

# **AMENDMENT TO REGULATION OF THE MINISTER OF PUBLIC WORKS AND POPULACE HOUSING NUMBER 21/PRT/M/2016 CONCERNING FACILITIES FOR ACQUIRING HOUSING BY THE POPULACE WITH LOW INCOME**

**(Regulation of the Minister of Public Works and Housing  
for Populace of R.I Number 26/PRT/M/2016,  
dated July 14, 2016)**

WITH THE BLESSING OF THE ONE AND ONLY GOD  
MINISTER OF PUBLIC WORKS AND POPULACE HOUSING  
OF THE REPUBLIC OF INDONESIA,

**Considering:**

- a. Whereas, in the effort to provide facilities to acquire housing by the populace with low income, it is necessary to make amendment to the requirements for possess housing with subsidized credit;
- b. Whereas, based on the consideration referred to in letter a, it is necessary to stipulate Regulation of the Minister of Public Works and Housing for Populace with low income on Amendment to Regulation Minister Public Works and Housing for Populace with low income Number 21/PRT/M/2016, concerning Facilities and/or Assistance to Acquire Housing by Populace with Low Income;

**In view of:**

1. Government Regulation Number 14 Year 2016, concerning implementation of Housing and Residential Area (Statute Book of the Republic of Indonesia Year 2016 Number 101, Supplement to Statute Book Republic of Indonesia Number 5883);
2. Presidential Regulation Number 15 Year 2015, concerning Ministry of Public Works and Housing for Populace with low income (Statute Book of the Republic of Indonesia Year 2015 Number 16);

3. Regulation of Minister of Public Works and Housing for Populace with low income Number 15/PRT/M/2015, concerning Organization and Work Procedure of the Ministry of Public Works and Housing for Populace with low income (State Gazette of the Republic of Indonesia Year 2015 Number 881);
4. Regulation of the Minister of Public Works and Housing for Populace with low income Number 21/PRT/M/2016, concerning Facilities and/or Assistance to Acquire Housing by Populace with Low Income (State Gazette of the Republic of Indonesia Year 2016 Number 892);

## D E C I D E S

To stipulate:

REGULATION OF MINISTER OF PUBLIC WORKS AND HOUSING FOR POPULACE WITH LOW INCOME CONCERNING AMENDMENT TO REGULATION OF MINISTER OF PUBLIC WORKS AND HOUSING FOR POPULACE WITH LOW INCOME NUMBER 21/PRT/M/2016, CONCERNING FACILITIES AND/OR ASSISTANCE FOR ACQUIRING HOUSING BY THE POPULACE WITH LOW INCOME.

## Article I

Some provisions in Regulation of Minister of Public Works and Housing for Populace With Low Income Number 21/PRT/M/2016, concerning Facilities and/or Assistance to Acquire Housing by Populace with Low Income (State Gazette of the Republic of Indonesia Year 2016 Number 892) have amended as follows:

1. Insert two paragraphs, namely paragraph (4a) and (4b) in between Article 10 paragraph (4) and paragraph (5), so that Article 10 now reads as follows:

## Article 10

- (1) Classified group of Recipients of Subsidized KPR as referred to in Article 9 paragraph (1) shall be obliged to comply with the requirements below:
  - a. holds Resident Identity Card or KTP;
  - b. has no how house yet;
  - c. never received subsidized housing yet in the form of house ownership from the Government;
  - d. holds Obligatory Taxpayer Identification Number (NPWP);

- e. holds Annual SPT on Personal Income Tax or PPh in line with the provisions in the statutory regulation; and
  - f. has income not exceeding the income limit as referred to in Article 9 paragraph (2) as proven by salary slip as ratified by the competent authority or statement letter on income from the authorized official on provisional/temporary income as acknowledged by the Village Chief where the KTP is issued.
- (2) If the status of classified group referred to in paragraph (1) is husband and wife, the requirement on both persons shall be, that both still have no house and have never obtained housing with subsidized credit in the form of housing ownership from the Government.
- (3) The provisions referred to in paragraph (1) letter b and letter c are not applied on PNS/TNI/POLRI who moved their domicile for the sake of terms of office.
- (4) The excluded provision referred to in paragraph (3) applies only once in a life time.
- (4a) If income of the targeted classified group is not exceeding the limit of non-taxable income (PTKP) this shall be exempted from the required Annual Tax Notification Letter (SPT) on Personal Taxable Income (PPh) as referred to in paragraph (1) letter e.
- (4b) The Personal Annual SPT of as referred to in paragraph (1) letter e shall be required on classified target holding NPWP more than one (1) year, while those holding NPWP less than one (1) year shall be obliged to submit Annual SPT on Personal PPh in the following year to the Operating Bank.
- (5) Analysis on feasibility to acquire Subsidized KPR and compliance with the requirement as applicant for Subsidized KPR as classified target shall be conducted by the Operating Bank.
- (6) MBR with non-permanent income working in informal sector may deposit the fund for KPR payment by installment to the Operating Bank daily or weekly or based on the provisions prevailing at the Operating Bank.

2. Insert one (1) paragraph in between paragraph (4) and paragraph (5), namely paragraph (4a) in Article 25, and delete paragraph (6) so that Article 25 now reads as follows:

**Article 25**

- (1) Operating Bank shall be obliged to make verification and is responsible for appropriateness of the classified target for acquiring KPR Sejahtera by law.
- (2) The verifikasi referred to in paragraph (1) shall at least cover:
  - a. administrative examination of the required document referred to in Article 24 paragraph (1);
  - b. analysis on feasibility and capacity to make installment payments by the Applicant for KPR Sejahtera; and
  - c. physical audit of house construction, infrastructure and facilities, as well as public utilities.
- (3) The physical construction of the housing and infrastructure and facilities and utilities referred to in paragraph (2) letter c is ready to accommodate, and are equipped with at least:
  - a. the roof, floor and wall that comply with the requirements of technology, safety, security and reliability of the construction;
  - b. available distribution network for potable originating from PDAM or other functioning drinkable water resource;
  - c. electrical network utilities in function;
  - d. environmental roads that are ready to use and functioning; and
  - e. environmental drainages that are ready to use and functioning.
- (4) Failure to comply with the requirements referred to in paragraph (3) letter c and letter d, Operating Bank shall prepare KPR Sejahtera agreement after having complied with the requirements below:
  - a. construction operator shall submit evidential proof of payment electric power connection from PLN;
  - b. delete;
  - b1. environmental roads which construction has been reinforced and functions;
  - b2. Statement by the construction operator stating that,:

1) Commits to complete environmental roads within three (3) months as of the date of Credit Agreement for Financing KPR Sejahtera; and

2) commits to deliver Guarantee to Operating Bank in the form of fund withhold at least twice the value of environmental roads not completed yet as appraised by Operating Bank Appraiser.

b3. Statement letter by potential debtor/customer stating commitment on environmental roads and/or electric power as referred to in letter a and b1.

(4a) Failure to complete environmental roads up to the time limit as referred to in paragraph (4) letter b2 by construction operator, Operating Bank:

a. shall appoint construction business service entity to complete the environmental roads within one (1) month using the guaranteed fund belonging to construction operator; or

b. deliver the guaranteed fund belong to construction operator to debtor or customer for completion of environmental roads.

(5) Operating Bank shall prepare list of recapitulation on classified target that passed verification and issue Statement Letter on verification.

(6) delete.

3. Insert one (1) paragraph, namely paragraph (4a) in between paragraph (4) and paragraph (5) of Article 38 paragraph (4), delete so that Article 38 now reads as follows:

#### Article 38

(1) Operating Bank shall make verification and shall be responsible for appropriateness of classified target for acquiring KPR SSB or KPR SSM by law.

(2) The verification referred to in paragraph (1) shall at least cover:

a. administrative examination on the requirements referred to in Article 37 paragraph (1);

- b. analysis on feasibility and capacity to make installment payment by Application for KPR SSB or KPR SSM; and
  - c. physical examination of housing construction, infrastructure, facilities, and public utilities.
- (3) Physical examination of housing construction, infrastructure, facilities, and public utilities referred to in paragraph (2) letter c are ready for accommodation, and at least must be equipped with:
- a. roof, floor, and wall that comply with the requirements on technology, safety, security, and reliability of the construction;
  - b. existing distribution network of potable pipeline, from PDAM or other functioning potable recourse;
  - c. electric power utilities network that functions;
  - d. environmental roads that have been completed and function;
  - e. drainage for environment that has been completed and function.
- (4) Failure to comply with the requirements referred to in paragraph (3) letter c and letter d Operating Bank shall execute KPR SSB or KPR SSM after having complied with the requirements:
- a. Construction operator shall deliver evidential proof of payment of cost for electric power connection from PLN
  - b. delete.
  - b1. environmental roads must at least reinforced the road surface and are functioning;
  - b2. statement by construction operator that:
    - 1) commits to complete environmental roads within three (3) months as of the date of Credit Agreement for Financing KPR SSB or KPR SSM is signed; and
    - 2) commits to deliver guarantee to Operating Bank in the form of fund to be withheld which value is at least twice the value of the environmental roads not yet completed based on appraisal by the Operating Bank.
  - b3. Statement by potential debtor/customer stating it commits to accept the conditions on environmental roads and/or electric power as referred to in letter a and b1.

(4a) Failure by construction operator to complete environmental roads up to the time limit referred to in paragraph (4) letter b2, Operating Bank:

- a. shall appoint construction service business entity to complete the environmental roads within one (1) month using the guarantee fund possessed by construction operator; or
- b. deliver guarantee fund by construction operator to debtor or customer to complete the environmental roads.

(5) Operating Bank shall prepare list of recapitulation on classified target that passed the verification and shall issue statement letter of verification.

(6) delete.

4. Add one (1) paragraph, namely paragraph (2a) to the provision in Article 53, so that Article 53 now reads as follows:

#### Article 53

(1) Operating Bank shall be obliged to terminate KPR Bersubsidi if:

- a. classified target receiving assistance and/or facilities for financing issuing statement as referred to in Article 24 paragraph (1) letter g or Article 37 paragraph (1) letter g which at end is found out to erroneous and/or fails to comply with the commitment; and/or
- b. classified target receiving assistance and/or facilities in the form of financing not accommodating the couple sejahtera housing or sejahtera housing unit continuously within for one (1) year as referred to in Article 52 paragraph (2);

(2) Operating Bank shall be obliged to pay back the facilities and/or housing financment as referred to in paragraph (1).

(2a) If classified target receiving assistance and/or facilities in the for form housing financment commits violation to that referred to in Article 53 paragraph (1) letter a and/or letter b, classified target is subject to Value Added Tax (PPN) in arear in line with the provisions in the statutory regulation.

5. Delete paragraph e, and insert two (2) paragraphs, namely paragraph (1a), paragraph (1b) in between paragraph (1) and paragraph (2) so that Article 54 now reads as follows:

#### Article 54

- (1) The facilities and/or assistance for housing financment that must be repaid by Operating Bank as referred to in Article 53 paragraph (2) consist of:
  - a. remaining FLPP principal fund;
  - b. FLPP beneficial fund;
  - c. subsidized interest of credit for housing; and/or
  - d. subsidized assistance in the form of advance payment for housing.
  - e. delete.
- (1a) Repayment of remaining principal FLP fund as referred to in paragraph (1) letter a by Operating Bank shall be made within seven (7) calendar days at the latest as of the date KPR Sejahtera is terminated.
- (1b) Repayment of benefit from FLPP fund, credit subsidized interest for housing, and subsidized assistance in the form of advance payment for housing by Operating Bank shall be made within one (1) month at the latest as of the date KPR Bersubsidi is terminated.
- (2) The benefit from FLPP fund referred to in paragraph (1) letter b shall be computed from:
  - a. the amount of fund constituting the difference between the fund computer based on market interest and the fund computed based on interest / lease of KPR Sejahtera;
  - b. the fund referred to in letter a shall be computed effective as of KPR Sejahtera is paid to Operating Bank up to termination of KPR Sejahtera;
  - c. market interest referred to in letter a shall be interest rate of Operating Bank at agreement.
- (3) Example of computation of benefit of FLPP fund referred to in paragraph (2) shall be governed in Operational Joint Venture Agreement.



6. Add one (1) Article in between Article 73 and Article 74, namely Article 73A so as to read as follows:

**Article 73A**

The provisions in this Regulation of Minister shall take effect within 45 (forty-five) calendar days as of the date it is enacted.

**Article II**

This Regulation of Minister comes to force on the date it is enacted.

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

Stipulated in Jakarta

Dated July 14, 2016

**MINISTER OF PUBLIC WORKS AND HOUSING OF THE POPULACE  
OF THE REPUBLIC OF INDONESIA,**

sgd.

**M. BASUKI HADIMULJONO**

Enacted in Jakarta

Dated July 15, 2016

**DIRECTOR GENERAL**

**REGULATION PERLAWAN**

**MINISTRY OF LAW AND HUMAN RIGHTS**

**OF THE REPUBLIC OF INDONESIA,**

sgd.

**WIDODO EKATJAHJANA**

**STATE GAZETTE OF THE REPUBLIC OF INDONESIA**

**YEAR 2016 NUMBER 1034**

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