

Analysis of Government Regulation in Lieu Of Law (PERPPU) No 1 of 2020 Implementation on Income Tax Payable in Overcoming Financial Complication During The Covid-19 Pandemic (Case Study on CV KP)

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Abstract. This study aims to compare the income tax payable and income tax 25 due to the adjustment of the corporate income tax rate payable on CV KP which is a corporate taxpayer affected by the Covid-19 pandemic who undergoes the adjustment of the corporate income tax rate based on PERPPU No. 1 of 2020. The data collection technique used was documentation technique with comparative descriptive data analysis techniques. The results showed that a 22% rate adjustment application result in relief of IDR 27.419.811,00 obtained by CV KP. The amount of income tax 25 by a 22% rate application and tax incentives in 2020 is IDR 15,266,362.00 for the April-June and the July-December is IDR 10,904,544.00, and income tax 25 in 2021 obtained relief of IDR 7.739,900.00 for the period from April to June while the period from July to December returned to Rp. 15,479,801.00. CV KP should be able to save cash disbursement in 2020 during the Covid-19 pandemic to maximize the rate adjustment so that it does not cause a large overpayment. Thus, CV KP should make a separate calculation in determining the amount of income tax 25 by a 20% rate for the current year 2022.

Keywords: *PERPPU No. 1 of 2020, Income Tax Payable, Income tax 25*

1. Introduction

The covid-19 outbreak was appalled worldwide at the beginning of 2020. The outbreak disturbed employee finances, entrepreneurs, and all industries. This also decreases the productivity of the community. Thus, the government believed that it was necessary to find a solution such as regulation to prevent a more significant impact [1]. The spread of Covid-19 has a negative impact on economics all over the world, including Indonesian economics, in terms of investment, tourism industries, and trading [2]. In terms of economics, the impact of Covid-19 can threat large economic crises in all countries, particularly in Indonesia. It was proven by all production activities that stopped, and the purchasing power has decreased [3].

The outbreak of Covid-19 hampers economic activities in terms of consumption and infestation of the community, one of which is entrepreneurs who have business entities. The development of business entities in Indonesia is driven by many factors. The driving factors include information and

communication facilities, easy borrowing of business capital, use of technology, and a policy to reduce tax rates [4]. Therefore, the government designed and published policies regarding tax relaxation address with the Covid-19 pandemic threat. Tax relaxation is an effective way to overcome Indonesian economic problems [5]. The government handled the impact of Covid-19 by issuing several policies related to tax relaxation, such as tax incentives and reducing tax rates. One of which is the Government Regulation in Lieu of Law (PERPPU) of the Republic of Indonesia Number 1 of 2020 regarding policies to stabilize the country's financial system and deal with threats that can endanger the country's economy due to Covid-19 [6].

One of the policies regulated in Article 5 paragraph (1) of PERPPU No. 1 of 2020 concerning tax, namely adjustments in reducing corporate income tax rates for domestic corporate taxpayers and permanent establishments. At first, the corporate income tax rate was 25% based on Law No. 36 of 2018, then it was reduced to 22% for the 2020 and 2021 tax years and again decreased to 20% for the 2022 tax year as stated in PERPPU No. 1 of 2020. The reduction in the corporate income tax rate applied to calculating the income tax payable at the end of the tax year and the amount of the installment of income tax 25, which reaffirmed in Article 5 paragraph (1) of the Directorate General of Taxes Regulation Number Per-08/PJ/2020 [7]. The adjustment of corporate income tax rates is expected to ease the burden on taxpayers. It is due to the adjustment of tax rates will affect the amount of tax burden paid by the taxpayer, which has implications for the profit after tax obtained [8]. It aims for corporate taxpayers to be able to survive and maintain business continuity during this Covid-19 pandemic and be able to maintain compliance as taxpayers. The decrease in tax rates also causes tax avoidance actions to be reduced [9].

CV KP is a corporate taxpayer engaged in the sale of clothing which affected by the Covid-19 pandemic. It experienced financial complications seen from a significant decline in sales in 2020 when compared to sales in 2019. In 2020, CV KP sales decreased by 40%, from IDR 12,919,026,735.00 to IDR 7,718,489,271.00 in 2020. It will burden the CV KP if the expenses during 2020 are not proportional to the income earned. CV KP is a corporate taxpayer who undergoes a transition to adjust the corporate income tax rate in 2020 using the general rate in calculating his corporate income tax because the turnover exceeds IDR 4,800,000,000.00. CV KP still earned a commercial profit of IDR 732,564,098.00 in 2020. However, it decreased compared to the profit obtained by the CV KP in 2019. In 2019, CV KP earned a commercial profit of IDR 1,192,100,828.00. By 2020, CV KP should have made maximum use of this corporate income tax rate adjustment in calculating income tax 25. However, in reality, CV KP has not taken full advantage of the reduced rate. CV KP is a taxpayer who can take advantage of tax incentives in the form of reduction of income tax 25 installments or discounted income tax 25 during 2020 because of the Classification of Business Fields (KLU) of CV KP is wholesale clothing trade with the code KLU 46412.

2. Literature Review

2.1. Income Tax

Income tax is classified into direct tax, with the main object is income generated by taxpayers from their works or activities carried out either in service or trading. Direct tax is a tax borne by itself as a taxpayer whose burden cannot be delegated to other parties [10]. Income tax is imposed on parties in the category of individuals or entities on the basis of the amount of income received from work or activities for one year, the provisions of which are regulated in Law No. 36 of 2008 concerning income tax [11].

2.2. Law No. 36 of 2008

The income tax rate for domestic corporate taxpayers and permanent establishments, the tax rate imposed on the income earned is 28%, which then decreases the tax rate to 25% effective from 2010. Domestic taxpayers, especially public company get relief in the form of imposition of a lower tax rate of 5% on the condition that 40% is at least of the total shares traded on the IDX, and some requirements must be met.

2.3 Government Regulation in Lieu of Law (PERPPU) No. 1 of 2020

The PERPPU took effect as of April 1, 2020, is regarding policies to stabilize the state financial system from threats that could endanger the country's economy due to the Covid-19 outbreak. One of them is reviewing policies in the field of taxation related to income tax. It is described in article 5 paragraph 1 regarding the rate adjustment for domestic corporate taxpayers and permanent establishment in the form of a tax rate reduction from 25% to 22% for 2020 to 2021 and again decrease to 20% by 2022. This reduction in the income tax rate can also be enjoyed by taxpayers, especially a public company to 3% lower than the condition that the total shares traded on the IDX are at least 40%.

2.4 Income Tax 25

Income tax 25 is the amount of monthly tax paid in installment by the taxpayers for one year in the amount of income tax payable in accordance with the annual income tax return for the tax year, which was previously reduced by a tax credit then divided by 12. In 2020, there was a rate adjustment in determining the income tax 25 for the current year 2020 from 25% to 22% based on PERPPU No.1 of 2020 and reaffirmed in the Directorate General of Taxes Regulation Number Per-08/PJ/2020.

The government also issued a policy regarding relief in the payment on installments of income tax article 25 for taxpayers with particular business field classification codes based on the Minister of Finance Regulation No. 44/PMK.03/2020 regarding tax incentives, one of which is a 30% discount in the payment on installments of income tax article 25 for the April to June 2020 period [12]. The policy of 25 income tax incentives did not stop in June. The government again issued a new policy on tax incentives based on the Minister of Finance Regulation no. 110/PMK.03/2020 in the form of a discount in the payment on installments of income tax article 25, from 30% to 50% for the July-December 2020 tax period [13]. Further, it was again extended for 2021 based on Minister of Finance Regulation No. 9/PMK.03/2021 for the January to June period [14]. In 2021 the tax incentive was extended again to one year based on PMK No. 82/PMK.03/2021 for the period July to December [15]. When using tax incentives for tax income 25, it must be in accordance with the prevailing regulation of the Minister of Finance [16].

3. Research Methods

Qualitative research is the relevant approach applied to this study. The data sources used were secondary data obtained through intermediary media using documentation technique as data collection technique and d instrument. Data validity of this research used a triangulation data source.

The data were analyzed using a comparative descriptive technique. The data analysis stages were started from collecting the necessary data (CV KP income statement), then calculating the 2020 income tax payable for corporate taxpayers using the rate following the Law Number 36 of 2008 Article 17 paragraph (2a) and the rates following PERPPU Number 1 of 2020 Article 5 paragraph (1). Further, the analysis by comparing the amount of corporate income tax payable in 2020 based on Law Number 36 of 2008 with PERPPU No. 1 of 2020 was carried out. The last is analyzing the number of installments of income tax articles 25 of 2020 and 2021 with the implementation of corporate income tax rate based on PERPPU No. 1 of 2020.

4. Result and Discussion

4.1 Calculation of Income Tax Payable based on Law No. 36 of 2008 and PERPPU No. 1 of 2020

There is a fiscal correction of expenses and revenues based on Law No. 36 of 2008, which causes a difference between the company's commercial profit and fiscal profit. In 2020, CV KP earned a commercial profit of IDR732.564.098,00. After fiscal correction, CV KP obtained a fiscal profit of IDR1.321.125.375,00. CV KP in 2020 has a business turnover of not more than IDR50.000.000.000,00. Therefore, in accordance with the provisions of Article 31 letter E of the Income Tax Law No. 36 of 2008, CV KP also gets special facilities in the form of imposing a reduced rate of 50%. Thus, the amount of income tax payable by CV KP based on the provisions of the corporate income tax rate Law No. 36 of 2008 and PERPPU No. 1 of 2020 can be seen in the following table:

Table 1. Calculation of Income Tax Payable of CV KP based on Law No. 36 of 2008 and PERPPU No. 1 of 2020

Corporate Income Tax Rate	25%	22%	20% (Projection)
Commercial Net Profit	IDR 732.564.098	IDR 732.564.098	IDR 732.564.098
Fiscal Net Profit	IDR 1.321.125.375	IDR 1.321.125.375	IDR 1.321.125.375
Taxable Income	IDR 1.321.125.000	IDR 1.321.125.000	IDR 1.321.125.000
Income Tax Payable:			
Getting Facilities	IDR 101.782.830	IDR 89.568.890	IDR 81.426.264
Does not get Facilities	IDR 126.715.591	IDR 111.509.720	IDR 101.372.473
Total Income Tax Payable	IDR 228.498.421	IDR 201.078.610	IDR 182.798.737

Therefore, the amount of income tax payable of CV KP in 2020 based on Law No. 36 of 2008 using 25% rate was IDR228.498.420,00. Income tax payable of CV KP in 2020 based on PERPPU No. 1 of 2020 using 22% rate was IDR201.078.610,00. The relief in the form of a reduction in corporate income tax rates can be utilized by CV KP until 2022. Projections in the 2022 tax year with the same income assumption, the estimated amount of income tax payable by CV KP when using a 20% rate is IDR182.798.736,00.

4.2. Comparison of Income Tax Payable of CV KP Before and After Issued PERPPU No. 1 of 2020

The adjustment of the Corporate Income Tax rate aims to ease the taxpayers in fulfilling their tax obligation, especially corporate taxpayers, to deal with the Covid-19 pandemic threat. CV KP perceives the impact of the Covid-19 pandemic as seen from the decrease in sales and profit before tax from 2019 to 2020. The reduction in corporate income tax rates is expected to ease CV KP in fulfilling its tax obligations and the policy is expected to maintain taxpayer compliance in fulfilling tax obligations because the amount of the tax rate set affects taxpayer compliance [17]. The following is a comparison of income tax payable by CV KP before and after the PERPPU No. 1 of 2020:

Table 2. Comparison of Income Tax Payable of CV KP Before and After Issued PERPPU No. 1 of 2020

UU No 36 Year 2008	PERPPU No 1 Year 2020	Differences	PERPPU No 1 Year 2020	Differences
25%	22%		20% (Projection)	
A	B	C=A-B	D	E=B-D
IDR228.498.421	IDR201.078.610	IDR27.419.811	IDR182.798.737	IDR18.279.873

Thus, in 2020, precisely in the April tax period, there was a shift from a 25% rate to 22%, then CV KP received a relief in 2020 of IDR27.419.811,00 after PERPPU No. 1 of 2020 so that CV KP receives larger profit to maintain their business during the Covid-19 pandemic. In 2022, there will be a shift from the 22% rate to the 20% rate, so CV KP will get an estimated relief in 2022 of IDR18.279.873,00 by assuming the same income. CV KP gets tax payment relief by the implementation of the new rate in 2020, and then can take advantage again for 2020 due to the gradual deduction in corporate income tax rate that can ease the taxpayer to pay their tax obligation during the Covid-19 pandemic. The policy of Government Regulation in Lieu of Law Number 1 of 2020 regarding the reduction of corporate taxpayer rates has been effective in overcoming the unstable state finances and economy due to the Covid-19

pandemic so as to ease the burden on taxpayers in fulfilling their tax obligations in order to survive and thrive during the Covid-19 pandemic [5]. It shows that the renewal of laws and government regulation regarding the adjustment of corporate tax rates which gradually decrease and causes the tax expense of the taxpayers to be lower [18]. The adjustment of the tax rates will affect the amount of tax expense that should be paid by the taxpayers imply on larger profit after tax [8].

4.3 The amount of Instalment Income Tax Article 25 for the 2020 and 2021 Tax Years by CV KP with the Implementation of Payable Corporate Income Tax Rates Based on PERPPU No. 1 of 2020

4.3.1. Instalment Income Tax Article 25 for the 2020 Tax Year

Reduction of the corporate income tax does not only apply to calculate income tax payable at the end of the tax year but also to calculate the amount of income tax 25 for the current year 2020 since the reporting of tax return 2019, which was re-explained in Per-08/PJ/2020. Annual tax return of CV KP in 2019, CV KP still consider income tax 25 that was paid in 2020 since the April period using 25% rate, which is it should have applied 22% rate in accordance with PERPPU No. 1 of 2020 and re-explained in Per-08/PJ/2020 article 5 paragraph (1). Calculation of income tax article 25, which has been calculated by CV KP using the old rate of 25% based on the annual tax return of CV KP in 2019. The amount of taxable income of IDR2.491.658.000,00 CV KP based on the annual tax return in 2019 and a total gross turnover of IDR12.957.740.742,00 CV KP based on the income statement of CV KP in 2019. Business Field Classification of CV KP included in business field classification of the taxpayer that can take advantage of income tax incentive 25. The following is the calculation of income tax article 25 incentives of CV KP based on the old rate, namely 25% that followed the Annual tax return of CV KP in 2020, which still refers to the corporate income tax rate in Law No. 36 of 2008 and after re-calculated using new rates, namely 22% based on PERPPU No. 1 of 2020:

Table 3. Income Tax Article 25 Installments of CV KP in 2020 Before and After the Implementation of Rate based on PERPPU No. 1 of 2020 and Tax Incentives

	Before (25%)	After (22%)
2019 Taxable Income	IDR 2.491.658.000	IDR 2.491.658.000
Income Tax Payable:		
Getting Facilities	IDR 115.374.650	IDR 101.529.692
Does Not Get Facilities	<u>IDR 392.165.200</u>	<u>IDR 345.105.376</u>
Total Income Tax Payable	IDR 507.539.850	IDR 446.635.068
2019 Tax Credit	<u>(IDR 184.926.000)</u>	<u>(IDR 184.926.000)</u>
Self-pay income tax	IDR 322.613.850	IDR 261.709.068
Income Tax Article 25 (Per Month)	IDR 26.884.488	IDR 21.809.089
Discount of Income Tax 25 (30%)	<u>(IDR 8.065.346)</u>	<u>(IDR 6.542.727)</u>
Income Tax Article 25 (April-June)	IDR 18.819.141	IDR 15.266.362
Article 25 (Per Month)	IDR 26.884.488	IDR 21.809.089
Discount of Income Tax 25 (50%)	<u>(IDR 13.442.244)</u>	<u>(IDR 10.904.545)</u>
Income Tax Article 25 (July-December)	IDR 13.442.244	IDR 10.904.544

Thus, income tax article 25 of CV KP before the new rate was applied using a 25% rate is IDR26.884.488,00 per month. However, for the April to June period, CV KP only paid IDR18.819.141,00, and the remaining IDR8.065.346,00 received a discount on income tax article 25 installment payments is 30% of IDR26.884.488,00 for the April to June period. The discount is income tax article 25 incentives in accordance with Article 11 paragraph (1) PMK No. 44/PMK.03/2020. The

discount continues to be used by CV KP from the June to December 2020 period. Based on article 10 paragraph (1) PMK No.110/PMK.03/2020, CV KP gets a 50% discount on income tax article 25 installment payments. Therefore, for the June to December period, CV KP only paid IDR13.442.244,00 for income tax article 25 installments, and the remaining IDR13.442.244,00 gets a discount for income tax article 25 based on the calculation of CV KP. The amount of income tax article 25 paid during 2020 before the new rate implementation is IDR211.626.480,00.

The calculation of income tax article 25 after the rate implementation based on PERPPU No. 1 of 2020 is IDR21.809.089,00 per month. In the April to June period, CV KP only needs to pay IDR15.266.362,00, and the remaining is IDR6.542.727,00. Due to it obtained a 30% discount to pay income tax article 25 installment from income tax article 25 installment, so for April to June period should be in accordance to article 11 paragraph (1) PMK No. 44/PMK.03/2020. In June to December period, it only pays income tax article 25 installments of IDR10.904.544,00, and the remaining IDR10.904.545,00 obtained a 50% discount from income tax article 25 installments that should be in accordance to article 10 paragraph (1) PMK No.110/PMK.03/2020. The amount of income tax article 25 paid during 2020 after the new rate is IDR185.741.943,00. CV KP should have been able to save cash outflows during the Covid-19 pandemic amounting IDR25.884.532,00 because efforts to minimize taxes can save cash disbursement [19].

The difference in the amount of income tax article 25 before and after the new rate will have an impact on the calculation of income tax overpaid or underpaid at the end of the year. The following is the calculation of income tax overpayment or underpayment of CV KP between before and after the rate based on PERPPU No. 1 of 2020.

Table 4. Income Tax article 28A/29 CV KP of 2020 before and after rate implementation based on PERPPU No. 1 of 2020

	Before (25%)	After (22%)
Income tax payable (22%)	IDR 201.078.610	IDR 201.078.610
Tax credit:		
Income Tax article 22	(IDR 15.321.000)	(IDR 15.321.000)
Income Tax article 25	(IDR 211.626.479)	(IDR 185.741.947)
Income Tax article 28A/29	(IDR 25.868.870)	IDR 15.667

Therefore, in 2020 CV KP experienced an overpayment of income tax article 28A before the implementation of PERPPU No. 1 of 2020 in the calculation of income tax article 25, namely IDR.25.868.870,00. The overpayment is due to the fact that the amount of income tax payable in 2020 is more little than the taxes paid in advance during 2020 on income tax article 22 and income tax article 25. After the new rate implementation to the calculation of income tax article 25, CV KP will receive the amount of income tax article 29 for underpayment but only IDR15.667,00. It can be seen in 2020 that CV KP experienced a fairly large overpayment so that the excess tax can be refunded. However, first, the Directorate General of Taxes will review again or conduct an examination of the company regarding the correctness of the proposed overpayment value [20]. Consequently, it is important for taxpayers to know the new tax regulations because the government has made efforts to maintain the resilience and survival of the company by issuing tax regulations regarding tax relaxation during the Covid-19 pandemic [21]. Taxpayers' understanding of tax regulations can affect taxpayer compliance in fulfilling their obligations [22].

4.3.2. Income Tax Article 25 Installments of CV KP for 2021 Tax Year

The government has helped taxpayers affected by Covid-19 by issuing policies in the form of reducing rates to tax exemptions in the form of tax incentives [23]. This policy is valid until 2021. Therefore, CV

KP can take advantage of the reduction in corporate income tax rates by 22% and tax incentives in calculating the income tax article 25 installment for the current year 2021. The following is the calculation of the article 25 income tax installment for the current year, namely 2021, based on the income tax payable in 2020 with PERPPU No. 1 of 2020 and income tax article 25 incentives:

Table 5. Income Tax Article 25 Installment of CV KP in 2021 with rates based on PERPPU No. 1 of 2020 and Tax Incentives

Taxable Income Tax	IDR 1.321.125.000
Income Tax Payable	
Getting Facilities: 22% x 50% x Rp814.262.637	IDR 89.568.890
Does Not Get Facilities: 22% x Rp506.862.363	<u>IDR 111.509.720</u>
Total Income Tax Payable	IDR 201.078.610
2020 Tax Credit	<u>(IDR 15.321.000)</u>
Self-Pay Income Tax	IDR 185.757.610
Income Tax Article 25 (Per Month)	IDR 15.479.801
Discount of Income Tax Article 25 (50%)	<u>IDR 7.739.901</u>
Self-Pay Income Tax Article	<u>IDR 7.739.900</u>

Thus, CV KP can take advantage of a 22% reduction in corporate income tax rates in calculating Income Tax Article 25 Installments for the current year 2021 and can also take advantage of the Income Tax article 25 incentives until June 2021 in accordance with PMK No. 9/PMK.03/2021. CV KP must re-apply to take advantage of the income tax article 25 incentives in 2021 through the DJP Online page based on article 12 paragraph (3) of PMK No. 9/PMK.03/2021. If included in the category of taxpayers who can take advantage of the income tax article 25 incentives, a tax return will be issued stating that they are eligible to take advantage of the income tax article 25 incentives based on Article 12 paragraph (4) PMK No. 9/PMK.03/2021.

CV KP can take advantage of the income tax article 25 incentive of 50% from IDR15.479.801,00. Accordingly, CV KP again gets relief in paying the income tax article 25 installments paid for the current year of 2021, which is IDR7.739.900,00, and the remaining gets a discount on income tax article 25. Taxpayers who take advantage of this income tax article 25 incentives are required to report the realization of the reduction in income tax article 25 installments with a deadline of the 20th after the end of the tax period. Then, CV KP is obliged to report the realization of the reduction in the income tax article 25 installments. The tax incentive is given for justice and has a good effect on all Indonesian people [24]. The conditions are different between 2020 and 2021 because, in 2021, CV KP cannot take advantage of the income tax article 25 incentives until the end of December 2021. CV KP can only take advantage of the income tax article 25 incentives until the June 2021 tax period because based on PMK No. 82/PMK.03/2021 KLU, CV KP is not included in corporate taxpayers who can take advantage of the income tax article 25 discount until December 2021, then the amount of income tax article 25 that must be paid by CV KP starting from the July 2021 tax period is IDR15.479.801,00.

5. Conclusion and Suggestions

5.1 Conclusions

CV KP received a tax relief of IDR27.419.811,00 so that the profit received was greater to maintain its business during the Covid-19 pandemic and again received relief in 2022 to 20%. The amount of income tax 25 with the implementation of a 22% rate and tax incentives in 2020 is IDR15.266.362,00 for the April-June tax period, while the July-December tax period is IDR10,904,544.00. If calculated for one

year between before and after the implementation of the 22% rate based on PERPPU No. 1 of 2020, CV KP should be able to save cash disbursements during this Covid-19 pandemic of IDR25.884.532,00. The difference in the amount of income tax article 25 before and after the new rate is applied will have an impact on overpaid or underpaid income tax at the end of the year. CV KP in 2020 experienced an overpayment before the implementation of PERPPU No. 1 of 2020, amounting to IDR25.868.870,00, while after the implementation; CV KP caused an underpayment but only amounted to IDR15.667,00. By maximizing the rate adjustment, in 2020, CV KP should be able to save cash disbursements during the Covid-19 pandemic so that it does not cause a large overpayment.

In 2021 CV KP again received relief in determining the amount of income tax article 25 installments. The amount of income tax article 25 for 2021 received relief to be IDR7.739.900,00 for the April to June period, and for the July to December period, it returned to IDR15.479.801,00 because it cannot take advantage of the income tax article 25 incentives but can only take advantage of the reduction in rate.

5.1 Suggestion

CV KP is a corporate taxpayer who uses general rates. For this reason, CV KP is getting ready to take advantage of 20% rate reduction for 2022 in calculating the amount of income tax article 25 for the current year 2022 since the 2021 Annual tax return is reported by making and attaching a separate income tax article 25 calculation using the applicable rate, namely 20% in determining the amount of income tax payable which is the reference in the calculation of income tax article 25. Thus, it is expected not to cause overpayments which will result in cash outflows. CV KP must be aware of new regulations issued by the government during the Covid-19 pandemic and maximize all waivers provided by the government.

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