

# AUDIT POLICY TO SUPPORT THE IMPLEMENTATION OF LAW NO. 11/2016 CONCERNING TAX AMNESTY

(Instruction of the Director General of Taxation  
No. INS-03/PJ/2016, dated August 3, 2016)

THE DIRECTOR GENERAL OF TAXATION,

Based on considerations in :

1. Article 29 paragraph (1) of Law No. 6/1983 concerning General Provisions and Taxation Procedures as several times amended the latest by Law No. 16/2009 stipulating among others that the Director General of Taxation has the authority to conduct audit and not to conduct audit;
2. Elucidation of Article 12 of Law No. 6/1983 concerning General Provisions and Taxation Procedures as several times amended the latest by Law No. 16/2009 stipulating among others that the Directorate General of Taxation is not obliged to issue tax assessment forms for all tax returns submitted by taxpayers;
3. Article 11 of Law No. 11/2016 concerning Tax Amnesty;
4. Article 23 paragraph (1) letter c and letter d of Regulation of the Finance Minister No. 118/PMK.03/2016 concerning the Implementation of Law No. 11/2016 concerning Tax Amnesty stipulating that tax amnesty facilities include the exemption of tax audit or the discontinuation of tax audit of taxpayers to whom a statement of tax

amnesty facilities has been issued; and

5. Regulation of the Finance Minister No. 17/PMK.03/2013 concerning Audit Procedure as already amended by Regulation of the Finance Minister No. 184/PMK.03/2015.

herewith instructs :

1. the Director of Audit and Collection;
2. Heads of Regional Offices of the Directorate General of Taxation; and
3. Heads of Tax Service Offices of the Directorate General of Taxation

To :

FIRST:

Not issue instruction/approval/assignment to conduct audit and/or new audit order starting from the issuance of this instruction of the Director General of Taxation until March 31, 2017, except audit of SPT for refunds on overpayment or audit related to services for taxpayers.

SECOND :

If instruction/approval/assignment has been issued but audit has not been conducted, Heads of

Audit Executing Units (UP2) shall take the following steps:

1. proposing the cancellation of instruction/approval/assignment to conduct audit;
2. the cancellation of instruction/approval/assignment to conduct audit as referred to in point 1 is done based on the considerations of the Director General of Taxation according to the procedure provided for in Circular of the Director General of Taxation No. SE-06/PJ/2016 concerning Audit Policy;
3. document on the cancellation of instruction/approval/assignment to conduct audit as referred to in point 2 is signed by :
  - a. the Director of Audit and Collection when it comes to audit instruction issued by the Director General of Taxation or the Director of Audit and Collection;
  - b. the Head of Regional Office of the Directorate General of Taxation when it comes to audit instruction/approval/assignment issued by the Head of Regional Office of Directorate General of Taxation or Head of Tax Service Office.

**THIRD :**

If taxpayers are still being audited, the Head of UP2 shall give information to taxpayers on Tax Amnesty Policy.

**FOURTH :**

If the taxpayers as referred to in the THIRD DICTUM participate in the tax amnesty program, audit shall be followed up according to as provided for in Circular of the Director General of Taxation No. SE-30/PJ/2016 concerning Guide To Implementing Tax Amnesty.

**FIFTH :**

Report on the discontinuation of audit within the framework of tax amnesty is treated as audit performance of tax auditing team, with the conversion weight of report reaching 100% (a hundred percent) of the conversion weight as provided for in the circular concerning plan, strategy, and audit performance measurement.

**SIXTH :**

Redemption money obtained from taxpayers whose audit is cancelled or discontinued within the frame-

work of tax amnesty shall be treated as audit performance.

**SEVENTH :**

Implementing instruction from the Director General of Taxation properly and responsibly.

This instruction begins to take effect from the date of issuance to March 31, 2017.

Copies of this instruction of the Director General of Taxation are addressed to :

1. The Finance Minister of the Republic of Indonesia;
2. The Inspector General of the Finance Ministry of the Republic of Indonesia;
3. The Secretary of the Directorate General of Taxation;
4. The Director of Internal Obedience and Apparatus Resource Transformation;
5. The Director of Business Process Transformation;
6. The Director of Taxation Regulation I;
7. The Director of Taxation Regulation II;
8. The Director of Objection and Appeal;
9. The Director of Taxation Intelligence;
10. The Director of Potential, Obedience, and Receipts and the Director of Law Enforcement.

Issued in Jakarta

On August 3, 2016

THE DIRECTOR GENERAL,

sgd.

KEN DWIJUGIASTEADI

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