



MINISTER OF FINANCE
OF THE REPUBLIC OF INDONESIA

COPY OF

REGULATION OF THE MINISTER OF FINANCE OF THE REPUBLIC OF
INDONESIA NUMBER 126/PMK.011/2012

CONCERNING

AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE NUMBER
249/PMK.03/2008 CONCERNING DEPRECIATION UPON THE EXPENDITURES
FOR ACQUIRING TANGIBLE ASSETS OWNED AND USED IN THE FIELD OF
SPECIFIC BUSINESS

BY THE GRACE OF GOD ALMIGHTY

MINISTER OF FINANCE OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that the provisions concerning Depreciation Upon the Expenditures for Acquiring Tangible Assets Owned and Used in the Field of Specific Business that have been set in the Regulation of the Minister of Finance Number 249/PMK.03/2008 concerning Depreciation Upon the Expenditures for Acquiring Tangible Assets Owned and Used in the Field of Specific Business;
 - b. that in order to better provide a balance of rights and obligations of taxpayers, it needs to improve provision for depreciation upon expenditures for acquiring tangible assets owned and used in the field of specific business as stipulated in the Regulation of the Minister of Finance Number 249/PMK.03/2008 concerning Depreciation Upon the Expenditures for Acquiring Tangible Assets Owned and Used in the Field of Specific Business as referred to in letter a;
 - c. that based on the considerations as referred to in letter a and letter b, and to implement the provisions of Article 11 paragraph (7) of Act Number 7 Year 1983 concerning Income Tax as amended by Act Number 36 Year 2008, it is necessary to stipulate Regulation of the Minister of Finance concerning the Amendment to Regulation of the Minister of Finance Number 249/PMK.03/2008 concerning Depreciation Upon the Expenditures for Acquiring Tangible Assets Owned and Used in the Field of Specific Business;

- In View of :
1. The Presidential Decree Number 56 / P Year 2010;
 2. Regulation of the Minister of Finance Number 249/PMK.03/2008 concerning Depreciation Upon the Expenditures for Acquiring Tangible Assets Owned and Used in the Field of Specific Business;



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DECIDES:

To stipulate : REGULATION OF THE MINISTER OF FINANCE CONCERNING THE AMENDMENT TO REGULATION OF THE MINISTER OF FINANCE NUMBER 249/PMK.03/2008 CONCERNING DEPRECIATION UPON THE EXPENDITURES FOR ACQUIRING TANGIBLE ASSETS OWNED AND USED IN THE FIELD OF SPECIFIC BUSINESS.

Article I

Several provisions in the Regulation of the Minister of Finance Number 249/PMK.03/2008 concerning Depreciation Upon the Expenditures for Acquiring Tangible Assets Owned and Used in the Field of Specific Business, is amended as follows:

1. The provisions of paragraph (2) letter c and paragraph (3) Article 1 is amended then Article 1 is to read as follows:

Article 1

- (1) Taxpayers who are engaged in certain business conducting depreciation upon the expenditures for acquiring tangible assets in equal parts during the great benefits that have been determined for the assets.
- (2) Specific business fields as referred to in paragraph (1) include:
 - a. Forestry sector, namely the forestry sector, forest area, and forest products plant can produce many times and only produced once after planted more than 1 (one) year;
 - b. Business area in the plantation crops, namely the business area in the plantation which plants can produce many times and only produced once after planted more than 1 (one) year;
 - c. Farm sector, namely the field of breeding business in which the livestock can produce many times and just kept producing after more than 1 (one) year.
- (3) Tangible Assets as referred to in paragraph (1) in the form of fixed assets owned and used, and is a staple commodity in specific business, namely:
 - a. Forestry sector, including forestry plants;
 - b. Business area in the plantation crops, including herbs and refreshments;
 - c. Farm sector, including livestock, including cattle stud.



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- (4) Depreciation upon the expenditure for acquiring tangible assets as referred to in paragraph (1) beginning in commercial production.
 - (5) In commercial production as referred to in paragraph (4) is the month in which the sales begin.
2. In between Article 2 and Article 3 inserted 2 (two) articles, namely Article 2A and Article 2B, which reads as follows:

Article 2A

- (1) Tangible Assets as referred to in Article 1 for:
 - a. Forestry sector, grouped in Group 4;
 - b. Business area in the plantation crops, grouped in Group 4;
 - c. Farm sector, grouped in Group 2,

Accordance with the benefits referred to in Article 11 paragraph (6) of Act Number 7 Year 1983 concerning Income Tax as amended by Act Number 36 Year 2008.

- (2) Exempted from the provisions of paragraph (1), the taxpayer can obtain a determination of the useful life of the tangible assets in accordance with the actual benefits.
- (3) To obtain the useful life determination as referred to in paragraph (2), the taxpayer must submit an application to the Director General of Taxes by showing the actual useful life of the tangible assets.
- (4) In the case of an application as referred to in paragraph (3) is rejected, the taxpayer uses the useful life of tangible assets as referred to in paragraph (1).

Article 2B

Further provisions on the procedure for filing a request for the determination of the useful life of the tangible assets in accordance with the real benefits and determining documents which should be attached to the application and procedures for determining the actual useful lives of tangible assets owned and used in certain business sectors as referred to in Article 2A, is regulated by the Regulation of the Director General of Taxes.

3. In between Article 3 and Article 4 inserted 2 (two) articles, namely Article 3A and 3B article which reads as follows:



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Article 3A

With the enactment of this Regulation of the Minister:

1. Over tangible assets as referred to in Article 1 which has been depreciated based on the Regulation of the Minister of Finance Number 249/PMK.03/2008, the following provisions apply:
 - a. Against the rest of the fiscal book value of tangible assets by Regulation of the Minister of Finance Number 249/PMK.03/2008, which have remaining useful life based on regulation is more than 1 (one) year, are depreciated based on the remaining useful life in accordance with this Regulation of the Minister.
 - b. Against the rest of the fiscal book value of tangible assets by the Regulation of the Minister of Finance Number 249/PMK.03/2008, which have remaining the useful life based on regulation is less or equal to 1 (one) year, depreciated in the book as well as enactment of this Regulation of the Minister.
2. Against tangible property as set forth in Regulation of the Minister of Finance Number 249/PMK.03 / 2008 are not included as tangible assets based on this Regulation of the Minister, the cost of tangible assets development is capitalized during the development period and is part of the cost of goods sold when the result of the tangible assets sale, all tangible assets have been depreciated by the Regulation of the Minister of Finance Number 249/PMK.03/2008.

Article 3B

Provisions concerning Depreciation Upon the Expenditures for Acquiring Tangible Assets Owned and Used in the Field of Specific Business as set forth in this Regulation of the Minister, is effective as of Fiscal Year 2012.

Article II

This Regulation of the Minister of Finance shall come into force on the date of its promulgation.

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



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Stipulated in Jakarta

on August 6, 2012

MINISTER OF FINANCE OF
THE REPUBLIC OF
INDONESIA,

Signed.

AGUS D.W. MARTOWARDOJO

Promulgated in Jakarta

on August 7, 2012

MINISTER OF JUSTICE AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

Signed.

AMIR SYAMSUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA NUMBER 782 YEAR 2012