



## INFORMATION

## Tax Amnesty II - Taxpayer Voluntary Disclosure Program January - June 2022

The government has established the Voluntary Disclosure Program (PPS) or Tax Amnesty Volume II officially starts on **January 1, 2022 until June 30, 2022**. The previous Tax Amnesty Volume I was started on January January 1, 1985 to December 31, 2015. Through this tax amnesty program, the government has given an opportunity for taxpayers whose 2016 to 2020 still have assets that have not been reported in the annual tax returns (Surat Pemberitahuan Tahunan – “SPT”) starting from January until June 2022. The government urges any individual to report the amount of wealth before the government sends the tax warning letter after the program ended in June 2022, which means they must pay full tax without receiving the amnesty or remission of tax.

Moreover, to implement the mandates set under Law 7 Year 2021 in relation to the program, the Minister of Finance has now issued Regulation No. 196/PMK.03/2021 on Procedures for the Implementation of the Taxpayer Voluntary Disclosure Program. There are two policies in Tax Amnesty II which are summarized in the following:

## 1. Policy I

- a. Subjects: Individual taxpayers and corporate taxpayers who participated in the tax-amnesty program addressed under Law No. 11 Year 2016 on Tax Amnesty (“Law 11/2016”) and its implementing regulations.
- b. Disclosed assets: Net assets that were obtained between 1 January 1985 and 31 December 2015 and that was not disclosed in a statement letter that was submitted at the time of participation in the tax-amnesty program.
- c. The Tax Amnesty II tariffs in Policy I are in the following:
  - 6% of Final PPh tariffs applicable to a disclosed net asset that is repatriated from overseas or located in Indonesia and that is invested in the following:
    - Natural-resource processing businesses;
    - Renewable energy businesses; and/or
    - Government securities.
  - 8% of Final PPh tariffs applicable to disclosed net assets that are repatriated from overseas or located in Indonesia but that are not invested in the ways outlined above.
  - 11% of Final PPh tariffs applicable to disclosed net assets that are located overseas and that are not repatriated.

## 2. Policy II

- a. Subjects: Individual taxpayers.
- b. Disclosed assets: Net assets that meet the following criteria:
  - Must have been obtained between 1 January 2016 and 31 December 2020;
  - Must have been within the possession of taxpayers by 31 December 2020; and
  - Must have not been reported in taxpayers’ SPT for PPh for the 2020 tax year.
- c. The Tax Amnesty II tariffs in Policy II are in the following:
  - 12% of Final PPh tariffs applicable to disclosed net assets that are repatriated from overseas or located in Indonesia and that is invested in the following:
    - Natural-resource processing businesses;
    - Renewable energy businesses; and/or
    - Government securities.
  - 14% of Final PPh tariffs applicable to disclosed net assets that are repatriated from overseas or located in Indonesia but that are not invested in the ways outlined above.
  - 18% of Final PPh tariffs applicable to disclosed net assets that are located overseas and that are not repatriated.

In terms of procedures, any taxpayers who are aiming to disclose net assets in their possession through the Tax Amnesty II Program must submit notification letters for asset disclosure (Surat Pemberitahuan Pengungkapan Harta – “SPPH”) through the official website of the Directorate-General of Tax (here) and submit their SPPH between 1 January 2022 and 30 June 2022. Taxpayers must also enclose the following documents:

1. State revenue transaction number (Nomor Transaksi Penerimaan Negara - “NTPN”) as proof of payment of final PPh;
2. List of net assets which were not disclosed in a statement letter during participation in the original Tax Amnesty program (for Policy I) and/or list of net assets which were not disclosed in any SPT for PPh by individual taxpayers during the 2020 tax year (for Policy II);
3. List of debts;
4. Statement on the repatriation of net assets to Indonesia, if a taxpayer is aiming to repatriate their net assets from overseas to Indonesia;
5. Statement on the investment of net assets in business activities within the natural resources or renewable energy sectors and/or government securities, if a taxpayer is aiming to undertake said investments; and
6. Statement on the revocation of certain requests (e.g. refunding of overpaid tax, deduction or removal of administrative sanctions, objections and/or appeals) that are still ongoing and that have not yet been adjudicated on, as required for individual taxpayers under Policy II.

Further, the regulation 196 Year 2021 also requires the repatriation of disclosed net assets that are located overseas to Indonesia must be carried out by 30 September 2022 while the investment of the disclosed net assets must be carried out by 30 September 2023 by the latest.

In addition, this tax amnesty is applicable for both **Indonesian citizens (WNI)** and **foreigners (WNA)**, if both have filled and reported the Annual Tax Returns latest of 2020 (SPT 2020) and have a Tax ID number (NPWP) registered latest on 2020.

The complete forms and details of filing can be obtained on page 56 of Law No. 7 Year 2021 and Ministry of Finance Regulation No. 196/PMK.03/2021 and the slides from Ditjen Pajak RI for your reference in the link [here](#).

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