



MINISTER OF FINANCE  
OF THE REPUBLIC OF INDONESIA

COPY OF

REGULATION OF THE MINISTER OF FINANCE OF THE REPUBLIC OF  
INDONESIA NUMBER 231/PMK.011/2011

CONCERNING

GOVERNMENT-BORNE INCOME TAX AND CALCULATION OF NON-TAX STATE  
REVENUES ON THE RESULTS OF EXPLOITATION OF GEOTHERMAL  
RESOURCE FOR ENERGY/ELECTRICITY GENERATION OF FISCAL YEAR  
2011

BY THE GRACE OF GOD ALMIGHTY

THE MINISTER OF FINANCE OF REPUBLIC OF INDONESIA,

- Considering
- a. that based on the provision as referred to in Act Number 10 Year 2010 concerning State Budget of Fiscal Year 2011 as has been amended with Act Number 11 Year 2011, there is budget ceiling available for the payment of Government-borne Income tax for geothermal commodities;
  - b. that the allocation of fund for the payment of Government-borne tax as referred to in item a, derives from government's deposit portion on the results of exploitation of geothermal resource in which the business license or the signing of contract exploitation is obtained prior to the enactment of Act Number 27 Year 2003 concerning Geothermal;
  - c. that in order to accommodate the arrangement concerning Government-borne Income Tax from the Government's deposit position as referred to in item b, in effort to provide benefits and justice to the region and to maintain a conducive investment climate for investors, there is a need to stipulate Government-borne Income Tax and Non-tax State Revenue on the results of geothermal resource for energy/electricity generation and the calculation Non-tax State Revenue on the results of exploitation of geothermal resource for energy/electricity generation;
  - d. that based on the consideration as referred to in item a, item b, and item c, there is a need to stipulate Regulation of the Minister of Finance concerning Government-Borne Income Tax and Calculation of Non-Tax State Revenue on the Results of Exploitation of Geothermal Resource for Energy/Electricity Generation of Fiscal Year 2011;

- In View of
- 1. Act Number 17 Year 2003 concerning State Finance



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(State Gazette of the Republic of Indonesia Year 2003 Number 47 Supplement to State Gazette of the Republic of Indonesia Number 4286);

2. Act Number 10 Year 2010 concerning State Budget of Fiscal Year 2011 (State Gazette Year 2010 Number 126, Supplement to State Gazette Number 5167) as has been amended with Act Number 11 Year 2011 (State Gazette of the Republic of Indonesia Year 2011 Number 81, Supplement to State Gazette of the Republic of Indonesia Number 5233);
3. Presidential Decree Number 76 Year 2000 concerning Exploitation of Geothermal Resource for Electric Power Generation;
4. Presidential Decree Number 56/P Year 2010;
5. Ministerial Decree of Finance Number 766/KMK.04/1992 concerning the Procedures of Calculation, Deposit and Reporting of Government, Income tax, Value Added Tax and Other Charges on the Results of Exploitation of Geothermal Resource for Energy/Electricity Generation as has been amended with Ministerial Decree of Finance Number 209/KMK.04/1998;
6. Regulation of the Minister of Finance Number 228/PMK.05/2010 concerning the Implementing and Tax Accounting Mechanism for Government-Borne Tax;

DECIDES:

To stipulate : REGULATION OF THE MINISTER OF FINANCE CONCERNING GOVERNMENT-BORNE INCOME TAX AND CALCULATION OF NON-TAX STATE REVENUES ON THE RESULTS OF EXPLOITATION OF GEOTHERMAL RESOURCE FOR ENERGY/ELECTRICITY GENERATION OF FISCAL YEAR 2011.

Article 1

1. Government's deposit portion for 34% (thirty four percent) of the net revenue of business activities of the exploitation of geothermal resource for energy/electricity generation as referred to in Ministerial Decree of Finance Number 766/KMK.04/1992 concerning the Procedures of Calculation, Deposit and Reporting of Government, Income tax, Value Added Tax and Levies other Charges on the Results of the Exploitation of



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Geothermal Resource for Energy/Electricity Generation as has been amended with Ministerial Decree of Finance Number 209/KMK.04/1998, is treated as the deposit of Income Tax for Fiscal Year 2011.

2. Deposit of Income Tax as referred to in paragraph (1) is a Government-Borne Income Tax with budget ceiling as stipulated in Act Number 10 Year 2010 concerning State Budget of Fiscal Year 2011 as has been amended with Act Number 11 Year 2011.
3. Income Tax as referred to in paragraph (2) is a subsidy expense of Government-Borne Tax as referred to in Regulation of the Minister of Finance concerning the implementing mechanism and liability on government-borne tax.

Article 2

The Minister of Finance as State General Treasurer and the Budget User of Budget Division of State General Treasury assigns the Director General of Tax c.q. the Director of Compliance and Revenue Potential as Authorized Budget in order to implement the subsidy payment of Government-borne tax.

Article 3

- (1) Government portion as referred to in Article 1 paragraph (1) is paid by Geothermal Employer to the Account of Geothermal Revenue Number 508.000084980 on Bank Indonesia within 30 (thirty) days as of the expiry of the concerned quarterly term.
- (2) Geothermal Employer is obliged to report the calculation and implementation of Government's deposit portion as referred to in paragraph (1) to the Director General of Budget c.q. the Director of State Non-Tax Revenue of accordance with the regulation of law.
- (3) The Director General of Budget c.q. the Director of State Non-Tax Revenue submits the realization data of deposit payment on the Government's deposit portion as referred to in paragraph (2) as the basis for determining the Government-Tax Income Tax every quarterly terms to the Director General of Tax within 10 (ten) business days as of the deadline Government's portion pay-in.
- (4) Based on the realization data of Government's deposit portion as referred to in paragraph (3) and necessary budgeting documents, the Director General of



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Taxation c.q. the Director of Compliance and Revenue Potential as Budget Authorized User orders the Commitment Making Official and Payment Slip Signing Official in accordance with respective duties to:

- a. make a Payment Request Letter on the realization of subsidy expenditure of Government-borne Tax;
- b. make a Payment Order Letter, and
- c. submit Payment Order Letter to the State Treasury Service Office, the Directorate General of Treasury, in order to get Warrant Fund Disbursement as the implementation of the expense of Budget of State Budget for Government-borne tax subsidy.

Article 4

The reporting and liability on Government-borne Income Tax is made by the Central Office of the Directorate General of Taxa c.q. the Directorate of Compliance and Revenue Potential as the Accounting Unit of Authorized Budget User in accordance with Regulation of the Minister of Finance concerning the implementing mechanism and liability on government-borne tax.

Article 5

State Non-Tax Revenue is calculated from Government's deposit as referred to in Article 1 paragraph (1) after all of payment obligations of Tax and other charges.

Article 6

- (1) The allocation for Government-Borne Income Tax budgeting for the following fiscal year is proposed by the Directorate General of Tax to the Directorate General of Budget.
- (2) The amount of Government-Borne Income Tax budget allocation as referred to in paragraph (1), is based on estimated data of Government's deposit portion to be paid by employer in the concerned year, delivered by the Directorate General of Budget.

Article 7

This regulation of the Minister shall come into force on January 1, 2011 to December 31, 2011.



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For public cognizance, this Regulation of the Minister of Finance shall be promulgated by placing it in State Gazette of the Republic of Indonesia.

Stipulated in Jakarta  
on December 23, 2011  
MINISTER OF FINANCE  
Signed,  
AGUS D.W. MARTOWARDOJO

Promulgated in Jakarta  
On December 23, 2011  
MINISTER OF LAW AND HUMAN RIGHTS  
Signed  
AMIR SYAMSUDDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2011 NUMBER 892