

REGENT OF GRESIK
EAST JAVA PROVINCE

REGULATION OF THE REGENT OF GRESIK
NUMBER 65 OF 2022

ON

AMENDMENT TO REGENT REGULATION NUMBER 13 OF 2013 ON
THE PROCEDURE FOR REDUCTION OF RURAL AND URBAN LAND AND BUILDING TAX

BY THE BLESSINGS OF ALMIGHTY GOD

The Regent of Gresik,

Considering: a. that in order to reduce the burden on the community and motivate taxpayers to fulfill their obligation to pay Regional Taxes, Regent Regulation Number 13 of 2013 concerning the Procedure for Reduction of Rural and Urban Land and Building Tax has been enacted;

b. that several provisions in the Regent Regulation as referred to in (a) are no longer in accordance with current conditions and developments, so they need to be amended;

c. that based on the considerations as referred to in (a) and (b), it is necessary to issue a Regent Regulation on Amendment to Regent Regulation Number 13 of 2013 concerning the Procedure for Reduction of Rural and Urban Land and Building Tax;

Considering: 1. Law Number 12 of 1950 on the Government of Large City Regions within the Province of East Java, Central Java, West Java and the Special Region of Yogyakarta (State Gazette of the Republic of Indonesia of 1950 Number 32) as amended by Law Number 2 of 1965 on the Amendment of the Boundary Area of Surabaya Municipality and the Type II Region of Surabaya by amending Law Number 12 of 1950 on the Establishment of Large City Regions within the Provinces of East Java, Central Java, West Java and the Special Region of Yogyakarta (State

Gazette of the Republic of Indonesia of 1965 Number 19, Supplement to the State Gazette of the Republic of Indonesia Number 2730);

2. Law Number 17 of 2003 on State Finance (State Gazette of the Republic of Indonesia of 2003 Number 47, Supplement to the State Gazette of the Republic of Indonesia Number 4286);

3. Law Number 1 of 2004 on State Treasury (State Gazette of the Republic of Indonesia of 2004 Number 5, Supplement to the State Gazette of the Republic of Indonesia Number 4355);

4. Law Number 12 of 2011 on the Formation of Legislation (State Gazette of the Republic of Indonesia of 2011 Number 82, Supplement to the State Gazette of the Republic of Indonesia Number 5234) as amended several times lastly by Law Number 13 of 2022 on the Second Amendment to Law Number 12 of 2011 on the Formation of Legislation (State Gazette of the Republic of Indonesia of 2022 Number 143, Supplement to the State Gazette of the Republic of Indonesia Number 6801);

5. Law Number 23 of 2014 on Regional Government (State Gazette of the Republic of Indonesia of 2014 Number 244, Supplement to the State Gazette of the Republic of Indonesia Number 5587) as amended several times lastly by Law Number 9 of 2015 on the Second Amendment to Law Number 23 of 2014 on Regional Government (State Gazette of the Republic of Indonesia of 2015 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 5679);

6. Law Number 1 of 2022 on Financial Relations between the Central Government and Regional Governments (State Gazette of the Republic of Indonesia of 2022 Number 4, Supplement to the State Gazette Number 6757);

7. Government Regulation Number 12 of 2019 on Regional Financial Management (State Gazette of the Republic of Indonesia of 2019 Number 42, Supplement to the State Gazette Number 6332);

8. Regulation of the Minister of Home Affairs Number 80 of 2015 on the Formation of Regional Legal Products (State News of the Republic of Indonesia of 2015 Number 2036) as amended by Regulation of the Minister of Home Affairs Number 120 of 2018 on Amendment to Regulation of the Minister of Home Affairs Number 80 of 2015 on the Formation of Regional Legal Products (State News of the Republic of Indonesia of 2018 Number 157);

9. Regulation of the Minister of Home Affairs Number 77 of 2020 on Technical Guidelines for Regional Financial Management (State News of the Republic of Indonesia of 2020 Number 1781);

10. Regional Regulation of Gresik Regency Number 12 of 2016 on the Formation of Regional

Apparatus of Gresik Regency (Regional Gazette of Gresik Regency of 2016 Number 18) as amended several times lastly by Regional Regulation Number 8 of 2021 on the Second Amendment to Regional Regulation Number 12 of 2016 on the Formation of Regional Apparatus of Gresik Regency (Regional Gazette of Gresik Regency of 2021 Number 24);

11. Regent Regulation of Gresik Regency Number 13 of 2013 on the Procedure for Reduction of Rural Land and Building Tax (Regional Gazette of Gresik Regency of 2013 Number 947);

12. Regent Regulation of Gresik Regency Number 66 of 2021 on the Position, Organizational Structure, Tasks, Functions and Work Procedures of the Regional Revenue, Financial Management and Asset Agency of Gresik Regency (Regional Gazette of Gresik Regency of 2021 Number 66);

Decides:

To enact: THE REGENT REGULATION ON AMENDMENT TO REGENT REGULATION NUMBER 13 OF 2013 ON THE PROCEDURE FOR REDUCTION OF RURAL AND URBAN LAND AND BUILDING TAX.

Section I

Several provisions in Regent Regulation of Gresik Regency Number 13 of 2013 on the Procedure for Reduction of Rural and Urban Land and Building Tax (Regional Gazette of Gresik Regency of 2021 Number 66) are amended as follows:

1. Provisions (a), (b), (c), and (d) of Section 4 are amended to read as follows:

Section 4

Reductions as referred to in Section 2 may be granted:

a. at most 50% (fifty percent) of the Land and Building Tax (PBB) due in certain conditions as referred to in Section 2, section (2), (a), number 1;

b. in certain conditions as referred to in Section 2, section (2), (a), number 2, a reduction may be

given as follows:

- 1) for taxable objects with an area of less than 1 ha (one hectare), a reduction of up to 50% (fifty percent) of the PBB due is given;
- 2) for taxable objects with an area of 1 ha (one hectare) to 3 ha (three hectares), a reduction of up to 30% (thirty percent) of the PBB due is given; and
- 3) for taxable objects with an area of more than 3 ha (three hectares), a reduction of 20% (twenty percent) of the PBB due is given.

c. at most 50% (fifty percent) of the PBB due in certain conditions as referred to in Section 2, section (2), (a), number 3 or Section 2, section (2), (b);

d. in certain conditions as referred to in Section 2, section (2), (a), number 4, a reduction may be given as follows:

- 1) taxable objects whose taxpayers are individuals included in the Integrated Social Welfare Data, are given a reduction of up to 50% (fifty percent) of the PBB due; and
- 2) taxable objects whose taxpayers are individuals included in the low-income community group, are given a reduction of up to 25% (twenty-five percent) of the PBB due.

e. in certain conditions as referred to in Section 2, section (2), (a), number 5, a reduction may be given as follows:

- 1) taxable objects whose Market Value of Taxable Objects (NJOP) per square meter increases by more than 75% (seventy-five percent), are given a reduction of up to 50% (seventy-five percent) of the PBB due;
- 2) taxable objects whose Market Value of Taxable Objects (NJOP) per square meter increases between 50% (fifty percent) and 75% (seventy-five percent), are given a reduction of up to 30% (thirty percent); and
- 3) taxable objects whose Market Value of Taxable Objects (NJOP) per square meter increases between 25% (twenty-five percent) and less than 50% (fifty percent), are given a reduction of up to 25% (twenty-five percent).

f. in the event of the imposition of different tax amounts due to more than one condition as referred to in Section 2 (a), number (2), number (4) and number (5), one provision that is advantageous to the taxpayer shall apply.

g. at most 50% (fifty percent) of the PBB due in certain conditions as referred to in Section 2, section

(2), (a), number 6; and

h. at most 100% (one hundred percent) of the PBB due in the event that the taxable object is affected by a natural disaster or other extraordinary cause as referred to in Section 2, section (3) or (4).

2. The provision of section (1), (i), number 4 of Section 6 is amended to read as follows:

Section 6

(1) Individual reduction applications as referred to in Section 5, section (2) must meet the following requirements:

a. 1 (one) application for 1 (one) SPPT or SKPD;

b. submitted in writing in Indonesian, stating the percentage of the requested reduction with a clear reason;

c. submitted to the Head of BPPKAD;

d. attached with a photocopy of the SPPT or SKPD for which the reduction is requested;

e. the application letter is signed by the taxpayer, and in the event that the application letter is signed by someone other than the taxpayer, the following provisions apply:

1) the application letter must be accompanied by a Special Power of Attorney, for:

a) Corporate Taxpayers; or

b) Individual Taxpayers with PBB due exceeding Rp2,000,000.00 (two million Rupiah);

2) the application letter must be accompanied by a power of attorney, for Individual Taxpayers with PBB due of at most Rp2,000,000.00 (two million Rupiah);

f. submitted at the latest:

1). 3 (three) months from the date of receipt of the SPPT;

2). 1 (one) month from the date of receipt of the SKPD;

3). 1 (one) month from the date of receipt of the PBB Objection Decision Letter;

4). 3 (three) months from the date of the natural disaster; or

5). 3 (three) months from the date of the occurrence of other extraordinary causes, unless the Taxpayer can demonstrate that within that period it could not be fulfilled due to circumstances beyond their control.

g. does not have arrears of PBB from the previous Tax Year on the taxable object for which the reduction is requested, except in the case of taxable objects affected by natural disasters or other extraordinary causes;

h. no objection has been filed against the SPPT or SKPD for which the reduction is requested, or in the event that an objection has been filed, an Objection Decision Letter has been issued and no appeal has been filed against the said Objection Decision Letter; and

i. the taxpayers application is attached with supporting documents:

1). for taxable objects in certain conditions as referred to in Section 2, section (2), (a), number 1 may include:

a) a photocopy of the Veteran Membership Card, or a photocopy of the Decision Letter on the Recognition, Ratification, and Conferment of Honorary Titles from the authorized official;

b) a photocopy of proof of payment of PBB from the Previous Tax Year.

2). for taxable objects in certain conditions as referred to in Section 2, section (2), (a), number 2 may include:

a) a statement letter from the Taxpayer stating that:

1. agricultural, plantation, fisheries, or livestock products are very limited; and

2. the Taxpayers income is low.

b) a photocopy of the Family Card;

c) a photocopy of electricity, water, and/or telephone bills; and

d) a photocopy of proof of payment of PBB from the Previous Tax Year.

3). for taxable objects in certain conditions as referred to in Section 2, section (2), (a), number 3 may include:

a) a photocopy of the retirement decision letter;

b) a photocopy of the retirement slip or similar document;

c) a photocopy of the Family Card;

d) a photocopy of electricity, water, and/or telephone bills; and

e) a photocopy of proof of payment of PBB from the Previous Tax Year.

4). for taxable objects in certain conditions as referred to in Section 2, section (2), (a), number 4 may include:

a) a statement letter from the Taxpayer stating that the Taxpayers income is low;

- b) a certificate of inability from an authorized official or institution;
 - c) a photocopy of the Family Card;
 - d) a photocopy of electricity, water, and/or telephone bills;
 - e) a photocopy of proof of payment of PBB from the Previous Tax Year; and/or
 - f) a certificate of registration in the Integrated Social Welfare Data.
- 5). for taxable objects in certain conditions as referred to in Section 2, section (2), (a), number 5 may include:
- a) a statement letter from the Taxpayer stating that the Taxpayers income is low;
 - b) a photocopy of the previous years SPPT;
 - c) a photocopy of the Family Card;
 - d) a photocopy of electricity, water, and/or telephone bills; and
 - e) a photocopy of proof of payment of PBB from the Previous Tax Year.
- 6). for taxable objects in certain conditions as referred to in Section 2, section (2), (b) may include:
- a) a photocopy of the previous years financial statements;
 - b) a photocopy of the previous Tax Years annual PPh tax return; and
 - c) a photocopy of proof of payment of PBB from the Previous Tax Year.
- 7). for taxable objects affected by a natural disaster or other cause as referred to in Section 2, section (3) and (4) may include:
- a) a statement letter from the Taxpayer stating that their taxable object was affected by a natural disaster or other extraordinary cause; and
 - b) a certificate supporting the reason for the application from the local Village Head/Sub-district Head or relevant institution.
- (2) Collective reduction applications as referred to in Section 5, section (3), (a) must meet the following requirements:
- a. 1 (one) application for several taxable objects with the same Tax Year;
 - b. submitted in writing in Indonesian, stating the percentage of the requested reduction with a clear reason;
 - c. submitted to the Head of the Office through the local Indonesian Veteran Legion (LVRI) administrators or other relevant organization administrators; and

d. submitted at the latest on January 10 of the relevant Tax Year.

(3) Collective reduction applications as referred to in Section 5, section (3), (b) must meet the following requirements:

a. 1 (one) application for several SPPTs of the same Tax Year;

b. submitted in writing in Indonesian, stating the percentage of the requested reduction with a clear reason;

c. submitted to the Head of the Office through:

1). local Indonesian Veteran Legion (LVRI) administrators or other relevant organization administrators for applications as referred to in Section 5, section (3), (b), number 1); or

2). the local Village Head/Sub-district Head, for applications as referred to in Section 5, section (3), (b), number 2) and taxable objects as referred to in Section 5, section (3), (b), number 3).

d. attached with photocopies of the SPPTs for which the reduction is requested;

e. the application letter is signed by the taxpayer, and in the event that the application letter is signed by someone other than the taxpayer, the application letter must be accompanied by a Power of Attorney.

f. the reduction application is submitted at the latest:

1). 3 (three) months from the date of receipt of the SPPT;

2). 3 (three) months from the date of the natural disaster; or

3). 3 (three) months from the date of the occurrence of other extraordinary causes, unless the taxpayer, through the local LVRI administrators, other relevant organization administrators, or Village Head/Sub-district Head can demonstrate that within that period it could not be fulfilled due to circumstances beyond their control.

g. does not have arrears of PBB from the previous Tax Year on the taxable object for which the reduction is requested, except in the case of taxable objects affected by natural disasters or other extraordinary causes;

h. no objection has been filed against the SPPT for which the reduction is requested;

i. the Taxpayers application is attached with supporting documents:

1) for taxable objects in certain conditions as referred to in Section 2, section (2), (a), number 1 may include:

- a) a photocopy of each Taxpayers Veteran Membership Card; and
 - b) a photocopy of proof of payment of PBB from the Previous Tax Year for each Taxpayer.
- 2) for taxable objects in certain conditions as referred to in Section 2, section (2), (a), number 2 to number 5 may include:
- a) a certificate supporting the reason for the application from the local Village Head/Sub-district Head or relevant institution; and
 - b) a photocopy of proof of payment of PBB from the Previous Tax Year for each Taxpayer.
- 3) for taxable objects affected by a natural disaster or other cause as referred to in Section 2, section (3) and (4) may include a certificate supporting the reason for the application from the local Village Head/Sub-district Head or relevant institution.

Section II

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

In order for everyone to know this, the promulgation of this Regent Regulation is ordered with its placement in the Regional Gazette of Gresik Regency.

Enacted in Gresik
on September 29, 2022

REGENT OF GRESIK,

(signed)

FANDI AKHMAD YANI

Promulgated in Gresik
on September 29, 2022

SECRETARY OF REGENCY OF GRESIK,

(signed)

Ir. ACHMAD WASHIL M.R., M.T.

Senior Main Official

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