



MINISTER OF FINANCE
OF THE REPUBLIC OF INDONESIA

COPY OF

REGULATION OF THE MINISTER OF FINANCE OF THE REPUBLIC OF
INDONESIA NUMBER 119/PMK. 011/2012

CONCERNING

GOVERNMENT BORNE INCOME TAX AND CALCULATION OF NON-TAX
REVENUES OF EXPLOITATION RESULTS OF GEOTHERMAL RESOURCES
FOR POWER PLANT PRODUCER OF ENERGY / ELECTRICITY OF FISCAL
YEAR 2012

BY THE GRACE OF GOD ALMIGHTY

MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that based on the provisions in the Act Number 22 Year 2011 concerning the National Budget of Fiscal Year 2012 as amended by Act Number 4 Year 2012, has been available budget ceiling for payment of Government Borne Income Tax for commodities geothermal;
 - b. that the allocation of funds for the payment of Government Borne Taxes as referred to in letter a, is from the depositing of the government's share of the exploitation results of geothermal resources business licenses or concession contract signing prior to the enactment of Act Number 27 Year 2003 concerning Geothermal;
 - c. that in order to accommodate the arrangements concerning Government Borne Income Tax from the deposit of the Government share as referred to in letter b, in order to provide benefits and justice to the region and maintain a conducive investment climate for investors, it is necessary to set concerning Government Borne Income Tax and Non-Tax Revenue of exploitation results of geothermal resources for power plant producer of energy / electricity and calculation of Non-Tax Revenue of exploitation results of geothermal resources for power plant producer of energy / electricity;
 - d. Based on the considerations as referred to in letter a, letter b, and letter c, it is necessary to stipulate Regulation of the Minister of Finance concerning Government Borne Income Tax and Calculations of Non-Tax Revenue of Exploitation Results of Geothermal Resources for Power Plant Producer of Energy / Electricity of Fiscal Year 2012;

- In View of :
1. Act Number 17 Year 2003 concerning State Finance (State Gazette of the Republic of Indonesia Year 2003 Number 47, Supplement to State Gazette of the Republic



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of Indonesia Number 4286);

2. Act Number 22 Year 2011 concerning the National Budget of Fiscal Year 2012 (State Gazette of the Republic of Indonesia Year 2011 Number 113, Supplement to State Gazette of the Republic of Indonesia Number 5254) as amended by Act Number 4 Year 2012 (State Gazette of the Republic of Indonesia Year 2012 Number 87, Supplement to State Gazette of the Republic of Indonesia Number 5303);
3. The Presidential Decree Number 76 Year 2000 concerning the Exploitation of Geothermal Resources for Power Plant Producer of Electricity;
4. The Presidential Decree Number 56 / P Year 2010;
5. The Minister of Finance Decree Number 766/KMK.04/1992 concerning Procedures for Calculating, Depositing, and Reporting of Government's Share, Income Tax, Value Added Tax and Other Charges Levies Upon the Exploitation Results of Geothermal Resources for Power Plant Producer of Energy / Power as amended by The Minister of Finance Decree Number 209/KMK.04/1998;
6. Regulation of the Minister of Finance Number 228/PMK.05/2010 concerning Mechanism of Implementation and Accountability of Government Borne Taxes, as amended by Regulation of the Minister of Finance Number 237/PMK.05 / 2011;

DECIDES:

To stipulate : REGULATION OF THE MINISTER OF FINANCE CONCERNING GOVERNMENT BORNE INCOME TAX AND CALCULATION OF NON-TAX REVENUES OF EXPLOITATION RESULTS OF GEOTHERMAL RESOURCES FOR POWER PLANT PRODUCER OF ENERGY / ELECTRICITY OF FISCAL YEAR 2012.

Article 1

- (1) Payment of the Government's share by 34% (thirty-four percent) of the net proceeds of the business activities of exploitation of geothermal resources for the power plant producer of energy / electricity as stipulated in the Minister of Finance Decree Number 766/KMK.04/1992 concerning Procedures for Calculating, Depositing, and Reporting of Government's Share, Income Tax, Value



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Added Tax and Other Charges Levies Upon the Exploitation Results of Geothermal Resources for Power Plant Producer of Energy / Electricity as amended by the Minister of Finance Decree Number 209/KMK.04/1998, applied as a deposit of Income Tax of Fiscal Year 2012.

- (2) Payment of Income Tax as referred to in paragraph (1) an Government Borne Income Tax with a budget ceiling as stipulated in Act Number 22 Year 2011 concerning the National Budget of Fiscal Year 2012 and amendments.
- (3) Income Tax as referred to in paragraph (2) is a Government Borne Expenditure of Tax subsidy as referred in Regulation of the Minister of Finance concerning the implementation and accountability mechanisms upon the Government borne taxes.

Article 2

Minister of Finance as General Treasurer as a User Budget of Budget Section of the General Treasurer to stipulate Director General of Taxes c. q. Director of Compliance and Revenue Potential as Specific Budget User to implement the Government Borne payment of Tax subsidy.

Article 3

- (1) The Government's Share as referred to in Article 1 (1) Paid by Employers of geothermal into Account of Geothermal Revenue Number 508.000084980 in Bank Indonesia no later than 30 (thirty) days after the end of the relevant quarter.
- (2) Employers of geothermal shall report calculation and implementation of depositing of the Government's share as referred to in paragraph (1) to the Director General of Budget c. q. Director of Non-Tax Revenue in accordance with Acts and regulations.
- (3) the Director General of Budget c. q. Director of Non-Tax Revenue convey realization of depositing of the Government's share data as referred to in paragraph (2) as the basis for determining the Government Borne Income Tax on a quarterly basis to the Director General of Taxes no later than 10 (ten) labor days after the deadline for withdrawal of the Government's Share.
- (4) Based on the realization of depositing of the Government's share data as referred to in paragraph (3) and the necessary budget documents, the Director



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General of Taxes c. q. Director of Compliance and Revenue Potential as Specific Budget User order to Commitment Making Official and the official signing of Payment Order according to their respective duties:

- a. make a Payment Request Letter on the realization of Government Borne Expenditure of Tax subsidy;
- b. make a Payment Order, and
- c. Payment Order delivered to the Office of the State Treasury, the Directorate General of Treasury, to obtain Disbursements Order as the implementation of expenditure the National Budget for the Government Borne of Tax subsidy.

Article 4

Reports and accountability for Government Borne Income Tax implemented by the Office of the Directorate General of Taxes c. q. Directorate of Compliance and Potential Revenue Accounting Unit as Specific Budget User in accordance with the Regulation of the Minister of Finance concerning the implementation and accountability mechanisms for the government borne taxes.

Article 5

Non-Tax Revenue was calculated from the depositing of the Government's share as referred to in Article 1 paragraph (1) net of all liabilities and taxes payment and other collections.

Article 6

- (1) The allocation for budgeting Government Borne Income Tax for the next financial year proposed by the Directorate General of Taxes to the Directorate General of Budget.
- (2) The Amount of Budget Allocation of Income Tax Borne by The Government as referred to in paragraph (1), based on data of the Government's share estimate of the deposit which will be paid by the employer during the year, presented by the Directorate General of Budget.

Article 7

This Regulation of the Minister came into force on January 1, 2012 until the date of December 31, 2012.

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



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the Republic of Indonesia.

Stipulated in Jakarta

on July 12, 2012

MINISTER OF FINANCE,

Signed.

AGUS D.W. MARTOWARDOJO

Promulgated in Jakarta

on July 12, 2012

MINISTER OF JUSTICE AND HUMAN RIGHTS,

Signed.

AMIR SYAMSUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 708 YEAR 2012