



IMPLEMENTATION OF TAX PLANNING IN VILLAGE FUNDS

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Abstract

Tax Planning is a mandatory fiscal business strategy in such a way that the fiscal burden that is borne can be paid to a minimum. The data used is primary data, namely data from original sources and collected specifically, consisting of village profiles and budget plans for paving roads. The analysis technique used is descriptive quantitative. The method of data collection is documentation and direct interview methods. This research proves that the application of Tax Planning for Income Tax Article 22 and PPN is proven to be able to minimize the fiscal burden.

Keywords: *Tax Planning ,village funds*

1. INTRODUCTION

Village funds obtained by each village government are quite large, of course they need good management so that fraud does not occur. The village head and his apparatus must be accountable for the management of resources and the implementation of the policies entrusted to the reporting entity in achieving the objectives set periodically. The Village Government must be able to adhere to the principles of accountability in its governance, where all activities can be accounted for in accordance with the provisions. Village Financial Management has also been regulated in the Minister of Home Affairs Regulation Number 113 of 2014 which was amended in the Minister of Home Affairs Regulation Number 20 of 2018 concerning Village Financial Management. Article 58 of the Regulation of the Minister of Home Affairs No. 20 of 2018 states that the Head of Finance as a tax collector makes withholding taxes on the disbursement of the Village treasury and is obliged to deposit all tax revenue collected in accordance with statutory provisions. Thus, village financial management is included in tax matters.

Just like BKD Funds, Village Funds are also subject to Fiscal so that it encourages management to carry out a Tax Planning. Tax Planning is a mandatory fiscal business strategy in such a way that the fiscal burden that is borne can be paid to a minimum. Tax planning strategies to minimize the fiscal burden can be carried out in several ways, such as for PPh 21 by assuming the Fiscal Compulsory has an NPWP, for PPh Article 22 and VAT by splitting purchases per one transaction on different days and dates. Fiscal Expense is the cumulative total of current and deferred fiscal which is calculated to determine profit and loss in a period. Suronoto (2013) with the title "Implementation of Payable VAT Tax Planning at UD. The Pure Three". The variables of this study are Tax planning (independent variable) and VAT payable (dependent variable). The logical strategy used is to use quantitative techniques, in which the analyst collects information related to VAT, such as SPT and SSP for the 2012 period. Primary and secondary data are used in this study. After estimation, the VAT payable is reduced to IDR 2,082,702. The use of tax planning at UD. Tri Murni was declared successful. The research equation, namely discussing the application of fiscal planning (Tax planning). The difference lies in the variables, the research that will be conducted analyzes fiscal planning (Tax planning) to minimize the fiscal burden by limiting problems on VAT, Income Tax Articles 21 and 22, while the variable in this study is VAT payable. The place and period taken by the researcher is different from this study. The research location to be carried out will be in Nglajang Village, Sugihwaras District, Bojonegoro Regency and will collect data for the 2021 period.

IMPLEMENTATION OF TAX PLANNING IN VILLAGE FUNDS

Nancy Mayriski Siregar, Nur Aliah

Dewi (2021) with the title "Strategy for planning PPh article 22 with State Equity Participation Funds at PT Pertani (Persero) Region III". The variables in this study are tax planning strategy (independent variable) and PPh 22 (dependent variable) in this study reviewing the article 22 fiscal tax planning method based on the regulation of the minister of finance No. 110/PMK.010 of 2018. The results of the study concluded that article 22 fiscal planning was carried out precisely according to the guidelines of the minister of finance No 110/PMK.010 of 2018. This research strategy uses the gross up method which is stated in the charge receipt so that the cost of Article 22 PPh is included in the price. The similarities lie in fiscal planning and income tax article 22, the difference lies in the research variables and research locations. In this study the calculated fiscal burden is the fiscal burden of Income Tax Articles 21, 22 and VAT. PPh 21 is a tax on income in the form of salaries and so on related to work and services carried out by individuals who are domestic tax subjects. The fiscal burden of Article 22 is calculated by multiplying the PPH rate by the Gross Total (1.5% x Product purchase price excluding VAT and PPnBM). Likewise the VAT fiscal burden, calculated by multiplying the VAT rate by the DPP (10% x DPP).

1.1. The Importance of Conducted Research

This research is very important to do, this research study is to analyze the benefits of tax planning in the management of village funds in Pematang Serai. The results of the research are expected to be able to provide knowledge to the village treasurer from the taxation aspect.

1.2. Formulation of the problem

Based on the identification of the problems above, as for the problems in this study, it can be formulated whether there are benefits of tax planning in managing village funds?

1.3. Research purposes

Based on the formulation of the problem above, the purpose of this research is to find out the benefits of tax planning in managing village funds.

1.4. Research Hypothesis

The hypothesis in this study is there are benefits of tax planning in managing village funds.

2. LITERATURE REVIEW

Agency theory is a concept that explains the contractual relationship between principals and agents. Principals are parties that give mandates to other parties, namely agents, to carry out all activities on behalf of principals in their capacity as decision makers (Jensen and Mecking, 1976). In local government in Indonesia, consciously or not, agency theory has actually been practiced. In public sector organizations what is meant by the principal is the people and the agent is the government, in this case the village head and other village officials. A village is a legal community unit that has territorial boundaries that are authorized to regulate and manage government affairs, local community interests based on community initiatives, origin rights, and/or traditional rights that are recognized and respected within the government system of the Unitary State of the Republic of Indonesia. A village is a legal community unit that has territorial boundaries that are authorized to regulate and manage government affairs, local community interests based on community initiatives, origin rights, and/or traditional rights that are recognized and respected within the government system of the Unitary State of the Republic of Indonesia (Permendagri No. 113 of 2014). The village in the general sense is a phenomenon that is universal, found everywhere in this world, as a small community,

The progress of a country is basically determined by the progress of the village, because there is no developed country without advanced provinces, no advanced provinces without advanced districts and cities, and no developed districts and cities without advanced villages and sub-districts. This means that the basis of a country's progress is determined by the progress of the village (Soleh and Rochmansjah, 2015). The village has a source of income in the form of village original income, regional tax sharing and district/city regional levies, portions of central and regional financial balance funds received by districts/cities, as well as non-binding grants and



donations from third parties (UU No. 6 Year 2014). The source of the village's income as a whole is used to fund all the authorities that are the responsibility of the village. These funds are used to fund the implementation of village authority which includes governance, development, community empowerment, and society. Thus, village income sourced from the APBN is also used to fund this authority. Village funds are funds sourced from the APBN intended for villages which are transferred by the central government through the district/city APBD. Village funds must be managed in an orderly manner, complying with the provisions of laws and regulations, efficiently, economically, effectively, transparently and responsibly by taking into account the sense of justice and propriety and prioritizing the interests of the local community (PP No. 60 of 2014). As is well known, the village is given the authority to regulate and manage its authority in accordance with the needs and priorities of the village. This means that village funds will be used to fund the overall authority of the village according to the needs and priorities of the village. With good village financial governance, an independent village will be created and will eventually achieve more optimal development in Indonesia.

2.1. Understanding Village Apparatus

Understanding comes from the word understand which means to understand correctly, while understanding is the process of making ways of understanding (Em Zul, Fajri & Ratu Aprilia Senja, 2008). Several types of understanding according to Sumarno (2010), namely:

(1) Polya, distinguishes four types of understanding: Mechanical understanding, that is being able to remember and apply something routinely or simple calculations; Inductive understanding, that is being able to try something in a simple case and know that something applies in similar cases; Rational understanding, which can prove the truth of something; and Intuitive understanding, which is able to estimate the truth of something without hesitation, before analyzing it analytically.

(2) Polattsek, distinguishes two types of understanding: Computational understanding, that is being able to apply something to routine/simple calculations, or just do something algorithmically; Functional understanding, namely being able to associate something with other things correctly and being aware of the process being carried out.

(3) Copeland, distinguishes two types of understanding: Knowing how to, that is being able to do something routinely; Knowing, that is being able to do something consciously of the process being done.

(4) Skemp, distinguishes two types of understanding: Instrumental understanding, namely memorizing something separately or being able to apply something to routine/simple calculations; Relational understanding, namely being able to relate something to other things correctly and being aware of the process being carried out.

(5) Village Administration is the implementation of government affairs and the interests of the local community within the government system of the Unitary State of the Republic of Indonesia. The village is domiciled in the district/city area (UU No. 6 of 2014). According to Article 49 of Law No. 6 of 2014, village officials/village apparatus are tasked with assisting the village head in carrying out his duties and authorities. Thus, the understanding of the village apparatus is the extent to which the village apparatus (the person who manages village financial management) understands or can answer questions about what, why, how aspects of taxation are carried out in the village.

2.2. Village Financial Management

Village Financial Management is regulated in the Minister of Home Affairs Regulation Number 20 of 2018 concerning Village Financial Management and came into effect on May 8 2018. According to Permendagri No.20 of 2018, Village Financial Management is a whole activity that includes planning, implementation, administration, reporting, and village financial accountability. Article 2 of Permendagri No.20 of 2018 states that village finances are managed based on transparent, accountable, participatory principles and are carried out in an orderly and budgetary manner. Thus, village financial management can be carried out properly, of course, it

IMPLEMENTATION OF TAX PLANNING IN VILLAGE FUNDS

Nancy Mayriski Siregar, Nur Aliah

must be supported, among others, by competent and qualified human resources as well as adequate financial systems and procedures. The Village Head is the PKPKD and represents the Village Government in the ownership of separated Village assets. In carrying out the authority to manage village finances, the village head authorizes some of his powers to village officials as PPKD. Article 30 of Permendagri No.20 of 2018 states that village financial management is carried out on a cash basis. The Cash Basis is the recording of transactions when cash is received or withdrawn from the Village cash account. Village financial management can be carried out using an information system managed by the Ministry of Home Affairs. The Cash Basis is the recording of transactions when cash is received or withdrawn from the Village cash account. Village financial management can be carried out using an information system managed by the Ministry of Home Affairs. The Cash Basis is the recording of transactions when cash is received or withdrawn from the Village cash account. Village financial management can be carried out using an information system managed by the Ministry of Home Affairs.

2.3. Tax Aspect

According to PJA Andriani in his book *Waluyo, (2013): "Taxes are community contributions to the State (which are enforced) which are owed by those who are obliged to pay them according to general regulations (laws) with no achievement back which can be directly appointed and whose use is to finance public expenditures in connection with the State's duty to administer government."* There are at least two tax objectives or functions put forward by Suandy (2016), namely:

- The function of Budgetair / Financial, namely to put as much money as possible into the state treasury, with the aim of financing state expenditures.
 - Regulerend Function / Regulatory Function, namely taxes are used as a tool to regulate society, both in the economic, social and political fields with a specific purpose.
- According to the Minister of Home Affairs Regulation No. 20 of 2018 concerning village financial management, article 58 paragraphs 1 to 4 regulates aspects of village taxation which include:
- Every disbursement of the Village treasury that causes a burden on the Village Expenditures budget is subject to tax in accordance with the provisions of the applicable laws and regulations regarding taxation.
 - Head of Finance as a tax collector performs tax deductions on Village treasury expenditures.
 - Withholding taxes includes spending on Village treasury expenses for personnel, goods/services, and capital.
 - The Head of Finance is obligated to deposit all collected tax revenues in accordance with the provisions of the laws and regulations.

According to the Regulation of the Minister of Finance of the Republic of Indonesia Number 241 of 2014 Village funds are funds sourced from the APBN which are intended for those transferred through district and city APBDs that are used to finance government administration, development implementation, community development Village treasurer as the obligated to collect Income Tax (PPh) and other taxes, must deposit all deductions and taxes collected into the state treasury account in accordance with the provisions of laws and regulations. Withholding tax is a term used by income tax collectors, withholding taxes and collecting taxes are different terms. Tax collectors are used for PPh Articles 21 and 23, while tax collectors are used for VAT and PPh Article 22. For example, expenses for salaries, wages, honorarium (employment or service rewards) rent, interest, dividends, royalties (rewards for using assets for capital). The treasurer is required to deduct income tax on payments to recipients. The types of income tax, there are individual income tax (PPh 21) and corporate income tax (PPh 23).

Value Added Tax (VAT) is imposed on the delivery of taxable goods (BKP) and taxable services by entrepreneurs. The basic principle of VAT collection is that the seller or taxable entrepreneur (PKP) collects tax from the buyer. The buyer at the time of selling collects VAT



against the next buyer. The seller or PKP is required to issue a tax invoice of at least two copies. The second sheet for PKP sellers is called tax. The first output and sheet for PKP buyers – it's called Input Tax. The general VAT rate is 10% (ten percent) of the selling price, which the buyer must pay is 110% (one hundred and ten percent). Each tax receipt and disbursement is recorded by the treasurer in the Tax Cash Subsidiary Book.

2.5. Tax Planning

According to Suandy (2016: 7) Tax planning is the first stage/strategy where planning is carried out at this stage, with the aim of minimizing the obligations paid by knowing which activities are most effectively carried out for savings, this is done by engineering so that the burden can be reduced and remains constant. taking into account the current fiscal law. The purpose of doing Tax Planning is to minimize expenses related to tax obligations so that tax related expenses are neither more nor less, while remaining in accordance with applicable fiscal laws. The strategy in carrying out tax planning can be done in two ways, the first is fiscal avoidance and the second is fiscal evasion. In general, tax planning is an attempt to save the amount of tax liability by reducing tax costs without conflicting with the applicable tax laws. Broadly speaking according to Zain (2008) tax planning is the process of organizing the business of taxpayers or groups of taxpayers in such a way that their tax debts, both income tax and other taxes, are in the most minimal position, as long as this is made possible either by regulatory provisions. taxation and commercial laws. Tax planning will be said to be appropriate if it produces a minimal tax burden from the results of tax savings and/or tax evasion that can be accepted by the tax authorities and not at all due to tax smuggling which is unacceptable to the tax authorities. In general, the emphasis on tax planning is to minimize tax liability. This can be seen from the following two definitions of tax planning, according to Larry, Friedman, and Susan (1994) tax planning is a systematic analysis of differentiating various tax options/options aimed at imposing minimal tax obligations in the current tax period and future tax period. Meanwhile, according to Susan (1996) states that tax planning is an arrangement made by anyone who conducts an individual or business venture, whose goal is to minimize their tax obligations. Therefore, tax planning can be concluded according to Pohan (2011):

2.6. Fiscal Burden

Fiscal Expense In accordance with PSAK 46/IAS 12 Fiscal Expense is the total current and deferred fiscal which is calculated to determine profit or loss in a period. Fiscal types in the use of funds in the village according to Law Number 20 of 2018 are PPh Article 21, PPh Article 22, PPh Article 23, PPh Article 4 paragraph 2 and VAT.

3. RESEARCH METHOD

This study uses a qualitative approach. A qualitative approach is an approach that places more emphasis on aspects of in-depth understanding of a problem rather than looking at problems for generalization research. This research method prefers to use analytical techniques in-depth, namely examining problems on a case-by-case basis because qualitative methodologies believe that the nature of one problem will be different from the nature of other problems.

The aim of this qualitative research approach is not a generalization but a deep understanding of a problem. Qualitative research functions to provide substantive categories and qualitative research hypotheses. As for this research, it was conducted to measure the understanding of village officials in financial management in the aspect of taxation

3.1. Location and Time of Research

This research was conducted at Village Owned Enterprises (BUMDes) in the village of Pematang Serai, Tanjung Pura District, Langkat Regency, North Sumatra. Time The research was conducted from December 2022 to March 2023.

IMPLEMENTATION OF TAX PLANNING IN VILLAGE FUNDS

Nancy Mayriski Siregar, Nur Aliah

3.2.Variable Operational Parameters

The parameter used in this study is the knowledge of the Pematang Serai Village apparatus on tax obligations. The operational definition of a variable is a dimension given to a variable by giving meaning or specifying activities or justifying an operation needed to measure that variable, Sugiyono (2014). The variables in this study are explained in tabular form as follows:

Table 3.1

Variable Operational Definitions

Variable Operational definition

Tax Planning to minimize the obligations paid by knowing which activities are most effectively carried out for savings, this is done by engineering so that the burden can be reduced and still pay attention to the current fiscal law

Income Tax 21 Taxes deducted by the village treasurer relating to the payment of salaries, wages, honoraria, bonuses, incentives or other payments to individuals

Income Tax 22 Taxes imposed on the additional value of economic capacity received by the taxpayer

PPN Collection of tax on purchases of taxable goods/services whose nominal amount is above IDR 1,000,000 (one million rupiah) and is not a separate payment. The VAT rate is 10 % of the tax base (price not included

PPN).

3.3.Population and Sample

According to Sugiyono (2017: 115) defines "Population is a generalization area consisting of: objects/subjects that have certain qualities and characteristics set by researchers to study and then draw conclusions." Population is a group of people, events or anything that has certain characteristics, so to get accurate data, samples are taken from a population to be studied. The population in this study is the apparatus in Pematang Serai Village. According to Sugiyono (2016: 73), the sample is part of the number and characteristics of the population. The sampling technique used is saturated sampling. According to Sugiyono (2017: 61) the meaning of saturated sampling is a sampling technique when all members of the population are used as samples. A sample is a collection of data taken from a population, the sample is used to draw conclusions from the population, sampling is done because in collecting data from a population there are often many obstacles that make it impossible to examine all of the population, these constraints are usually due to situation, manpower and costs.

3.4.Data collection technique

According to Sugiyono (2011) "Data collection techniques are ways of obtaining data and supporting information in this study", data collection techniques according to needs, the authors use data collection methods in the following ways:

- Interview or interviews, namely by conducting questions and answers with subjects related to understanding in village financial management in the aspect of taxation
- Documentation studies, namely studying documents related to problems or research data such as BUMDes Financial Reports.

3.5.Data analysis method

This type of research is associative descriptive research. According to Ety (2010) causal associative research is research that aims to analyze the relationship between independent variables on the dependent variable and mediating variables in order to determine the accuracy in predicting existing symptoms (phenomena). In this research data analysis method, namely determining the level of knowledge of the Pematang Serai Village apparatus regarding Article 21 PPh Tax, Article 23 PPh, Article 4 Income Tax Paragraph (2), VAT as PKP.



This research is a quantitative research that emphasizes measurable data through several hypothesis testing, classical assumption testing, analyzing the relationship between variables and drawing conclusions. The nature of this research is included in correlational research, namely research that has the aim of seeing whether there is a relationship between two or more variables and seeing how big the relationship is between the observed variables. This research was conducted by taking the research object of all companies included in the Sri-Kehati Index on the Indonesia Stock Exchange (IDX). The total data used is 125 companies for the 2017-2021 period. In this study, data analysis used the Partial Least Square (PLS) approach. PLS is a component- or variant-based Structural Equation Modeling (SEM) model.

4.RESULTS AND DISCUSSION

DISCUSSION

In 2014, village funds became a political discussion which was finally realized in the form of a Village Law, namely Law no. 6 of 2014 concerning Villages. Of course, village funds revolving into the village treasury must be managed as best as possible and the individual appointed as village treasurer must understand his function as a payer and also a collector who is tasked with calculating, deducting/collecting, depositing, and reporting taxes on spending village funds. Due to the tax principle in Indonesia which adheres to a self-assessment system, the village treasurer is given the responsibility and trust to carry out his tax obligations. However, not a few village treasurers are confused and do not understand the rules related to taxation. The following will describe related to taxation related to the use of village funds. In accordance with the provisions in force in the field of taxation, parties who deduct and/or collect taxes on expenses originating from the State Revenue and Expenditure Budget (APBN), Regional Revenue and Expenditure Budget (APBD), or Village Revenue and Expenditure Budget (APBDes) is the government treasurer. Included in the definition of government treasurer include expenditure treasurer, village treasurer, cash holder, and other officials who carry out the same function. As a party that deducts and/or collects taxes, the government treasurer must understand taxation aspects, especially those related to the obligation to deduct and/or collect income tax (PPh), Value Added Tax (VAT), and stamp duty. In general, tax obligations for government treasurers are registering as taxpayers, deducting and/or collecting PPh, VAT and Stamp Duty, as well as depositing and reporting taxes that have been withheld/collected. This is in accordance with regulations from the Directorate General of Taxes number S-154/PJ/2015, that the village treasurer is required to have an NPWP, provide guidance and fulfill taxation.

Taxpayer identification number (NPWP) is a tool in tax administration that is used as self-identification or taxpayer identity. NPWP is used to maintain order in paying taxes and supervising tax administration. NPWP registration can be done through the tax service office (KPP) or electronically online at the address www.pajak.go.id by clicking on the e-registration menu. The basic obligation as a taxpayer / collector is to have an NPWP. The registered NPWP is the NPWP in the name of the village/village treasurer. Individuals appointed as village treasurers must of course have a personal NPWP and the NPWP of the village treasurer. The requirements that must be completed to have a village treasurer's NPWP are a photocopy of the letter of appointment as village treasurer, as well as a photocopy of the treasurer's KTP concerned, then fill out the treasurer's NPWP registration form (Official, 2014). The Indonesian government has begun to direct its attention to orderly management of village finances, especially since the 2004 Village Law came into force. The government, for example, has begun to control village finances by improving a number of technical regulations with Government Regulations (PP) and Ministerial Regulations (Permen). In order to control it, the government explained carefully about the tax obligations of the village treasurer. The position or position of the village treasurer in the financial management structure or village funds is very important. This can be seen in Permendagri Number 113 of 2014, especially article 7. The Article emphasizes that the village treasurer is basically one

IMPLEMENTATION OF TAX PLANNING IN VILLAGE FUNDS

Nancy Mayriski Siregar, Nur Aliah

of the members of the technical executor of financial management in the village as well as the chief staff of financial affairs.

The duties of the village treasurer as stipulated in the Permendagri consist of three things, namely: First, to receive, store, pay, administer, account for village income and expenses in the context of implementing the village budget; Second, keep records of each receipt and expenditure and close the books at the end of each month properly and in an orderly manner; Third, carry out accountability for village financial management through the script of the accountability report (LPJ). It's just that, in the Permendagri there is not a single article that clearly explains the duties of the treasurer in deducting taxes on village expenditures that use village funds where the source comes from the APBD. In fact, in the law on income tax, it is clearly stated that the village treasurer is one of the parties who is obliged to withhold tax on income received by taxpayers, both individuals and corporate taxpayers. Perhaps this is why village treasurers often experience problems in relation to their tax obligations. The task of government treasurers, including village treasurers, is not easy and cannot be underestimated when it comes to tax matters. The reason is because besides being busy with daily affairs and duties as village treasurer, he is also required to carry out obligations in taxation. Moreover, the related village treasurer does not really understand the ins and outs of implementing tax obligations. Not to mention the obligation in collecting taxes to always follow every transaction made by the taxpayer, while the reporting takes place every month or every tax period.

Several studies have been conducted previously related to the compliance and accuracy of government treasurers, including village treasurers, in carrying out obligations in taxation. In general, the results of a number of studies state that not all government treasurer tax obligations can be fulfilled properly. The reason is because of the heavy workload; the due date for paying taxes is too close to the monthly reporting schedule; and lack of understanding of tax regulations (Ahmad, 2016). Awareness and compliance of society, institutions, agencies in fulfilling tax obligations has something to do with perceptions of the tax itself. Luthans as quoted by Dewi (2011) explains that there are two factors that shape perception, namely: internal and external factors. If internal factors are related to individual characteristics, then external factors are related to the situation and environment. The internal factors forming the perception of taxpayers are learning/understanding and motivation. These two internal factors in Widayati and Nurlis's (2010) research were stated to have an influence on taxpayer compliance in fulfilling their tax obligations. Bubung (in Dewi, 2011) states that the external factor forming perceptions is the service quality of the tax officials. These two internal factors in Widayati and Nurlis's (2010) research were stated to have an influence on taxpayer compliance in fulfilling their tax obligations. Bubung (in Dewi, 2011) states that the external factor forming perceptions is the service quality of the tax officials. These two internal factors in Widayati and Nurlis's (2010) research were stated to have an influence on taxpayer compliance in fulfilling their tax obligations. Bubung (in Dewi, 2011) states that the external factor forming perceptions is the service quality of the tax officials.

In principle, whether or not the service provided by the tax authorities can influence the taxpayer in fulfilling his tax obligations. The reason is because taxpayers can know and understand taxes from the services provided by the tax authorities. Fasmi and Misra (2014) emphasized that until now, there is still a tendency for some Indonesian people to think that taxes are basically forced levies from the government. Such a tendency is of course an obstacle for the government in its efforts to develop public awareness to fulfill its tax obligations. Some people who have such a tendency, will try to avoid their tax obligations. That is, such a wrong perception affects whether citizens comply or not in paying taxes. The government then carried out what is called a tax reform or tax reform to solve this problem. This tax reform basically has a specific goal, namely to simplify the taxation system in Indonesia. The system in question is bound in outline to the taxpayer and the tax apparatus. The tax system related to taxpayers includes three things, namely: types of taxes, tax rates and methods of paying taxes. While the tax system related to tax officials, includes four things, namely: procedures (SOP), work procedures, discipline, and mentality (Fasmi



and Misra, 2014). The hope of simplifying the process of taxation through tax reform is that tax payments become more reasonable and fair. In addition, in order to increase the quantity in the aspect of the taxpayer, Pematang Serai village, Tanjung Pura district, Langkat district is one of the villages that has implemented a tax planning policy on village funds received from the Langkat district budget. This village, according to the results of the researcher's interview with one of the village officials, follows the rules and carries out tax planning in tax calculations.

a. PPh Article 21

Article 21 of Fiscal Income Tax Planning calculation can be done by assuming that the worker has an NPWP. This assumption provides a lower fiscal discount than workers who do not have a NPWP, resulting in a minimal fiscal burden. Taxes deducted by the village treasurer relating to the payment of salaries, wages, honoraria, bonuses, incentives or other payments to individuals. This includes payments to individual village treasurers themselves, if they exceed the non-taxable income limit (PTKP), then the village treasurer is obliged to deduct taxes for himself. If the income recipient does not have an NPWP, Article 21 Income Tax will be deducted at a rate of 20% higher than the tax that should be withheld. Tax planning cannot be carried out at pph 21 for the village officials of Pematang Serai because their income is below IDR 4,500,000 per month. Where the village head earns a salary of IDR 3,000,000 per month so that he is not subject to income tax article 21.

The basis for the imposition of PPh 21 is as follows:

1. Permanent Employees The basis for the imposition of Income Tax Article 21 for Permanent Employees is Taxable Income, which is calculated by subtracting the total net income from Non-Taxable Income (PTKP).
2. Non-Permanent Employees The basis for the imposition of Income Tax Article 21 for income received or earned by Non-Permanent Employees is as follows:
 - a. In the event that the gross income paid monthly exceeds IDR 4,500,000.00 in a month, the basis for imposing PPh Article 21 is calculated by means of the total gross income minus PTKP per month.
 - b. In the event that a day's gross income or average daily gross income exceeds Rp. 450,000.00 but the accumulated income in a month is less than Rp. 4,500,000.00, the basis for the imposition of Article 21 Income Tax is calculated by reducing the amount of gross income by an amount of Rp. 450,000. 00.
 - c. Daily income or average daily income of more than IDR 450,000.00 or accumulated income in a month is more than IDR 4,500,000.00, but not more than IDR 10,200,000.00, the basis for imposing PPh Article 21 is calculated by means of the total gross income reduced by the daily PTKP number of actual working days.
 - d. In the event that the total cumulative income in one calendar month has exceeded IDR 10,200,000.00, Article 21 Income Tax is calculated by applying the rate of Article 17 paragraph (1) letter a of the Income Tax Law on the amount of annual taxable income
 - e. Meanwhile, for a day's income or average daily income not exceeding IDR 450,000.00 and accumulated income in a month not exceeding IDR 4,500,000.00, Article 21 Income Tax is not deducted.

According to Pohan (2011: 91) there are 3 methods that can be used in calculating income tax Article 21, namely:

1. Gross Method This method is a tax deduction method in which employees bear the amount of income tax themselves, which is usually deducted directly from the salary of the employee concerned
2. Net Method This method is a tax deduction method with the company as the party that bears the employee taxes. The amount of Income Tax Article 21 in this method is not included as a tax allowance so that companies cannot make it a non-deductible expense.

3. **Gross-Up Method** This method is a tax deduction method in which the company provides tax allowances that are the same amount as the amount of tax that will be deducted from employees. This method is an alternative method to the two previous methods because it is considered beneficial for both sides, namely for the company and employees. This is because these tax allowances can be used as a deduction from income because they are benefits in cash, while for take-home employees, their pay is not reduced because a gross up has been made equal to the tax payable. Calculation of tax benefits is formulated to equate the amount of tax to be paid with the tax benefits provided by the company to its employees.

b. PPh Article 22

According to Supramono (2015: 88) Fiscal Value Added is a forced levy on the use or consumption of local goods or in the territory/customs area, both the use of goods subject to tax or services subject to tax. Value Added Fiscal Objects are tangible and intangible Fiscal Subject Goods and Fiscal Subject Services. There is an exception to VAT collection according to Mardiasmo (2018: 342), namely payments with a maximum total of Rp. 1,000,000, - and not payments that are divided per one transaction, so VAT is not subject to it. Based on the Regulation of the Minister of Finance 231/2019 there is a change in the exemption rate for the collection of VAT, namely payments with a maximum amount of Rp. 2,000,000, - excluding VAT and PPnBM payable, and not a payment split from a single transaction with an actual value of more than Rp. 2,000,000,-. According to Mardiasmo (2018: 336), the way to calculate Value Added Fiscal is to multiply the Fiscal Imposition Basis by the Fiscal Rate. Tax planning that can be done in Article 22 Fiscal Income Calculations by purchasing materials and raw materials for construction is done by dividing, on different days and dates, the purchase is below the nominal Rp. 2,000,000,-. This calculation provides lower fiscal deductions and there may even be no fiscal deductions at all in fiscal calculations in this way, resulting in a minimal fiscal burden. PPh Article 22 Import relates to tax collection in the import sector, namely in the case of delivery and payment of goods and entry of goods from outside customs into the customs area that are required to pay PPh Article 22 Import at the time of payment of import duties collected by the Directorate General of Customs and Excise or by the Bank Foreign exchange. PPh Article 22 Import is a tax credit, namely as a deduction from the PPh payable at the end of the tax year.

c. Tax Savings In PPh 22 Import

For tax planners, of course, they understand the tariffs contained in the PPh 22 Import element, by recommending imports using Import Identification Numbers (API) because they can make tax savings of 5%. Where if you have API then the tariff is only 2.5% compared to non-API which reaches 7.5% of the import value. Even though PPh 22 Import will be a tax credit in the Corporate Income Tax payable on the Annual SPT (That is if the company has a profit/profit), of course the company will be more helpful in saving cash flow at certain times. So what if a company doesn't have an API but wants to enjoy the 2.5% rate? Of course a tax planner in a company understands the type of business in advance and if it can be ascertained that the company is engaged in importing goods then it is best to arrange a permit to obtain an API, but if it is only temporary it generally borrows API facilities (this is usually done within the company group/ conglomerate) because the API owner is fully responsible for the implementation of imports regardless of whether the imports belong to the company itself or to other parties. So that the borrower and the lender know each other to reduce the risk for the owner of the API. According to Mardiasmo (2018: 257) Fiscal or PPh article 22 is the collection of income in the current year regarding payments for merchandise to government treasurers or certain entities. Article 22



of Fiscal Objects relates to the acquisition of goods, as stated by Mardiasmo (2018: 259) which is carried out by:

1. Government Treasurer and KPA as fiscal collectors for the Central Government, Regional Governments, and other State Agencies, regarding mandatory collection of product acquisition
2. Expenditure treasurer uses the money mechanism
3. inventory (UP) for payment for the purchase of goods or products
4. KPA uses a direct payment system (LS) for payment of goods purchased

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There is an exception to Fiscal Income (PPh) article 22 by the Treasurer, as disclosed by Mardiasmo (2018: 270); Payments made by Government Treasurers, SOEs and certain business entities, Exporters and Mining Goods Buyers, are as follows:

Payment by the Government Treasurer is a maximum of Rp. 2,000,000, - excluding VAT and not a split payment per one transaction. For example, the purchase of a computer that is carried out at one time made in several invoices is not allowed. But if the purchase of several computers is carried out at different times and dates, this is permissible. The legal basis used is the Regulation of the Minister of Finance (PMK) 231 of 2019 which states that payments with a maximum amount of IDR 2,000,000 do not include VAT and are not payments that are split from one transaction with an actual value of more than IDR 2,000,000. There is an exception to Fiscal Income (PPh) article 22 by the Treasurer, as revealed by Mardiasmo (2018: 270); Payments made by Government Treasurers, SOEs and certain business entities, Exporters and Mining Goods Buyers, are as follows: Payment by the Government Treasurer is a maximum of Rp. 2,000,000, - excluding VAT and not a split payment per one transaction. For example, the purchase of a computer that is carried out at one time made in several invoices is not allowed. But if the purchase of several computers is carried out at different times and dates, this is permissible. The legal basis used is the Regulation of the Minister of Finance (PMK) 231 of 2019 which states that payments with a maximum amount of IDR 2,000,000 do not include VAT and are not payments that are split from one transaction with an actual value of more than IDR 2,000,000.

In the world of shipping (sea/air) it is known as a handling fee, namely the amount of fee that must be paid based on a handling fee agreement between the importer who has an API and the owner of the goods for the services provided. Article 23 Income Tax is deducted from the imposition of the handling fee. This method can also be used by people/companies that do not have an API "borrow" the flag of a company that has an API to release their imported goods with compensation for providing a handling fee. If previously the benefit (5%) was greater than the handling fee incurred (for example 2%), then the owner of the goods can still get a tax saving in PPH article 22 of 3% of the price of the imported goods (ie from the cost of insurance & freight /CIF + import duties).

IMPLEMENTATION OF TAX PLANNING IN VILLAGE FUNDS

Nancy Mayriski Siregar, Nur Aliah

Tax Avoidance in PPh Article 22 Import

Apart from the tax savings described above, the profit will be greater if the condition of the company is still at a loss because in addition to saving cash flow for a certain period the Article 22 PPh credit will only cause overpayment and to avoid inspection due to overpayment then on import PPh 22 credit it is better to be funded (although non-deductible) but it is much better to avoid inspections (the cost of tax compliance is very expensive). This means that it won't be too much of a loss if you finance it because previously the company already had tax savings. And engineering like this is still possible and does not violate tax provisions.

d. Tax Evasion In PPh 22 Import

From the description above, it can be understood why people/companies choose to borrow an API from a company compared to having to manage and own their own API. And companies that borrow can take advantage of additional benefits because they get fees for the API that is lent. However, what is unfortunate is the desire of the exporter/API owner to credit the import PPh 22 in their annual corporate tax return. This is contrary to what is regulated in article 4(2) KMK-539/KMK.04/1990, which says "Income Tax Article 22 and Value Added Tax that has been paid by importers who import on the basis of pivots as referred to in Article 3, can be credited against Income Tax or Output Tax payable by the Indentor concerned with proof of PIUD and SSP that have fulfilled the provisions as referred to in Article 2, in accordance with the provisions of the applicable tax laws and regulations." It was even found that a company (importer/API owner) credited PPh 22 on Import and Input VAT and included purchases in their comprehensive income statement while the purchases were actually goods of the API borrower (indentor).

e. Value Added Tax (VAT)

Value added fiscal calculations by purchasing materials and raw materials that have gone through the production process during construction are carried out by dividing, on different days and dates, the purchases are also below the nominal value of Rp. 2,000,000,-. This calculation provides lower fiscal deductions or even no fiscal deductions at all in fiscal calculations in this way. This results in a minimal fiscal burden. For this Value Added Fiscal calculation, you can choose to provide a quarter of the fiscal, half of the fiscal, or even eliminate/zero the fiscal VAT is the collection of taxes on purchases of taxable goods/services whose nominal amount is above IDR 1,000,000 (one million rupiah) and is not a separate payment. The VAT rate is 10 % of the tax base (price does not include VAT). The village treasurer is highly recommended to choose a partner who is already a taxable entrepreneur (PKP) and has issued a tax invoice serial number. Partners are required to be PKP, because only partners with PKP can issue tax invoices. If the transaction does not use a PKP partner, the VAT will still be collected by the village treasurer, but the administrative accountability is incomplete, because there is no tax invoice. This of course will be a finding for the relevant inspectorate.

With regard to the imposition of VAT, in essence what is subject to VAT is taxable goods (BKP) and taxable services (JKP). In general, all types of goods are BKP, and all types of services are JKP, except as stated in Law no. 42 of 2009 concerning VAT that the goods are not BKP (non-BKP) and not JKP (non-JKP). The following are types of goods and services that are non-BKP and non-JKP, or are not subject to VAT in their transactions (UU No. 42 of 2009 concerning Value Added Tax) Goods are not subject to VAT (Non-BKP)

- a. Mining products or drilling products taken directly from the source,
- b. Basic goods that are needed by many people,
- c. Food and drinks served in hotels, restaurants, stalls, and the like, include food and drinks consumed on site or not, including food and drinks delivered by catering or catering businesses.
- d. Money, gold bullion and securities.



Services Not Subject to VAT (Non-JKP)

- a. medical health services,
- b. social Services,
- c. Mail delivery service with postage,
- d. financial Services,
- e. insurance Services,
- f. religious Services,
- g. educational Services,
- h. arts and entertainment services,
- i. Non-advertising broadcasting services,
- j. Public transportation services on land and in water, as well as domestic air transportation services which are an integral part of foreign air transportation services,
- k. labor Services,
- l. hotel Services,
- m. Services provided by the government in order to run the government in general,
- n. Parking space provision services,
- o. Public telephone services using coins,
- p. Money transfer services by money order,
- q. Catering or catering services.

So in general, goods and services that are not included in the Non-BKP and Non-JKP categories are all subject to VAT payable which must be collected by the village treasurer. Article 31 of Permendragi 113 of 2014 stipulates that the village treasurer, as a duty to collect income tax and other taxes, must deposit all deductions and taxes he collects into the state treasury account in accordance with statutory provisions. Provisions regarding VAT collection are regulated in Article 16A paragraph (1) of the 1984 VAT Law which stipulates that tax payable on the delivery of Taxable Goods (BKP) and/or Taxable Services (JKP) to Value Added Tax collectors is collected, deposited and reported by Value Added Tax collectors. The object of Value Added Tax Collection, namely Article 2 paragraph (2) KMK 563 of 2003 stipulates that Value Added Tax Collectors who make payments on the delivery of BKP and/or JKP by Taxable Entrepreneurs (PKP) government partners on behalf of PKP government partners, are obliged to collect, deposit, and report the payable VAT and PPnBM. If the person submitting the BKP and/or JKP to the treasurer is not a PKP, then the treasurer should not need to collect VAT. In order to clarify the object of collection that must be carried out by the village treasurer, the following will discuss further about what is Taxable Goods, Taxable Services, Taxable Entrepreneurs and delivery for which Value Added Tax is payable.

5. CONCLUSION

Based on the discussion that has been carried out, it can be concluded that taxation related to the use of village funds is as follows:

1. The village treasurer is required to register to obtain an NPWP at the local Tax Service Office (KPP), with the requirements that must be met are: a photocopy of the appointment letter as village treasurer and a photocopy of the KTP of the village treasurer concerned.
2. Tax planning application on PPh Articles 21, 22 and VAT as follows: a. The application of Article 21 PPh tax planning can be carried out if the amount of income/salary/honorary received by workers is in accordance with the specified daily and monthly rate/nominal limits. If the income received by workers is less than the specified rate limit, then fiscal planning cannot be carried out.
3. The application of Article 22 PPh tax planning can be carried out by splitting the purchase of materials under Rp. 2.000.000,- with different times, namely the day and date of

IMPLEMENTATION OF TAX PLANNING IN VILLAGE FUNDS

Nancy Mayriski Siregar, Nur Aliah

purchase.

4. The application of tax planning on VAT can be carried out by dividing the purchase of materials under Rp. 2.000.000,- with different times, namely the day and date of purchase

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