

INDONESIA

Schedule of Specific Commitments

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 1st Package of Commitments under ASEAN – India Agreement on Trade in Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
<p>ALL SECTORS INCLUDED IN THIS SCHEDULE</p>	<p>(3) Commercial Presence of the foreign service provider(s) shall be in the form of joint venture or joint operation, unless mentioned otherwise.</p> <p>Joint venture should meet the following requirements:</p> <p>a) Shall be in the form of Limited Liability Enterprise (Perseroan Terbatas/PT), and as established under the laws of Indonesia, pursuant to relevant regulations</p> <p>b) Not more than 49% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT), may be owned by foreign partner(s).</p> <p>(4) Subject to Indonesian Labour and Immigration Laws and Regulations, only directors, managers and technical experts/advisors, unless mentioned otherwise, are allowed with a maximum stay of two years subject to one year extension.</p> <p>Manager and technical experts (intra corporate transfer) are allowed based on an economic needs test. Foreign nationals are not permitted to</p>	<p>(1) All measures related to taxation are unbound</p> <p>(2)</p> <p>(3) No foreigners (juridical and natural persons) are allowed to own land. However, a joint venture enterprise may hold the right for land use and building rights, and they may rent/lease land and property.</p> <p>Foreign juridical persons (including joint ventures or joint operation and foreign natural persons are required to meet specific approval procedures, licensing and qualification requirements.</p> <p>Eligibility for subsidies shall be reserved to nationals.</p> <p>(3) - The foreign services suppliers shall use appropriate and advance technology and managerial experience, and shall have the obligation to transfer its technology and pass on its experience to national personnel</p> <p>(4) - The foreign service supplier shall prove commitment to recruit and develop more local human resources</p> <p>- Foreign service suppliers, in the</p>	

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	<p>work in human resources. The entry of business visitor(s) may be permitted for a period of 60 days and extendable</p>	<p>context of JV shall be required to offer on the job training for national employees</p> <ul style="list-style-type: none"> - Skilled foreign employee shall be required to provide training to national <p>Employers are obliged to pay compensation for each of foreign worker</p> <p>All foreign nationals shall:</p> <ol style="list-style-type: none"> a. Have education and/or work experience of at least 5(five) years in accordance with the position that will be occupied. b. Be willing to make a statement to transfer his/her expertise to Indonesia workers, especially his/her co-workers. 	

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<p>DEFINITIONS :</p> <p><u>Directors:</u> Persons who have full authority and responsibility on the management of the enterprise for the interest of the enterprise according to the vision and mission of the entity, and also legally responsible to act on behalf of the enterprise inside and/or outside of the court based on the organization rules of procedures.</p> <p><u>Managers:</u> Persons whose duties are performing management functions, i.e. planning, organising, directing, monitoring, in the organization's middle level management according to the direction and monitoring of the directors.</p> <p><u>Technical Experts/Advisors:</u> Persons who function as technical advisor to the heads of the corporation according to their respective knowledge and expertise specification or according to the services, machinery analysis and also the management issues.</p> <p><u>Joint Operation :</u> A joint operation is an undertaking between one or several foreign enterprises acting through a representative office (s) and Indonesian enterprises of temporary nature, to handle one or several project/businesses without establishing a new statutory body according to Indonesian laws</p> <p><u>Joint venture Enterprise:</u> A joint venture enterprise is a legal entity organized under Indonesian law and having its domicile in Indonesia, in the form of cooperation between foreign capital and Indonesian (national) capital.</p> <p><u>Contract Management:</u> Contract management is a contract organized under Indonesian law in the form of cooperation on management of temporary nature between Indonesian (national) capital and foreign capital.</p> <p><u>Business visitors:</u> natural persons staying in Indonesia for the purpose of participating in business meeting, business contacts including negotiations for the sales of services and/or other similar activities including those who prepare for the establishment of a commercial presence in Indonesia, without acquiring remuneration and/or any other direct income from within Indonesia , and are not engaged in making direct sales or supplying services to general public.</p>			

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II. SPECIFIC COMMITMENTS			
Architectural Services (CPC 8671)	(1) None	(1) None	
Engineering Services (CPC 8672 except CPC 86721, 86725, 86726)	(2) None	(2) None	
Integrated Engineering Services (CPC 8673)	(3) a. Joint operation by establishing a representative office License for representative office shall be valid for 3 years and can be extended.	(3) a. - License fee requirement - Registered foreign company shall form a joint operation with local partner(s) which is(are) registered by Construction Services Development Board and having qualification A/Big	
Urban Planning Services (CPC 86741)	b. Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law.	b. Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big	
	(4) As specified in the Horizontal Section	(4) As specified in the Horizontal Section	
Advisory and Consultative Services Related to Engineering (CPC 86721)	(1) None	(1) None	
Engineering Design Services for Industrial Processes and Production (CPC 86725)	(2) None	(2) None	
	(3) Joint operation through a representative office in Indonesia	(3) The Indonesian participant in joint operation must be member of Indonesia Consultant Association	
	(4) Unbound except for director and technical expert	(4) As specified in the Horizontal Section	

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Bookkeeping Services except Tax Return (CPC 86220)	(1) Unbound (2) None (3) Only through a locally incorporated joint venture corporation in the form of Limited Liability Enterprise (Perseroan Terbatas/PT) with Indonesian individuals or Indonesian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 30 percent (4) Unbound	(1) Unbound (2) None (3) Unbound (4) Unbound	
Computer and Related Services Consultancy Services Related to the Installation of Computer Hardware (CPC 841) Software Implementation Services (CPC 842)	(1) None (2) None (3) Only through a locally incorporated joint venture corporation in the form of Limited Liability Enterprise (Perseroan Terbatas/PT) with Indonesian individuals or Indonesian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 percent (4) Unbound except for director and technical expert	(1) None (2) None (3) None (4) As specified in the Horizontal Section	

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<p>Research and Development</p> <p>Interdisciplinary R & D (CPC 853, limited to industrial activities)</p>	<p>(1) Unbound for government funded project</p> <p>(2) Unbound for government funded project</p> <p>(3) Joint operation through a representative office in Indonesia</p> <p>(4) Unbound except for director and technical expert</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) The Indonesian participation in joint operation must be member of Indonesian Consultant Association</p> <p>(4) As specified in the Horizontal Section</p>	
<p>Other Business Services</p> <p>Project management services other than for construction (CPC 86601)</p>	<p>(1) Unbound for government funded project</p> <p>(2) Unbound for government funded project</p> <p>(3) Joint operation through a representative office in Indonesia</p> <p>(4) Unbound except for director and technical expert</p>	<p>(1) Unbound</p> <p>(2) Unbound</p> <p>(3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association</p> <p>(4) As specified in the Horizontal Section</p>	

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Technical Testing and Analysis Services (CPC 8676)	(1) Unbound for government funded project (2) Unbound for government funded project (3) Joint operation through a representative office in Indonesia (4) Unbound except for director and technical expert	(1) Unbound (2) Unbound (3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association (4) As specified in the Horizontal Section	
Services incidental of manufacturing (CPC 884 & 885)	(1) Unbound for government funded project (2) Unbound for government funded project (3) Joint operation through a representative office in Indonesia (4) Unbound except for director and technical expert	(1) Unbound (2) Unbound (3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633+8861+8866)	(1) Unbound for government funded project (2) Unbound for government funded project (3) Joint operation through a representative office in Indonesia (4) Unbound except for director and technical expert	(1) Unbound (2) Unbound (3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association (4) As specified in the Horizontal Section	
Market Research and Public Polling Opinion Services (CPC 86601) Only for Market Research Services	(1) Unbound (2) None (3) Joint operation through a representative office in Indonesia (4) Unbound	(1) Unbound (2) None (3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association (4) Unbound	
Marketing Management Consulting Services (CPC 86503)	(1) Unbound (2) None (3) Foreign Equity Participation (FEP) up to 30% (4) Unbound	(1) Unbound (2) None (3) Unbound (4) Unbound	

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2. COMMUNICATION SERVICES			
C. Telecommunication Services			
Local service:	(1) None	(1) None	
- Public switched telephone service (CPC 7521)	(2) None	(2) None	
- Circuit switched public data network services (CPC 7523**)	(3) Local services are provided exclusively by PT Telkom and 5 regional joint operation scheme operators. Type of legal entity required: - Joint venture, - Joint operation, or - Contract management	(3) None	
- Teleconferencing services (CPC 75292)	Foreign equity participation is limited to 35 per cent. The government will conduct a review of policy with respect of whether to permit additional suppliers of such services upon the expiry of this period		
	(4) Natural person for management and technical expert for a JVC is limited to 20 persons for all companies concerned	(4) As specified in the Horizontal Section	

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<p>Long distance:</p> <ul style="list-style-type: none"> - Public switched telephone service (CPC 7521) - Circuit switched public data network services (CPC 7523**) - Teleconferencing services (CPC 75292) 	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through joint venture with local private sector foreign equity participation is limited to 40 per cent. The period of exclusivity for long distance expires 2006. The Government will conduct a review of policy with respect whether to permit additional suppliers of such services upon the expiry of this period</p> <p>(4) Natural person for management and technical expert for a JVC is limited to 20 persons for all companies concerned</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) As specified in the Horizontal Section</p>	
<p>International:</p> <ul style="list-style-type: none"> - Public switched telephone service (CPC 7521) - Circuit switched public data network services (CPC 7523**) - Teleconferencing services (CPC 75292) 	<p>(1) None</p> <p>(2) None</p> <p>(3) Only through joint venture with local private sector foreign equity participation is limited to 40 per cent. The period of exclusivity for international services expires in 2005. The government will conduct a review of policy with respect of whether to permit additional suppliers of such services upon the expiry of this period</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p>	

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	(4) Natural person for management and technical expert for JVC is limited to 20 persons for all companies concerned.	(4) As specified in the Horizontal Section	
Packet-switched public data network services (CPC 7523**) <ul style="list-style-type: none"> - X. 25 - Frame relay - Local - Local distance - International Telex Services Telegraph Services Domestic: <ul style="list-style-type: none"> - Mobile cellular telephone Services (CPC 75213) - Personal Mobile Cellular Communication - Regional and National Paging Services (CPC75291) - Public Payphone Services 	(1) None (2) None (3) Only through Joint venture with local private sector. Foreign equity participation is limited to 40 per cent (4) Natural person for management and technical expert is limited to 20 persons for all companies concerned	(1) None (2) None (3) None (4) As specified in the Horizontal Section	
Internet Access Services	(1) None (2) None (3) Only through Joint venture with local private sector. Foreign equity participation is limited to 40 per cent	(1) None (2) None (3) Higher paid up capital is required of foreign service suppliers than of domestic services suppliers. This measure will be eliminated in the year 2020.	

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	(4) Natural person for management and technical expert is limited to 20 persons.	(4) As specified in the Horizontal Section	
<ul style="list-style-type: none"> - Voice mail service (CPC 7523) - Electronic Mail Services (CPC 75232) - Computer Time Sharing Services (CPC 843330) - Video Text Services (CPC 75229) 	<ul style="list-style-type: none"> (1) None (2) None (3) Access granted for five foreign service provider companies, in addition to existing companies (4) Unbound except for director and technical expert 	<ul style="list-style-type: none"> (1) None (2) None (3) Higher paid-up capital is required of foreign service suppliers than of domestic service suppliers. This measure will be eliminated in the year 2020. (4) As specified in the Horizontal Section 	
<ul style="list-style-type: none"> - File Transfer Services (CPC 75299) - Home Telemetering Alarm (CPC 75299) - Entertainment Services (CPC 75299) - Management Information Services (CPC 75299) 	<ul style="list-style-type: none"> (1) None (2) None (3) Access granted for five foreign service provider companies, in addition to existing companies (4) Unbound except for director and technical expert 	<ul style="list-style-type: none"> (1) None (2) None (3) Higher paid-up capital is required of foreign service suppliers than of domestic service suppliers. This measure will be eliminated in the year 2020. (4) As specified in the Horizontal Section 	

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3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
<p>A. General construction work for building Construction work for building (CPC 512 except CPC 51210)</p> <p>B. General construction work for civil engineering Construction work for civil engineering (CPC 513)</p> <p>C. Installation and assembly work Assembly and erection of prefabricated construction (CPC 514 - 5140)</p> <p>E. Other</p> <ul style="list-style-type: none"> - Pre-erection work at construction system (CPC 511 except CPC 51110 and 51113) - Special trade construction work (CPC 515 - 5155) - Renting Services related to equipment for construction or demolition of building or civil engineering works, with operator (CPC 518) 	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended</p> <p>(b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law</p> <p>Not more than 51% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s)</p> <p>(4) As specified in the Horizontal Section</p>	<p>(1) Unbound*</p> <p>(2) Unbound</p> <p>(3) (a) 1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big</p> <p>(b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big</p> <p>(4) As specified in the Horizontal Section</p>	

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<ul style="list-style-type: none"> - Foundation work including pile driving (CPC 51510) - Gas fitting construction work (CPC 51630) 	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended</p> <p style="padding-left: 20px;">(b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law</p> <p style="padding-left: 20px;">Not more than 51% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s)</p> <p>(4) Unbound</p>	<p>(1) Unbound*</p> <p>(2) Unbound</p> <p>(3) (a) 1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big</p> <p style="padding-left: 20px;">(b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big</p> <p>(4) Unbound</p>	

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4. FINANCIAL SERVICES			
General condition on Non Banking Financial Services Sub-sector :			
<ol style="list-style-type: none"> 1) All market access and national treatment limitations specified in the Non Banking Financial Services Sub-sectors will be eliminated by the year 2020 subject to similar commitment by other members. 2) The share ownership of foreign services suppliers is bound at the prevailing laws and regulations. The conditions of ownership and the percentage share of ownership as stipulated in the respective shareholder agreement establishing the existing individual joint venture in non banking financial services shall be respected. No transfer of ownership shall take place without the consent of all parties in the joint venture concerned. 3) In addition to the Horizontal Measures, temporary entry will be granted to technical expert(s)/advisor(s) for no longer than 3 (three) months per person for any given year. 4) Share of non-bank financial companies listed in the stock exchange may be 100% owned by foreign investors. 5) In relation to the presence of natural person, only directors, managers, and experts/advisors can be assumed by expatriates with maximum stay of 3 (three) years and can be extended. 6) All joint venture companies shall provide training for their employees. 			
Non-Life Insurance Services (CPC 8129)	<ol style="list-style-type: none"> (1) Unbound (2) Unbound except if: <ol style="list-style-type: none"> (a) There is no insurance company in Indonesia, either individually or group, which could handle the insurance risks of the object in question. (b) There is no insurance company in Indonesia which want to carry out an insurance coverage of the object in question. (c) The owners of insurance objects in question are not Indonesian citizens or Indonesian legal entities. (3) As specified in the Horizontal Section and General Conditions 	<ol style="list-style-type: none"> (1) Unbound (2) Unbound (3) As specified in the General Conditions 	

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	(4) Unbound except for director and technical advisor/expert	(4) As specified in the Horizontal Section	
Reinsurance Services	<p>(1) Reinsurance service suppliers from other Members must be rated minimum as BBB by Standard and Poor or equivalent</p> <p>(2) Reinsurance service suppliers from other Members must be rated minimum as BBB by Standard and Poor or equivalent.</p> <p>(3) As specified in the Horizontal Section and General Conditions.</p> <p>(4) Unbound except for director and technical advisor/expert.</p>	<p>(1) None</p> <p>(2) Unbound</p> <p>(3) As specified in the General Conditions.</p> <p>(4) As specified in the Horizontal Section</p>	
Life Insurance Services (CPC 8121)	<p>(1) Unbound</p> <p>(2) Unbound except if:</p> <p style="margin-left: 20px;">(a) There is no insurance company in Indonesia, either individually or group, which could handle the insurance risks of the object in question.</p> <p style="margin-left: 20px;">(b) There is no insurance company in Indonesia which wants to carry out an insurance coverage of the object in question.</p> <p style="margin-left: 20px;">(c) The owners of insurance objects in question are not Indonesian citizens or Indonesian legal entities.</p>	<p>(1) Unbound</p> <p>(2) Unbound</p>	

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	(3) As specified in the Horizontal Section and General Conditions. (4) Unbound except for director and technical advisor/expert	(3) As specified in the General Conditions. (4) As specified in the Horizontal Section	
Insurance Brokerage Services (CPC 8140) Reinsurance Brokerage Services (CPC 8140)	(1) Unbound (2) None (3) As specified in the Horizontal Section and General Conditions. (4) Unbound except for director and technical advisor/expert.	(1) None (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section.	
Financial Lease Services (CPC 81120)	(1) None (2) None (3) As specified in the Horizontal Section and General Conditions. (4) Unbound except as indicated in the Horizontal Section.	(1) None (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section.	
Factoring Services (CPC 8113)	(1) Unbound except for international factoring transaction. (2) None (3) As specified in the Horizontal Section and General Conditions.	(1) Unbound (2) None (3) As specified in the General Conditions.	

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	(4) Unbound except as indicated in the Horizontal Section	(4) As specified in the Horizontal Section	
Credit Card Business (Issuer and Agent of Credit Card) (CPC 8113) Consumers Finance Services (CPC 8113)	(1) None (2) None (3) As specified in the Horizontal Section and General Conditions. (4) Unbound except as indicated in the Horizontal Section	(1) None (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section	
Securities Business - Trading for own account or for account of customers, on an exchange or over-the counter market - Listed shares - Bonds	(1) Unbound (2) None (3) Through establishment of a securities broker/dealer. (4) Unbound except as indicated in the Horizontal Section	(1) Unbound (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section	
Participation in issues of securities, including underwriting and placement as agent (whether publicly or privately), and provision of services related to such issues	(1) Unbound (2) None (3) Through establishment of a securities underwriter company. (4) Unbound except as indicated in the Horizontal Section	(1) Unbound (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section	

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Portfolio management, all forms of collective investment management	(1) Unbound (2) None (3) Through establishment of a securities company as an investment manager. (4) Unbound except for directors.	(1) Unbound (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section	
Asset Management limited only to investment fund management	(1) Unbound (2) None (3) Through establishment of a securities company as an investment manager. (4) Unbound except for directors.	(1) Unbound (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section	
Investment Advisory Services limited only to investment advisory in capital market	(1) Unbound (2) None (3) Through establishment of an Investment advisory company. (Bapepam rule No. V.C.1) (4) Unbound except for directors.	(1) Unbound (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section	

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5. EDUCATION SERVICES			
General Conditions:			
Commercial presence of the foreign service provider is permitted only through an Education Institution which is registered in Indonesia and must meet the following conditions :			
<ol style="list-style-type: none"> 1. Based on non-profit principle 2. Mutual recognition arrangement between relevant bodies on credits, programs, and certifications is required. 3. Foreign education institution providing services must establish partnership with local partner. 4. Foreign education institution must be listed in the Ministry of Education's List of Accredited Foreign Education and registered in its home country. Furthermore, its local partner must be accredited. 5. Foreign education institution in cooperation with local partner may open education institution in the cities of Jakarta, Surabaya, Bandung, Yogyakarta, and Medan. 6. Temporary entry for natural persons engaged in education activities in Indonesia is subject to approval by the Ministry of National Education. Approval is granted on case-by-case basis. 			
Secondary Education Services:	(1) None	(1) None	
Technical and vocational secondary education services (electronic, automotive) (CPC 92230)	(2) None	(2) None	
	(3) As indicated in the Horizontal Section and General Conditions	(3) Unbound	
Post-secondary technical and vocational education services (Poly-technique Machine and Electrical) (CPC 92310)	(4) Unbound except as indicated in the Horizontal Section and General Conditions	(4) As indicated in the Horizontal Section and General Conditions	
Adult Education Language Course and training (CPC 924)	(1) None	(1) None	
	(2) None	(2) None	
	(3) As indicated in the Horizontal Section and General Conditions	(3) Unbound	
	(4) Unbound except as indicated in the Horizontal Section and General Conditions	(4) Unbound	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 1st Package of Commitments under ASEAN – India Agreement on Trade in Services

Modes of Supply: 1) Cross-border supply 2) Consumption aboard 3) Commercial presence 4) Presence of natural persons

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
8. TOURISM AND TRAVEL RELATED SERVICES			
Hotel (3, 4, and 5 star ¹⁾ hotels)	(1) None (2) None (3) In eastern part of Indonesia, Kalimantan, Bengkulu, Jambi and Sulawesi, 100% of capital share can be owned by foreign investor. (4) Unbound except for : 1. Top Management Level in Hotel business comprised of: i) General Manager ii) Food and Beverage Manager iii) Resident Manager iv) Comptroller v) Marketing Director 2. Highly Skilled Professionals comprised of : i) Executive Chef ii) Sous Chef iii) Specialty Cook	(1) None (2) None (3) Higher paid-up capital is required of foreign service suppliers than of domestic service suppliers. This measure will be eliminated in the year 2020 (4) As specified in the Horizontal Section	
1) Starred hotel is a service business which provides accommodation and food and beverages facilities and other services, except casino and other activities prohibited by law, for reasons of public moral, religion, security and public order.			
Travel Agent and Tour Operator (TA & TO) (CPC 74710)	(1) None (2) None (3) Maximum service providers total up to 30 TA & TO (4) Unbound except for technical advisor	(1) None (2) None (3) Tour operator must be Travel Agent located in Jakarta and Bali (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Tourist Resort²⁾ Include :</p> <ul style="list-style-type: none"> - Hotel (3, 4, and 5 stars) - Marinas - Golf Courses and other Sport facilities <p>²⁾ Tourist resort is an area built to accommodate the facilities needed for the tourist such as hotels, marinas, golf courses, cultural open stage and other facilities, except casino and other activities prohibited by law, for reasons of public moral, religion, security and public order.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) In eastern part of Indonesia, Kalimantan, Bengkulu, Jambi and Sulawesi, 100% of capital share can be owned by foreign investor.</p> <p>(4) Unbound except for Resort manager</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Higher paid-up capital is required of foreign services suppliers than of domestic service suppliers. This measure will be eliminated in the year 2020.</p> <p>(4) As specified in the Horizontal Section</p>	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
9. TRANSPORT SERVICES			
Maritime Transport Services *)			
a. International Passenger Transport (CPC 7211)	(1) None	(1) a. Foreign Shipping Company is obliged to appoint Indonesian Shipping Company or joint venture Shipping Company as its General Agent (***) b. Government's Cargo ****)	Access to and use of port facilities in the port which is opened for international shipping.
b. International Freight Transport (CPC 7212)	(2) None	(2) None	The following services at ports are made available to international maritime transport supplier on reasonable conditions: o Pilot age; o Towing and tug assistance; o Provisioning and water supply; o Garbage collection and ballast waste disposal; o Port captain's services; o Navigation aids; o Shore-based operational services essential to ship operation, including communication, water and electrical supply; o Emergency repair facilities; and o Anchorage and berthing services.
	(3) Only through joint venture corporation with foreign equity share allowable up to maximum 49%	(3) As specified in the Horizontal Section	
	(4) As specified in the Horizontal Section	(4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Maritime Auxiliary Services Maritime cargo handling services (CPC 741)	(1) Unbound *) (2) None (3) a. only through joint venture corporation, as specified in the Horizontal Section b. Allowed to operate only in main ports, such as : Tanjung Priok, Tanjung Perak, Belawan, Semarang, and Makassar. (4) Unbound	(1) Unbound *) (2) None (3) As indicated in the Horizontal Section (4) Unbound	

Notes (Maritime) :

*) Passenger and freight transportation excluding cabotage and auxiliary services

***) The task of General Agents in Indonesia inter alia are as follows :

- a. to make arrangement in order to get all necessary port services as required by the foreign vessel concerned during their stay in Indonesia ports;
- b. to appoint stevedoring company for cargo loading and unloading on behalf of its principal;
- c. to arrange cargo booking and canvassing;
- d. to collect freight on behalf of the principal;
- e. to issue Bill of Lading on behalf of the principal;
- f. to settle the disbursement and claim (if any);
- g. to give information as required by its principal.

****) Government cargo is cargo originated from the other countries (import cargoes) purchased by the Government Agencies or based on loan/credit agreement with the other countries.

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
10. OTHER SERVICES NOT INCLUDED ELSEWHERE			
Energy Services			
General Condition Indonesia's schedule of specific commitments on energy services sector is based on 2nd Revised Indonesia Proposal of Energy Services Classification			
Core Analysis and Other Lab Test, only for Isotop Analysis - According to Indonesia Proposal of Energy Services Classification is under : Isotop Analysis (1A.2.7.3) - According to W 120 is under : Business Services on Technical Testing and Analysis Services (CPC 8676)	(1) None (2) None (3) Joint operation through a representative office in Indonesia (4) Unbound	(1) None (2) None (3) As specified in the Horizontal Section (4) Unbound	
Geological and Geophysical Services, only for Seismic Data Acquisition - According to Indonesia Proposal of Energy Services Classification is under : Seismic Data Acquisition (1A.1.4.1.1) - According to W 120 Seismic Data Acquisition is under : Business Services on Subsurface Surveying Services (CPC 86752)			
Liquefaction and Gasification only for Coal - According to Indonesia Proposal of Energy Services is under : Coal Liquefaction (2.4.4.4) Coal Gasification (2.4.4.5) - According to W 120 is under : Services Incidental to Manufacturing (CPC 884)	(1) None (2) None (3) Joint operation through a representative office in Indonesia (4) Unbound	(1) None (2) None (3) As specified in the Horizontal Section (4) Unbound	

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