

AMENDMENT TO GOVERNMENT REGULATION NO. 29/1996 ON PAYMENT OF
INCOME TAX ON INCOME RESULTING FROM RENT OF LAND AND/OR BUILDINGS
(Government Regulation No. 5/2002 dated March 23, 2002)

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

that in the framework of providing legal certainty and equal treatment for recipients of income resulting from the rent of land and/or buildings, both statutory bodies or individuals, it is necessary to stipulate a government regulation on amendment to Government Regulation No. 29/1996 on the Payment of Income Tax on Income Resulting From Rent of Land and/or Buildings;

In view of:

1. Article 5, sub-article (2) of the Constitution of 1945 as already amended by the Third Amendment to the State Constitution of 1945;
2. Law No. 6/1983 on Taxation General Provisions and Procedures (Statute Book of 1983 No. 49, Supplement to Statute Book No. 3262) as already amended several times and the latest by Law No. 16/2000 (Statute Book of 2000 No. 126, Supplement to Statute Book No. 3984);
3. Law No. 7/1983 on Income Tax (Statute Book of 1983 No. 50, Supplement to Statute Book No. 3263) as already amended several times and the latest by Law No. 17/2000 (Statute Book of 2000 No. 127, Supplement to Statute Book No. 3985);
4. Government Regulation No. 29/1996 on the Payment of Income Tax on Income Resulting from Rent of Land and/or Buildings;

D E C I D E S :

To stipulate:

THE GOVERNMENT REGULATION ON AMENDMENT TO GOVERNMENT REGULATION NO. 29/1996 ON PAYMENT OF INCOME TAX ON INCOME RESULTING FROM RENT OF LAND AND/OR BUILDINGS

Article I

Several provisions in Government Regulation No. 29/1996 on the Payment of Income Tax on Income Resulting from Rent of Land and/or Buildings are amended as follows:

1. The provision in Article 2 is amended so as to entirely read as follows:

"Article 2

- (1) The income as meant by Article 1 received or earned from tenants acting or appointed as tax withholders shall be subjected to the withholding of income tax by the tenants.
 - (2) In the case of tenants being not tax withholders, the income tax shall be paid personally by individuals or statutory bodies receiving or earning the income.
2. The provision of article 3 is amended so as to entirely read as follows:

"Article 3

The amount of the income tax which must be withheld or paid personally as meant by Article 2 is 10% (ten percent) of the gross value of land and/or building rent and final in nature.

Article II

This government regulation starts to be effective on May 1, 2002.

For public cognizance, this government regulation shall be promulgated by placing it in the Statute Book of the Republic of Indonesia.

Stipulated in Jakarta

On March 23, 2002

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

sgd

MEGAWATI SOEKARNOPUTRI

Promulgated in Jakarta

On March 23, 2002

THE STATE SECRETARY,

Sgd

BAMBANG KESOWO

THE STATUTE BOOK OF
THE REPUBLIC OF INDONESIA OF 2002 NO. 10

ELUCIDATION
ON
GOVERNMENT REGULATION NO. 5/2002
ON
AMENDMENT TO GOVERNMENT REGULATION
NO. 29/1996
CONCERNING
PAYMENT OF INCOME TAX ON
INCOME RESULTING FROM RENT OF
LAND AND/OR BUILDINGS

GENERAL

Government Regulation No. 29/1996 on the Payment of Income Tax on Income Resulting from Rent of Land and/or Buildings has stipulated the tariff of income tax on income received entities from rent of land and/or buildings at 6% (six percent) and income tax on income received by individuals from rent of land and/or building at 10 (ten percent). In the framework of providing legal certainty and equal treatment for recipients of income resulting from rent of land and/or building, it is necessary to impose the same tariff, namely 10% (ten percent) on income received by both entities and individuals.

ARTICLE BY ARTICLE

Article I

Letter 1

Article 2

Sufficiently clear

Article II

Sufficiently clear

SUPPLEMENT TO STATUTE BOOK OF
THE REPUBLIC OF INDONESIA NO. 4174

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