

## Tantangan Pajak di Tengah Pandemi dan Krisis

*Tax Challenges Amid Pandemic and Crisis*



Assalamualaikum Wr. Wb.

Salam sejahtera dan semoga kita semua selalu diberikan kesehatan—terutama di tengah pandemi Corona Virus Disease 2019 (Covid-19). Virus yang telah memakan ribuan korban jiwa dan menciptakan duka mendalam di seluruh dunia. Virus yang banyak mengubah sikap dan gaya hidup kita sebagai makhluk sosial.

Namun di balik itu semua, Covid-19 menyadarkan kita—terutama saya—sebagai manusia akan hal yang paling dasar dalam kehidupan, yakni pentingnya menjaga sanitasi dan kesehatan. Wabah ini juga mengajarkan kita semua untuk berempati dan saling menjaga satu sama lain. Sedikit mundur ke akhir tahun 2019, saya dan mungkin juga Anda semua, berkeyakinan tahun 2020 akan menghadirkan prospek cerah di segala bidang. Optimisme itu yang pasti menjadi dasar perencanaan bisnis di tahun ini—termasuk kami, redaksi kecil *Tax Guide*.

Namun, masa depan tidak ada yang bisa menerka. Wabah Corona telah mengaburkan itu semua. Alih-alih kondisi membaik, yang terjadi justru sebaliknya. Kondisi ekonomi memburuk seiring dengan meningkatnya jumlah pesakitan Covid-19. Gambaran krisis ekonomi nasional maupun global, serta berbagai dinamika yang memengaruhinya, akan menjadi tulisan utama kami di *Tax Guide* edisi kali ini. Beragam stimulus ekonomi—terutama dalam bentuk insentif perpajakan—juga akan menjadi bahasan utama.

Ini merupakan *Tax Guide* edisi perdana di tahun 2020, yang molor dari rencana penerbitannya di awal tahun—sedikit atau banyak—akibat sebaran Covid-19 yang memaksa kami tim redaksi harus bekerja dari rumah (*work from home*). Melalui *Tax Guide* edisi ini, kami juga turut mengampanyekan social distancing dengan mengajak seluruh pembaca setia untuk #DiRumahAja (#StayAtHome). Tetap produktif dengan segala keterbatasan gerak. Tetap aktif bersosialisasi dan menyebarkan semangat positif secara daring. Kami percaya, selalu ada hikmah dan peluang di balik bencana dan ketidakpastian. Optimisme harus tetap dijaga sambil dibarengi dengan usaha dan doa.

Semoga ulasan yang kami sajikan bisa menjadi teman bacaan di rumah, yang memberikan pencerahan dan semangat untuk bersama-sama memulihkan serta memperbaiki keadaan. Jaga Kesehatan, tetap produktif, dan jangan lupa berdoa. Wassalamualaikum Wr. Wb.

Assalamualaikum Wr. Wb.

*May peace be upon you and hopefully we are all always blessed with health—especially in the midst of Corona Virus Disease 2019 (Covid-19) pandemic. A virus that has claimed thousands of lives and causing deep sorrow throughout the world, changing our attitudes and lifestyles as social creature.*

*But underneath it all, Covid-19 makes us aware—especially me—as humans, to the most basic thing in life, namely the importance of maintaining sanitation and health. This plague also teaches us all how to empathize and care for one another. A little look back to the end of 2019, I, and maybe all of you, believe that 2020 will present bright prospects in all fields. Such optimism is surely be the basis of business planning this year—including us, the small editorial of *Tax Guide*.*

*However, no one can predict the future. The Corona outbreak has ruined it all. Instead of an improved condition, the opposite happened. Economic condition worsened as the number of people infected with Covid-19 increased. An overview of national and global economic crises, as well as various dynamics that affect them, will be our main articles in this edition. Various economic stimulus—especially in the form of tax incentives—will also be the major topic.*

*This is the first edition of *Tax Guide* in 2020, which was delayed from the publication plan at the beginning of the year—more or less—due to the spread of Covid-19, which forced us the editorial team to work from home. In this edition of *Tax Guide*, we are also campaigning for social distancing by inviting all our loyal readers to #StayAtHome (#DiRumahAja). Stay productive even with all the mobility limitations. Stay active in socializing and spreading positive enthusiasm online.*

*We believe, there are always wisdom and opportunity behind disaster and uncertainty. Optimism must be maintained and coupled with effort and prayer. Hopefully, the reason we present can be your reading companion at home, giving enlightenment and encouragement so that we can together restore and improve the circumstances. Take good care of your health, stay productive, and don't forget to pray.*  
Wassalamualaikum Wr. Wb.

Jakarta, April 2020

Razikun

foto: Zak



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# Corona, Oil War, dan Peliknya Ekonomi Kita

*Corona, Oil War, and the Complexities of Our Economy*

**Wahyu Nuryanto**

Director of MUC Tax and Research Institute

foto: Zak

**B**elum tuntas efek negatif dari perang dagang, wabah virus Covid-19 menambah deret masalah ekonomi, politik, dan sosial. *World Health Organization* (WHO) menetapkan wabah virus mematikan ini sebagai pandemi global. Sampai tulisan ini dibuat (31/3/2020), Covid-19 telah menyerang 199 negara, menular ke 786,876 orang, menewaskan 37.846 penduduk dunia, dan yang sembuh 165.935 orang.

Indonesia masuk dalam daftar sebaran Covid-19,

dengan kenaikan jumlah kasus positif meningkat drastis setiap harinya sejak pertama kali diumumkan Presiden Joko Widodo pada Senin (2/3). BNPB mencatat sebanyak 1.414 orang positif tertular Covid-19, di mana 122 orang meninggal dunia dan kabar baiknya 75 orang dinyatakan sembuh.

Virus Corona jenis baru ini—yang merebak luas sejak pertama kali terdeteksi di Kota Wuhan, China—seolah merusak ekspektasi hampir seluruh warga dunia yang sebagian besar mengharap-kan prospek cerah di tahun 2020. Alih-alih mimpi

**T**he negative impacts of the trade war are still everywhere. Yet, the outbreak of Coronavirus Disease 2019 (Covid-19) adds further to the series of economic, political, and social problems as a global pandemic. Until this article was made (31/3/2020), Covid-19 had invaded 199 countries, transmitted to 787.876 people, killed 37.846 of the world population—while 165.935 people are recovered.

Indonesia is included in the list of Covid-19 spread, with the rise in the number of

positive cases increased dramatically in 21 days since it was first announced by President Joko Widodo on Monday (2/3). The National Agency for Disaster Countermeasure (Badan Nasional Penanggulangan Bencana/BNPB) recorded a total of 1.414 people positively infected with Covid-19, 122 of which died (the death rate is considered the highest in Southeast Asia) and 75 people, fortunately, were cured.

This new type of Coronavirus—which has been spread widely since it

menjadi kenyataan, yang terjadi justru sebaliknya. Kepanikan melanda, sejumlah negara mengisolasi warga dan wilayahnya (*lockdown*), dan yang menyedihkan jumlah korban jiwa semakin bertambah setiap harinya.

Parahnya, di tengah kekacauan akibat Corona, negara-negara penghasil minyak justru bikin ulah dan menambah runyam masalah. Adalah Rusia dan Arab Saudi pemicu perang harga minyak (*oil price war*) sebagai buntut dari ketidaksepakatan volume produksi minyak di KTT OPEC. Rusia yang menolak pemangkasan produksi minyak dibalas oleh Saudi—at atas perintah putra mahkota Muhammad bin Salman—dengan menaikkan produksi 1 juta barel per hari dan mendiskon harga USD6-8 per barel lebih rendah dari harga pasar.

Alhasil, mengutip Reuters, harga minyak mentah WTI di bursa New York (NYMEX) anjlok sekitar 50% menjadi USD21,16 per barel, dari sebelumnya di atas USD40 per barel pada pekan pertama Maret 2020. Sementara harga minyak mentah Brent di bursa London (ICE) terkoreksi menjadi US\$23,04 per barel dari sebelumnya di kisaran US\$50 per barel. Kombinasi perang dagang, pandemi Covid-19, dan oil price war menjadi pembuka tahun 2020 yang mencekam dan menggambarkan tantangan super berat yang tengah dihadapi masyarakat dunia.

Meskipun sebelumnya ada pihak-pihak yang jumawa bahwa negara kepulauan berpenduduk 266 juta jiwa ini akan baik-baik saja, kenyataannya kegagapan dan kepanikan juga terjadi di Indonesia. Indeks Harga Saham Gabungan (IHSG)—yang menjadi indikator geliat pasar modal Indonesia—menukik tajam hanya dalam hitungan hari. IHSG mengawali tahun 2020 di level 6.284 dan mulai melandai ketika wabah pneumonia berat

ini pertama kali ditemukan di Wuhan pada Minggu (5/1).

Penurunannya semakin drastis, terutama sejak Covid-19 terdeteksi pertama kali di Indonesia. *Panic selling* terjadi di bursa saham dan membuat IHSG terjun bebas ke level 3.938 pada 24 Maret, terendah sejak 2012. Berbagai upaya dilakukan otoritas dan pemerintah guna mencegah kepanikan, antara lain dengan menginstruksikan BUMN melakukan *buyback* saham hingga menggelontorkan stimulus fiskal. Kombinasi kebijakan tersebut belum cukup untuk mengembalikan IHSG ke posisi jayanya di atas 6.000. Namun setidaknya cukup untuk sementara menjaga level kejatuhan indeks tidak semakin parah. Pada perdagangan Senin (30/3), IHSG ditutup di level 4.415.

Nasib Rupiah lebih menge-naskan. Nilainya terjun bebas sejak isu Corona mendominasi pemberitaan. Nilai tukar mata uang Garuda anjlok mendekati level terparah sepanjang sejarah Indonesia (Rp16.650 pada 17 Juni 1998). Kondisi ini memaksa Bank Indonesia untuk menggelontorkan dana ratusan triliun ke pasar spot dalam beberapa hari terakhir guna menstabilkan Rupiah. Posisi terakhir berdasarkan kurs tengah Bank Indonesia, Rupiah berada di level Rp16.367 per USD (31/03).

Tidak hanya di pasar modal dan keuangan, *panic buying* terjadi di pasar tradisional. Kekawatiran tertular virus

was first detected in Wuhan City, China—seemed to ruin the expectations of almost all citizens of the world, most of whom were hoping for bright prospects for the year 2020. Instead of dreams come true, what happened is exactly the opposite. *Panic struck*, a number of countries isolating citizens and their territories (*lockdown*), and sadly the number of fatalities is increasing every day.

In the midst of chaos due to Corona, oil-producing

// Parahnya, di tengah kekacauan akibat Corona, negara-negara penghasil minyak justru bikin ulah dan menambah runyam masalah. //

countries caused trouble and worsened the situation. Russia and Saudi Arabia triggered the oil price war in the aftermath of disagreement in the volume of oil production at the OPEC summit. Russia, which refused to trim oil production, was opposed by Saudi—at the behest of the Crown Prince Muhammad bin Salman—by raising the production of 1 million barrels per day and discounting prices to USD 6-8 per barrel lower than the market prices.

As a result, quoting from Reuters, the price of WTI crude oil on the New York Stock Exchange (NYMEX) dropped around 50% to USD 21.16 per barrel, from previously above USD 40 per barrel in the first week of March 2020. Meanwhile, the price of Brent crude oil on the London stock exchange (ICE) was corrected to USD 23.04 per barrel from the previous range of USD50 per barrel. The combination of the trade war, the Covid-19 pandemic, and the oil price

war opened the year 2020, a tense and heavily challenging year for the world's community.

Although previously there were parties who arrogantly believed that this archipelago country with a population of 266 million would be fine, in fact, Indonesia was stuttering and panicking when the reality hit. The IDX Composite (Indeks Harga Saham Gabungan/IHSG)—the indicator of Indonesian capital market activity—dipped sharply in just a matter of days. IHSG started 2020 at the level of 6,284 and began sloping when the outbreak was first discovered in Wuhan on Sunday (5/1).

Its decline was increasingly drastic, especially since the Covid-19 was first detected in Indonesia. *Panic selling* occurred on the stock market and made the IHSG fell to the level of 3.398 on 24 March 2020, the lowest since 2012.

Various attempts were made by the authorities and the government to prevent panic, one of which was by instructing State-Owned Enterprises of Indonesia (Badan Usaha Milik Negara/BUMN) to do a *buyback* and pouring out fiscal stimulus. These combination of policies is not enough to return the IHSG to its prime position above 6000. But at least, it is enough to temporarily keep the index fall level so from the worst scenario. In trading on Monday trade (30/3), IHSG closed at 4,415 levels.

Rupiah was even worse. The value of Rupiah experienced freefall since corona issues dominated the news. Garuda's currency exchange rate is approaching the worst level in Indonesian history (IDR 16.650 on 17 June 1998). This condition forced Bank Indonesia (Central Bank of Indonesia) to pour out hundreds of trillions funds to

Covid-19 tidak hanya memicu perburuan *masker*, *hand sanitizer*, dan disinfektan tetapi juga rempah-rempah herbal tradisional seperti jahe merah dan temulawak yang harganya melonjak signifikan. Eskalasi transaksi belanja konsumen juga meningkat atas sejumlah bahan pokok, menyusul kebijakan *social distancing* pemerintah pusat dan daerah yang meliburkan sekolah selama dua pekan, dan mendorong beribadah dan bekerja dari rumah (*work from home*). Beredarnya foto-foto rak-rak yang kosong di sejumlah pusat perbelanjaan menggambarkan ada masalah rantai pasok dan kelangkaan bahan pokok yang berpotensi memicu inflasi tinggi.

Semua itu belum melihat data-data ekonomi di sektor lain yang mungkin terpuruk akibat terganggunya proses produksi, semakin ketatnya lalu lintas perdagangan, lesunya aktivitas pariwisata, dan mandeknya sektor transportasi.

#### Risiko Stagnasi

Menteri Keuangan Sri Mulyani Indrawati mengatakan mengatasi dampak ekonomi wabah corona bakal lebih rumit ketimbang krisis ekonomi global 2008-2009. Satu yang pasti, laju ekonomi Indonesia dipastikan melambat. Mantan Direktur Eksekutif Bank Dunia itu secara tegas mengatakan pandemi Corona akan berimbas pada perlambatan ekonomi Indonesia, jauh di bawah target pertumbuhan ekonomi 5,3% di APBN 2020. Bahkan, stagnasi ekonomi bukan tidak mungkin terjadi jika pandemi ini tidak dapat dikendalikan. Prediksi itu diperkuat oleh IMF yang menyatakan bahwa dunia sudah memasuki resesi.

Dari sisi fiskal, kombinasi antara pandemi Corona dan

penurunan harga minyak akan memberikan tekanan terhadap neraca keuangan negara dari dua sisi, belanja dan penerimaan. Penerimaan perpajakan dan non-pajak dari sektor minyak dan gas kemungkinan besar mengalami koreksi menyusul anjloknya harga minyak. Dukungan stimulus fiskal pemerintah untuk menangkal dampak virus Covid-19-PPH 21 ditanggung pemerintah bagi pekerja di sektor industri pengolahan, pembebasan PPh-22 impor, diskon 30% PPh-25, serta restitusi PPN dipercepat—juga dipastikan akan membuat shortfall semakin dalam.

Sementara dari sisi belanja, biaya penanggulangan Covid-19 dapat dipastikan menambah beban anggaran negara yang tidak sedikit, terutama di bidang kesehatan. Untuk menanggulangi Covid-19, pemerintah pusat mengalokasikan transfer anggaran ke daerah sebesar Rp17,17 triliun. Belum lagi subsidi khusus bagi penerima manfaat Kartu Sembako di daerah terdampak Corona, estimasi kebutuhan anggarannya mencapai Rp4,56 triliun.

Sebagai “dokter spesialis krisis”, ucapan Sri Mulyani tidak bisa disepelekan. Dia punya pengalaman mendiagnosa kesehatan ekonomi dan meracik obat kuat untuk mengobati atau mencegah Indonesia dari wabah resesi ekonomi yang tengah melanda dunia.

Pertanyaannya, seberapa manjur resepnya mengobati penyakit ekonomi kali ini? Apakah stimulus ekonomi satu-satunya “jamu herbal” yang mampu menjaga kesehatan Indonesia dari wabah Corona? Bagaimana kesiapan pemerintah di bidang lain?

Ini baru bulan ketiga di tahun 2020 dan tidak ada satu orang pun yang tahu kapan

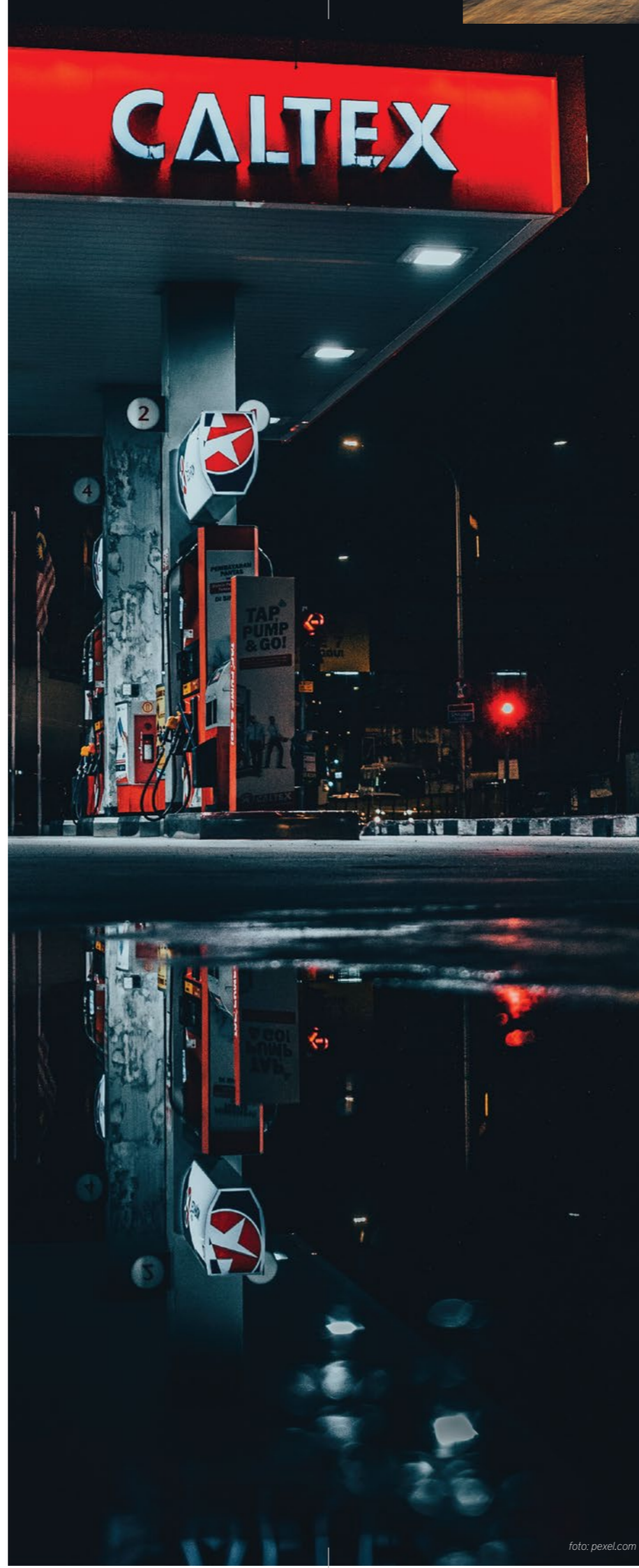
*spot markets in the last few days to stabilize rupiah. The last position based on Bank Indonesia's middle rate, Rupiah is at the level of IDR16,367 per USD (31/03).*

*Not only in the capital and financial markets, but panic buying also takes place in traditional markets. The concerns of contracting the Covid-19 has not only triggered the hunt for masks, hand sanitizers, and disinfectants but also traditional herbal spices such as red ginger and temulawak whose prices have surged significantly. The escalation of consumer spending transactions has also increased on a number of staples, following the social distancing policy of the central and regional governments that dismiss schools for two weeks, as well as encouraging worship and work from home. Circulation of photos of empty shelves in a number of shopping centers depicts supply chain problems and scarcity of staples that have the potential to trigger high inflation.*

*Above all, we have not seen economic data in other sectors that may have been affected by the disruption of the production process, the tighter trade traffic, the sluggish tourism activities, and the stagnation of the transportation sector.*

#### Risk of Stagnation

*Minister of Finance Sri Mulyani Indrawati said that overcoming the economic impact of the Coronavirus would be more complicated than the 2008-2009 global economic crisis. One thing is certain, Indonesia's economic pace is certainly slowing down. Through a*



pandemi Covid-19 ini akan berakhir. Semua tergantung dari seberapa sigap—Pemerintah Indonesia dalam menanggulangi wabah ini. Isunya bukan lagi *lockdown* atau bukan, tetapi serius atau tidak mengentaskan virus Corona.

China, yang awalnya dipersalahkan atas penyebaran Corona kini menjadi contoh kongkret dari kesiapan negara dalam mengatasi cepat sebaran virus mematikan ini. Indonesia tidak perlu malu meniru kebijakan serupa jika tidak ingin kehilangan lebih banyak lagi dari sisi ekonomi dan terutama nyawa. Ekonomi atau investasi tidak seharusnya menjadi pilihan yang menomor-duakan atau bahkan mengabaikan sisi kemanusiaan. Seperti quote menarik Presiden Ghana Akufo Addo yang viral baru-baru ini: “We know how to bring the economy back to life. What we don't know is how to bring people back to life.”

*\*) Tulisan ini telah terbit di [www.kumparan.com](http://www.kumparan.com), Selasa, 31 Maret 2020*

*video conference, this former World Bank Managing Director firmly said that corona pandemic will impact on the economic slowdown of Indonesia, far below the 5,3% economic growth target in State Budget of 2020. In fact, economic stagnation can occur if the corona pandemic cannot be controlled. This prediction was strengthened by the IMF which stated that the world had entered recession*

*From the fiscal side, the combination of corona pandemic and declining oil prices will put pressure on the country's balance sheet from two sides, namely spending and revenue. Tax and non-tax revenues from the oil and gas sector are likely to undergo correction following the drop in oil prices. The government fiscal stimulus support to ward off the impact of the Covid-19—Income Tax Article (ITA) 21 is borne by the government for workers in the manufacturing industry sector, exemption from ITA 22 on import, 30% reduction in ITA 25, and accelerated Value Added Tax (VAT) refunds for 19 specific sectors—also make the shortfall risk even bigger.*

*Meanwhile, in terms of spending, the cost of Covid-19 countermeasures can certainly add a huge burden to the state budget, especially in the health sector. To tackle the Covid-19, the central government allocated a budget transfer to the regions of IDR 17.17 trillion. Not to mention the special subsidies for the beneficiaries of the Groceries Card (Kartu Sembako) in the area affected by Corona, the estimated budget needs reached IDR 4.56 trillion.*

*As a "crisis specialist", Sri Mulyani's words cannot be underestimated. She is experienced in diagnosing economic health and concocting powerful drugs to treat or prevent Indonesia*

*from the epidemic of the economic recession that is sweeping the world.*

*The question is, how effective is the prescription for treating economic diseases this time? Is the economic stimulus the only "herbal medicine" capable of protecting Indonesia's health from the corona outbreak? How about the readiness of the government in other fields?*

*This is only the third month in 2020 and no one knows when this Covid-19 epidemic will end. It all depends on how alert—not alarmed—the Indonesian Government in tackling this outbreak. The issue is no longer whether we should do lockdown or not, but whether we are serious in eradicating Coronavirus.*

*China, which was initially blamed for the spread of Corona, is now becoming a concrete example of the country's readiness to deal with the rapid spread of this deadly virus. Indonesia shall not be ashamed of imitating a similar policy if we do not want to lose more in terms of the economy and especially lives. The economy or investment should not be a priority nor ignoring the human side. Such an interesting quote from Ghanaian President Akufo Addo, who recently went viral: "We know how to bring the economy back to life. What we don't know is how to bring people back to life."*

*\*) This article has been published on [kumparan.com](http://kumparan.com) Tuesday, 31 March 2020*

# Menguji Kredibilitas Fiskal Saat Krisis & Pandemi

## Testing Fiscal Credibility During Crisis and Covid-19 Pandemic

Sugianto

Managing Partner of MUC Consulting

**K**risis ekonomi seperti penyakit kambuhan, terutama pasca depresi besar (*Great Depression*) di zaman Malaise (1929). Dia menyerang kesehatan suatu negara, kawasan, atau bahkan dunia secara bergantian, yang pemicu dan episentrumnya bisa berbeda pada setiap kasusnya. Tahun ini, 2020, penyakit kambuhan itu kembali menyerang hampir seluruh dunia, tidak terkecuali Indonesia.

Adalah *Corona Virus Disease 2019* (Covid-19) sebagai sumber penyakit krisis global kali ini. Virus ini telah membunuh lebih dari 177 ribu jiwa, menginfeksi lebih dari 2,5 juta orang, dan memenja-

**E**conomic crisis is like a recurrent disease, especially after the *Great Depression in the time of Malaise (1929)*. It alternately attacks the health of a country, region, or even the world, whose triggers and epicenter could differ on each case. This year, 2020, the recurrent disease strikes almost the entire world again, including Indonesia.

This time it is a *Corona Virus Disease 2019 4(Covid-19)* that becomes the source of the global crisis. This virus has killed more than 177 thousand lives, infected more than 2.5 million people, and imprisoned billions of the world's population in their homes. Indonesia is the country with the highest number of

rakan miliaran penduduk dunia di rumah masing-masing. Indonesia merupakan negara dengan jumlah kasus positif Covid-19 tertinggi di Asia Tenggara dan urutan ke-36 dari 212 negara di dunia yang terpapar, berdasarkan data WHO yang dirilis [worldometers.info](http://worldometers.info).

Pandemi Covid-19 tidak hanya berdampak terhadap kesehatan fisik dan kejiwaan manusia, tetapi juga mengoyak rasa kemanusiaan, mendisrupsi adab pergaulan sosial, serta merusak tatanan ekonomi liberal yang telah terbangun sejak perang dunia II. Untuk menghentikan penyebarannya, hampir setiap negara membatasi—atau bahkan ada yang melarang—kegiatan sosial dan aktivitas ekonomi. Sejumlah lembaga keuangan internasional serempak memangkas proyeksi pertumbuhan ekonomi global 2020, dari yang sebelumnya positif menjadi mendekati atau bahkan negatif. Bahkan, IMF memperingatkan akan kemungkinan bahaya *Second Great Depression* jika wabah mematikan ini tidak segera dikendalikan. Karenanya, kebijakan stimulus ekonomi menjadi langkah paling realistis bagi negara-negara yang terdampak pandemi.

### Dejavu

Di Indonesia, Covid-19 telah memaksa sebagian besar pemberi kerja menghentikan operasional bisnisnya. Ada yang melakukan Pemutusan Hubungan Kerja (PHK), ada pula yang merumahkan karyawan tanpa memberikan upah. Tidak sedikit pula perusahaan yang mencoba bertahan—tupun tidak tahu sampai kapan—dengan menerapkan *work from home*. Sejauh ini, berdasarkan perhitungan Kementerian Tenaga Kerja, lebih dari 2 juta pekerja terkena PHK. Keputusan sulit yang harus

diambil pengusaha dan kabar buruk yang harus diterima pekerja. Kondisi yang jika dibiarkan berlarut-larut akan berdampak pada meningkatnya angka kemiskinan, akibat ketiadaan penghasilan untuk memenuhi kebutuhan sandang, pangan, dan papan. Ketika pengangguran merajalela dan kemiskinan menganga, yang juga patut diwaspadai adalah gejolak sosial dan politik, serta risiko gangguan keamanan.

Indikator ekonomi lainnya juga menunjukkan pemburukan. Nilai tukar Rupiah terhadap Dollar Amerika Serikat terjun bebas dan menyentuh Rp16,824.71/USD (kurs tengah Bank Indonesia) pada 2 April 2020, yang merupakan level terparah sepanjang sejarah Indonesia. Kepanikan juga terjadi di pasar modal, menyusul rontoknya Indeks Harga Saham Gabungan (IHSG) ke kisaran 4.000 hanya dalam hitungan hari, setelah sebelumnya susah payah menembus level 6.000.

Sementara kinerja ekspor dan impor, yang memang sudah melemah dalam beberapa tahun terakhir, semakin bertambah parah dengan adanya pembatasan lalu lintas orang dan barang di berbagai negara. Di sisi lain, permintaan yang meningkat akan sejumlah kebutuhan pokok dan barang medis, menimbulkan kelangkaan dan berpotensi memicu lonjakan harga. Upaya pemerintah dan Bank Indonesia menjaga inflasi rendah terancam ambyar jika masalah rantai pasok tidak segera ditangani dengan baik. Secara umum, semua kondisi ini tidak bisa dibiarkan karena berisiko menghadirkan stagnasi atau bahkan menyeret ekonomi Indonesia ke dalam jurang resesi.

Cerita di atas seperti membawa ingatan kita kembali ke masa-masa krisis di penghujung Orde Lama atau bahkan bisa lebih parah dari krisis ekonomi dan politik 1997 yang memicu kejatuhan Orde Baru. Bedanya pada krisis-krisis sebelumnya,

*Covid-19 positive cases in Southeast Asia and ranked 36th out of 212 countries in the world exposed to this virus, based on World Health Organization (WHO) data released by [worldometers.info](http://worldometers.info).*

*The Covid-19 pandemic does not only affect the physical and mental health of individuals, but also tear apart humanity, disrupt social relations, and damage the liberal economic order that had been built up since World War II. To stop its spread, almost every country restricts – or even prohibits – social and economic activities. A number of international financial institutions simultaneously cut the forecast for global economic growth in 2020, from previously positive to near or even negative. Even, the International Monetary Fund (IMF) warns of the possibility of the danger of the Second Great Depression if this deadly outbreak is not immediately controlled. Therefore, the economic stimulus policy is the most realistic step for countries affected by the pandemic.*

### Deja Vu

*In Indonesia, Covid-19 has forced most employers to halt their business operation. Some conduct termination of employment (PHK), some of which lay off their employees without giving wages. Not a few companies also try to survive – without knowing until when it is – by implementing work from home.*

*So far, based on the Ministry of Manpower's calculations, more than 2 million workers have been laid off, which is a tough decision that must be taken by employers and bad news that must be received by workers. The condition that if allowed to drag on will have an impact on increasing poverty, due to a lack of income to meet the needs of clothing, food, and shelter. When unemployment is rampant and poverty is gaping, what also needs to be watched*

*out for is social and political turmoil, as well as the risk of security disturbance.*

*Other economic indicators also show deterioration. The rupiah exchange rate against the United States dollar (USD) plunged freely and touched IDR16,824.71/USD (Bank Indonesia's middle rate) on 2 April 2020, which was the worst level in Indonesian history. The panic also occurred in the capital market, following the collapse of the IDX Composite (Indeks Harga Saham Gabungan/IHSG) to around 4,000 only within a few days, after previously having struggled to break the 6,000 level.*

*While the performance of export and import, which has been weakening in recent years, is getting worse with the traffic restrictions of humans and goods in various countries. On the other hand, the increased demands for a number of basic necessities and medical goods, cause scarcity and potentially trigger a surge in price. The efforts of the government and Bank Indonesia to keep inflation low are threatened to fall apart if supply chain issues are not immediately handled properly. In general, these conditions cannot be tolerated because they potentially pose the risk of stagnation or even drag the Indonesian economy into the brink of recession.*

*The story above is like bringing our memories back to the times of crisis at the end of the Old Order (Orde Lama) or even more severe than the 1997 economic and political crisis that triggered the downfall of the New Order (Orde Baru). The difference is in the previous crises, the Micro, Small and Medium Enterprises (MSMEs/UMKM) sector can still survive so that it can be an economic buffer to rise. But this time, Covid-19 struck all layers of the economy indiscriminately, so the impact is hard to imagine. Fiscal instrument is again required to play an important role in mitigating the negative*

**Dana tambahan tersebut dialokasikan untuk program pemulihan ekonomi nasional Rp150 triliun, pendanaan tambahan di bidang kesehatan Rp75 triliun, program jaring pengaman sosial Rp110 triliun, serta insentif perpajakan dan stimulus Kredit Usaha rakyat (KUR) Rp70,1 triliun.**

sektor UMKM masih bisa bertahan sehingga bisa menjadi penyangga ekonomi untuk bangkit. Namun kali ini, Covid-19 menghantam seluruh lapisan ekonomi tanpa pandang bulu sehingga dampaknya sulit dibayangkan. Instrumen fiskal kembali dituntut peran pentingnya dalam memitigasi dampak negatif krisis ekonomi global, sekaligus meredakan efek tular pandemi Covid-19 di tengah masalah klasik defisit kembar (defisit neraca perdagangan dan defisit APBN).

#### Stimulus Fiskal

Pemerintah menganggarkan dana tambahan sebesar Rp405,1 triliun guna mendukung kebijakan Pembatasan Sosial Skala Besar (PSBB) sekaligus menyelamatkan perekonomian dan sistem keuangan nasional dari dampak beracun

Covid-19. Dana tambahan tersebut dialokasikan untuk program pemulihan ekonomi nasional Rp150 triliun, pendanaan tambahan di bidang kesehatan Rp75 triliun, program jaring pengaman sosial Rp110 triliun, serta insentif perpajakan dan stimulus Kredit Usaha rakyat (KUR) Rp70,1 triliun.

Dengan tambahan anggaran tersebut, pemerintah terpaksa mengubah ketentuan batas defisit APBN dari 3% PDB jadi 5,07% PDB. Soal pendanaannya, sudah tentu harus ditambal dari utang, mengingat kondisi perpajakan sedang sulit diandalkan. Secara bersamaan, target pertumbuhan ekonomi dikoreksi dari 5,3% di APBN 2020 menjadi 2,3% dalam skenario moderat, atau bahkan minus 0,4% jika mempertimbangkan skenario terburuk. Basis legalnya adalah Peraturan Pemerintah Pengganti

*effects of the global economic crisis, while reducing the effect of the Covid-19 pandemic in the midst of the classic twin deficit problem (trade balance and State Budget deficits).*

#### Fiscal Stimulus

*The government budgeted additional funds of IDR405.1 trillion to support the Large-Scale Social Restrictions (Pembatasan Sosial Berskala Besar/PSBB) policy while simultaneously save the economy and the national financial system from the toxic impacts of Covid-19. The additional funds are allocated for the national economic recovery program of IDR150 trillion, additional funding in the health sector of IDR75 trillion, social safety net program of IDR110 trillion, as well as tax incentives and stimulus for the People's Business Loans (Kredit Usaha Rakyat/KUR) of IDR70.1 trillion.*

*With the additional budget, the government is forced to change the State Budget deficit limit from 3% of Gross Domestic Product (GDP) to 5.07% of GDP. Concerning the funding, certainly, it must be reinforced from debt, considering that the taxation condition is currently difficult to rely on. At the same time, the economic growth target is corrected from 5.3% in the 2020 State Budget to 2.3% in a moderate scenario, or even minus 0.4% when considering the worst case scenario. The legal basis is the Government Regulation in Lieu of Law (Perppu) Number 1 of 2020 and its implementing regulations, which until this writing is made "flood of regulations" never stop.*

*In terms of taxation, the incentive package provided by the government includes:*

*1. Income Tax Article (ITA) 21*

Undang-Undang Nomor 1 Tahun 2020 serta peraturan pelaksanaannya, yang sampai tulisan ini dibuat "banjir regulasi" tak kunjung berhenti.

Dari sisi perpajakan, paket insentif yang diberikan pemerintah meliputi:

1. PPh 21 ditanggung pemerintah (DTP) untuk pekerja sektor industri pengolahan tertentu dengan penghasilan hingga Rp200 juta setahun;
2. Pembebasan PPh Impor untuk 19 sektor tertentu, Wajib Pajak Kemudahan Impor Tujuan Ekspor (KITE) dan wajib Pajak KITE Industri Kecil Menengah (IKM);
3. Pengurangan PPh 25 sebesar 30% untuk sektor tertentu, wajib pajak KITE dan KITE IKM;
3. Restitusi PPN dipercepat bagi 19 sektor tertentu;
4. Penurunan tarif PPh Badan menjadi 22% untuk tahun 2020 dan 2021 serta menjadi 20% mulai tahun 2022, dan pengurangan tarif 3% lebih rendah bagi Wajib Pajak dalam negeri berbentuk Perseroan Terbuka (PT) yang minimal 40% sahamnya diperdagangkan di Bursa Efek Indonesia;
5. Pengenaan PPN dan PPh atas transaksi elektronik, dan;
6. Perpanjangan jangka waktu permohonan/penyelesaian administrasi perpajakan.

Semua insentif tersebut patut diapresiasi di saat kondisi krisis saat ini, terutama kebijakan PPh Pasal 21 DTP untuk enam bulan ke depan. Dengan adanya fasilitas tersebut diharapkan menambah jumlah penghasilan yang diterima pekerja sehingga meningkatkan daya beli masyarakat, khususnya pekerja.

Sayangnya, cakupan penerima PPh Pasal 21 DTP tersebut hanya terbatas untuk pekerja di sektor industri tertentu, yang berpenghasilan hingga Rp200 juta

setahun. Kenyataannya, hampir semua sektor usaha terpukul dan PHK terjadi tidak hanya di sektor formal, tetapi juga banyak pekerja di sektor informal yang terpaksa dirumahkan.

Karenanya, alangkah lebih baik jika fasilitas PPh Pasal 21 DTP diberikan juga bagi seluruh pekerja di semua sektor usaha. Kalaupun beban fiskal terlalu besar untuk menanggung PPh 21, bisa saja batasan jumlah penghasilan setahun diturunkan atau tidak harus sampai Rp 200 juta. Periode pemberian fasilitas PPh Pasal 21 DTP juga perlu dikaji ulang, tidak harus dikunci selama enam bulan. Dengan demikian, insentif sewaktu-waktu bisa dihentikan jika Indonesia bisa terbebas dari pandemi Covid-19 lebih cepat dari estimasi enam bulan, atau sebaliknya dapat diperpanjang jika memang diperlukan.

#### Paradoks Utang

Bicara fiskal tidak melulu soal pajak dan belanja negara. Ada komponen utang yang menambal selisih kurangnya. Menurut Mankiw (2000), kebijakan fiskal yang optimal di sebagian besar negara membutuhkan kondisi defisit atau surplus anggaran. Ini terkait dengan tiga fungsi fiskal sebagai alat stabilisasi, *tax smoothing* dan redistribusi intergenerasi.

Karenanya, tidak ada yang salah dengan utang selama digunakan untuk membiayai kegiatan produktif, sehingga menghasilkan output yang positif. Yang salah adalah gencar menarik utang tanpa diimbangi dengan kemampuan mengelola dan mengembalikannya. Jangan sampai tumpukan utang menciptakan krisis keuangan seperti yang menjerat sejumlah negara Uni Eropa belum lama ini.

Indonesia juga pernah mengalami masalah yang sama. Radius Prawiro, Menteri Keuangan tahun 1983-1988 dalam buku *Era Baru Kebijakan Fiskal* (2000), mengisahkan bahwa statistik dari

*is borne by the government (DTP) for certain processing industry sectors workers with an income of up to IDR200 million a year,*

*2. Exemption from import tax for 19 specific sectors, the Taxpayers and Small and Medium Enterprises (SMEs/Industri Kecil Menengah/IKM) who obtain facilities for Import Facility for Export Purposes (Kemudahan Impor Tujuan Ekspor/KITE),*

*3. Reduction of ITA 25 by 30% for certain sectors, the Taxpayers and IKM who obtain facilities for KITE,*

*4. VAT refund is accelerated for 19 specific sectors,*

*5. Reduction of Corporate Income Tax rates to 22% for 2020 and 2021 and to 20% starting in 2022, and a reduction of 3% lower rate for Resident Taxpayers in the form of a Publicly Traded Company (Public Limited Liability Company) with a minimum of 40% of its shares traded in the Indonesia Stock Exchange,*

*6. Imposition of Value Added Tax (VAT) and Income Tax for electronic transactions, and*

*7. Extension of the application/tax administration settlement period.*

*All of these incentives should be appreciated in the current crisis conditions, especially ITA 21 borne by the government policy for the next six months. This facility is expected to increase the amount of income received by workers, thereby increasing the purchasing power of people, especially workers.*

*Unfortunately, the coverage of ITA 21 borne by the government recipients is limited to workers in certain industrial sectors, who earn up to IDR200 million a year. In fact, almost all business sectors are hit and the termination of employment does not only occur in formal sectors, but also many workers in informal*

*sectors were laid off.*

*Therefore, it would be better if ITA 21 borne by the government facility is also given to all workers in all business sectors. If the fiscal burden is too large to cover ITA 21, the limit of the income a year could be lowered or not necessarily up to IDR200 million. The period of granting ITA 21 borne by the government facility also needs to be reviewed, it shall not be locked for six months. Thus, incentives can be stopped at any time if Indonesia can be freed from the Covid-19 pandemic sooner than the estimated six months, or vice versa it can be extended if necessary.*

#### Debt Paradox

*Talking about fiscal is not merely a matter of tax and state spending. There is a debt component that covers the difference in lack. According to Mankiw (2000), optimal fiscal policy in most countries requires conditions of a budget deficit or surplus. This is linked to three fiscal functions as a means of stabilization, tax smoothing and intergenerational redistribution.*

*Therefore, there is nothing wrong with debt as long as it is used to finance productive activities, resulting in positive output. The wrong thing is to withdraw debt without being balanced with the ability to manage and return it. Do not let the debt pile create a financial crisis such as that ensnares a number of European Union countries recently.*

*Indonesia has also experienced the same problem. Radius Prawiro, Minister of Finance in 1983-1988 in the book *Era Baru Kebijakan Fiskal* (2000), tells us that statistics from Bank Indonesia and Statistics Indonesia (BPS) are unable to describe the severity of Indonesia's economic disaster in mid-1966. Aside from being*



foto: freepik.com

Bank Indonesia dan Badan Pusat Statistik (BPS) tak sanggup menggambarkan parahnya bencana ekonomi Indonesia pada medio 1966. Selain miskin dan bangkrut, Indonesia juga menanggung beban utang yang menghimpit Indonesia untuk berada di lembah kemiskinan selama beberapa dekade setelahnya. Pinjaman luar negeri—yang kerap dibungkus dengan istilah bantuan asing—kala itu menjadi satu-satunya sumber pembiayaan “APBN Sosialisme ala Indonesia”. Warisan utang tersebut semakin bertambah seiring dengan semangat pembangunan Orde baru. Alih-alih menertibkan fiskal, bantuan dan utang justru dikamufleskan ke dalam komponen penerimaan negara demi menjaga marwah “APBN Berimbang dan Dinamis”. Sebelum akhirnya komponen pembiayaan dipisahkan dari penerimaan ke dalam pos tersendiri di APBN sejalan dengan semangat transparansi

di era reformasi hingga saat ini.

Seiring berjalannya waktu, instrumen pembiayaan semakin kaya ragam. Obligasi kemudian menjadi sumber pembiayaan utama pemerintah selain pinjaman luar negeri—yang banyak menuai kritik publik pasca penandaanganan *Letter of Intent (LoI)* IMF tahun 1998.

Dalam kaitannya dengan krisis pandemi Covid-19, Menteri Keuangan Sri Mulyani Indrawati saat *Live Media Briefing (7/4)* mengatakan, APBN 2020 akan menghadapi tekanan dari semua sisi, baik penerimaan, belanja, maupun pembiayaan. Dia memperkirakan penerimaan negara 2020—pajak, bea dan cukai, maupun PNB—akan mengalami *shortfall* sekitar 10% (Rp472,3 triliun). Sementara itu, pembiayaan dipastikan melonjak signifikan seiring dengan melebarnya defisit APBN 2010 menjadi Rp853 triliun (5,07% PDB) dari Rp307,2 triliun (1,76% PDB) di

*poor and bankrupt, Indonesia also bears the debt burden that has pushed Indonesia into a poverty trap for decades thereafter. External debts – which were often wrapped up in terms of foreign aid – were then the only source of funding for the “Socialism State Budget Indonesia style.” The debt inheritance is increasing in line with the spirit of the development of the New Order. Instead of curbing fiscal, aid and debt were camouflaged into the state revenue component in order to maintain the spirit of “Balanced and Dynamic State Budget.” Before finally the financing component was separated from revenue into a separate allocation in the State Budget in line with the spirit of transparency in the reform era to the present.*

*As time passes, the financing instruments are getting richer in variety. Bonds then became the main source of government funding other than external debt – which drew much public*

*criticism after the signing of the IMF Letter of Intent (LoI) in 1998.*

*In relation to the Covid-19 pandemic crisis, Minister of Finance Sri Mulyani Indrawati during the Live Media Briefing (7/4) said that the 2020 State Budget will face pressure from all sides, either revenue, expenditure, or financing. She estimated that 2020 state revenues – taxes, customs and excise, and State Non-Tax Revenue (PNBP) – will experience a shortfall of around 10% (IDR472.3 trillion). Meanwhile, financing is ensured to surge significantly in line with the widening of the 2010 State Budget deficit to IDR853 trillion (5.07% of GDP) from IDR307.2 trillion (1.76% of GDP) in the 2020 State Budget.*

*Learning from the bitter experience of the debt crisis, the government must be careful in attracting funding by looking for sources of financing*

APBN 2020.

Belajar dari pengalaman pahit krisis utang, pemerintah harus hati-hati dalam menarik pembiayaan dengan mencari sumber-sumber pembiayaan yang risikonya paling kecil. Terutama penarikan pinjaman luar negeri dan penerbitan obligasi valas yang rentan terpengaruh tekanan global dan gejolak kurs. Satu yang pasti, pemerintah tidak bisa sendirian menghadapi krisis ini sehingga diperlukan dukungan dan kritik dari semua pihak. Bank Indonesia selaku otoritas moneter harus mengimbangi stimulus fiskal dengan pelonggaran kebijakan makroprudensial. Sedangkan Otoritas Jasa Keuangan (OJK), jangan sampai relaksasi aturan kredit mengabaikan tugas utamanya sebagai pengawas operasional bank dan lembaga keuangan nonbank.

#### Moral Hazard

Harus disadari bahwa saat ini perekonomian Indonesia dihadapkan pada iklim ekonomi dunia yang lebih dinamis, diliputi ketidakpastian, dan volatilitas yang tinggi. Karenanya, diperlukan fleksibilitas fiskal yang memadai bagi pemerintah untuk merespon dan menjawab gejolak dan dinamika yang terjadi. Namun, fleksibilitas fiskal tersebut juga harus mengutamakan pada tiga hal, yakni efisiensi, efektivitas, dan dapat dipertanggungjawabkan.

Poin ketiga tidak kalah penting untuk juga diperhatikan pemerintah. Terutama di tengah sorotan publik akan klausul impunitas bagi pengambil kebijakan dalam Perpu Nomor 1 Tahun 2020, yang dianggap rentan disalahgunakan (moral hazard). Bantuan Likuiditas Bank Indonesia (BLBI) dan penyelamatan Bank Century adalah contoh kebijakan

penanggulangan krisis yang diseret ke ranah pidana dan menjadi polemik politik berkepanjangan sampai sekarang. Kondisi-kondisi tersebut pasti sudah dipertimbangkan pemerintah, termasuk keputusan akhir Mahkamah Konstitusi nantinya atas uji materi Pasal impunitas Perpu Nomor 1 tahun 2020 oleh sejumlah pihak.

Kita tidak pernah tahu akan seperti apa masa depan, karena krisis yang terjadi hari ini pun tidak ada yang dapat memprediksi sebelumnya. Karenanya, sense of crisis harus dibangun dan menjadi landasan dalam penyusunan APBN. Satu pelajaran yang bisa dipetik dari krisis ekonomi adalah pentingnya menjaga pengelolaan fiskal yang mengutamakan kehati-hatian, sehat, dan berkesinambungan. Karenanya, alangkah bijak jika semua pihak—terutama pemerintah—mendalami pesan artis senior Amerika Serikat, Maya Angelou: “Hoping for the best, prepared for the worst, and unsurprised by anything in between.”

*\*) Tulisan ini telah terbit di Majalah Pajak Volume 74, Mei 2020*

*that have the smallest risk. Especially the withdrawal of external debt and the issuance of forex bonds that are vulnerable to global pressures and exchange rate fluctuation.*

*One thing is for sure, the government cannot cope this crisis alone, so it needs support and criticism from all parties. Bank Indonesia as the monetary authority must balance fiscal stimulus with easing macroprudential policies. Meanwhile, for the Financial Services Authority (OJK), do not let the relaxation of credit rules ignore its main task as a supervisor of bank operations and nonbank financial institutions.*

#### Moral Hazard

*It must be realized that the Indonesian economy is currently facing a more dynamic world economic climate, filled with uncertainty and high volatility. Thus, adequate fiscal flexibility is needed for the government to respond and answer to the turmoil and dynamics that occur. However, the fiscal flexibility must also prioritize three things, namely efficiency, effectiveness, and accountability.*

*The third point is no less important for the government to consider. Especially in the middle of the public spotlight on the impunity clause for policy makers in Perppu No. 1 of 2020, which is considered potentially to misuse (moral hazard). Bank Indonesia Liquidity Assistance (Bantuan Likuiditas Bank Indonesia/BLBI) and the rescue of Bank Century are examples of crisis response policies that have been dragged into the criminal realm and become a prolonged political polemic until now. These conditions must have been considered by the government, including the final decision of the Constitutional Court later on judicial review of article about impunity of Perppu No. 1 of 2020 by a*

*number of parties.*

*We never know what the future will be like because even the crisis that occurs today no one can predict it beforehand. Therefore, a sense of crisis must be built and become the basis in preparing the State Budget. One lesson that can be learned from the economic crisis is the importance of maintaining fiscal management that prioritizes prudence, sound, and sustainability. Therefore, it would be wise if all parties – especially the government – deepen the message of a senior American artist, Maya Angelou: “Hoping for the best, prepared for the worst, and unsurprised by anything in between.”*

*\*) This article has been published in Majalah Pajak, Volume 74, May 2020*

# Menyoal PPN Atas Pemberian Cuma-Cuma di Tengah Pandemi Covid-19

## Questioning VAT on Free Gift Amid Corona Pandemic

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Dunia tengah dilanda pandemi virus corona jenis baru, Corona Virus Disease 2019 (Covid-19).

Di Indonesia, berbagai kebijakan mitigasi penyebaran virus diupayakan oleh semua pihak, baik pemerintah, korporasi, hingga level keluarga. Apa implikasi perpajakan dari kepedulian sosial yang dilakukan korporasi?

Pemerintah telah menetapkan memilih opsi Pembatasan Sosial Berskala Besar (PSBB) dalam menghambat penyebaran Covid-19, yang hingga hari Senin 6 April 2020 tercatat 2.491 kasus positif Covid-19, dengan 192 pasien telah sembuh dan 209 orang pasien meninggal. Dalam pelaksanaannya, pemerintah mulai membatasi akses lalu lintas manusia dari dan menuju suatu wilayah, menggelontorkan stimulus ekonomi, mengimbau masyarakat untuk menjaga jarak satu sama lain hingga melarang gelaran acara yang melibatkan banyak orang (*social dan physical distancing*).

Di level korporasi, salah satu kepedulian sosial sederhana yang dilakukan sejumlah perusahaan adalah dengan membagikan cuma-cuma barang sanitasi dan medis, seperti *masker, hand sanitizer, dan disinfectant*, baik kepada karyawan maupun masyarakat

**T**he world is being hit by a new type of Corona virus pandemic, Covid-19. In

Indonesia, various policies to mitigate the spread of the virus are pursued by all parties, including the government, corporations, down to families. What is the taxation implication of corporate social responsibility?

The government has chosen the Large-Scale Social Restrictions (Pembatasan Sosial Berskala Besar/PSBB) option to prevent the spread of Covid-19, which until Monday 6 April 2020 recorded 2,491 positive cases of Covid-19, with 192 patients recovering and 209 patients died. In its implementation, the government began to restrict access to human traffic to and from an area, poured out economic stimulus, urged people to keep their distance from each other to prohibit events that involve many people (*social and physical distancing*).

At the corporate level, one of the simple social concerns that some companies do is to share free sanitation and medical items, such as masks, hand sanitizers, and disinfectants, both to employees and



foto: Zak

sekitar lingkungan kerja. Nah, penulis tidak akan mengelaborasi terlalu jauh soal pandemi Covid-19 karena memang bukan kompetensi penulis. Fokus penulis adalah implikasi perpajakan dari contoh kepedulian sosial yang dilakukan korporasi tersebut. Dalam hal ini perlakuan Pajak Pertambahan Nilai (PPN) terhadap pemberian cuma-cuma Barang Kena Pajak (BKP) oleh perusahaan selaku Pengusaha Kena Pajak (PKP).

Sebagaimana diatur dalam Undang-Undang PPN, di antara jenis-jenis transaksi yang terkena PPN adalah transaksi pemakaian sendiri dan pemberian cuma-cuma atas Barang Kena Pajak (BKP). Atas pemakaian sendiri dan pemberian cuma-cuma tersebut masing-masing dikenakan PPN sebesar 10% dari harga jual atau nilai penggantian setelah dikurangi laba kotor. Ketentuan ini diatur lebih lanjut melalui Peraturan Pemerintah (PP) Nomor 1 Tahun 2012.

“Pemakaian sendiri” diartikan sebagai pemakaian BKP untuk kepentingan pengusaha, pengurus, atau karyawan, baik berupa barang produksi sendiri maupun bukan. PPN dikecualikan atas pemakaian sendiri BKP untuk tujuan produktif atau yang berkaitan dengan kegiatan produksi, distribusi, pemasaran, dan manajemen perusahaan. Artinya, PPN hanya dikenakan atas “pemakaian sendiri” BKP yang sifatnya konsumtif atau tidak ada kaitannya dengan kegiatan bisnis perusahaan.

Sedangkan yang dimaksud dengan “pemberian cuma-cuma” adalah pemberian yang diberikan tanpa pembayaran, baik barang produksi sendiri maupun bukan. Bahkan, pemberian contoh barang untuk promosi kepada relasi atau pembeli juga termasuk sebagai objek pengenaan PPN atas pemberian

cuma-cuma. Poin terakhir inilah yang menjadi menarik untuk diperbincangkan kembali.

### Esensi Nilai Tambah

Sebelumnya, mungkin kita perlu menafsirkan kembali filosofi dari “pertambahan nilai” atau “nilai tambah” yang menjadi dasar pengenaan PPN. Seperti halnya yang ditulis oleh Alan A. Tait dalam buku legendarisnya, *Value Added Tax: International Practice and Problems* (Washington D.C: *International Monetary Fund*, 1988; 4), value added adalah nilai yang ditambahkan oleh produsen ke bahan mentah atau pembelannya (selain tenaga kerja) sebelum menjual produk atau layanannya. Dengan kata lain, nilai tambah dapat dilihat dari sisi aditif (upah plus keuntungan) atau dari sisi subtraktif (output dikurangi input).

Adam Smith dalam Haula Rosdiana dan Rasin Tarigan (*Perpajakan: Teori dan Aplikasi*, 2005; 215) mendefinisikan value added sebagai selisih antara penjualan dan pembelian yang dilakukan oleh sebuah perusahaan dalam suatu periode akuntansi tertentu.

Dalam hal ini, penulis—seperti halnya anggapan umum—mendefinisikan nilai tambah sebagai selisih antara harga produk atau jasa yang dihasilkan (*output*) dan biaya yang habis dipakai selama proses produksi barang dan jasa tersebut (*input*). Dalam mekanisme PPN yang dianut di Indonesia, output terwakili oleh Pajak Keluaran, sedangkan input terwakili oleh Pajak Masukan yang merupakan kredit pajak (pengurang) dari Pajak Keluaran. Sehingga, hakikat PPN adalah Pajak Keluaran dikurangi Pajak Masukan.

Apabila kita cermati kasus di atas, peralatan sanitasi dan medis yang dibagikan gratis

the surrounding community around the working environment.

While the Covid-19 pandemic is not my competence, I will focus on the tax implications of the examples of corporate social responsibility instead. In this case, the Value Added Tax (VAT) of Free Gift categorized as Taxable Goods or Services (Barang Kena Pajak/BKP) by companies as VAT-Registered Persons (Pengusaha Kena Pajak/PKP).

As regulated in VAT Law, included in the VAT objects are Taxable Goods or Services for personal use and/or as a free gift. For the personal use and free gift, each is subject to a VAT of 10% of the selling price or replacement value after deducting the gross profit. This provision is further governed by Government Regulation Number 1 Year 2012.

“Personal use” is defined as the use of Taxable Goods or Services for the benefit of entrepreneurs, managers, or employees, both in the form of self-produced goods and those that are not. The VAT is exempted from the use of Taxable Goods or Services for productive purposes or those related to the production, distribution, marketing, and management activities of a company. This means that the VAT is only imposed on the consumptive “personal use” of Taxable Goods or Services or the use of Taxable Goods or Services with no relation to the company’s business activities.

Meanwhile, the “free gift” is gift given without payment, either the self-produced goods or those that are not. In fact, providing samples of goods for promotion to a relation or buyer is also included in the free gift VAT calculation. The latter is going

to be the topic of our further discussion.

### The Essence of Value Added

Before we start, perhaps we should reinterpret the philosophy of “value-added” as the base of VAT imposition. Alan A. Tait in his legendary book “Value Added Tax: International Practice and Problems (1988; 4)” states that the value-added gets its name from the value added by manufacturers to raw materials or their purchases (other than labor) before selling the products or services. In other words, value-added can be seen from the additive side (the difference between costs and wages plus profits) or from the subtractive side (output minus input).

Adam Smith in Rosdiana and Tarigan (*Perpajakan: Teori dan Aplikasi*, 2005: 215) defines VAT as the difference between sales and purchases made by a company within a particular accounting period.

In this case, going with the general assumption, I would define value-added as the difference between the price of the product or service produced (output) and the costs used up during the production process of the goods and services (input). In the VAT mechanism adopted in Indonesia, the output can be treated the same as an output tax, while the input as a deduction can be assumed as an input tax which is the tax credit (deduction) of the output tax. Thus, the essence of VAT is the output tax minus input tax.

If we take a closer look to the case above, the sanitary and medical equipment shared freely are neither output nor end product/service sold by the company—except for pharmaceutical companies. Assuming that the transaction is made with an



sejatinya bukan merupakan output atau produk yang dijual oleh perusahaan—kecuali perusahaan farmasi. Dengan demikian, tidak ada nilai tambah yang didapatkan oleh perusahaan dari membagikan secara cuma-cuma barang-barang tersebut. Justru hal tersebut menjadi biaya tambahan bagi perusahaan karena harus membeli produk eksternal.

Sama halnya dengan membagikan sampel produk secara gratis kepada calon pelanggan atau memberikan suplemen/*merchandise* seperti kalender, payung, topi, atau barang-barang promosi lain dalam rangka pemasaran produk oleh perusahaan. Dalam strategi marketing, membagikan barang-barang promosi secara cuma-cuma adalah hal yang lazim guna mempopulerkan brand, yang diharapkan berdampak positif terhadap target penjualan.

Pertanyaannya adalah apakah peralatan medis dan barang promosi/*merchandise* yang dibagikan cuma-cuma oleh perusahaan termasuk kategori *output*? Isu ini menjadi relevan untuk diperbincangkan mengingat tidak semua produk yang dibagikan gratis masuk kategori *output* yang diproduksi dan diperjual-belikan oleh perusahaan.

Dalam konteks pemberian sample produk, sekalipun memenuhi kategori *output*, secara biaya pengadaan sebenarnya sudah diperhitungkan ketika menetapkan harga jual produk (*output*). Artinya, sekalipun ada nilai tambah dari pemberian cuma-cuma barang sample, sejatinya PPN-nya sudah dikenakan berdasarkan harga paket penjualan produk.

Pertanyaan selanjutnya adalah apakah barang suplemen atau promosi yang diberikan cuma-cuma masuk kategori *output*? Tentu saja jawabannya adalah bukan. Akan tetapi,

mengapa perusahaan masih harus menanggung lagi PPN atas pemberian cuma-cuma barang suplemen atau promosi? Dengan demikian, pengenaan PPN atas pemberian cuma-cuma ini justru telah keluar dari teori Pajak Pertambahan Nilai. Selain itu, permasalahan ini justru menjadi kontra produktif dengan semangat Indonesia memperbaiki peringkat kemudahan berusaha dan menciptakan iklim investasi yang bersahabat.

#### Momentum Omnibus Law

Kalau konteksnya ingin memajaki pemberian secara gratis BKP/JKP dari sisi penilaian harganya, terutama atas transaksi dengan pihak yang memiliki hubungan istimewa (karyawan, pemegang saham, atau perusahaan afiliasi), sejatinya itu sudah diatur pada Pasal 2 UU PPN, yang menekankan pada harga yang wajar (*arm's length*). Dengan demikian, dalam transaksi afiliasi berupa pemberian cuma-cuma atas BKP/JKP (yang memenuhi kategori *output*), seyogianya PPN tidak dikenakan dengan menggunakan dalil pemberian cuma-cuma, melainkan menggunakan dalil harga wajar. Penegasan ini penting agar pengenaan PPN atas pemberian cuma-cuma (Pasal 1 huruf d UU PPN) tidak bertabrakan dengan ketentuan transfer pricing (Pasal 2 UU PPN).

Sudah waktunya semua pihak duduk bersama meluruskan kembali prinsip pertambahan nilai, terutama terkait penerapan PPN atas pemberian cuma-cuma. Terlebih, pemerintah dan parlemen tengah memacu pembahasan amendemen sejumlah ketentuan perpajakan menggunakan skema *Omnibus Law*. Setidaknya, wabah Covid-19—yang memaksa semua pihak menjaga jarak—memberikan waktu bagi Pemerintah dan Parlemen untuk menghela nafas sejenak dan menyisir

*independent party, there is no value-added obtained by the taxpayer from distributing free items. Instead, it would be an additional cost for the company as they must buy external products.*

*Similar to sharing sample products for free to potential customers or providing supplements/merchandises such as calendars, umbrellas, hats, or other promotional items in the context of product marketing by companies. In marketing strategies, sharing promotional items for free is common for every company to popularize the brand, which is expected to positively impact the sales target.*

*The question is then, are the medical equipment and promotional items/merchandise shared for free by companies are included in the category of output? This issue becomes relevant to be discussed considering that not all products freely distributed are included in the category of output produced and sold by companies.*

*In the context of providing product samples, even if they meet the output category, the cost of procurement of supplements or promotional items is actually taken into account when setting the selling price of the main product (output). It means that, despite the value-added in the free gift of the supplement or the promotion, the real VAT has been borne by customers based on the price of the main product or service sales package.*

*The next question is whether the supplement or promotion items provided are free in the output category? the answer is absolutely no. Then, why does the company still have to bear more VAT on the free gift of supplements or promotional*

*items? Thus, the imposition of VAT on free gift has precisely come out of the theory of Value Added Tax. In addition, this problem is exactly counter-productive with Indonesia's spirit of improving business ease ranking and creating a friendly investment climate.*

#### The Momentum of Omnibus Law

*In the context of taxing the price assessment regarding the free gift of Taxable Goods or Services, especially for transactions with the parties under the company's control (employees, shareholders, or affiliated companies), the tax has been regulated in Article 2 of the VAT Law, emphasizing on the value of a reasonable market price (arm's length). Thus, affiliate transactions using an arm's length price—even if the free items are the main products or services sold (output), should not be subject to VAT under the proposition of free gift. This affirmation is important so that the application of VAT on the free gift (Article 1 letter d of VAT Law) does not conflict with the terms of transfer pricing (Article 2 of VAT Law).*

*It is time for all parties to sit together and straighten up the value-added principle, especially regarding the application of VAT on free gifts. Moreover, the government and the parliament are spurring a discussion of amendments to some taxation provisions using the Omnibus Law scheme. At the very least, the Covid-19 outbreak - which forced all parties to keep their distance - gave the government and the parliament time to breathe for a moment and re-observe the points of the amendment to the Tax Law*

kembali poin-poin perubahan Undang-Undang Perpajakan di jeda *social distancing*. Jangan sampai revisi kebijakan yang dipaksakan cepat justru meninggalkan "Pekerjaan Rumah" yang justru krusial di bidang perpajakan.

*in the pause of social distancing. We surely do not want the revision of the policies that are imposed hurriedly leaves crucial "homework" in the field of taxation.*

\*) Tulisan ini telah terbit di *Investor Daily*, Selasa, 7 April 2020.

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# Waspada Dampak Pandemi COVID-19 Terhadap Transfer Pricing

*Beware of the COVID-19 Pandemic Impact on Transfer Pricing*

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**W**abah Corona Virus Disease 2019 (COVID-19) menyebar cepat ke seluruh dunia sejak pertama kali ditemukan di Wuhan, Cina pada penghujung tahun lalu. Pandemi virus mematikan ini tidak hanya mengancam kesehatan dan mengisolasi sebagian besar penduduk dunia, tetapi juga memaksa terhentinya aktivitas ekonomi hampir di semua negara. Bencana non-alam ini juga menggagalkan pemulihan ekonomi global dari efek perang dagang, yang dampaknya semakin diperparah oleh kejatuhan harga minyak akibat konflik produsen emas hitam.

Meski tidak kasat mata, musuh dunia ini telah menciptakan krisis multidimensi serta dampaknya nyata terhadap aktivitas perdagangan dan manufaktur yang menurun tajam, serta jutaan pekerja yang terpaksa dirumahkan. Alhasil pengangguran melonjak di berbagai kawasan dan ancaman resesi ekonomi terburuk sejak *Great Depression* 1930 kini di pelupuk mata. *International Monetary Fund* (IMF) memperkirakan perekonomian global akan mengalami kontraksi sekitar 3% pada tahun ini.

*Organisation for Economic Co-operation and Development* (OECD) pun sudah memperingatkan bahwa COVID-19 merupakan bahaya terbesar bagi ekonomi dunia sejak krisis keuangan 2008. Dalam skala bisnis, krisis multidimensi ini diprediksi berdampak negatif terhadap pendapatan operasional perusahaan multinasional, yang kemudian juga berpengaruh terhadap analisis penetapan harga transfer (*transfer pricing*) transaksi afiliasi.

Dalam praktiknya di Indonesia, sesuai amanat Undang-Undang Pajak Penghasilan (PPH), Otoritas Pajak berwenang untuk melakukan koreksi *transfer pricing* terhadap transaksi afiliasi Wajib Pajak, terutama atas transaksi yang tidak sesuai dengan prinsip-prinsip kewajaran dan kelaziman usaha (*arm's length principle*). Koreksi dilakukan dengan mempertimbangkan harga atau laba yang diperoleh oleh pihak-pihak independen. Secara teknis, koreksi akan menggunakan angka median rentang interkuartil perbandingan independen. Lalu, apa korelasinya dengan kondisi krisis ekonomi global akibat pandemi COVID-19?

Pada tahun 2015, OECD melalui *Base Erosion and Profit Shifting* (BEPS) Action 13

mendorong Wajib Pajak untuk menyusun dokumentasi *transfer pricing* menggunakan pendekatan *ex-ante*, di mana analisis dilakukan sebelum atau pada saat transaksi afiliasi

dilakukan (*contemporaneous transfer pricing documentation*). Indonesia merupakan salah satu negara yang mengadopsi saran tersebut dengan menerbitkan Peraturan Menteri Keuangan Nomor 213/PMK.03/2016. Bagi Wajib Pajak yang melakukan analisis *transfer pricing* dengan menggunakan metode perbandingan harga atau *Comparable Uncontrolled Price* (CUP) harus mencermati pergerakan harga pasar komoditas, terlebih di tengah pandemi COVID-19. Sebagai contoh, harga minyak mentah dunia mengalami penurunan sangat drastis, bahkan sempat minus. Dalam kasus

**T**he Corona Virus Disease 2019 (COVID-19) pandemic spread rapidly throughout the world since it was first discovered in Wuhan, China, at the end of last year. The pandemic of this deadly virus not only threatens health and isolates a large portion of the world's population, but also forces economic activities to stop in almost all countries. This non-natural disaster also thwarts the recovery of the global economy from the effects of the trade war, the impact of which is further compounded by falling oil prices due to the conflict of black gold producers.

Although invisible, this world's enemy has created a multidimensional crisis and its impact on trade and

Bagi Wajib Pajak yang melakukan analisis *transfer pricing* dengan menggunakan metode perbandingan harga atau *Comparable Uncontrolled Price* (CUP) harus mencermati pergerakan harga pasar komoditas, terlebih di tengah pandemi COVID-19.

*manufacturing activities that have fallen sharply, and millions of workers have been forced to be laid off. As a result, unemployment surges in various regions, and the threat of the worst economic recession since the 1930 Great Depression is now in our face. The International Monetary Fund (IMF) estimates that the global economy will experience contractions by around 3% this year.*

*The Organisation for Economic Co-operation and Development (OECD) has warned that COVID-19 is the biggest danger to the world economy since the 2008 financial crisis and on business scale is predicted to have a negative influence on multinational companies' (MNEs) operating income. Such economic conditions will clearly have an impact on the transfer*

*pricing analysis of related-party transactions. In Indonesian practice, based on the mandate of Indonesian Income Tax Law, the Tax Authority has rights to make a transfer pricing correction to related-party transactions conducted by Taxpayers, especially in the transactions that are not made in compliance with the arm's length principle. The correction is made by considering the prices or profits made by independent parties. Technically, the correction will use median values of independent comparables' interquartile range. Then, what is the correlation with current global economy crisis due to COVID-19 pandemic?*

*In 2015, OECD through Base Erosion and Profit Shifting (BEPS) Action 13 encourages Taxpayers to prepare transfer pricing documentation by using an ex-ante approach, in which the analysis is conducted before or at the time the related-party transactions are made (contemporaneous transfer pricing documentation). Indonesia is one of nations that adopt such suggestion by issuing Ministry of Finance Regulation Number 213/PMK.03/2016. Taxpayers who perform a transfer pricing analysis by using Comparable Uncontrolled Price (CUP) method must pay further attention to the commodities market price fluctuation, especially in the middle of the COVID-19 pandemic. For example, the world crude oil price, as mentioned above, has significantly dropped to the minus value. In this case, the Taxpayers must present an accurate analysis based on five comparability factors in order to generate a precise conclusion.*

*The application of the Transactional Net Margin*

tersebut, Wajib Pajak perlu menyajikan analisis yang akurat berdasarkan lima faktor kesebandingan agar analisis *transfer pricing* dapat menghasilkan kesimpulan yang tepat.

Penerapan analisis *Transactional Net Margin Method* (TNMM) menjadi lebih menantang dalam menjustifikasi penerapan prinsip kewajaran dan kelaziman usaha atas transaksi afiliasi yang dilakukan Wajib Pajak selama tahun pajak yang terpengaruh pandemi COVID-19. Analisis TNMM membandingkan tingkat laba operasi pihak yang diuji (*tested party*) dengan perusahaan pembanding yang sejenis, yang umumnya diperoleh dari database komersial. Pendekatan *ex-ante* dalam analisis TNMM meninjau bagaimana Wajib Pajak memproyeksikan laba operasinya di awal tahun dan mengidentifikasi faktor apa saja yang bisa menyebabkan perbedaan perolehan laba operasi aktual di tahun tersebut.

Secara teknis, analisis benchmarking dalam penerapan TNMM dilakukan sebelum tahun pajak dimulai atau pada awal tahun pajak. Pada periode tersebut, tidak semua perusahaan di dalam database telah diperbarui informasi keuangannya dengan laporan keuangan atas tahun pajak yang baru saja berakhir. Dalam praktiknya, alternatif analisis dilakukan dengan menggunakan informasi keuangan perusahaan pembanding dua tahun sebelum analisis dilakukan. Sebagai contoh, Singapura memberikan panduan yang jelas bagi Wajib Pajak yang ingin melakukan analisis benchmarking terhadap laba operasi tahun pajak 2020. Berdasarkan panduan tersebut, Wajib Pajak ketika menentukan harga atau laba dalam menyusun laporan keuangan terkini menggunakan data pembanding tahun 2018. Dengan demikian, memungkinkan adanya perbedaan kondisi ekonomi global di tahun 2018 dengan tahun 2020 yang mungkin berdampak terhadap profitabil-

*Method (TNMM) becomes more challenging in justifying the implementation of arm's length principle on related-party transactions made by Taxpayers during fiscal years that are affected by COVID-19. The TNMM analysis is performed by comparing tested party's operating profit level to comparable companies, which is commonly obtained from commercial database. The ex-ante approach in the TNMM analysis observes how a Taxpayer set the operating profit in the beginning of fiscal year and identify the factors that make a gap between the projected and actual operating profits earned by the Taxpayer.*

*Technically, a benchmarking analysis in the application of the TNMM is done before a fiscal year begins, or at least at the beginning of the fiscal year. During that period, not all companies' financial information in the database has been updated by the financial report of the latest fiscal year that is just completed. In practice, there is*

*an alternative to perform the analysis by using comparable companies' financial information two years before the analysis is performed. For instance, Singapore provides a clear guideline for Taxpayers who want to perform a benchmarking analysis on the operating profit of fiscal year 2020. Based on the guideline, the Taxpayers, when determine prices or profits in preparing updated financial report, use comparable data for 2018. Therefore, there is a possibility of different global economy condition between 2018 and 2020 that may affect profitability of comparable companies and the Taxpayer itself.*

*The COVID-19 has disrupted the global supply chain. This condition has serious impacts on the decline of overall business operation, which in turn will reflect on the significant decrease in companies' revenue and profitability. In this situation, related to transfer pricing, the companies incurring loss are highly potential to be exposed. Therefore, the companies with*

itas perusahaan pembanding dan Wajib Pajak itu sendiri.

Apabila dicermati, wabah COVID-19 sudah sangat mengganggu rantai pasokan global. Kondisi ini berdampak serius terhadap penurunan operasional bisnis secara keseluruhan, yang pada gilirannya akan tercermin dari penurunan pendapatan dan profitabilitas perusahaan secara signifikan. Dalam situasi ini, berkaitan dengan penetapan harga transfer, perusahaan yang merugi sangat berpotensi terekspos. Oleh karena itu, perusahaan dengan keuntungan rendah atau bahkan merugi, perlu melakukan analisis *transfer pricing* secara komprehensif menggunakan indikator ekonomi yang tepat agar dapat menyajikan hipotetikal laba operasi jika tidak ada wabah COVID-19.

Tantangan analisis *transfer pricing* berikutnya adalah setelah pandemi berakhir, terutama bagi Wajib Pajak yang menerapkan TNMM. Kemungkinan besar akan muncul kendala dalam mencari data pembanding yang valid untuk bisa melakukan analisis *transfer pricing* secara tepat, mengingat dampak krisis ekonomi yang dihadapi oleh perusahaan, industri, atau pelaku pasar akibat COVID-19 berbeda-beda. Atas perbedaan signifikan tersebut, perusahaan dapat melakukan penyesuaian

analisis *transfer pricing* sepanjang dapat diandalkan dan meningkatkan kesebandingan antara pihak yang diuji (*tested party*) dengan perusahaan pembanding.

Secara praktis, terdapat beberapa pendekatan penyesuaian analisis *transfer pricing* yang potensial dan andal, tergantung kondisi yang dialami Wajib Pajak. Misalnya, dengan memperhitungkan perbedaan dalam kapasitas menganggur atau pengeluaran yang luar biasa. Selain itu, fluktuasi nilai tukar atau risiko kurs juga dapat dijadikan sebagai faktor analisis. Namun, penting untuk memastikan bahwa penyesuaian analisis transfer pricing dilakukan secara transparan dengan menyiapkan rincian informasi mengenai proses, hasil, dan bagaimana penyesuaian analisis *transfer pricing* tersebut dapat meningkatkan kesebandingan antara pihak yang diuji (*tested party*) dan pembanding. Wajib Pajak juga bertanggung jawab untuk menyiapkan dokumen-dokumen pendukung untuk menunjang penyesuaian analisis *transfer pricing* tersebut.

Dengan mempertimbangkan dinamika krisis yang terjadi, pada akhirnya Wajib Pajak sangat perlu menyiapkan *contemporaneous transfer pricing documentation* agar analisis penetapan harga transfer lebih komprehensif, akurat, dan tidak memicu koreksi yang dapat berujung pada sengketa *transfer pricing* di kemudian hari.

\*) Tulisan ini telah terbit di JawaPos.com, 13 Mei 2020

*any low profitability or even suffering loss should perform a comprehensive transfer pricing analysis by using an appropriate economic indicator in order to present a hypothetical operating profit when there is no COVID-19 outbreak.*

*The next challenge of a transfer pricing analysis is after COVID-19, especially for the Taxpayers applying the TNMM. It is predicted that there will be obstacles to find reliable comparable data to conduct an appropriate transfer pricing analysis, considering the diverse impact of the economic crisis faced by companies, industries, or market players as an impact of this COVID-19. Upon these significant differences, companies could make adjustments to the transfer pricing analysis as long as it is reliable and increases the comparability between the tested party and the comparable companies.*

*Practically, there are several adjustment approaches to the transfer pricing analysis that are potential and reliable, depending on the condition experienced by the Taxpayers. For example, by taking account of the differences in idle capacity or extraordinary expenses. In addition, the exchange rate fluctuations or the exchange rate risk could also be used as an analysis factor. However, it is important to ensure that the adjustments to the transfer pricing analysis are made transparently by preparing detailed information about how the adjustments are made, how the adjusted results are, and how the adjustments to the transfer pricing analysis could improve the*

*comparability between the tested party and the comparable companies. The Taxpayers are also responsible for providing documents to support those adjustments to the transfer pricing analysis.*

*By considering the dynamics of the crisis that occurs, in the end the Taxpayers really need to prepare the contemporaneous transfer pricing documentation so that the transfer pricing analysis is more comprehensive, accurate, and it does not trigger a correction that could lead to transfer pricing disputes in the future.*

\*) This article has been published on JawaPos.com, May 13, 2020



# Menimbang Rasionalitas Pemangkasan Pajak Korporasi di Tengah Pandemi

*Considering the Logic of Corporate Tax Trimming Amid Pandemic*



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Pemerintah akhirnya memangkas tarif pajak korporasi. Tarif pajak penghasilan (PPh) badan usaha diturunkan secara bertahap dari 25% menjadi 22% pada tahun 2020-2021 dan menjadi 20% mulai tahun 2022. Bahkan, ada diskon tambahan 3% lebih murah dari tarif tersebut bagi entitas usaha yang melepas minimal 40% sahamnya ke publik.

Melalui Peraturan Pemerintah Pengganti Undang-Undang (Perpu) Nomor 1 Tahun 2020, pemerintah mempercepat satu tahun lebih awal dari rencana semula. Entah karena tidak sabar menghadapi proses panjang nan kontroversi pembahasan Omnibus Law di parlemen atau memang sudah tidak kuat menerima gempuran "duta pengusaha" di Istana Merdeka, yang selalu menghamba pada modal. Satu yang pasti, copy-paste satu klausul di Rancangan Undang-Undang (RUU) Ketentuan dan Fasilitas Perpajakan ini menjadi pelepas dahaga bagi pelaku bisnis di tengah kering-kerontanya dunia usaha akibat wabah corona (Covid-19).

**Race to the Bottom**

Penurunan tarif PPh badan ini menarik untuk dibahas di tengah menguatnya kompetisi perpajakan di dunia. Belakangan ini, banyak negara seolah berlomba-lomba menurunkan tarif pajaknya (race to the bottom). Ini semua tentang daya saing sebenarnya. Adalah keterbatasan sumber daya dan kapasitas produksi di dalam negeri yang—mau tidak mau—memaksa setiap negara bersiasat untuk bisa merebut sebanyak-banyaknya modal asing. Selain faktor pendanaan pembangunan dan ekonomi, investasi langsung dibutuhkan setiap negara untuk meraup keuntungan lain, seperti transfer teknologi, penciptaan

lapangan kerja dan SDM terampil, bahan baku industri, dan yang utama tentu saja modal. Indonesia adalah salah satu negara yang ikut bersaing dalam percaturan ekonomi-politik global tersebut.

Pertanyaannya kemudian, apakah tarif pajak murah merupakan satu-satunya alasan investor untuk menanamkan modal di Indonesia? Bagaimana konsekuensi yang mungkin timbul terhadap penerimaan negara, baik dalam jangka pendek, menengah, maupun panjang?

Menurut hemat penulis, tanpa harus dipangkas sekalipun pajak korporasi Indonesia masih rasional di angka 25% dan cukup kompetitif di kawasan ASEAN. Besaran tarif PPh Badan Indonesia sama dengan Myanmar (25%) dan bahkan lebih baik dari Filipina (30%). Hanya saja memang tarif pajak korporasi Indonesia lebih tinggi dibandingkan dengan Malaysia (24%), Laos (24%), Thailand (20%), Kamboja (20%), Brunei Darussalam (18,5%), Vietnam (20%), dan Singapura (17%).

Demikian pula jika dibandingkan dengan negara-negara G20, tarif PPh korporasi Indonesia sama dengan China (25%) dan hanya lebih tinggi dari Inggris (19%), Turki dan Rusia (20%), serta tarif rata-rata Uni Eropa (22,5%) dan Korea Selatan (24,2%). Tarif PPh badan Indonesia tidak ada apa-apanya jika dibandingkan dengan Amerika Serikat (38,9%), Prancis (44,4%), dan terlebih India (48%).

Kalaupun pajak murah bisa

The government finally trimmed the corporate tax rate. The Corporate Income Tax (CIT) is gradually lowered from 25% to 22% in 2020-2021 and becoming 20% starting from 2022. Moreover, there is an additional discount of 3% cheaper than such rate for business entities that release at least 40% of their shares to the public.

Through Government Regulation in Lieu of Law (Peraturan Pemerintah Pengganti Undang-Undang/Perppu) Number 1 of 2020, the government accelerates one year earlier than the initial plan, either because they are impatient in facing the long process of controversy over the discussion of Omnibus Law in

Bagi Wajib Pajak yang melakukan analisis transfer pricing dengan menggunakan metode perbandingan harga atau Comparable Uncontrolled Price (CUP) harus mencermati pergerakan harga pasar komoditas, terlebih di tengah pandemi COVID-19.

parliament or not strong enough to face the protest of "business ambassadors" at the Presidential Palace, who always worship capital. One thing is certain, copy-pasting one clause in the Law Draft (Rancangan Undang-Undang/RUU) on Taxation

Provisions and Facilities is like an oasis in a desert for business people in the midst of business struggle due to corona outbreaks (Covid-19).

**Race to the Bottom**

The CIT rate reduction is interesting to be discussed amid the strengthening of the taxation competition in the world. Recently, many countries have been competing to reduce their tax rates (race to the bottom). It's all about the real competitiveness. It is the limited resources and production capacity in the country that—inevitably—forces each

country to find a strategy in attracting as much foreign capital as possible. Besides development and economic funding factors, direct investment is needed by each country to gain other benefits, such as transfer of technology, job creation and skilled human resources, industrial raw materials, and of course capital. Indonesia is one of the countries competing in the global political-economic arena.

However, is the low tax rate the only reason for investors to invest in Indonesia? What about the consequences that possibly arise concerning the state revenue, both in the short, medium and long term?

As far as the author concerned, without being cut, Indonesian corporate tax rate is still rational at 25% and quite competitive in the ASEAN region. The Indonesia's CIT rate is equal to those imposed by Myanmar (25%) and even better than the Philippines (30%). However, the corporate tax rate in Indonesia is indeed higher compared to Malaysia (24%), Laos (24%), Thailand (20%), Cambodia (20%), Brunei Darussalam (18.5%), Vietnam (20%), and Singapore (17%).

Likewise when compared to the G20 countries, Indonesia's CIT rate is the same as those imposed by China (25%) and only higher than the UK (19%), Turkey and Russia (20%), and the average European Union (EU) rates (22, 5%) and South Korea (24.2%). Indonesia's CIT rate is nothing compared to those applied by the United States (38.9%), France (44.4%), and especially India (48%).

Even if low tax rates can attract investors, Indonesia has been very generous in providing fiscal incentives. Starting from the tax

## Investasi bukanlah judi. Pertaruhannya bukan sekedar modal. Banyak hal yang diperhitungkan investor sebelum menentukan lahan garapan yang cocok untuk bisa ditanami modal secara berkesinambungan.

merayu pemodal, kurang royal apalagi Indonesia dalam memberikan insentif fiskal. Mulai keringanan pajak (tax allowance) hingga tax holiday sudah disediakan pemerintah untuk mendorong penanaman modal. Mau dipangkas setipis apa lagi tarif PPh Indonesia?

Apakah harus latah mengikuti Vietnam yang berani memberikan diskon pajak secara besar-besaran. Normalnya, tarif PPh Badan di Vietnam hanya 20%, lebih rendah dari Indonesia. Namun, investor bisa mendapatkan potongan tarif lagi lewat kebijakan relaksasi khusus menjadi 17% jika beroperasi di daerah tertinggal atau bahkan 10% jika investor yang bersedia membuka usaha di daerah yang sangat-sangat tertinggal.

Coba lihat juga Thailand. Demi menarik investor datang, Negeri Gajah Putih memangkas tarif pajak korporasi

menjadi 23% pada tahun 2012 dari sebelumnya 30%. Dampaknya, tax ratio-nya langsung turun menjadi 16,5% dari 17,6% pada tahun 2011. Itu merupakan risiko jangka pendek yang harus juga dipertimbangkan Indonesia, yang sejatinya sedang dipecut habis-habisan untuk bisa meningkatkan rasio pajak nasional.

Bukan Hanya Tarif

Bicara soal perebutan modal, daya saing ekonomi memang menjadi kunci utama sebuah negara untuk bisa menjadi pemenang. Tarif pajak murah mungkin bisa menjadi salah satu amunisi. Namun, itu bukanlah satu-satunya variabel yang dijadikan pertimbangan pemodal dalam berinvestasi. Investasi bukanlah judi. Pertaruhannya bukan sekedar modal. Banyak hal yang diperhitungkan investor sebelum menentukan lahan garapan yang cocok untuk bisa ditanami modal secara berkesinambungan.

Berdasarkan hasil survey World Bank terhadap 754 responden perusahaan internasional tentang faktor investor dalam memilih lokasi penanaman modal—dalam laporannya yang berjudul Global Investment Competitiveness Report 2017/2018—menunjukkan bahwa 19% responden menyatakan tarif pajak rendah sangat penting dan 39% menyebut penting. Investor asing pasti akan mempertimbangkan besarnya Effective Marginal Tax Rate (EMTR) serta insentif pajak yang ditawarkan oleh suatu negara. Namun, pajak murah bukan yang utama. Faktor yang paling menjadi perhatian investor justru stabilitas politik dan keamanan, serta kepastian hukum dan perundangan. Lagi-lagi alur birokrasi yang terlalu panjang menjadi catatan.

## Investing is not gambling. The stakes are not merely capital. Many things are taken into account by investors before determining suitable land to be able to invest continuously.

*allowance to the tax holiday has been provided by the government to boost investment. To what extent Indonesia's CIT tax rate should be trimmed further?*

*Should we follow Vietnam who dares to give massive tax discounts? Normally, the CIT rate in Vietnam is only 20%, lower than in Indonesia. Even so, investors can get another rate cut through a special relaxation policy of 17% if it operates in lagging regions or even 10% if investors are willing to open businesses in a very-lagging regions.*

*We should check out Thailand too. In order to attract investors, the country cut corporate tax rate to 23% in 2012 from 30%. As a result, the tax ratio immediately dropped to 16.5% from 17.6% in 2011. It is a short-term risk that Indonesia must also consider. As Indonesia is currently focusing on increasing the national tax ratio.*

### Not Only Rates

*Speaking of competition for capital, economic competitiveness is indeed becoming the main key for a country to be the winner. The cheap tax rate could possibly be one of the ammunitions. Nevertheless, it is not the only variable that investors consider in investing. Investing is not gambling. The stakes are not merely capital. Many things are taken into account by investors before determining suitable land to be able to invest continuously.*

*Based on the results of the World Bank survey to 754 international company respondents regarding investor factors in choosing investment locations – in their report titled Global Investment Competitiveness Report 2017/2018 – it shows that 19% of respondents stated that low tax rates were very important and 39% mentioned it was important.*

*Foreign investors will definitely consider the amount of the Effective Marginal Tax Rate (EMTR) as well as the tax incentives offered by a country.*

*However, cheap taxes are not the main issues. The major concern of investors is political and security stability, as well as legal and regulatory certainty. Again, the bureaucratic flow that is too long became a problem.*

*The author considers it would be better if the government improved Indonesia's taxation system first because from 11,436 tax dispute cases that ended in the Tax Court in 2018, as many as 7,813 cases were involving the Directorate General of Taxes (DGT). The number of tax dispute increased by 40.6% compared to those in 2017 of 5,553 cases. This indicates that the taxation system in Indonesia is not secure enough for investors*

Penulis menilai langkah lebih baik jika pemerintah memperbaiki sistem perpajakan Indonesia terlebih dahulu. Sebab, dari 11.436 kasus sengketa pajak yang berakhir di Pengadilan Pajak pada tahun 2018 sebanyak 7.813 kasus di antaranya merupakan perkara yang menyeret DJP. Jumlah sengketa pajak naik 40,6% dibandingkan posisi 2017 yang sebanyak 5.553 kasus. Ini menunjukkan bahwa sistem perpajakan di Indonesia belum memberikan kenyamanan bagi investor karena selalu dihantui sengketa dengan fiskus. Selain itu, kepatuhan dalam pelaksanaan pemenuhan kewajiban perpajakan (Compliance Cost) pada akhirnya menjadi unsur yang harus diperhatikan bagi para pelaku usaha. Pembenahan sistem perpajakan di Indonesia khususnya dalam tatanan hukum pajak jauh lebih utama dibandingkan penurunan tarif PPh Badan.

Akhirnya, penurunan tarif PPh Badan tidak akan berhasil menstimulus investasi asing ketika proses administrasi pemenuhan kewajiban perpajakan dan penyelesaian sengketa pajak masih menjadi isu permasalahan. Terlepas dari itu semua, apakah etis memaksakan kepentingan investasi di tengah pandemi? Penulis pikir, investor pasti akan berpikir dua atau tiga kali sebelum melakukan investasi di negeri ini, setidaknya di tengah ancaman resesi ekonomi.

*\*) Tulisan ini merupakan Juara II MUC Consulting Writing Contest 2019, yang telah melalui proses editing dan updating data.*

*because they are always haunted by disputes with the tax authorities. In addition, compliance in fulfilling tax obligations (compliance cost) will eventually become the element that must be considered by business people. Taxation system in Indonesia, especially in the tax law order is much more important than reducing the CIT rate. The improvement of taxation system in Indonesia, especially in the tax law system is much more important than reducing CIT rate.*

*Finally, the reduction in the CIT rate will not succeed in stimulating foreign investment when the administrative process of fulfilling tax obligations and settling tax disputes remains an issue. Apart from that, is it ethical to impose investment interests in the midst of a pandemic? From the author's standpoint, investors will definitely think twice or even thrice before investing in this country, at least amid the threat of economic recession.*

*\*) This article is the 2nd Winner of MUC Consulting Writing Contest 2019, which has been through the process of editing and updating data.*

# INDONESIA ALOKASIKAN RP405 TRILIUN UNTUK ATASI COVID-19

Pemerintah menganggarkan dana tambahan sebesar Rp405,1 triliun guna mendukung kebijakan luar biasa penanggulangan pandemi Covid-19, serta penyelamatan perekonomian dan stabilitas sistem keuangan nasional.

Alokasi dana tambahan Rp405 triliun tersebut untuk mendukung kegiatan sebagai berikut:

1. program pemulihan ekonomi nasional sebesar Rp150 triliun;
2. Pendanaan tambahan di bidang kesehatan sebesar Rp75 triliun;
3. Program jaring pengaman sosial sebesar Rp110 triliun; dan
4. Insentif perpajakan dan stimulus Kredit Usaha rakyat (KUR) sebesar Rp70,1 triliun.

Sebagai konsekuensi dari kebijakan luar biasa tersebut, defisit APBN 2020 dipastikan membengkak dengan estimasi mencapai 5,07% dari Pendapatan Domestik Bruto (PDB) atau melampaui batas maksimal 3% dari PDB yang amanatkan Undang-Undang Keuangan Negara. Sebelumnya, APBN 2020 mengalokasikan belanja negara sebesar Rp2.540,4 triliun dan menargetkan defisit sebesar Rp307,2 triliun atau 1,76% PDB



## INDONESIA ALLOCATES IDR 405 TRILLION TO COPE COVID-19

*The government has budgeted an additional fund of IDR 405,1 trillion to support the extraordinary policy of the Covid-19 pandemic countermeasures, as well as to save economic and stability of the national financial system.*

*The additional fund allocation of IDR 405,1 trillion to support the following activities:*

1. National economic recovery program of IDR 150 trillion,
2. Additional funding in the health sector IDR 75 trillion,
3. Social safety net program of IDR 110 trillion, and
4. Tax incentives and stimulus for People's Business Loans of IDR 70.1 trillion.

*As a consequence of the extraordinary policies, the 2020 State Budget deficit is certain to swell with an estimate of 5.07% of Gross Domestic Product (GDP) or exceeding the maximum limit of 3% of GDP mandated by State Finances Law. Previously, the 2020 State Budget allocated IDR 2,540.4 trillion of state expenditure and targeted a deficit of IDR 307.2 trillion or 1.76% of GDP.*

## INDONESIA MENERAPKAN PAJAK DIGITAL + KONSEP KEHADIRAN EKONOMI SECARA SIGNIFIKAN

Pemerintah memberikan perlakuan perpajakan secara khusus atas kegiatan Perdagangan Melalui Sistem Elektronik (PMSE). Model bisnis PMSE yang dimaksud antara lain *marketplace* atau penyedia *platform* atau wadah pedagang atau penyedia jasa luar negeri bertransaksi.

Perlakuan perpajakan khusus ini menyasar pedagang luar negeri, penyedia jasa luar negeri, dan/atau penyelenggara PMSE luar negeri yang memenuhi ketentuan kehadiran ekonomi signifikan dapat diperlakukan sebagai bentuk usaha tetap (BUT) dan dikenakan PPh.

Kriteria Wajib Pajak yang dianggap memenuhi ketentuan kehadiran ekonomi signifikan adalah sebagai berikut:

1. Peredaran bruto konsolidasi grup usaha sampai dengan jumlah tertentu;
2. Penjualan di Indonesia sampai dengan jumlah tertentu; dan/atau
3. Pengguna aktif media digital di Indonesia sampai dengan jumlah tertentu.

Dalam hal penetapan BUT bertentangan dengan penerapan Perjanjian Penghindaran Pajak Berganda (P3B) maka perusahaan digital asing yang memenuhi ketentuan kehadiran ekonomi signifikan dapat dikenakan pajak transaksi elektronik.

Pajak transaksi elektronik dikenakan atas transaksi penjualan barang dan/atau jasa dari luar Indonesia secara online kepada pembeli atau pengguna di Indonesia yang dilakukan oleh subjek pajak luar negeri, baik secara langsung maupun melalui perusahaan penyedia jasa *e-commerce* luar negeri.

Besarnya tarif, dasar pengenaan, dan tata cara penghitungan PPh dan pajak transaksi elektronik akan diatur lebih lanjut melalui Peraturan Pemerintah dan Peraturan Menteri Keuangan (PMK).

Bagi pedagang, penyedia jasa, penyelenggara PMSE asing maupun domestik yang melanggar ketentuan terancam dikenakan sanksi administratif sesuai dengan Undang-Undang Ketentuan Umum dan Tata Cara Perpajakan dan pemutusan akses komunikasi digital setelah diberi teguran.

## INDONESIA APPLIES DIGITAL TAX + SIGNIFICANT ECONOMIC PRESENCE

*The government provide special tax treatment of e-commerce. The e-Commerce business Model intended includes a marketplace or platform provider or merchant's place or a foreign service provider to transact.*

*The special tax treatments are foreign merchants, foreign service providers, and / or overseas E-commerce providers who meet the provisions of significant economic presence can be treated as a permanent establishment and are subject to income tax.*

*The Criteria for taxpayers who are deemed to meet the significant economic presence requirements are as follows:*

1. Gross circulation of Business group consolidation up to a certain amount;
2. Sales in Indonesia up to a certain amount; and/or
3. Active users of digital media in Indonesia up to a certain amount.

*In terms of the determination of permanent establishment is contrary to the application of Tax Treaty, foreign digital companies that meet the provisions of significant economic presence may be subject to electronic transaction tax.*

*Electronic transaction tax is levied on transactions for the sales of goods and/ or services from outside Indonesia via online to buyers or users in Indonesia carried out by foreign tax subjects, either directly and through overseas e-commerce service provider companies. The tax on electronic transactions referred to:*

*VAT on utilization Intangible Taxable Income and/or Services from outside Customs Area inside Customs Area using an electronic system.*

*ITA or electronic transaction tax on online trade transactions conducted by foreign tax subjects who meet the provisions of significant economic presence.*

*The tariff rate, the basis for imposition and procedures for calculating income tax and electronic transaction tax will be further regulated through Government Regulation and Minister of Finance Regulation.*

*For merchants, service providers, foreign and domestic E-commerce operators who violate the provisions are threatened with administrative sanctions in accordance with the General Tax Provisions and Procedures Law and termination of digital communication access after being given a warning.*



foto: MUC Consulting

foto: Zak



APD--seperti hazmat, shoecover, gloves, masker dan face shield--telah diserahkan oleh perwakilan MUC Consulting kepada beberapa Rumah Sakit di DKI Jakarta seperti RSUD Pasar Minggu

Foto: MUC Consulting

## MUC Consulting Serahkan Bantuan APD Penanganan Covid-19

MUC Consulting mendukung upaya pemerintah dalam menangani penyebaran Corona Virus Disease 2019 (Covid-19) di Indonesia, dengan menyalurkan bantuan kepada sejumlah Rumah Sakit berupa Alat Pelindung Diri (APD) untuk digunakan tenaga medis ketika menjalankan tugasnya.

Bantuan tersebut berasal berbagai pihak yang disampaikan melalui program *MUC Butterfly Effect*, program pengumpulan donasi yang diselenggarakan MUC Consulting.

APD--seperti *hazmat*, *shoecover*, *gloves*, *masker*

dan *face shield*--telah diserahkan oleh perwakilan MUC Consulting kepada beberapa Rumah Sakit di DKI Jakarta seperti RSUD Pasar Minggu dan RSUD Pasar Rebo, pada Jumat (17/4).

MUC Consulting berharap pandemi Covid-19 bisa segera berakhir dan Indonesia bisa segera pulih dari dampak yang ditinggalkannya. Selain itu, MUC Consulting juga mengajak kepada semua pihak untuk turut serta membantu penanganan Covid-19 dengan berbagai cara, seperti selalu menjaga jarak, menjaga kesehatan.

#SalingJaga #SalingBantu

## MUC Consulting Donates APD Assistance for Covid-19 Handling

*MUC Consulting supports the government's efforts to handle the spread of Corona Virus Disease 2019 (Covid-19) in Indonesia, by distributing aid to a number of Hospitals in the form of Personal Protective Equipment (Alat Pelindung Diri/APD) to be used by medical personnel when carrying out their duties.*

*The assistance came from various parties who were delivered through in MUC Butterfly Effect program, the donation collection program organized by this MUC Tax Consulting.*

*The funds were then converted to APD--such as *hazmat*, *shoecover*, *gloves*, *mask* and *face shield*--has been handed over by MUC Consulting representatives to several hospitals in DKI*

*Jakarta such as Pasar Minggu Regional Public Hospital (RDUD) and Pasar Rebo Regional Public Hospital, on Friday (17/4).*

*MUC Consulting hopes that the Covid-19 epidemic will end soon and Indonesia can recover from the impact immediately. In addition, MUC Consulting also invites all parties to participate in the handling of Covid-19 in various ways, such as always keeping a distance and maintaining health.*

## MUC Consulting Tetap Produktif Gelar Webinar Saat Pandemi

Pandemi Corona Virus Disease 2019 (Covid-19) berdampak luar biasa terhadap kondisi kesehatan masyarakat dan perekonomian global, tak terkecuali Indonesia. Berbagai kebijakan mitigasi penyebaran virus diupayakan oleh semua pihak, baik pemerintah, korporasi, hingga level keluarga. Mulai dari membatasi atau menutup akses lalu lintas manusia dari dan menuju suatu wilayah, menggelontorkan stimulus ekonomi, menghimbau masyarakat untuk menjaga jarak satu sama lain (*social distancing*), hingga melarang gelaran acara yang melibatkan banyak orang.

Kendati aktivitas sosial secara fisik dibatasi, MUC Consulting yang dimotori

oleh para konsultan mudanya tetap produktif dan aktif menyelenggarakan kajian dan diskusi secara daring, dengan menginisiasi program webinar MUC Bicara Pajak (#MUCBijak).

Selama tiga bulan melaksanakan Work From Home, MUC Consulting tercatat telah menyelenggarakan empat webinar #MUCBijak. Meskipun tidak bertatap muka secara langsung, animo Sobat Pajak terhadap diskusi *online* ini cukup tinggi. Tercermin dari partisipasi peserta yang selalu melampaui kuota Zoom dan ribuan netizen yang aktif menyimak *live streaming* di Youtube & Instagram @MUC-Consulting.

Webinar #MUCBijak pertama

mengangkat tema "Peran Pajak Dalam Penanggulangan Pandemi Covid 19" yang dihelat pada Rabu, 29 April 2020. #MUCBijak perdana ini menghadirkan pemateri Hestu Yoga Saksama, Direktur Penyuluhan, Pelayanan & Hubungan Masyarakat DJP. Diskusi dipandu dan dimoderasi oleh Researcher MUC Tax Research Institute, Agust Supriadi.

Melanjutkan diskusi sebelumnya, webinar #MUCBijak berikutnya diselenggarakan pada Selasa, 5 Mei 2020 dengan mengangkat tema "Insentif PPh Pasal 21 Ditanggung Pemerintah untuk Wajib Pajak Terdampak Covid-19". #MUCBijak 2 menghadirkan pemateri Meydawati (Partner MUC Consulting), serta para Konsultan muda MUC Consulting Risco Genio dan Dwi Novianti.

Seminggu berselang, MUC Consulting kembali menyelenggarakan webinar untuk yang ketiga kalinya pada Rabu, 15 Mei 2020. Diskusi *online* kali ini mengangkat tema "Dampak Covid-19 Terhadap Praktik Perpajakan Internasional",

yang menghadirkan pembicara Prof. John Hutagaol (Direktur Perpajakan Internasional DJP) dan Wahyu Nuryanto (Direktur Eksekutif MUC Tax Research Institute). #MUCBijak ketiga ini dipandu dan dimoderasi oleh konsultan muda MUC Consulting, M. Arif Darmawan.

Beralih ke isu kepastian dan cukai, MUC Consulting menjadikan itu sebagai bahasan selanjutnya dalam #MUCBijak 4 yang berlangsung pada 20 Mei 2020. Dengan tema "Respons Bea dan Cukai Terhadap Pandemi Covid-19", MUC Consulting mengundang Syarif Hidayat, Direktur Kepabeanan Internasional dan Antar Lembaga, Direktorat Jenderal Bea dan Cukai (DJB) sebagai pembicara utama. Diskusi kali ini dipandu dan dimoderasi oleh Wiwit Widhianto, Konsultan Customs MUC Consulting.

Bagi Sobat pajak yang tidak sempat mengikuti diskusi #MUCBijak secara langsung dapat menyaksikan siaran ulangnya di Youtube @MUC-Consulting.

## MUC Consulting Remains Productive by Holding Webinar During Pandemic

*The Corona Virus Disease 2019 (Covid-19) pandemic has a tremendous impact on the health conditions of people and the global economy, including Indonesia. Various policies to mitigate the spread of the virus are strived by all parties, including government, corporations, to the family level. Starting from restricting or closing access to human traffic to and from an area, pouring out economic stimulus, encouraging people to keep their distance from each other (social distancing), to prohibiting events that involve many people.*

*Although social activities are physically limited, MUC Consulting which is driven by young consultants remains productive and actively organizing online studies and discussions, by initiating the MUC Bicara Pajak (#MUCBijak) webinar program.*

*For three months of implementing Work From Home, MUC Consulting was recorded hosting #MUCBijak webinar four*

*times. Despite not being directly face to face, the interest of audience (Sobat Pajak) for this online discussion is quite high. It is reflected in the participant's participation that always exceeds the Zoom quota and thousands of netizens who actively listen to live streaming on @MUCConsulting Youtube and Instagram.*

*The first #MUCBijak Webinar raised the theme of the "Tax Role in Countering Covid-19 Pandemic" which was held on Wednesday, 29 April, 2020. This Inaugural #MUCBijak presented the speaker, Mr. Hestu Yoga Saksama, the Director of Counseling, Service and Public Relations Directorate General of Taxes (DGT). The discussion was guided and moderated by MUC Tax Research Institute Researcher, Agust Supriadi.*

*Continuing the previous discussion, the next #MUCBijak webinar was held on Tuesday, 5 May, 2020 with the theme "*

*Incentive of Income Tax Article (ITA) 21 Borne by the Government for Covid-19 Affected Taxpayers"*

*#MUCBijak 2 presented speakers Meydawati (MUC Consulting Partner), as well as young MUC Consulting Consultants Risco Genio and Dwi Novianti.*

*A week later, MUC Consulting held a webinar for the third time on Wednesday, 15 May, 2020. In this online discussion, MUC Consulting raised the theme of the "Impact of Covid-19 on International Taxation Practices" by presenting the Director of International Taxation at the Directorate General of Taxes (DGT), John Hutagaol and Director of the MUC Tax Research Institute Wahyu Nuryanto. The third #MUCBijak is guided and moderated by young MUC Consulting consultant, M. Arif Darmawan.*

*Turning to the issue of customs and excise, MUC Consulting made it as a theme for the next discussion in #MUCBijak 4 which took place on 20 May, 2020. With the theme "Customs and Excise*

*Responses to the Covid-19 Pandemic", MUC Consulting invited Syarif Hidayat, Director of International and Inter-agency Customs, Directorate General of Customs and Excise (DJBC) as the main speaker. This discussion was guided and moderated by Wiwit Widhianto, MUC Consulting Customs Consultant.*

*For those (Sobat Pajak) who haven't had the chance to take part in the #MUCBijak discussion directly, you can watch the rebroadcast on @MUCConsulting Youtube.*





# Customs

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*Customs Division is aimed to assist companies that involved in the import and export of goods to be more aware of Customs rules and regulations. MUC's Customs division is supported by former Customs and Tax auditors, and professionals with in depth understanding in the area of Customs audit, Customs dispute resolution, Customs tariff and Customs value.*

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