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DISPUTE INSIGHT | TAX DISPUTES | 2 AUGUST 2026

# Tax Audit, Objection, and Appeal Strategy

*Maintaining factual and legal consistency from audit response through adjudication*

**EXECUTIVE SUMMARY**

A tax dispute is shaped long before the appeal stage. Audit responses, interviews, reconciliations, contracts, accounting treatment, and supporting documents can define later positions. Early governance is therefore essential.

## 1. Background, Scope, and Strategic Significance

Dispute strategy should be built from verified facts, contemporaneous documents, procedural requirements, and a realistic assessment of legal and commercial exposure. Early preservation and disciplined communications can materially improve decision quality without predicting an outcome.

Tax Audit, Objection, and Appeal Strategy should be approached as a connected legal, factual, and decision-making problem. In the tax disputes context, the quality of the final position depends on whether the governing instruments, authority records, chronology, correspondence, operational facts, and available remedies are reviewed together. A conclusion reached from one document or one legal provision may overlook qualifications, implementing rules, later conduct, or evidence that changes the practical assessment.

This publication therefore focuses on the sequence of analysis rather than offering a universal answer. The first task is to define the relevant person, company, asset, permit, transaction, or government action. The second is to identify the legal source and the institution or contractual actor with authority. The third is to test the position against contemporaneous records and the procedure that governs any filing, objection, response, negotiation, investigation, or claim.

For disputes, early choices affect later options. A notice may reserve rights or waive them; an internal email may clarify chronology or create ambiguity; a regulatory response may later become evidence in a different forum. The legal team should preserve relevant material, control communications, identify procedural deadlines, and separate verified facts from allegations. Strategy should account for claims, defences, counterarguments, interim protection, settlement options, enforcement, and business continuity without assuming that any particular outcome will follow.

The analysis is current as at 2 August 2026. The application of any law, regulation, court decision, administrative practice, or contractual provision depends on the specific facts and may change after publication.

## 2. Legal and Regulatory Framework

The principal authorities identified for this topic are listed below. They should be read together with any implementing measures, sector-specific instruments, later amendments, binding court decisions, official guidance, contractual provisions, corporate instruments, and transitional rules applicable to the matter. The legal hierarchy and the date on which an instrument became effective may be decisive.

- Law No. 14 of 2002 on the Tax Court
- Law No. 7 of 2021 on Harmonisation of Tax Regulations

Before relying on an authority, confirm that it applies to the relevant person, entity, activity, asset, transaction, location, procedural stage, and period. Where an official system or institution maintains the operative record, the record should be verified rather than inferred from an earlier submission. The scope of any discretion, appeal, objection, cure, or review mechanism should also be mapped.

# 3. Detailed Analysis of the Core Issues

## 3.1 The taxpayer should understand each adjustment

This issue defines the legal scope of the assessment. Counsel should identify who holds the relevant right, duty, power, or exposure; the instrument from which it arises; and any limits on authority. The review should distinguish legal form from actual conduct and should record inconsistencies rather than silently choosing one version. Authority can depend on legislation, implementing rules, constitutional documents, delegations, contracts, licences, resolutions, or an institution's procedural mandate.

For Tax Audit, Objection, and Appeal Strategy, this point should be mapped to the chronology, burden of proof, likely forum, available remedies, and the opponent's probable position. The team should identify what can be established now, what requires further evidence, and which steps preserve options without creating unnecessary admissions or procedural risk.

## 3.2 Accounting records and contractual substance should be reconciled transaction by transaction

The point must be tested against contemporaneous evidence. Useful material may include executed documents, official records, system data, correspondence, meeting minutes, reports, financial entries, technical records, witness knowledge, and proof of delivery or submission. The legal team should identify the source, custodian, date, completeness, and reliability of each record. Missing records and later-created summaries should be labelled so that decision-makers understand the evidentiary limits.

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## 3.3 Submissions should preserve legitimate arguments without unnecessary inconsistency or overstatement

Procedure and timing are central. The applicable framework may prescribe a form, authorised signatory, service method, supporting document, cure opportunity, objection route, hearing sequence, or deadline. A substantively reasonable position may still be weakened by using the wrong forum or failing to preserve a procedural step. A calendar should distinguish statutory deadlines, contractual deadlines, internal approval dates, and practical milestones for collecting evidence and preparing submissions.

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## 3.4 Procedural

The operational consequences should be assessed before a position is implemented. Legal exposure can affect cash flow, licences, financing, contractual performance, insurance, governance, personnel, public statements, and relationships with authorities or counterparties. Scenario analysis should compare immediate action, conditional action, negotiated adjustment, and preservation of the status quo. Each scenario should state its assumptions, dependencies, reversible steps, and indicators that would require escalation.

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### 3.5 Witnesses and subject-matter personnel should be prepared using source records

The position should anticipate how an authority, court, counterparty, shareholder, complainant, or other stakeholder may respond. That includes testing the strongest counterargument, not only confirming the preferred interpretation. Communications should be accurate, proportionate, and consistent across legal submissions, corporate records, regulatory filings, and operational instructions. Where uncertainty remains, the decision record should explain the chosen risk tolerance and the safeguards applied.

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## 4. Risk and Evidence Matrix

The matrix is an initial organising tool. It should be replaced or supplemented by a matter-specific chronology, document index, authority map, issue list, and risk register once the relevant records have been reviewed.

| ISSUE | KEY EVIDENCE | RISK IF UNMANAGED | IMMEDIATE CONTROL |
|---|---|---|---|
| The taxpayer should understand each adjustment | Operative agreements, decisions, licences, and authority records | Pursuing a claim or defence on the wrong legal foundation | Confirm scope, authority, and controlling instruments. |
| Accounting records and contractual substance should be reconciled transaction by transaction | Chronology, communications, original files, and witness sources | Evidence loss, inconsistency, or inability to prove key facts | Issue preservation instructions and build an evidence index. |
| Submissions should preserve legitimate arguments without unnecessary inconsistency or overstatement | Notices, service, filings, hearing records, and deadline calendar | Procedural default or loss of an available remedy | Create a procedural map with verified dates and owners. |
| Procedural | Quantum, operational impact, mitigation, and continuity records | Escalating legal action without managing commercial consequences | Quantify scenarios and assign continuity safeguards. |
| Witnesses and subject-matter personnel should be prepared using source records | Opponent positions, settlement communications, and enforcement assets | A strategy that does not anticipate response or enforcement | Test counterarguments and approve a communication protocol. |

## 5. Recommended Action Plan

### 5.1 Create an issue register for every proposed adjustment.

Begin by defining ownership of the task, the decision required, and the documents that must be available. Record any assumptions and gaps so that later reviewers can distinguish confirmed facts from matters still under investigation. The output should be a controlled work product with a clear approval path, not an informal collection of opinions.

### 5.2 Link legal arguments to returns, ledgers, invoices, contracts, and correspondence.

The work should reconcile legal requirements with the organisation's actual process and systems. Where records conflict, identify the source of truth, the person responsible for correction, and whether a notification, amendment, reservation of rights, or other protective step is required before the inconsistency becomes material.

### 5.3 Control deadlines, proof of service, approvals, and filing evidence.

Timing should be planned backwards from the external deadline or business decision. Allow time for authority checks, document collection, technical or financial input, internal review, translation where relevant, authorised signature, submission, and proof of delivery. Contingency time is important where portals or third parties are involved.

### 5.4 Quantify exposure and settlement or continuation scenarios.

Implementation should be proportionate to the assessed exposure. Immediate measures should prevent further harm and preserve options; longer-term measures should address root cause, ownership, training, monitoring, and recurrence. Remediation should be accurate and should not overwrite the historical record needed for advice or proceedings.

### 5.5 Maintain one verified chronology across audit, objection, and appeal stages.

The final position should be communicated only through approved channels. Management should know which developments require board, insurer, lender, regulator, counterparty, employee, or public disclosure. After the decision, the team should monitor new evidence and legal developments and adjust the plan when its assumptions no longer hold.

## 6. Decision Framework

| | |
|---|---|
| IMMEDIATE CONTROL | Preserve the relevant record, identify the decision-maker and authority, confirm procedural deadlines, and prevent avoidable escalation while the facts are verified. |
| LEGAL ASSESSMENT | Map the verified facts and documents against the applicable legal framework, contractual position, regulatory expectations, and realistic exposure scenarios. |
| STRATEGIC EXECUTION | Select a proportionate course of action, define approval and communication protocols, document implementation, and revisit the strategy as new evidence or legal developments emerge. |

### 6.1 Questions for Decision-Makers

- What precise decision, right, obligation, or exposure is being assessed in relation to tax audit, objection, and appeal strategy?
- Which law, regulation, contract, licence, corporate instrument, or official decision controls the issue?
- Which facts are verified by contemporaneous evidence, and which remain assumptions or disputed allegations?
- What procedural step or deadline could determine whether a right, defence, approval, or remedy remains available?
- What operational, financial, governance, regulatory, and reputation consequences arise under each realistic scenario?
- Who is authorised to approve the strategy, communicate externally, implement controls, and monitor later developments?

## 7. DRP Perspective and Conclusion

Tax Audit, Objection, and Appeal Strategy should be managed through an integrated legal and evidence strategy. The team should identify the operative instrument or government action, preserve the record, map procedure and timing, test the opposing position, quantify exposure, and coordinate communications before taking steps that may be difficult to reverse.

A disciplined process does not guarantee a result, but it improves the quality of decisions and helps prevent avoidable procedural or evidentiary loss. Forum, remedy, settlement, interim protection, enforcement, and business continuity should be reviewed together and updated when new facts, documents, or legal developments emerge.

## 8. Key Authorities and Official Sources

- Law No. 14 of 2002 on the Tax Court: https://peraturan.bpk.go.id/Details/44449/uu-no-14-tahun-2002
- Law No. 7 of 2021 on Harmonisation of Tax Regulations: https://peraturan.bpk.go.id/Details/185162/uu-no-7-tahun-2021