

APPENDIX 1 TO ANNEX XII

INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

1. This Annex sets out commitments in accordance with Article 3.18 (Schedule of Specific Commitments) of the Agreement.
2. Notwithstanding Article 12.5 (Entry into Force) of the Agreement, Indonesia's commitments in the installer category shall only become applicable for Switzerland upon entry into force of the Agreement on the Exchange of Young Professionals.
3. For the purposes of this Annex, the classification of service sectors and sub-sectors are based on:
 - CPC numbers referring to the UN Provisional Central Product Classification (Statistical Papers, Series M, n° 77, Provisional Central Product Classification, Department of International Economics and Social Affairs, Statistical Office of the United Nations, New York, 1991)
 - International Standard Industrial Classification as set out in Statistical Office of the United Nations, Statistical Papers, Series M, N° 4, 'rev 4, 2008'.
4. This Schedule of Commitments follows the Guidelines for the Scheduling of Specific Commitments (WTO Document S/L 92, dated 28 March 2001). The Guidelines shall however not be construed as being legally binding.
5. The entry "unbound*" means unbound due to lack of technical feasibility.
6. The entry with double asterisk (**) after a CPC number means that the service specified constitutes only a part of the total range of activities covered by the CPC concordance.

Sector Or Sub-Sector	Market Access	National Treatment	Additional Commitments
HORIZONTAL COMMITMENT			
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>3) Commercial presence of foreign service provider(s) may be in the form of joint venture and/or representative office, unless mentioned otherwise.</p> <p>Joint ventures shall meet the following requirements:</p> <p>(i) In the form of Limited Liability Company (Perseroan Terbatas/PT); and</p> <p>(ii) not more than 49% of the capital share of the Limited Liability Company (Perseroan Terbatas/PT), may be owned by foreign partner(s).</p> <p>A joint venture supplying services through commercial presence in Indonesia shall have a minimum investment in accordance with domestic laws and regulations.</p>	<p>3) Non-resident tax payers will be subject to Indonesian tax laws and regulations.</p> <p>3) Land Acquisition In accordance to Indonesian laws and regulations, foreigners (juridical and natural persons) are not allowed to own land. However, a joint venture company can hold the right for land use (Hak Guna Usaha) and building rights (Hak Guna Bangunan), and it may rent/lease land and property.</p> <p>1), 2), 3), 4) Indonesia reserves the right to adopt or maintain any measure for the protection of Indonesian essential security interests.</p>	
	<p>4) Subject to Indonesian Labour and Immigration Laws and Regulations, only directors, managers and specialist, unless mentioned otherwise, are allowed to stay for two years with the possibility of one year extension.</p> <p>Manager and specialist (intra corporate transfer) are allowed based on economic needs test/based on Indonesian Labour and Immigration Laws and Regulations.</p> <p>The entry and temporary stay of business visitor(s) is permitted for a period of 60 days and could be extended every 30 days with maximum accumulated stay for 180 days.</p>	<p>4) Obligation to pay compensation Employers are obliged to pay compensation for each foreign worker they employ.</p> <p>Every employer that employs foreign worker is under an obligation to obtain written permission from related Ministers.</p> <p>A foreign worker is not allowed to occupy positions that deal with personnel and/or occupy certain positions pursuant to Indonesian Laws and Regulations.</p> <p>Any natural person shall meet professional qualification requirements.</p>	

Sector Or Sub-Sector	Market Access	National Treatment	Additional Commitments
	<p>Installers: Qualified specialists who are employees of a company located in an EFTA State not having commercial presence in Indonesia, supplying installation services for machinery or industrial equipment.</p> <p>The supply of that service has to occur on a fee or contractual basis (installation contract) for a period of not more than three months between the builder of the machinery or equipment and the owner of that machinery or equipment, both of them being companies (excluding any supply of services in connection with companies supplying services as defined by CPC 872).</p> <p>Only for services supplied to manufacturing sectors and sub-sectors that require high technology and high capital and where installation services cannot be provided by domestic installers.</p>		
Subsidies (the issues of the definition of subsidies remains to be determined in the context of negotiations under article XV of the GATS)	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	
Government procurement (the issues of the definition of government procurement remains to be determined in the context of negotiations under article XIII of the GATS)	1), 2), 3), 4) Unbound	1), 2), 3), 4) Unbound	

Definitions:

"**Director**": a natural person within the organisation who primarily directs the management of the organisation and exercises wide latitude in decision making and receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the business; an executive would not directly perform tasks related to the actual provision of the service or services of the organisation.

"**Manager**": a natural person within the organisation who primarily directs the organisation/department/subdivision and exercises supervisory and control functions over other supervisory, managerial or professional staff; does not include first line supervisors unless employees supervised are professionals; does not include employees who primarily perform tasks necessary for the provision of the service.

"**Specialist**": a natural person within the organisation who possesses knowledge at an advanced level of expertise essential to the establishment/provision of the service and/or possesses proprietary knowledge of the organisation's service, research equipment, techniques or management; may include, but is not limited to, members of a licensed profession.

"**Joint Operation**": a joint operation is an undertaking between one or several foreign and Indonesian companies of temporary nature, to handle one or several project/businesses without establishing a new statutory body according to Indonesian laws.

"**Joint Venture Company**": a joint venture company is a legal entity organised under Indonesian laws and having its domicile in Indonesia, in the form of cooperation between foreign capital and Indonesian (national) capital.

"**Representative office**": a representative office is an office headed by one or more foreign or Indonesian citizens appointed by a foreign company or joint venture company located outside of Indonesia as its representative, with aims to:

- a. Be in charge of the company's business or its affiliated companies, and/or;
- b. Prepare establishment and expansion of foreign capital investment companies, either located in Indonesia and/or in other countries.

"**Contract Management**": a contract organised under Indonesian law in the form of cooperation on management of temporary nature between Indonesian (national) capital and foreign capital.

"**Business Visitor**": a natural person of a Party seeking to enter or stay in the territory of another Party temporarily, whose remuneration and financial support for the duration of the visit is derived from outside of that other Party:

- (i) as a representative of a goods seller/service supplier, for the purpose of negotiating the sale of goods or supply of services or entering into agreements to sell goods or supply services for that goods seller/service supplier, where such negotiations do not involve direct sale of goods or supply of services to the general public;
- (ii) as an employee of a juridical person as defined in subparagraphs (a) of Article 3.2 of the Agreement only for the purpose of establishing an investment or setting up a commercial presence, for the juridical person in the territory of another Party;
- (iii) for the purpose of participating in business negotiations or meetings; or
- (iv) for the purpose of establishing an investment or setting up a commercial presence in the territory of another Party.

1. BUSINESS SERVICES			
A. Professional Services			
<p>Legal Services (CPC 861)</p> <p>- Only in advisory services foreign law (home country law, and/or International Law on Business and Arbitration).</p> <p>- Advisory services shall not include:</p> <ul style="list-style-type: none"> • Legal representation in Indonesian court of justice and/or undertake legal proceedings under any circumstances. • Notarial activities. 	<p>1) None</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Unbound except for foreign lawyers (advocates). Foreign lawyers (advocates) are:</p> <ul style="list-style-type: none"> - only allowed to work or take part in Indonesian law firm as employees or as experts in International Law, but shall not appear in courts and/or undertake legal proceedings under any circumstances. - subject to recommendation from Advocate Association. <p>The share of the number of foreign lawyers (advocates) in Indonesian law firm must not exceed 20 per cent, and shall be limited to five foreign lawyers (advocates) per firm.</p>	<p>1) None</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Unbound except for foreign lawyers (advocates). Foreign lawyers (advocates) are:</p> <ul style="list-style-type: none"> - only allowed as employees or experts in Indonesian law firm; - obliged to transfer legal knowledge and professional capabilities to Indonesian Lawyers; and - obliged to transfer knowledge to education, legal research, or government institutions at least 10 hours each month free of charge. 	
<p>Definition :</p> <p>“lawyer” (advocate) means a person who has the profession of providing legal services in and outside the court.</p> <p>International law means law established by international treaties and conventions as well as customary law.</p>			
<p>Architectural Services (CPC 8671)</p>	<p>1) None</p> <p>2) None</p> <p>3) None except:</p> <p>a) Joint operation by establishing a representative office in Indonesia with qualification big¹. License for representative office shall be valid for 3 years and can be extended.</p>	<p>1) None</p> <p>2) None</p> <p>3) None except:</p> <p>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</p>	

¹ For the purposes of this Appendix “qualification big” means high risk, high technology, or high capital.

	<p>b) Joint venture company with foreign equity participation up to 55%</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>Development Board and having big qualification.</p> <p>b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification; and</p> <p>(c) Foreign service suppliers shall only provide services with high risk, high technology, and/or high capital. The qualifier of high risk, high technology and high capital will be in accordance with prevailing laws and regulations at the time of supplying the services; and</p> <p>(d) Highest management in a representative office shall be Indonesian.</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p>Engineering Services (CPC 8672 except CPC 86721, 86725 and 86726)</p>	<p>1) None</p> <p>2) None</p> <p>3) None except:</p> <p>a) Joint operation by establishing a representative office in Indonesia with qualification Big. License for representative office shall be valid for 3 years and can be extended.</p> <p>b) Joint venture company with foreign equity participation up to 51%</p>	<p>1) None</p> <p>2) None</p> <p>3) None except:</p> <p>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 big qualification.</p> <p>b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification.</p> <p>c) Foreign service suppliers shall only provide services with high risk, high technology, and/or high capital. The qualifier of high risk, high technology and high capital will be in accordance with prevailing laws and regulations at the time of supplying the services; and</p>	

		d) Highest management in a representative office shall be Indonesian.	
	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
Advisory and Consultative Services Related to Engineering (CPC 86721)	<p>1) None</p> <p>2) None</p> <p>3) None except joint operation through a representative office in Indonesia</p> <p>4) Unbound except for director and specialist</p>	<p>1) None</p> <p>2) None</p> <p>3) None except the Indonesian participant in joint operation must be member of Indonesian Consultant Association</p> <p>4) Unbound except as indicated in the horizontal section</p>	
Engineering Design Services for Industrial Processes and Production (CPC 86725)	<p>1) None</p> <p>2) None</p> <p>3) None except joint operation through a representative office in Indonesia</p> <p>4) Unbound except for director and specialist</p>	<p>1) None</p> <p>2) None</p> <p>3) None except the Indonesian participant in joint operation must be member of Indonesian Consultant Association</p> <p>4) Unbound except as indicated in the horizontal section</p>	
Integrated Engineering Services (CPC 8673)	<p>1) None</p> <p>2) None</p> <p>3) None except:</p> <p>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</p>	<p>1) None</p> <p>2) None</p> <p>3) None except:</p> <p>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 big qualification.</p>	

	4) Unbound except as indicated in the horizontal section	b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification. 4) Unbound except as indicated in the horizontal section	
Urban Planning Services (CPC 86741)	1) None 2) None 3) None except: a) Joint operation by establishing a representative office in Indonesia. Licenses for representative offices shall be valid for 3 years and can be extended. b) Joint venture company 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None except: 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 big qualification. b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification. 4) Unbound except as indicated in the horizontal section	
C. Research and Development Services			
Interdisciplinary R&D (CPC 853) (Limited to Industrial Activities)	1) None 2) None 3) None except joint operation through a representative office in Indonesia 4) Unbound except for director and specialist	1) None 2) None 3) None except the Indonesian participant in joint operation must be member of Indonesian Consultant Association 4) Unbound except as indicated in the horizontal section	

E. Other Business Services			
Project Management Services other than for Construction (CPC 86601)	1) None 2) None 3) None 4) Unbound except for director and specialist	1) None 2) None 3) None except the Indonesian participant in joint operation must be member of Indonesian Consultant Association 4) Unbound except as indicated in the horizontal section	
Technical Testing and Analysis Services (CPC 8676)	1) None 2) None 3) None except joint operation through a representative office in Indonesia 4) Unbound except for director and specialist	1) None 2) None 3) None except the Indonesian participant in joint operation must be member of Indonesian Consultant Association 4) Unbound except as indicated in the horizontal section	
Maintenance and Repair of Equipment (not including maritime vessel, aircraft, or other transport equipment) (CPC 633+ 8861+8866)	1) None 2) None 3) None except joint operation through a representative office in Indonesia 4) Unbound except for director and specialist	1) None 2) None 3) None except the Indonesian participant in joint operation must be member of Indonesian Consultant Association 4) Unbound except as indicated in the horizontal section	
Services Incidental to Manufacturing (CPC 884 & 885)	1) None 2) None	1) None 2) None	

	<p>3) None except joint operation through a representative office in Indonesia</p> <p>4) Unbound except for director and specialist</p>	<p>3) None except the Indonesian participant in joint operation must be member of Indonesian Consultant Association</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p>Services Incidental to Energy Distribution (CPC 887) (Covers only Consultancy Services Related to Operation of Power Plant and Network)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None except joint venture company subject to economic needs test, with foreign equity participation up to 51%</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None except: a) Foreign service suppliers shall only provide services with high risk, high technology, and/or high capital. The qualifier of high risk, high technology and high capital will be in accordance with prevailing laws and regulations at the time of supplying the services; and b) Highest management in a representative office shall be Indonesian</p> <p>4) Unbound except as indicated in the horizontal section</p>	
2. COMMUNICATION SERVICES			
<p><u>C. Telecommunication Services</u> All Sub-sectors</p>			<p>(i) The foreign service supplier must be a world class operator with extensive international experience.</p> <p>(ii) Type approval mechanism is in place.</p> <p>(iii) Basic telecommunication service tariff is decided by the government.</p>

<u>Local service:</u> - Public switched telephone service (CPC 7521) - Circuit Switched Public Data Network Services (CPC 7523**) - Teleconferencing Services (CPC 75292)	1) None 2) None 3) None except commercial presence only permitted in the form of: a) Joint operation by establishing a representative office; b) Joint venture company with foreign equity participation up to 35%; or c) Contract management. 4) Unbound except for managers and specialists for a joint venture company is limited to 20 persons	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	
<u>Long Distance:</u> - Public switched telephone service (CPC 7521) - Circuit Switched Public Data Network Services (CPC 7523**) - Teleconferencing Services (CPC 75292)	1) None 2) None 3) None except commercial presence only permitted in the form of: a) Joint operation by establishing a representative office; b) Joint venture company with foreign equity participation up to 35%; or c) Contract management. 4) Unbound except for managers and specialists for a joint venture company limited to 20 persons	1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section	
<u>International:</u> - Public switched telephone service (CPC 7521) - Circuit Switched Public Data Network Services (CPC 7523**) - Teleconferencing Services	1) Only through available networks 2) None 3) None except commercial presence only permitted in the form of: a) Joint operation by establishing a representative	1) Unbound 2) Unbound 3) None	

(CPC 75292)	<p>office; b) Joint venture company with foreign equity participation up to 35%; or c) Contract management.</p> <p>4) Unbound except for managers and specialists for a joint venture company limited to 20 persons</p>	<p>4) Unbound except as indicated in the horizontal section</p>	
<p>Packet-switched public data network services (CPC 7523**) <ul style="list-style-type: none"> - X. 25 - Frame relay - Local - Local distance - International </p>	<p>1) Only through available networks</p> <p>2) None</p> <p>3) None except commercial presence only permitted in the form of: a) Joint operation by establishing a representative office; or b) Joint venture company with foreign equity participation up to 35%.</p> <p>4) Unbound except for managers and specialists for a joint venture company limited to 20 persons</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	
Telex Services	<p>1) Only through available networks</p> <p>2) None</p> <p>3) None except commercial presence only permitted in the form of: a) Joint operation by establishing a representative office; or b) Joint venture company with foreign equity participation up to 35%.</p> <p>4) Unbound except for manager and specialist for a joint venture company limited to 20 persons</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None except foreign service supplier should be a world class operator</p> <p>4) Unbound except as indicated in the horizontal section</p>	

Telegraph Services	<ul style="list-style-type: none"> 1) Only through available networks 2) None 3) None except commercial presence only permitted in the form of: <ul style="list-style-type: none"> a) Joint operation by establishing a representative office; or b) Joint venture company with foreign equity participation up to 35%. 4) Unbound except for manager and specialist for a joint venture company limited to 20 persons 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) None except foreign service supplier should be a world class operator 4) Unbound except as indicated in the horizontal section 	
<u>Domestic:</u> Mobile Cellular Telephone Services (CPC 75213)	<ul style="list-style-type: none"> 1) None 2) None 3) None except joint venture company with foreign equity participation up to 67% 4) Unbound except for manager and specialist for a joint venture company limited to 20 persons 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section 	
<u>Domestic:</u> Personal Mobile Cellular Communication Services	<ul style="list-style-type: none"> 1) None 2) None 3) None except joint venture company with foreign equity participation up to 67% 4) Unbound except for manager and specialist for a joint venture company limited to 20 persons 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) None 4) Unbound except as indicated in the horizontal section 	
Internet Access Services	<ul style="list-style-type: none"> 1) None 2) None 3) None except commercial presence only permitted 	<ul style="list-style-type: none"> 1) Unbound 2) Unbound 3) None 	

	<p>in the form of:</p> <p>a) Joint operation by establishing a representative office; or</p> <p>b) Joint venture company with foreign equity participation up to 35%.</p> <p>4) Unbound except for manager and specialist for a joint venture company limited to 20 persons</p>	<p>4) Unbound except as indicated in the horizontal section</p>	
<p><u>Domestic:</u> Regional and National Paging Service (CPC 75291)</p>	<p>1) None</p> <p>2) None</p> <p>3) None except commercial presence only permitted in the form of:</p> <p>a) Joint operation by establishing a representative office; or</p> <p>b) Joint venture company with foreign equity participation up to 35%.</p> <p>4) Unbound except for manager and specialist for a joint venture company limited to 20 persons</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p><u>Domestic:</u> Public Payphone Services</p>	<p>1) None</p> <p>2) None</p> <p>3) None except commercial presence only permitted in the form of:</p> <p>a) Joint operation by establishing a representative office;</p> <p>b) Joint venture company with foreign equity participation up to 35%; or</p> <p>c) Contract management.</p> <p>4) Unbound except for manager and specialist for a joint venture company limited to 20 persons</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>Division of revenue between the payphone operator and PT Telkom is determined by the government.</p>

<p>Voice mail services (CPC 7523)</p>	<p>1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing companies 4) Unbound except for directors and specialists</p>	<p>1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers 4) Unbound except as indicated in the horizontal section</p>	
<p>Electronic mail services (CPC 75232)</p>	<p>1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing companies 4) Unbound except for directors and specialists</p>	<p>1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers 4) Unbound except as indicated in the horizontal section</p>	
<p>Electronic mail box (CPC 75232)</p>	<p>1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing companies 4) Unbound except for directors and specialists</p>	<p>1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers 4) Unbound except as indicated in the horizontal section</p>	
<p>Computer time sharing services (CPC 84330)</p>	<p>1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing</p>	<p>1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service</p>	

	companies	suppliers	
	4) Unbound except for director and specialist	4) Unbound except as indicated in the horizontal section	
Video text services (CPC 75299)	1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing companies 4) Unbound except for director and specialist	1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers 4) Unbound except as indicated in the horizontal section	
File transfer services (CPC 75299)	1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing companies 4) Unbound except for director and specialist	1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers 4) Unbound except as indicated in the horizontal section	
Home telemetering alarm (CPC 75299)	1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing companies 4) Unbound except for director and specialist	1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers 4) Unbound except as indicated in the horizontal section	

Entertainment services (CPC 75299)	1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing companies 4) Unbound except for director and specialist	1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers 4) Unbound except as indicated in the horizontal section	
Management information services (CPC 75299)	1) None 2) None 3) None except access granted for five foreign service provider companies, in addition to existing companies 4) Unbound except for director and specialist	1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers 4) Unbound except as indicated in the horizontal section	
3. CONSTRUCTION AND RELATED ENGINEERING SERVICES			
A. Construction Work for Buildings (CPC 512 except 51210)	1) Unbound* 2) None 3) None except: a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for three years and can be extended. b) Joint venture company with foreign equity participation up to 51%.	1) Unbound* 2) Unbound 3) None except: a) 1. License fee is 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 big qualification. b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification.	

	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
B. Construction Work for Civil Engineering (CPC 513)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None except:</p> <p>a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for three years and can be extended.</p> <p>b) Joint venture company with foreign equity participation up to 51%.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) None except:</p> <p>a) 1. License fee is 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 big qualification.</p> <p>b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification.</p> <p>4) Unbound except as indicated in the horizontal section</p>	
C. Assembly and Erection of Prefabricated Constructions (CPC 514)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None except:</p> <p>a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for three years and can be extended.</p> <p>b) Joint venture company with foreign equity participation up to 51%.</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) None except:</p> <p>a) 1. License fee is 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 big qualification.</p> <p>b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification.</p>	

	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
Pre-erection Work at Construction Site (CPC 511 except CPC 51110 and CPC 51113)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None except:</p> <p>a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for three years and can be extended.</p> <p>b) joint venture company with foreign equity participation up to 51%.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) None except:</p> <p>a) 1. License fee is 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 big qualification.</p> <p>b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification.</p> <p>4) Unbound except as indicated in the horizontal section</p>	
Special Trade Construction (CPC 515-5155)	<p>1) Unbound*</p> <p>2) None</p> <p>3) None except:</p> <p>a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for three years and can be extended.</p> <p>b) Joint venture company with foreign equity participation up to 51%.</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) None except:</p> <p>a) 1. License fee is 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 big qualification.</p> <p>(b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification.</p>	

	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
<p>Renting Services Related Equipment for Construction or Demolition of Building or Civil Engineering Works with Operator (CPC 518)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) None except:</p> <p>a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for three years and can be extended.</p> <p>b) Joint venture company with foreign equity participation up to 51%.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) None except:</p> <p>a) 1. License fee is 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 big qualification.</p> <p>b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having big qualification.</p> <p>4) Unbound except as indicated in the horizontal section</p>	
4. DISTRIBUTION SERVICES			
<p>Direct Selling (Multi Level Marketing)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None except joint venture company with foreign equity participation up to 51%</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) Unbound</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p>Wholesale Trade Services of food, beverages, and tobacco with minimum space above 5,000 meter square (CPC 6222)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None except joint venture company subject to</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) None except:</p>	

	<p>economic needs test, with foreign equity participation up to 51%</p> <p>4) Unbound</p>	<p>a) Subject to qualification and licensing requirement and procedure including registration;</p> <p>b) Required to appoint Indonesian trade companies as agent, single agent, distributor or single distributor;</p> <p>c) Have to obligation to cooperate with at least 100 Indonesian Small and Medium Enterprises yearly as a supplier and retailer, along with training and development with due regard to the principle of mutual need, mutually reinforcing and mutually beneficial;</p> <p>d) Only permitted to be located in the suburbs of the provincial capitals in the islands of Kalimantan, Sulawesi, Nusa Tenggara, Maluku and Papua.</p> <p>4) Unbound except as indicated in the horizontal section</p>	
5. EDUCATIONAL SERVICES			
<p>General Conditions on Education Services</p> <p>Supply of services by foreign service providers is permitted only through an education institution which is registered in Indonesia and must meet the following conditions:</p> <ol style="list-style-type: none"> 1. Mutual recognition arrangement between relevant institutions on credits, programs, and certifications is required. 2. Foreign education institution providing services must establish partnership with local partner. Foreign language instructors must be native and Indonesian speakers. 3. Foreign education institution must be listed in the Ministry of Education and Culture List of Accredited Foreign Education and its local partner must be accredited. 4. Foreign education institution in cooperation with local partner may open education institution in the cities of Jakarta, Surabaya, Bandung, Yogyakarta, and Medan. 5. Temporary entry for natural persons engaged in education activities in Indonesia is subject to approval by the Ministry of Education and Culture. Approval is granted on case-by-case basis. 			
<p>B. Secondary Education Services</p> <p>Technical and vocational secondary education services (electronic, automotive) (CPC 92230)</p>	<p>1) None</p> <p>2) None</p> <p>3) None except as indicated in the-horizontal section and general conditions</p>	<p>1) None</p> <p>2) None</p> <p>3) Unbound</p>	

	4) Unbound except as indicated in the horizontal section and general conditions	4) Unbound except as indicated in the horizontal section and general conditions	
C. Higher Education Services Post secondary technical and vocational education services (Polytechnique Machine and Electrical) (CPC 92310)	1) None 2) None 3) Unbound 4) Unbound	1) None 2) None 3) Unbound 4) Unbound	
D. Adult Education Services (CPC 924) Language courses and training (Tourism, Electrical, Cullinary Art, and Automotive)	1) None 2) None 3) None except as indicated in the-horizontal section and general conditions 4) Unbound except as indicated in the horizontal section and general conditions	1) None 2) None 3) Unbound 4) Unbound	
Job training (to provide, have access to, increase, develop job competency, productivity, discipline, manner and work ethics, inter alia, technics and engineering vocation, commerce, language, tourism, management, information technology, arts and agriculture directed to provide workforce with knowledge to enter the world of work) (ISIC 85499, 85492, 85493, 85494)	1) Unbound 2) Unbound 3) None except joint venture company subject to economic needs test, with foreign equity participation up to 67% 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) None except: a) License requirements for foreign service suppliers may vary from that applicable to Indonesian service suppliers; b) The ratio of trainers and administrative staff from an EFTA State and from Indonesia will be agreed between the parties to the joint venture. 4) Unbound except as indicated in the horizontal section	

E. Other Education Services (CPC 92900) Football and chess only	1) None 2) None 3) None except as indicated in the-horizontal section and general conditions 4) Unbound except as indicated in the horizontal section and general conditions	1) None 2) None 3) Unbound 4) Unbound	
6. ENVIRONMENTAL SERVICES			
General condition: Commercial Presence of the foreign services provider(s) is (are) permitted only through environment institution which is registered in Indonesia and must establish partnership with local partner.			
A. Sewage Services (CPC 9401) (Only for wastewater management)	1) None 2) None for training, technical consultation, sample testing 3) None except joint venture company with foreign equity participation up to 51% 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None except subject to qualification and registration requirement and procedure 4) Subject to qualification and registration requirement and procedure	
Cleaning Services of Exhaust Gases (CPC 9404) (Only for air pollution Control)	1) None 2) None 3) None except joint venture company with foreign equity participation up to 51% 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None except subject to qualification and registration requirement and procedure 4) Subject to qualification and registration requirement and procedure	

Other Environmental Protection Services (CPC 9409) (Limited to Laboratory Services for Environment)	1) None 2) None 3) None except joint venture company with foreign equity participation up to 51% 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None except subject to qualification and registration requirement and procedure 4) Subject to qualification and registration requirement and procedure	
7. FINANCIAL SERVICES			
<p>Non Banking Financial Services Sub-sector General conditions on Non Banking Financial Services Sub-sector :</p> 1) Commercial presence of foreign service providers in a non-banking financial services sub-sector must be in the form of limited liability company (Perseroan Terbatas/PT). The share ownership of foreign service suppliers is bound at the prevailing laws and regulations at the date of entry into force of this Agreement. 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. 2) In addition to the Horizontal Section, temporary entry will be granted to specialist(s) for no longer than 3 (three) months per person for any given year. 3) Share of non-bank financial companies listed in the stock exchange may be 100% owned by foreign investors. 4) In relation to the presence of natural person, only directors, managers, and specialist can be assumed by expatriates with maximum stay of 3 (three) years and can be extended. 5) All joint venture companies shall provide training for their employees.			
Non-Life Insurance Services (CPC 8129)	1) Unbound 2) Unbound except if: (a) There is no insurance company in Indonesia, either individually or as a group, which could handle the insurance risks of the object in question. (b) There is no insurance company in Indonesia which wants 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 general conditions 4) Unbound except for director and specialist	1) Unbound 2) Unbound 3) As specified in the general conditions 4) As specified in the horizontal section	

Reinsurance Services	<ol style="list-style-type: none"> 1) Reinsurance service suppliers from EFTA States must be rated minimum as BBB by Standard and Poor or equivalent 2) Reinsurance service suppliers from EFTA States must be rated minimum as BBB by Standard and Poor or equivalent 3) As specified in the horizontal section and general conditions 4) Unbound except for director and specialist 	<ol style="list-style-type: none"> 1) None 2) Unbound 3) As specified in the general conditions 4) As specified in the horizontal section 	
Life Insurance Services (CPC 8121)	<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 wants 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 4) Unbound except for director and specialist 	<ol style="list-style-type: none"> 1) Unbound 2) Unbound 3) As specified in the general conditions 4) As specified in the horizontal section 	

Insurance Brokerage Services (CPC 8140 & CPC 81401)	<ul style="list-style-type: none"> 1) Unbound 2) None 3) As specified in the horizontal section and general conditions 4) Unbound except for director and specialist 	<ul style="list-style-type: none"> 1) None 2) None 3) As specified in the general conditions 4) As specified in the horizontal section 	
Reinsurance Brokerage Services (CPC 8140)	<ul style="list-style-type: none"> 1) Unbound 2) None 3) As specified in the horizontal section and general conditions 4) Unbound except for director and specialist 	<ul style="list-style-type: none"> 1) None 2) None 3) As specified in the general conditions 4) As specified in the horizontal section 	
Financial Lease Services (CPC 81120)	<ul style="list-style-type: none"> 1) None 2) None 3) As specified in the horizontal section and general conditions 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) As specified in the general conditions 4) As specified in the horizontal section 	
Factoring Services (CPC 8113)	<ul style="list-style-type: none"> 1) Unbound except for international factoring transaction 2) None 3) As specified in the horizontal section and general conditions 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) As specified in the general conditions 4) As specified in the horizontal section 	

Credit Card Business (Issuer and Agent of Credit Card) (CPC 8113)	<ul style="list-style-type: none"> 1) None 2) None 3) As specified in the horizontal section and general conditions 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) As specified in the general conditions 4) As specified in the horizontal section 	
Consumers Finance Services (CPC 8113)	<ul style="list-style-type: none"> 1) None 2) None 3) As specified in the horizontal section and general conditions 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 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 customer on an exchange or over-the-counter market - Listed shares - Bonds	<ul style="list-style-type: none"> 1) Unbound 2) None 3) Through establishment of a securities broker/dealer 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 1) Unbound 2) None 3) Through establishment of a securities underwriter company 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound 2) None 3) As specified in the general conditions 4) As specified in the horizontal section 	

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 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	

Banking Financial Services Sub-sector

General Conditions on Banking Financial Services Sub-sector:

- 1) With the exception of the existing branches of foreign banks, foreign service providers shall be in the form of a joint venture bank locally incorporated in Indonesia with the following requirements:
 - (a) Unbound for new license
 - (b) Only financial institutions are permitted to establish joint venture banks.
- 2) The conditions of ownership and the percentage share of ownership as stipulated in the respective shareholder agreement establishing the existing individual joint venture bank shall be respected as the basis of ownership of the foreign service provider(s) and their respective Indonesian partner(s). No transfer of ownership shall take place without the consent of all parties in the joint venture bank.
- 3) Acquisition of local existing banks is allowed through the purchase of up to 51% of the shares of locally incorporated banks listed in the stock exchange.
- 4) Foreign banks and joint venture banks may open their offices in the cities of Jakarta, Surabaya, Semarang, Bandung, Medan, Makasar, Denpasar, Batam Island, Padang, Manado, and Ambon.
- 5) With respect to the presence of natural persons no economic needs test will apply. A non Indonesian employed as manager or as specialist shall have at least two Indonesian under studies during his/her term.
- 6) In addition to the horizontal measures, temporary entry will be granted to specialists of branch offices of foreign banks and joint venture banks for no longer than 3 (three) months per person for any given year.
- 7) A person shall be a “controlling shareholder” in only one bank.

Definition:

„controlling shareholder“ means a person who beneficially owns 10% or more of the equity of interest of a bank or who beneficially owns less than 10% of the equity interest of a bank but has the power to control the bank. A person shall be deemed to have control of a bank if such person has the power to name the director and/or commissioner of such bank and/or has the power to direct its action.

<p>Commercial Banking Business (i) Acceptance of deposits and other repayable funds from the public</p>	<p>1) None 2) None 3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office. b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank. 4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>1) None 2) None 3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be an Indonesian national. b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing. 4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	
<p>(ii) Lending of all types, including consumer credit, mortgage, credit, factoring, and financing of commercial transaction</p>	<p>1) None 2) None 3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office. b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank. 4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>1) None 2) None 3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be Indonesian national. b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing. 4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	

<p>(iii) All payment and money transmission services including credit, charge and debit cards, travellers cheques and bankers drafts</p>	<p>1) None 2) None 3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office. b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank. 4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>1) None 2) None 3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be Indonesian national. b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing. 4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	
<p>(iv) Guarantees and Commitments</p>	<p>1) None 2) None 3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office. b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank. 4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>1) None 2) None 3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be Indonesian national. b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing. 4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	
<p>(v) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: - Money market instruments</p>	<p>1) None 2) None 3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office.</p>	<p>1) None 2) None 3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be</p>	

(including cheques, bills, certificates of deposits)	<p>b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>Indonesian national.</p> <p>b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	
- Foreign Exchange	<p>1) None</p> <p>2) None</p> <p>3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office. b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>1) None</p> <p>2) None</p> <p>3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be Indonesian national. b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	
- Exchange rate and interest rate instruments, including products such as swaps, forward rate agreements	<p>1) None</p> <p>2) None</p> <p>3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office. b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>1) None</p> <p>2) None</p> <p>3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be Indonesian national. b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	

<p>- Transferable securities issued in the money market</p>	<p>1) None</p> <p>2) None</p> <p>3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office. b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>1) None</p> <p>2) None</p> <p>3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be Indonesian national. b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	
<p>(vi) Cash management, custodial and depository services</p>	<p>1) None</p> <p>2) None</p> <p>3) a) Bound only 2 (two) sub-branches and 2 (two) auxiliary offices for foreign bank's branch office. b) Bound only 2 (two) branches and 2 (two) sub-branches for joint venture bank.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	<p>1) None</p> <p>2) None</p> <p>3) a) For foreign bank branches, only executive positions can be assumed by expatriates with the limitation that at least one of them shall be Indonesian national. b) For joint venture banks, only director positions can be assumed by expatriates in proportion to the ownership sharing.</p> <p>4) Unbound except as indicated in the horizontal section and general conditions on Banking Sub-sector</p>	

8. HEALTH RELATED AND SOCIAL SERVICES

General conditions on health related and social services:

Commercial presence of foreign service providers is permitted only through a health institution which is registered in Indonesia and must establish partnership with local partner. Establishment limited to the cities of Medan and Surabaya.

<p>Hospital services (only for specialist and super specialist medical care/more specific than specialist medical care, provided by hospital of more than 300 beds) (CPC 9311)</p>	<p>1) None 2) None 3) None except as indicated in the horizontal section and general conditions: - The hospital shall be managed by a Board of Directors chaired by an Indonesian medical doctor - Approval subject to the social function of the hospital services offered - The medical services shall be provided by persons with medical licenses issued by the Ministry of Health and Health professional organisation/council - Foreign health professionals are obliged to transfer medical knowledge and professional capabilities to Indonesian health professionals as consultant only - A non Indonesian health professional employed as manager or as specialist shall have at least two Indonesians under studies during his/her term 4) Unbound</p>	<p>1) None 2) None 3) Unbound 4) Unbound</p>	
<p>9. TOURISM AND TRAVEL RELATED SERVICES</p>			
<p>A. Hotel and Restaurant Services</p>			
<p>Hotels² (CPC 64110) (Only for 3, 4, 5 star hotels)</p>	<p>1) None 2) None 3) None except joint venture company subject to economic needs test, with foreign equity participation up to 100%</p>	<p>1) None 2) None 3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers.</p>	

² “hotel” means a service business which provides accommodation and food and beverages facilities and other services, except casinos and other activities prohibited by law, for reasons of public moral, religion, security and public order.

	<p>4) Unbound except for:</p> <p>a) Top Management Level in Hotel Business comprised of:</p> <ul style="list-style-type: none"> - General Manager - Food and Beverage Manager - Resident Manager - Comptroller - Marketing Director <p>b) Highly Skilled Professionals comprised of:</p> <ul style="list-style-type: none"> - Executive Chef - Sous Chef - Specialty Cook 	4) Unbound except as indicated in the horizontal section	
<p>Tourist Resorts including³:</p> <ul style="list-style-type: none"> - Hotel (3, 4 and 5 stars) - Marinas - Golf courses and other sport facilities 	<p>1) None</p> <p>2) None</p> <p>3) None except joint venture company subject to economic needs test, with foreign equity participation up to 100%</p> <p>4) Unbound except for resort manager</p>	<p>1) None</p> <p>2) None</p> <p>3) None except higher paid-up capital is required of foreign service suppliers than of domestic service suppliers.</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p>Meal Serving Services with full Restaurant Services (CPC 64210)</p>	<p>1) None</p> <p>2) None</p> <p>3) None except joint venture company subject to economic needs test, with foreign equity participation up to 51%</p> <p>4) Unbound except for:</p> <p>a) top management level in hotel business comprised of:</p>	<p>1) None</p> <p>2) None</p> <p>3) None except establishment subject to economic needs test and prevailing local government's laws and regulations</p> <p>4) Unbound except foreign service supplier shall obtain recommendation from association of tourism professionals</p>	

³ Tourist Resort is an area built to accommodate the facilities needed for the tourists such as hotels, marinas, golf courses, cultural open stage and other facilities, except casinos and other activities prohibited by law for reasons of public moral, religion, security and public order.

	<ul style="list-style-type: none"> - general manager - food and beverage manager - resident manager - comptroller - marketing director <p>b) highly skilled professionals comprised of:</p> <ul style="list-style-type: none"> - executive chef - sous chef - specialty cook 		
<p>B. Travel Agencies and Tour Operators Tour Operator Services (CPC 7471**)</p>	<ol style="list-style-type: none"> 1) None 2) None 3) None except joint venture company with foreign equity participation up to 51% 4) Unbound except for specialist 	<ol style="list-style-type: none"> 1) None 2) None 3) None except tour operator must be inbound tour operator located in Jakarta and Bali 4) Unbound except as indicated in the horizontal section 	
<p>D. Other Tourism Consultancy Services (CPC 91136)</p>	<ol style="list-style-type: none"> 1) None 2) None 3) None except commercial presence only permitted in the form of: <ul style="list-style-type: none"> a) Joint operation by establishing a representative office; b) Joint venture company; or c) Contract management. <p>Must be registered with Indonesian Ministry of Justice and Human Rights as Indonesian company.</p> 4) Unbound 	<ol style="list-style-type: none"> 1) None 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section 	

International Hotel Operator (CPC 91135)	1) None 2) None 3) None except joint venture company subject to economic needs test, with foreign equity participation up to 100% 4) Unbound except for: a) top management level in hotel business comprised of: - general manager - food and beverage manager - resident manager - comptroller - marketing director b) highly skilled professionals comprised of: - executive chef - sous chef - specialty sook	1) None 2) None 3) None 4) Unbound except foreign service supplier shall obtain recommendation from association of tourism professionals	
11. TRANSPORT SERVICES			
A. Maritime Transport Services “Cabotage” means transportation of passengers or goods between a port located in Indonesia and another port located in Indonesia, and between points, including traffic originating and terminating in the same port located in the territorial waters within the jurisdiction of Indonesia in accordance with prevailing domestic laws and regulations.			
International Passenger Transport Excluding Cabotage (CPC 7211)	1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section	1) None except foreign Shipping Companies are obliged to appoint an Indonesian Shipping Company or joint venture Shipping Company as their General Agent ¹⁾ 2) None 3) None 4) Unbound except as indicated in the horizontal section	Access to and use of port facilities in the port which is opened for international shipping, including but not limited to ²⁾ : Tanjung Priok, Tanjung Perak, Belawan, Makassar, Semarang, Dumai, Panjang, Batam, Balikpapan, Banjarmasin, Bitung, Pontianak, Ambon, and Sorong.

Maritime Auxiliary Services Maritime cargo handling services (CPC 741)	<ul style="list-style-type: none"> 1) Unbound* except for no limitation on transshipment (board to board or via the quay) and/or on the use of on-board cargo handling 2) None 3) None except: <ul style="list-style-type: none"> a) Only through joint venture corporation, with foreign equity share allowable up to maximum 51%; and b) Allowed to operate only in main ports, such as: Tanjung Priok, Tanjung Perak, Belawan, Semarang, and Makasar. 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) Unbound* except for no limitation on transshipment (board to board or via the quay) and/or on the use of on-board cargo handling 2) None 3) None 4) Unbound except as indicated in the horizontal section 	
Vessel Salvage and Refloating Services Excluding Cabotage (CPC 7454)	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section 	
Air Transport Services Aircraft repair and maintenance services	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section 	<ul style="list-style-type: none"> 1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section 	
Supporting and Auxiliary Transport Services			
Maritime Freight Forwarding Services	<ul style="list-style-type: none"> 1) Unbound 	<ul style="list-style-type: none"> 1) Unbound 	

(CPC 74800) (Only for shipment and/or packaging of goods on large volume through maritime transport services)	2) None 3) None except: a) Only allowed to establish within a provincial capital that has international seaport; b) Joint venture company with foreign equity participation up to 51%; and c) The number of service suppliers may be limited subject to economic needs test. 4) Unbound	2) None 3) None except: a) Subject to qualification and registration requirement and procedure; and b) Minimum capital requirement subject to prevailing laws and regulations at the time of the establishment. 4) Unbound	
Storage and warehousing services Outside Port Area and 1st Area for: - Storage services of frozen or refrigerated goods (CPC 7421) - Other storage or warehousing services (CPC 7429)	1) Unbound 2) None 3) None except: a) Only allowed to establish within a provincial capital that has an international seaport; b) Joint venture company with foreign equity participation up to 51%; and c) The number of service suppliers may be limited subject to economic needs test. 4) Unbound	1) Unbound 2) None 3) None except: a) Foreign service suppliers shall only provide services with high risk, high technology, and/or high capital. The qualifier of high risk, high technology and high capital will be in accordance with prevailing laws and regulations at the time of supplying the services; and b) Highest management in a representative office shall be Indonesian. 4) Unbound	
Notes (Maritime) : 1) : The tasks 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; 2) : These ports are currently opened for international trade and may be added to or reduced in the future.			

12. OTHER SERVICES NOT INCLUDED ELSEWHERE

General Condition on Energy Services:
 1) Indonesia’s Schedule of Specific Commitments on energy services sector is based on the 2nd Revised Indonesia Proposal of Energy Services Classification in the WTO (WTO document reference: S/CSC/W/42/Rev.2).
 2) For commercial presence, Indonesia reserves the right to adopt or maintain any measure relating to the privatisation, corporatisation, commercialisation or divestment of Government assets, entities or agencies including:
 a) limitations on ownership of assets;
 b) transfer or disposal of equity interests or their assets;
 c) the right of foreign investors or their investments to control their assets; and nationality of the senior management or members of the board of directors.
 For greater certainty:
 a) where Indonesia transfers an interest in an existing state company to another state company, such transfer shall not be considered to be an initial transfer or disposal of the interest for purposes of this entry; and
 b) where Indonesia transfers or disposes of an interest in an existing state company in multiple phases, subparagraph (a) shall apply separately to each such phase.

<p>Energy Services 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 W120 is under: Business Services on Technical Testing and Analysis Services (CPC 8676)</p>	<p>1) None 2) None 3) None 4) Unbound except for directors and specialists</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p>	
<p>Geological and Geophysical Services - only for Geothermal - According to Indonesia Proposal of Energy Services Classification is under: Seismic Data Acquisition (1A.1.4.1.1) - According to W120 is under: Geological,</p>	<p>1) None 2) None 3) None except joint venture company with foreign equity participation up to 51% 4) Unbound except for directors and specialists</p>	<p>1) None 2) None 3) None 4) Unbound except as indicated in the horizontal section</p>	

geophysical and other scientific prospecting services (CPC 86751**)			
Liquefaction and Gasification - only for Coal - According to Indonesia Proposal of Energy Services Classification is under: • Coal Liquefaction (2.4.4.4) • Coal Gasification (2.4.4.5) - According to W120 is under: Services Incidental to Manufacturing (CPC 884**)	1) None 2) None 3) None except coal liquefaction and gasification with special operation mining license (iup op khusus) through joint venture and representative office in Indonesia with foreign equity participation up to 51% 4) Unbound except for directors and specialists	1) None 2) None 3) None except requirement on licensing and procedure authorized by Central Government or Provincial Government 4) Unbound except as indicated in the horizontal section	
Geothermal Survey Services - According to Indonesia Proposal of Energy Services Classification is under: Subsurface Surveying Services (1A.1.6) - According to W120 is under: Subsurface Surveying Services (CPC 86752)	1) None 2) None 3) None except that commercial presence shall be in the form of a joint venture company (not more than 51% owned by foreign partners) or through a representative office in Indonesia 4) Unbound except as indicated in the horizontal section	1) None 2) None 3) None except requirement on licencing and procedure authorised by central government 4) Unbound except as indicated in the horizontal section	
Geothermal Operation and Maintenance Services - According to Indonesia Proposal of Energy Services Classification is under: Reinstallation, Upgrade and Refurbishment Activities for Facilities and Equipment (2.5.2)	1) Unbound 2) Unbound 3) None except that commercial presence shall be in the form of a joint venture company (not more than 51% owned by foreign partners) or through a representative office in Indonesia	1) Unbound 2) Unbound 3) None	

<p>- According to W120 is under: Repair services of machinery and equipment (CPC 8862)</p>	<p>4) Unbound except as indicated in the horizontal section</p>	<p>4) Unbound except as indicated in the horizontal section</p>	
<p>Transportation of Petroleum and Natural Gas, only in Downstream</p> <p>- According to Indonesia Proposal of Energy Services Classification is under: Transportation, Transmission and Distribution of Petroleum Product and Gas (2.7.1)</p> <p>- According to W120 is under: Transportation of Petroleum and Natural Gas (CPC 7131)</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None except joint venture company subject to economic needs test, with foreign equity participation up to 51%</p> <p>4) Unbound except for directors and specialists</p>	<p>1) Unbound</p> <p>2) None</p> <p>3) None except:</p> <ul style="list-style-type: none"> a) Foreign service suppliers shall only provide services with high risk, high technology, and/or high capital. The qualifier of high risk, high technology and high capital will be in accordance with prevailing laws and regulations at the time of supplying the services; b) Highest management in a representative office shall be Indonesian; and c) Obligated to acquire oil and gas downstream transportation license <p>4) Unbound except as indicated in the horizontal section</p>	