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## **The Positive Investment List (DPI) Criteria on Presidential Regulation No. 10 Year 2021 concerning the Investment Business Field**

The Indonesian government changed the Negative Investment List (DNI) to Positive Investment List (DPI). This is stated in the derivative regulations of the Job Creation Law known as Presidential Regulation No. 10 Year 2021 concerning the Investment Business Field which takes effect from March 4th, 2021.

Based on this new regulation, all fields are open to investors, except for business fields that are declared closed to investment or activities that can only be carried out by the central government. According to Article 3 paragraph (1) states, open business fields consist of priority business fields, allocated business fields or partnerships with cooperatives and Micro, Small, and Medium Enterprises (MSMEs), business fields with certain requirements, and business fields that are not included of these three things.

For foreign investors, they can only carry out business activities in large businesses with an investment value of more than IDR 10 billion, excluding the value of land and buildings. The foreign investor must be in the form of a limited liability company (PT), based on Indonesian law. In addition, the government provides a number of fiscal incentives, including a tax allowance, tax holiday, or reduction of corporate income tax (PPh) and net income reduction facilities for investment and reduction of gross income.

There are incentives for exemption from import duty on imports of machinery and goods and materials for industrial development or development. In addition, there are also non-fiscal incentives covering ease of business licensing, provision of supporting infrastructure, the guarantee of energy availability, guaranteed availability of raw materials, immigration, employment, and other conveniences.

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*Mulyaningsih Prawirowiryo (Lia)*