

**GENERAL AGREEMENT  
ON TRADE IN SERVICES**

GATS/SC/43  
15 April 1994  
(94-1041)

---

**INDONESIA**

**Schedule of Specific Commitments**

(This is authentic in English only)

\_\_\_\_\_

## INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
ALL SECTORS INCLUDED IN THIS SCHEDULE	<p>1), 2) As specified in each sector</p> <p>3) Commercial Presence of the foreign service provider(s) may be in the form of joint venture and/or representative office, unless mentioned otherwise.</p> <p>Joint venture should meet the following requirements:</p> <p>i) should be in the form of Limited Liability Enterprise (Perseroan Terbatas/PT),</p> <p>ii) 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>1), 2) As specified in each sector</p> <p>3) The Income Tax Law provides that non-resident taxpayers will be subject to withholding tax of 20% if they derive the following income from Indonesian source:</p> <p>a) interest b) royalties c) dividend d) fee from service performed in Indonesia</p> <p>Land Acquisition Undang-Undang Pokok Agraria (Land Law) No. 5 of 1960 stipulates that no foreigners (juridical and natural persons) are allowed to own land. However, a joint venture enterprise could hold the right for land use (Hak Guna Usaha) and building rights (Hak Guna Bangunan), and they may rent/lease land and property.</p> <p>Any juridical and natural persons should meet professional qualification requirements.</p>	

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<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. Manager and technical experts (intra corporate transfer) are allowed based on an economic needs test.</p>	<p>4) Expatriate Charges Any foreign natural persons supplying services are subject to charges levied by National, Provincial and Municipal Governments.  Labour Laws and Regulations. Any expatriate employed by a joint-venture enterprise, representatives office, and/or other types of juridical person and/or an individual services provider must hold a valid working permit issued by the Ministry of Manpower.  Immigration Laws and Regulations. Any expatriate must meet immigration requirements and procedures to enter the territory of the Republic of Indonesia</p>	

**INDONESIA** (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<b>Definitions:</b>			
<p><b>"Director"</b>: One or a group of persons entrusted by the shareholders of a services providing entity with the final overall control and direction of the enterprise, and legally responsible to act on behalf of the enterprises inside and/or outside of the court.</p>			
<p><b>"Manager"</b>: Senior employee of a service supplier who primarily directs the management of the organization, receiving general supervision or direction principally from the board of directors of the business, including directing the service supplier or a department or sub-division thereof, supervising or controlling the work of other supervisory, professional or managerial employee or having the authority to hire or fire or recommend such or other personnel actions.</p>			
<p><b>"Technical Expert/Advisor"</b>: Person employed by a service supplier who possesses a standard of high or common (i) qualifications referring to a type of work or trade requiring specific technical knowledge or (ii) knowledge essential or proprietary to the service, research equipment, techniques or management.</p>			
<p><b>"Joint Operation"</b>: A joint operation is an undertaking between one or several foreign 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><b>"Joint venture Enterprise"</b>: 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>			

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><u>Telecommunications Services</u> Voice mail service (CPC 7523)</p>	<p>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</p>	<p>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 Measures</p>	
<p>Electronic mail services (CPC 75232)</p>	<p>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</p>	<p>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 Measures</p>	
<p>Computer time sharing services (CPC 84330)</p>	<p>1) None 2) None</p>	<p>1) None 2) None</p>	

**INDONESIA (continued)**

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access			Limitations on national treatment	Additional commitments
Videotex services (CPC 75229)	3)	Access granted for five foreign service provider companies, in addition to existing companies		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)	Unbound except for director and technical expert		4) As specified in the Horizontal Measures	
	1) None			1) None	
	2) None			2) None	
Electronic mail box (CPC 75232)	3)	Access granted for five foreign service provider companies, in addition to existing companies		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)	Unbound except for director and technical expert		4) As specified in the Horizontal Measures	
	1) None			1) None	
	2) None			2) None	
	3)	Access granted for five foreign service provider companies, in addition to existing companies		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)	Unbound except for director and technical expert		4) As specified in the Horizontal Measures	

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments		
File transfer services (CPC 75299)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Access granted for five foreign service provider companies, in addition to existing companies</li> <li>4) Unbound except for director and technical expert</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>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.</li> <li>4) As specified in the Horizontal Measures</li> </ol>			
Home telemetering alarm (CPC 75299)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Access granted for five foreign service provider companies, in addition to existing companies</li> <li>4) Unbound except for director and technical expert</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>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.</li> </ol>			
Entertainment services (CPC 75299)	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> </ol>			

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Management information services (CPC 75299)</p>	<p>3) Access granted for five foreign service provider companies, in addition to existing companies</p> <p>4) Unbound except for director and technical expert</p> <p>1) None</p> <p>2) None</p> <p>3) Access granted for five foreign service provider companies, in addition to existing companies</p> <p>4) Unbound except for director and technical expert</p>	<p>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.</p> <p>4) As specified in the Horizontal Measures</p> <p>1) None</p> <p>2) None</p> <p>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.</p> <p>4) As specified in the Horizontal Measures</p>	
<p><u>Industrial Services</u> Advisory and Consultative (CPC 86721)</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 Measures</p>	



INDONESIA (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	
Sector or subsector	Limitations on market access				Limitations on national treatment	Additional commitments
Engineering design services for industrial processes and production (CPC 86725)	1)	Unbound for government funded project		1) Unbound		
	2)	Unbound for government funded project		2) Unbound		
	3)	Joint operation through a representative office in Indonesia		3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association		
	4)	Unbound except for director and technical expert		4) As specified in the Horizontal Measures		
Project management services other than for construction (CPC 86601)	1)	Unbound for government funded project		1) Unbound		
	2)	Unbound for government funded project		2) Unbound		
	3)	Joint operation through a representative office in Indonesia		3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association		
	4)	Unbound except for director and technical expert		4) As specified in the Horizontal Measures		
Consultancy Services related to the installation of computer hardware (CPC 841)	1)	Unbound for government funded project		1) Unbound		
	2)	Unbound for government funded project		2) Unbound		

INDONESIA (continued)

Modes of supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons	
Sector or subsector	Limitations on market access				Limitations on national treatment	Additional commitments
Software implementation Services (CPC 842)	3)	Joint operation through a representative office in Indonesia		3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association		
	4)	Unbound except for director and technical expert		4) As specified in the Horizontal Measures		
	1)	Unbound for government funded project		1) Unbound		
	2)	Unbound for government funded project		2) Unbound		
Interdisciplinary R & D (CPC 853, limited to industrial activities)	3)	Joint operation through a representative office in Indonesia		3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association		
	4)	Unbound except for director and technical expert		4) As specified in the Horizontal Measures		
	1)	Unbound for government funded project		1) Unbound		
	2)	Unbound for government funded project		2) Unbound		
	3)	Joint operation through a representative office in Indonesia		3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association		
	4)	Unbound except for director and technical expert		4) As specified in the Horizontal Measures		

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Technical Testing and Analysis Services (CPC 8676)</p>	<p>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</p>	<p>1) Unbound 2) Unbound 3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association 4) As specified in the Horizontal Measures</p>	
<p>Services incidental of manufacturing (CPC 884 &amp; 885)</p>	<p>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</p>	<p>1) Unbound 2) Unbound 3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association 4) As specified in the Horizontal Measures</p>	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633 + 8861 + 8866)	<ol style="list-style-type: none"> <li>1) Unbound for government funded project</li> <li>2) Unbound for government funded project</li> <li>3) Joint operation through a representative office in Indonesia</li> <li>4) Unbound except for director and technical expert</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) The Indonesian participant in a joint operation must be member of the Indonesian Consultant Association</li> <li>4) As specified in the Horizontal Measures</li> </ol>	
Architectural Services (CPC 8671)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) None</li> <li>3) a) Joint operation: To form a joint operation by establishing a representative office</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>3) a) Joint operation:               <ol style="list-style-type: none"> <li>1. Registration fee requirement</li> <li>2. Licence for representative office shall be valid for 3 years and can be extended</li> <li>3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Consultant Association having qualification A</li> </ol> </li> </ol>	

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Engineering Service (CPC 8672 - except CPC 86721-86725 86726)</p>	<p>b) Joint venture: to establish a joint venture company by fulfilling the requirements as specified in the Horizontal Measures and the Foreign Capital Investment Law</p> <p>1) Unbound 2) None 3) a) Joint operation: To form a joint operation by establishing a representative office</p>	<p>b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Consultant Association and having qualification A</p> <p>1) Unbound 2) Unbound 3) a) Joint operation: 1. Registration fee requirement 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Consultant Association having qualification A</p> <p>b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Consultant Association and having qualification A</p>	<p>4) As specified in the Horizontal Measures</p>

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Integrated Engineering Services (CPC 8673)</p>	<p>1) Unbound 2) None 3) a) Joint operation: To form a joint operation by establishing a representative office</p>	<p>1) Unbound 2) Unbound 3) a) Joint operation: 1. Registration fee requirement 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Consultant Association having qualification A</p>	
	<p>b) Joint venture: to establish a joint venture company by fulfilling the requirements as specified in the Horizontal Measures and the Foreign Capital Investment Law</p>	<p>b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Consultant Association and having qualification A</p>	
	<p>4) As specified in the Horizontal Measures</p>	<p>4) As specified in the Horizontal Measures</p>	

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Urban Planning Services (CPC 86742)	1) Unbound 2) None 3) a) Joint operation: To form a joint operation by establishing a representative office	1) Unbound 2) Unbound 3) a) Joint operation: 1. Registration fee requirement 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Consultant Association having qualification A	
Pre-erection work at construction system (CPC 511 except CPC 51110 and 51113)	b) Joint venture: to establish a joint venture company by fulfilling the requirements as specified in the Horizontal Measures and the Foreign Capital Investment Law 4) As specified in the Horizontal Measures 1) Unbound* 2) None	b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Consultant Association and having qualification A 4) As specified in the Horizontal Measures 1) Unbound* 2) Unbound	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>3) a) Joint operation: To form a joint operation by establishing a representative office</p>	<p>3) a) Joint operation: 1. Registration fee requirement 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Contractors Association having qualification A.</p>	
	<p>b) Joint venture: to establish a joint venture company by fulfilling the requirements as specified in the Horizontal Measures and the Foreign Capital Investment Law</p>	<p>b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Consultant Association and having qualification A</p>	
	<p>4) As specified in the Horizontal Measures</p>	<p>4) As specified in the Horizontal Measures</p>	



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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Construction work for building (CPC 512 except CPC 512:0)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) a) Joint operation: To form a joint operation by establishing a representative office</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) a) Joint operation: 1. Registration fee requirement 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Contractors Association having qualification A</p> <p>b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Contractors Association and having qualification A</p> <p>4) As specified in the Horizontal Measures</p>	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Construction work for civil engineering (CPC 513)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) a) Joint operation: To form a joint operation by establishing a representative office</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) a) Joint operation: 1. Registration fee requirement 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Contractors Association having qualification A</p> <p>b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Contractors Association and having qualification A</p> <p>4) As specified in the Horizontal Measures</p>	

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Assembly and erection of prefabricated construction (CPC 514 - 5140)</p>	<p>1) Unbound*</p> <p>2) None</p> <p>3) a) Joint operation: To form a joint operation by establishing a representative office</p> <p>b) Joint venture: to establish a joint venture company by fulfilling the requirements as specified in the Horizontal Measures and the Foreign Capital Investment Law</p> <p>4) As specified in the Horizontal Measures</p>	<p>1) Unbound*</p> <p>2) Unbound</p> <p>3) a) Joint operation: 1. Registration fee required 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Contractors Association having qualification A</p> <p>b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Contractors Association and having qualification A</p> <p>4) As specified in the Horizontal Measures</p>	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Special trade construction work (CPC 515 - 5155)</p>	<p>1) Unbound* 2) None 3) a) Joint operation: To form a joint operation by establishing a representative office</p>	<p>1) Unbound* 2) Unbound 3) a) Joint operation: 1. Registration fee requirement 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Contractors Association having qualification A b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Contractors Association and having qualification A 4) As specified in the Horizontal Measures</p>	

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Renting Services related to equipment for construction or demolition of building or civil engineering works, with operator (CPC 518)</p>	<p>1) Unbound* 2) None 3) a) Joint operation: To form a joint operation by establishing a representative office</p>	<p>1) Unbound* 2) Unbound 3) a) Joint operation: 1. Registration fee requirement 2. Licence for representative office shall be valid for 3 years and can be extended 3. Registered foreign company shall form a joint operation with local partner(s) which is (are) member(s) of the Indonesian Contractors Association having qualification A b) Joint venture: Local partner(s) in joint venture shall be member(s) of the Indonesian Contractors Association and having qualification A</p>	<p>4) As specified in the Horizontal Measures</p>

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>TRANSPORT SERVICES</p> <p><u>Maritime Transport Services*</u></p> <p>International Passenger transport (CPC 7211)</p>	<p>1) None</p> <p>2) None</p> <p>3) Foreign Shipping Companies may establish Owner's Representative**)</p> <p>4) a) Joint venture: As specified in the Horizontal Measures b) Owner's Representative: Unbound except for manager</p>	<p>1) Foreign Shipping Company is obliged to appoint Indonesian Shipping Company as its General Agent****)</p> <p>2) None</p> <p>3) As specified in the Horizontal Measures</p> <p>4) As specified in the Horizontal Measures</p>	<p>Access to and use of port facilities in the port which is opened for international shipping</p>

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
International Freight transport (CPC 7212)	1) None  2) None  3) Foreign Shipping Companies may establish Owner's Representative**  4) a) Joint venture: As specified in the Horizontal Measures b) Owner's Representative: Unbound except for manager	1) a) Foreign Shipping Company is obliged to appoint Indonesian shipping company as its general agent*** b) Government's cargo****  2) None  3) As specified in the Horizontal Measures  4) As specified in the Horizontal Measures	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><b>Notes ( Maritime ) :</b></p> <p><b>*</b>) : Passenger and Freight transportation excluding cabotage and auxiliary services</p> <p><b>**</b>) : Owner's Representative appointed by foreign shipping company has the following tasks:</p> <ul style="list-style-type: none"> <li>a) to monitor his vessels during operational activities in Indonesian ports;</li> <li>b) to supervise activities done by its General Agent in servicing of its vessels, calling in Indonesia;</li> <li>c) to make direct contact with cargo owners.</li> </ul> <p><b>***</b>) : The tasks of General Agent in Indonesia inter alia are as follows:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b) to appoint stevedoring company for cargo loading and unloading on behalf of its principal;</li> <li>c) to arrange cargo booking and canvassing;</li> <li>d) to collect freight on behalf of the principal;</li> <li>e) to issue Bill of Lading on behalf of the principal;</li> <li>f) to settle the disbursement and claim (if any);</li> <li>g) to give information as required by its principal.</li> </ul> <p><b>****</b>) : Government's 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.</p>			



INDONESIA (continued)

Modes of supply:	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access		Limitations on national treatment	
Additional commitments				
TOURISM SERVICES <u>Hotels<sup>1</sup></u>	<p>1), 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) a) 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) Speciality Cook</p>		<p>1), 2) None</p> <p>3) a) Higher paid-up capital is required of foreign service suppliers than of domestic service suppliers. This measure will be eliminated in the year 2020.</p> <p>b) Only 3, 4 or 5 starred hotels are permitted</p> <p>4) As specified in the Horizontal Measures</p>	

1 Started Hotel is a service business which provides accommodation and food and beverages facilities and other services, except casino and other activities prohibited by law; against public moral, religion, security and public order.

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p><u>Travel Agent and Tour Operator (TA &amp; TO)</u> (CPC 74710)</p> <p><u>Tourist Resorts Include</u><sup>1</sup></p> <ul style="list-style-type: none"> <li>- Hotel</li> <li>- Marinas</li> <li>- Golf Courses and other Sport facilities</li> </ul>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Maximum service providers 30 TA &amp; TO</li> <li>4) Unbound except for technical advisor</li> </ol> <ol style="list-style-type: none"> <li>1), 2) None</li> <li>3) In eastern part of Indonesia, Kalimantan, Bengkulu, Jambi and Sulawesi, 100% of capital share can be owned by foreign investor</li> <li>4) Unbound except for Resort Manager</li> </ol>	<ol style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Tour operator must be Travel Agent located in Jakarta and Bali</li> <li>4) As specified in the Horizontal Measures</li> </ol> <ol style="list-style-type: none"> <li>1), 2) None</li> <li>3) a) Higher paid-up capital is required of foreign service suppliers than of domestic service suppliers. This measure will be eliminated in the year 2020.</li> <li>b) Only 3, 4 or 5 starred hotels are permitted</li> <li>4) As specified in the Horizontal Measures</li> </ol>	

1 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; against public moral, religion, security and public order.

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>FINANCIAL SERVICES</p> <p>Non-Life Insurance services (CPC 8129)</p>	<p>1) Unbound</p> <p>2) Unbound except if:</p> <p>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>b) There is no insurance company in Indonesia which want to carry out an insurance coverage of the object in question.</p> <p>c) The owners of insurance objects in question are not Indonesian citizens or Indonesian legal entities.</p> <p>3) As specified in the Horizontal Measures</p> <p>4) Unbound except for director and technical advisor/expert</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>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.</p> <p>4) As specified in the Horizontal Measures</p>	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Reinsurance Services	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound except for service supplier which met the capital requirement and has a good reputation</li> <li>3) As specified in the Horizontal Measures</li> <li>4) Unbound except for director and technical advisor/expert</li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> <li>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.</li> <li>4) As specified in the Horizontal Measures</li> </ol>	
Life Insurance Services (CPC 8121)	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound except if:               <ol style="list-style-type: none"> <li>a) There is no insurance company in Indonesia, either individually or group, which could handle the insurance risks of the object in question.</li> <li>b) There is no insurance company in Indonesia which want to carry out an insurance coverage of the object in question.</li> <li>c) The owners of insurance objects in question are not Indonesian citizens or Indonesian legal entities.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1) Unbound</li> <li>2) Unbound</li> </ol>	

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Insurance Brokerage Services (CPC 8140)	<p>3) As specified in the Horizontal Measures</p> <p>4) Unbound except for director and technical advisor/expert</p> <p>1) Unbound</p> <p>2) None</p> <p>3) At least one of the directors in the joint venture should be an Indonesian</p>	<p>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.</p> <p>4) As specified in the Horizontal Measures</p> <p>1) Unbound</p> <p>2) Unbound</p> <p>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.</p> <p>4) As specified in the Horizontal Measures</p>	
Reinsurance Brokerage Services (CPC 8140)	<p>4) Unbound except for director and technical advisor/expert</p> <p>1) Unbound</p> <p>2) None</p> <p>3) As specified in the Horizontal Measures</p> <p>4) Unbound except for director and technical advisor/expert</p>	<p>1) None</p> <p>2) Unbound</p> <p>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.</p> <p>4) As specified in the Horizontal Measures</p>	

**INDONESIA (continued)**

Modes of supply: 1) Cross-border supply 2) Consumption abroad		3) Commercial presence	4) Presence of natural persons
Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Financial Lease Services (CPC 81120)	1) Unbound	1) None	
	2) None	2) Unbound	
	3) As specified in the Horizontal Measures	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 Measures	4) As specified in the Horizontal Measures	
Factoring Services (CPC 8113)	1) Unbound except for international factoring transaction	1) Unbound	
	2) None	2) Unbound	
	3) As specified in the Horizontal Measures	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.	
Credit Card Business (Issuer and Agent of Credit Card) (CPC 8113)	4) As specified in the Horizontal Measures	4) As specified in the Horizontal Measures	
	1) None	1) None	
	2) None	2) Unbound	
	3) As specified in the Horizontal Measures	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	

INDONESIA (continued)

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

Sector or subsector	1) Cross-border supply	2) Consumption abroad	3) Commercial presence	4) Presence of natural persons
	Limitations on market access	Limitations on national treatment	Limitations on national treatment	Additional commitments
Consumers Finance Services (CPC 8113)	4) As specified in the Horizontal Measures 1) None 2) None 3) As specified in the Horizontal Measures	4) As specified in the Horizontal Measures 1) None 2) Unbound 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 Measures 1) None 2) Unbound 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.	
Securities Business	4) As specified in the Horizontal Measures 1) Unbound 2) None 3) Through establishment of a securities broker/dealer, requirements as specified in the Horizontal Measures	4) As specified in the Horizontal Measures 1) Unbound 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 Measures 1) Unbound 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.	
Trading for own account or for customers, on an exchange or over the counter market	4) As specified in the Horizontal Measures	4) As specified in the Horizontal Measures	4) As specified in the Horizontal Measures	
Listed shares	4) As specified in the Horizontal Measures	4) As specified in the Horizontal Measures	4) As specified in the Horizontal Measures	
Bonds	4) As specified in the Horizontal Measures	4) As specified in the Horizontal Measures	4) As specified in the Horizontal Measures	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>- Participation in issues of securities, including underwriting and placement as agent (whether publicly or privately), and provision of services related to such issues</p>	<p>1) Unbound 2) None 3) Through establishment of a securities broker/dealer, requirements as specified in the Horizontal Measures 4) As specified in the Horizontal Measures</p>	<p>1) Unbound 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 Measures</p>	
<p>- Portfolio management, all forms of collective investment management</p>	<p>1) Unbound 2) None 3) Through establishment of an investment management company requirements as specified in the Horizontal Measures 4) Unbound except for directors</p>	<p>1) Unbound 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 Measures</p>	



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

Sector or subsector:	Limitations on market access	Limitations on national treatment	Additional commitments
<p><b>Banking Subsector: General Conditions on Banking Subsector</b></p> <ol style="list-style-type: none"> <li>1. The terms of the schedule in the Banking Subsector are in accordance with the Annex on Financial Services unless otherwise specified.</li> <li>2. The general conditions and qualifications are an integral part of the offer in the Banking Subsector.</li> <li>3. Bound for existing branches of foreign banks at 100% foreign ownership. Foreign bank may only open new sub-branch offices in the cities of Jakarta, Surabaya, Semarang, Bandung, Medan, Ujung Fandang, Denpasar and Batam Island with 1 (one) office for each location.</li> <li>4. Acquisition of local existing banks is allowed through the purchase of up to 49% of the shares of locally incorporated bank listed in the stock exchange.</li> <li>5. In conducting transactions specified in this offer, with the exception of the existing branches of foreign banks, foreign services provider must be in the form of joint venture bank locally incorporated in Indonesia with the following requirements                         <ol style="list-style-type: none"> <li>a) As specified in the Horizontal Measures</li> <li>b) Unbound for new license</li> </ol> </li> <li>6. The government of Indonesia reserves the rights to establish regulations concerning the paid up capital requirements for joint venture banks.</li> <li>7. The schedule is limited to transactions specified in the specific commitments.</li> </ol>			

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>Commercial Banking Business</p> <ul style="list-style-type: none"> <li>- Acceptance of deposits and other repayable funds from the public</li> </ul>	<ul style="list-style-type: none"> <li>1) Deposits received by banks operated in Indonesia (including overseas branch offices of the Indonesian banks) is subject to government regulation on Foreign Commercial Borrowing</li> <li>2) None</li> <li>3) As specified in the Horizontal Measures and General Conditions on Banking Subsector</li> <li>4) a) For foreign bank branch, only executive positions can be assumed by expatriates with limitation that at least one of them shall be Indonesian national</li> <li>b) For the joint venture bank only for the directors can be assumed by the expatriates in proportion to the ownership sharing</li> </ul>	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</li> <li>4) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</li> </ul>	
<ul style="list-style-type: none"> <li>- Lending of all types, including consumer credit, mortgage, credit, factoring, and financing of commercial transaction</li> </ul>	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) As specified in the Horizontal Measures and General Conditions on Banking Subsector</li> </ul>	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</li> </ul>	

INDONESIA (continued)

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

Sector or subsector:	Limitations on market access	Limitations on national treatment	Additional commitments
<p>- All payment and money transmission services, including credit, charge and debit cards, travellers cheques and bankers drafts</p>	<p>4) a) For foreign bank branch, only executive positions can be assumed by expatriates with limitation that at least one of them shall be Indonesian national b) For the joint venture bank only for the directors can be assumed by the expatriates in proportion to the ownership sharing</p> <p>1) None 2) None 3) As specified in the Horizontal Measures and General Conditions on Banking Subsector 4) a) For foreign bank branch, only executive positions can be assumed by expatriates with limitation that at least one of them shall be Indonesian national b) For the joint venture bank only for the directors can be assumed by the expatriates in proportion to the ownership sharing</p>	<p>4) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</p> <p>1) None 2) None 3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector 4) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</p>	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>- Guarantees and Commitments</p>	<p>1) None 2) None 3) As specified in the Horizontal Measures and General Conditions on Banking Subsector 4) a) For foreign bank branch, or any executive positions can be assumed by expatriates with limitation that at least one of them shall be Indonesian national b) For the joint venture bank only for the directors can be assumed by the expatriates in proportion to the ownership sharing</p>	<p>1) None 2) None 3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector 4) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</p>	

INDONESIA (continued)

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>- Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise. the following:</p> <ul style="list-style-type: none"> <li>- Money market instruments (including cheques, bills, certificates of deposits)</li> </ul>	<p>1) None</p> <p>2) None</p> <p>3) As specified in the Horizontal Measures and General Conditions on Banking Subsector</p> <p>4) a) For foreign bank branch, only executive positions can be assumed by expatriates with limitation that at least one of them shall be Indonesian national b) For the joint venture bank only for the directors can be assumed by the expatriates in proportion to the ownership sharing</p>	<p>1) None</p> <p>2) None</p> <p>3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</p> <p>4) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</p>	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>- Foreign Exchange</p>	<p>1) None                      2) None                      3) As specified in the Horizontal Measures and General Conditions on Banking Subsector                      4) a) For foreign bank branch, only executive positions can be assumed by expatriates with limitation that at least one of them shall be Indonesian national                      b) For the joint venture bank only for the directors can be assumed by the expatriates in proportion to the ownership sharing</p>	<p>1) None                      2) None                      3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector                      ) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</p>	

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<p>- Exchange rate and interest rate instruments, including products such as swaps, forward rate agreements</p>	<p>1) None 2) None 3) As specified in the Horizontal Measures and General Conditions on Banking Subsector 4) a) For foreign bank branch, only executive position can be assumed by expatriates with limitation that at least one of them shall be Indonesian national b) For the joint bank only for the director can be assumed by the expatriates in proportion to the ownership sharing</p>	<p>1) None 2) None 3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector 4) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</p>	

**INDONESIA (continued)**

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

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
<ul style="list-style-type: none"> <li>- Transferable securities</li> </ul>	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) As specified in the Horizontal Measures and General Conditions on Banking Subsector</li> <li>4) <ul style="list-style-type: none"> <li>a) For foreign bank branch, only executive positions can be assumed by expatriates with limitation that at least one of them shall be Indonesian national</li> <li>b) For the joint venture bank only for the directors can be assumed by the expatriates in proportion to the ownership sharing</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>1) None</li> <li>2) None</li> <li>3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</li> <li>4) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector</li> </ul>	



INDONESIA (continued)

Modes of supply: i) Cross-border supply      2) Consumption abroad      3) Commercial presence      4) Presence of natural persons

Sector or subsector	Limitations on market access	Limitations on national treatment	Additional commitments
Asset management, such as cash or portfolio management, all forms of collective investment management, pension fund management, custodial and depository services	1) None 2) None 3) As specified in the Horizontal Measures and General Conditions on Banking Subsector 4) a) For foreign bank branch, only executive positions can be assumed by expatriates with limitation that at least one of them shall be Indonesian national b) For the joint venture bank only for the directors can be assumed by the expatriates in proportion to the ownership sharing	1) None 2) None 3) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector 4) Bound only in accordance with the Horizontal Measures and General Conditions on Banking Subsector	