

Analisis Pengenaan Pajak Pertambahan Nilai (PPN) Atas Fee-Based Services (Non-Bunga) Jasa Keuangan = Analysis Of Value Added Tax (VAT) Imposition On Fee-Based Services (Non-Interest) Financial Services

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Abstrak

Fee-based services merupakan jasa-jasa lainnya yang disediakan oleh bank. Walaupun sekarang penerimaan bank masih sebagian besar berasal dari pendapatan bunga, fee-based services memiliki potensi yang besar untuk berkembang dengan semakin majunya teknologi. Sebelumnya jasa keuangan termasuk pada jenis jasa yang tidak dikenai pajak Pertambahan Nilai atau merupakan Non-JKP. Namun, dengan dikeluarkannya UU HPP, jasa keuangan dikeluarkan dari daftar jasa yang dikecualikan PPN, tetapi diberikan fasilitas pembebasan. Tidak semua jasa keuangan mendapatkan fasilitas ini termasuk feebased services. Penelitian ini meninjau berdasarkan prinsip kemudahan administrasi dan kepastian merupakan isu utama untuk kebijakan ini. Ketentuan mengenai pengenaan PPN atas fee-based services yang disediakan oleh pemerintah hanya terdapat pada SE-12/PJ/2010. Sedangkan surat edaran tidak memiliki kekuatan hukum yang mengikat. Selain itu, kebijakan pengenaan PPN atas fee-based services juga masih terdapat silang pendapat. Tujuan penelitian ini adalah menganalisis ketentuan pengenaan atas fee-based services dan menganalisis kesesuaian pengenaan PPN pada fee-based services dengan prinsip kemudahan administrasi. Penelitian ini menggunakan pendekatan post-positivist dengan pengumpulan data melalui studi lapangan termasuk wawancara mendalam dan focus group discussion serta kepustakaan. Hasil dari penelitian ini adalah feebased services merupakan jasa keuangan yang terutang PPN dan tidak diberikan fasilitas pembebasan dan agar mengurangi kesalahan penafsiran pemerintah dapat mengeluarkan peraturan yang mengikat secara hukum mengenai fee-based services yang dikenakan PPN dan melakukan sosialisasi yang lebih gencar.

.....Fee-based services are other services provided by banks. Although currently bank revenues still mostly come from interest income, fee-based services have great potential to grow with the advancement of technology. Previously, financial services were included in the type of services that were not subject to Value Added Tax or Non-JKP. However, with the issuance of the HPP Law, financial services were removed from the list of services exempted from VAT, but were given exemption facilities. However, not all financial services get this facility including fee-based services. However, there are still differences of opinion on the treatment of VAT imposition on this income. This study reviews based on the principle of ease of administration and certainty as the main issues for this policy. Provisions regarding the imposition of VAT on fee-based services provided by the government are only found in SE-12/PJ/2010. While the circular does not have binding legal force. In addition, the policy on imposing VAT on fee-based services also still has different interpretations. The purpose of this study is to analyze the provisions on the imposition of fee-based services and to analyze the suitability of the imposition of VAT on fee-based services with the principle of ease of administration. This study uses a post-positivist approach with data collection through field studies including in-depth interviews and focus group discussions as well as literature. The results of this study are that fee-based services are financial services that are subject to VAT and are not given exemption facilities and in order to reduce misinterpretation, the government can issue legally binding

regulations regarding fee-based services that are subject to VAT and conduct more intensive socialization.