<br>Section | Paragraf<br>Para-graph | Mengenai<br>Regarding | Hala-man<br>Page |
|---|---|---|---|---|---|
| | | | 6 | Ketenaganukliran<br>Nuclear power | 266 |
| | | | 7 | Perindustrian<br>Industry | 270 |
| | | | 8 | Perdagangan, metrologi legal, jaminan produk halal, standardisasi dan Penilaian kesesuaian<br>Trade, legal metrology, halal product assurance, standardization and conformity assessment | 280 |
| | | | 9 | Pekerjaan Umum dan Perumahan Rakyat<br>Public Works and Public Housing | 310 |
| | | | 10 | Transportasi<br>Transaportation | 365 |
| | | | 11 | Kesehatan, Obat dan Makanan<br>Health, Medicine and Food | 450 |
| | | | 12 | Pendidikan dan Kebudayaan<br>Education and Culture | 484 |
| | | | 13 | Pariwisata<br>Tourism | 487 |
| | | | 14 | Keagamaan<br>Religion | 492 |
| | | | 15 | Pos, Telekomunikasi dan Penyiaran<br>Post, Telecommunication and Broadcasting | 505 |
| | | | 16 | Ketahanan dan keamanan<br>Defence and security | 517 |

| Bab<br>Chap-ter | Tentang<br>Regarding | Bagian<br>Section | Paragraf<br>Para-graph | Mengenai<br>Regarding | Hala-man<br>Page |
|---|---|---|---|---|---|
| | | Kelima<br>Fifth | Penyederhanaan Persyaratan Investasi pada sector tertentu<br>Simplification of Investment Requirements in certain sectors | | 527 |
| | | | 1 | Umum<br>General | 527 |
| | | | 2 | Penanaman Modal<br>Investment | 527 |
| | | | 3 | Perbankan<br>Banking | 531 |
| | | | 4 | Perbankan Syariah<br>Syariah Banking | 532 |
| IV | Ketenagakerjaan<br>Employment | | | | 533 |
| | | Kesatu<br>First | | Umum<br>General | 533 |
| | | Kedua<br>Second | | Ketenagakerjaan<br>Employment | 534 |
| | | Ketiga<br>Third | | Jenis Program Jaminan Sosial<br>Types of Social Security Programs | 563 |
| | | Keempat<br>Forth | | Badan Penyelenggara Jaminan Sosial<br>Social Security Administrator | 565 |
| | | Kelima<br>Fifth | | Perlindungan Pekerja Migran Indonesia<br>Protection of Indonesian Migrant Workers | 567 |
| V | Kemudahan, Perlindungan, dan Pemberdayaan Koperasi, UMKM<br>Facilities, Protection, and Empowerment of Cooperatives, UMKM | | | | 572 |

| Bab<br>Chap-ter | Tentang<br>Regarding | Bagian<br>Section | Paragraf<br>Para-graph | Mengenai<br>Regarding | Hala-man<br>Page |
|---|---|---|---|---|---|
| | | Kesatu<br>First | | Umum<br>General | 572 |
| | | Kedua<br>Second | | Koperasi<br>Cooperation | 573 |
| | | Ketiga<br>Third | | Kriteria Usaha Mikro, Kecil, Menengah<br>Criteria for Micro, Small, Medium Enterprises | 576 |
| | | Keempat<br>Forth | | Basis Data Tunggal<br>Single Database | 579 |
| | | Kelima<br>Fifth | | Pengelolaan Terpadu Usaha MIkro Kecil<br>Integrated Management of Small Micro Businesses | 580 |
| | | Keenam<br>Sixth | | Kemitraan<br>Partnership | 582 |
| | | Ketujuh<br>Seventh | | Kemudahan Perijinan Berusaha<br>Ease of Business Licensing | 583 |
| | | Kedelapan<br>Eighth | | Kemudahan Fasilitas Pembiayaan dan Insentif Fiskal<br>Ease of Financing and Fiscal Incentive Facility | 584 |
| | | Kesembilan<br>Ninth | | Dana alokasi khusus, Bantuan dan Pendampingan Hukum, Pengadaan Barang/Jasa, dan system aplikasi pembukuan/ Pencatatan Keuangan dan Inkubasi<br>Special allocation funds, legal assistance and support, procurement of goods / services, and financial accounting and incubation application systems | 585 |

| Bab<br>Chap-ter | Tentang<br>Regarding | Bagian<br>Section | Paragraf<br>Para-graph | Mengenai<br>Regarding | Hala-man<br>Page |
|---|---|---|---|---|---|
| | | Kesepuluh<br>Tenth | | Partisipasi UMK dan Koperasi pada infrastruktur Publik<br>Participation of small micro enterprises and Cooperatives in Public Infrastructure | 587 |
| VI | Kemudahan Berusaha<br>Ease of doing business | | | | 589 |
| | | Kesatu<br>First | | Umum<br>General | 589 |
| | | Kedua<br>Second | | Keimigrasian<br>Imigration | 591 |
| | | Ketiga<br>Third | | Paten<br>Patent | 601 |
| | | Keempat<br>Forth | | Merek<br>Trademarks | 605 |
| | | Kelima<br>Fifth | | Perseroan Terbatas<br>Limited liabillity companies | 608 |
| | | Keenam<br>Sixth | | UU Gangguan<br>Disturbance Law | 616 |
| | | Ketujuh<br>Seventh | | Perpajakan<br>Taxation | 616 |
| | | | Pasal 111 | UU PPh<br>Income tax law | 617 |
| | | | Pasal 112 | UU PPN<br>Value added law | 633 |
| | | | Pasal 113 | UU KUP<br>Tax Administration Law | 647 |
| VIIA | Kebijakan Fiskal Nasional yang berkaitan dengan Pajak dan Retribusi | | | | 669 |

| Bab<br>Chap-ter | Tentang<br>Regarding | Bagian<br>Section | Paragraf<br>Para-graph | Mengenai<br>Regarding | Hala-man<br>Page |
|---|---|---|---|---|---|
| | National Fiscal Policy relating to Taxes and Charges | | | | |
| | | Kedelapan<br>Eighth | | Impor komoditas Perikanan dan Komoditas Penggaraman<br>Import of fishery commodities and salt commodities | 674 |
| | | Kesembilan<br>Ninth | | Wajib Daftar Perusahaan<br>Mandatory Company Registratio | 680 |
| | | Kesepuluh<br>Tenth | | Badan Usaha Milik Desa<br>Village Owned Enterprises | 680 |
| | | Kesebelas<br>Eleventh | | Larangan Praktek Monopoli, Persaingan Usaha Tidak Sehat<br>Prohibition of Monopolistic Practices, Unfair Business Competition | 684 |
| VII | Dukungan Riset dan Inovasi<br>Research and Innovation Support | | | | 688 |
| | | | Pasal 119 | Perubahan UU No. 19/2003 dan UU No. 11/2019<br>Amendments to Law no. 19/2003 and Law no. 11/2019 | |
| | | | Pasal 120 | BUMN<br>State owned enterprises | 688 |
| V?? | Pelayanan Umum, Riset, dan Inovasi<br>Public Service, Research and Innovation | | | | 688 |
| VIII | Pengadaan Tanah<br>Land procurement | | | | 689 |
| | | Kesatu<br>First | | Umum<br>General | |
| | | Kedua<br>Second | | Pengadaan Tanah bagi Pembangunan Untuk Kepentingan Umum | 690 |

| Bab<br>Chap-ter | Tentang<br>Regarding | Bagian<br>Section | Paragraf<br>Para-graph | Mengenai<br>Regarding | Hala-man<br>Page |
|---|---|---|---|---|---|
| | | Kelima<br>Fifth | | Izin, Standar, Dispensasi, dan Konsesi<br>Licensing, Standard, Dispensation, and Concessions | 754 |
| XII | Pengawasan dan Pembinaan<br>Supervision and Development | | | | 764 |
| XIII | Ketentuan Lain-lain<br>Other Provisions | | | | 766 |
| XIV | Ketentuan Peralihan<br>Transition Provisions | | | | 768 |
| XV | Ketentuan Penutup<br>Closing Provisions | | | | 768 |

PRECIOUS CONSULTING


**PT PreciousNine Consulting**

Cyber 2 Tower, 18th Floor
Jl. HR Rasuna Said Blok X-5 Kav. 13,
Jakarta Indonesia
Phone: +62 21 5799 8778, +62 21 2935 2500


## Your PreciousNine Contacts


Anindita Hayuningtyas
anindita.hayuningtyas@preciousnine.com

Fillyanto Sembiring
fillyanto.sembiring@preciousnine.com

Lili Tjitadewi
lili.tjitadewi@preciousnine.com

Martias
martias@preciousnine.com

Noviana Tan
noviana.tan@preciousnine.com

Randy Adirosa
m.adirosa@preciousnine.com

Dian Kusuma
dian.kusuma@preciousnine.com

Inge Jahja
inge.jahja@preciousnine.com

Lina Rosmiana
lina.rosmiana@preciousnine.com

Nandha
nandha@preciousnine.com

Nuryadi Mulyodiwarno
nuryadi.mulyodiwarno@preciousnine.com

Robertus Winarto
robertus.winarto@preciousnine.com



The information in this publication is intended as a general update on particular issues for our partners, staff, and selected clients. Though every care has been taken in the preparation of this publication, no warranty is given regarding the correctness of the information covered herein and no liability is accepted for any misstatement, error, or omission. When a problem arises in practice, specific advice may need to be sought and reference to the relevant regulations may be required.