

Analysis Of The Effectiveness Of Imposing Electronic Stamp Duty In An Effort To Optimize Taxpayer Compliance

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Abstract

Digital transformation in the national taxation system encourages the introduction of electronic stamp duty (e-stamp) as a modern fiscal instrument. This study aims to evaluate the effectiveness of e-stamp in improving taxpayer compliance and supporting the optimization of state revenue. The method used is a systematic literature review of a number of relevant legal sources, scientific journals, and current policies. The findings show that e-stamp has obtained legal legitimacy equivalent to physical stamps and functions as valid evidence in court, as regulated in PP No. 86 of 2021. In addition to accelerating transactions, e-stamp also strengthens transparency and accountability of tax administration. However, its utilization still faces obstacles in the form of limited technical regulations and low digital literacy of the community. For this reason, continuous education support and cross-sector synergy are needed to ensure effective and sustainable implementation.

Keywords: E-Stamp, Digital Stamp Duty, Tax Compliance, Digital Transformation, Tax Administration.

INTRODUCTION

Stamp duty is a tax imposed on documents, the document is civil in nature and the document is used as valid evidence in legal forums and in court and applies to one document for every one stamp duty. The definition is, According to Article 1 paragraph (1) of the Stamp Duty Law, stamp duty is defined as a tax imposed on documents. Law No. 10 of 2020 concerning Stamp Duty has regulated the Types of Stamp Duty, which are divided into two types, namely physical stamps and electronic stamps.

Physical stamps are stamps in the form of labels or manually attached, it is necessary to know the characteristics of physical stamps that have security elements that include the design itself, materials, and printing techniques. General characteristics have been regulated in the Law on Stamp Duty Article 13 paragraph (2). The authenticity of physical or attached stamps can be seen with the naked eye. As for security that cannot be seen with the naked eye, its authenticity must be known through forensic examination. Then for electronic stamps or stamps in digital form, according to the provisions in Article 5 paragraph (1) of Law No. 11 of 2008 concerning electronic information and transactions (ITE Law), electronic documents have been recognized as valid legal evidence. This means that electronic documents including E-stamps have been legally validated the same as stamped documents.

Regulations regarding electronic stamps are contained in Article 14 paragraph (1) of the Stamp Duty Law. Based on this Law, electronic stamps have provisions such as unique codes and certain information. This information has been regulated as in the Stamp Duty Law, namely the Minister of Finance. Stamp Duty imposition usually occurs in correspondence or important documents of a legal nature. This happens to meet the requirements of legal formalities that can provide legitimacy and can be accounted for by both parties or the parties concerned.

Article 3 paragraph (1) of Law 10/2020 states that: “Stamp Duty is imposed on:

- a. Documents as a tool to explain a civil incident; and
- b. Documents used as evidence in court.”

Civil Documents

Based on Law 10/2020 and PMK 78/2024, civil documents that are subject to stamp duty include:

- a) A letter that is an agreement
 1. The agreement letter is subject to stamp duty to function as valid evidence according to law and in court. And to protect the rights involved in the document from false data.
- b) Notary Deed and PPAT
 2. Including copies, excerpts, or derivative documents. The function of stamp duty in a Notarial Deed is to validate its validity. The imposition of stamp duty indicates that the document has fulfilled the tax obligations set by the government, as an important administrative and legal requirement, and can be accounted for in a legal forum.
- c) Securities
 3. Valuable securities are documents that have a high selling value and are very important, such as bonds, shares, etc.
 - Bonds
Bonds are debt instruments issued by various entities or high institutions. Bonds have a certain term, which varies from several months to several periods. The imposition of stamp duty tariffs on bonds is important to ensure that the rights and obligations stated in the bonds are recognized by third parties.
 - Shares
Shares are a letter stating ownership or participation in the holding of an entity or company. The function of Stamp Duty for share certificates is as legal validation and can be used as evidence if a problem occurs during a conflict or dispute.
- d) Auction Documents
An auction document is a letter containing the terms, conditions, and information related to the goods or assets to be auctioned. This document serves as a guideline for participating in the auction and includes various important information on when participating in an auction. The purpose of the Stamp Duty is as proof that the ownership of the goods or assets that have been auctioned has been obtained.
- e) Other documents determined by the government
From a substantive perspective, this document is subject to Stamp Duty because it is considered to have high legal consequences or can be used as evidence of a right or obligation in civil matters.

Documents as Evidence in Court

According to Article 3 paragraph (1) of Law 10/2020, documents that were initially not subject to stamp duty may still be subject to stamp duty if they are used as evidence in court.

We need to know that before the issuance of electronic stamps, stamp duty impostors used physical stamps. Electronic stamps were proposed by the Minister of Finance, namely Mrs. Sri Mulyani Indrawati and the Minister of BUMN. In line with the development of the era of

increasingly sophisticated information and communication technology, this is one proof of the use of this sophisticated technology. With the advancement of information and communication technology, in this era, many innovations and transformations have been created in everyday life. For example, we are used to using digital technology to create a document or transaction that requires legal approval. From this, the creation of Electronic Stamps is supported to simplify administration and be more accurate.

With a system like this, it is expected that the level of taxpayer compliance will increase. Taxpayers can easily access and use stamp duty without having to buy or visit a place that sells stamps.

RESEARCH METHODS

This study was compiled using a systematic literature review method that aims to identify or evaluate several significant literature sources. This approach is used in the context of tax studies and fiscal policy analysis, especially to examine the effectiveness of the use of electronic stamp duty in optimizing taxpayer compliance and contribution. The author collects data from various scientific sources such as journals and articles, which are then reviewed carefully and in a structured manner to obtain comprehensive conclusions, also in accordance with the objectives of the study. With this approach, it is hoped that the results of the study can provide a strong theoretical basis and a real contribution to the development of tax policy in Indonesia.

RESULTS AND DISCUSSION

The implementation of e-stamps as part of digital stamp duty since 2020 is a strategic step by the government to provide legal certainty and protect online transactions from fraud and other crimes.

Legal Power E-Stamps have a legal standing that is equal to physical stamps in the context of evidence in court. Based on Government Regulation Number 86 of 2021, e-stamps are recognized as valid evidence. Thus, electronic documents equipped with e-stamps can be used in legal processes. This recognition provides additional assurance of the authenticity and integrity of documents, which is very important in preventing future disputes.

The Function of E-Stamps in Legal Evidence E-stamps function as a formal requirement in legal evidence. Although not the main requirement for legal recognition of an agreement, the existence of e-stamps provides greater legal certainty. In the event of a dispute, documents that use e-stamps can be relied on as valid evidence in court, thus strengthening the legal position of the parties involved. Thus, although e-stamps are not an absolute requirement, their use can increase the trust and legitimacy of documents, and facilitate the process of resolving disputes in the future.

Implications for Tax Revenue The implementation of e-stamps is expected to increase state tax revenues through digital tax collection. With e-stamps, the government can more easily monitor and collect taxes from electronic transactions, which was previously difficult to do. The existence of e-stamps not only contributes to increasing state revenues, but also supports tax system reforms that are more responsive to the development of digital technology. With a more

efficient and transparent system, it is hoped that taxpayer compliance will increase, thus creating a fairer and more sustainable tax ecosystem.

Challenges in Implementing E-Stamps Although e-stamps have a strong legal basis, their implementation still faces various challenges. One of the main challenges is the lack of detailed technical regulations regarding the mechanism for using e-stamps. This lack of clarity can cause confusion among users and hinder the widespread adoption of e-stamps. In addition, there is still a misunderstanding in society regarding the role of e-stamps. Many people assume that the existence of an e-stamp automatically makes an agreement valid, whereas the validity of the agreement still depends on other legal requirements. Therefore, increasing legal awareness and digital literacy in society is very important to prevent errors in the use of e-stamps.

Proper education will help the public understand the function and limitations of e-stamps, so that they can maximize their benefits in legal transactions. Increasing Legal Awareness and Digital Literacy To overcome public misunderstandings regarding e-stamps, a structured and comprehensive public education program is needed. This education program must include a clear understanding of the functions and limitations of e-stamps in the context of agreement documents.

By increasing legal awareness and digital literacy, it is hoped that the public can use e-stamps correctly and understand their legal implications. Effective education will help the public recognize the importance of e-stamps as valid evidence, and understand that the validity of an agreement does not only depend on the existence of e-stamps, but also on other legal requirements. Thus, the public will be more prepared and wise in utilizing e-stamps in legal transactions.

Optimization of Electronic Stamp Duty (e-Stamp) for Taxpayers Electronic Stamp Duty (e-Stamp) is optimized for taxpayers by offering the convenience of digital tax payments, reducing the use of physical documents, and increasing transparency in tax administration. e-Stamp also allows access through digital wallets, speeding up the transaction process and tax administration.

Ease of Access and Use

1. **Digital Payment:** Taxpayers can make e-Stamp payments online, reducing the need to visit the tax office.
2. **System Integration:** e-Stamps can be integrated with a company's document management system, facilitating its use in daily transactions.

Transparency and Accountability

1. **Clear Recording:** Every e-Stamp transaction is recorded digitally, making tracking and auditing easier.
2. **Fraud Reduction:** A more transparent system minimizes the potential for fraud in the use of stamps.

Support for Users

1. **Education and Socialization:** The government provides information and training on the use of e-Stamps, helping taxpayers understand the process.
2. **Distributor Access:** Opening access for e-Stamp distributors expands reach and makes it easier for the public to obtain stamps.

Cost and Time Efficiency

1. **1.Reduced Operational Costs:** Reducing the use of physical documents helps companies save on printing and storage costs.

2. Faster Process: Electronic transactions speed up document processing and tax payments.

There are times when a new system or innovation regarding electronic stamp duty is created technically so that the provisions on how to use e-stamps are more detailed. In addition, it is very important to develop clear legal norms regarding the status of stamps as valid evidence.

Collaboration between government, private sector, and academics is also very important to create an integrated and efficient system. This collaboration is expected to produce innovative solutions and ensure understanding and compliance with existing provisions. With these steps, the implementation of e-stamps is expected to run smoothly and provide maximum benefits for the community and the state.

CONCLUSION

The conclusion of this journal confirms that e-stamps have a strong legal basis. and contribute to transparency and efficiency of taxation in the digital era. Although e-stamps are equivalent to physical stamps in the context of legal document proof, their effectiveness still depends on improving education, system integration, and expanding infrastructure distribution. E-stamps function as a formal requirement for evidence in court and is expected to increase state revenue through digital tax collection. However, Neither e-stamp nor physical stamp is a primary requirement for the validity of an agreement.

. In addition that, although PP No. 86 of 2021 acknowledges the existence of e-stamps, the regulation has not explained in detail the technical aspects of its implementation. In the case of violations agreements that use e-seals, dispute resolution still refers to the provisions default in the Civil Code.

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