INDONESIA

Schedule of Specific Commitments



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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
I. HORIZONTAL COMMITMENTS			
ALL SECTORS INCLUDED IN THIS SCHEDULE	(3) Commercial Presence of the foreign service provider(s) may be in the form of joint venture and/or representative office, unless mentioned otherwise. Joint venture should meet the following requirements: (i) should be in the form of Limited Liability Enterprise (Perseroan Terbatas/PT), (ii) not more than 49% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT), may be owned by foreign partner(s). (4) Subject to Indonesian Labour and Immigration Laws and Regulations, only directors, managers and technical experts/advisors, unless mentioned otherwise, are allowed to stay for two years and could be extended for a maximum two times subject to two years extension each time. Manager and technical experts (intra corporate transfer) are allowed based on an economic needs test.	(3) 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. Any juridical and natural persons should meet professional qualification requirements. (4) Expatriate Charges Any foreign natural persons supplying services are subject to charges levied by 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 and Transmigration	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	The entry and temporary stay of business visitor(s) is (are) permitted for a period of 60 days and could be extended maximum for 120 days.		

Definitions:

"Director": 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.

"Manager": 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.

"Technical Expert/Advisor": 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 proprietal to the service, research equipment, techniques or management.

"Joint Operator": 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

"Joint venture Enterprise": 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.

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

Business visitor(s) is (are) natural person staying in Indonesia for the purpose of participating in business meeting, business contacts including negotiations for the sales of services and/or other similar activities including those who prepare for the establishment of a commercial presence in Indonesia, without acquiring remuneration and/or any other direct income from within Indonesia, and are not engaged in making direct sales or supplying services to general public.

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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
II. SECTOR-SPECIFIC COMMITMENTS			
CONSTRUCTION AND RELATED ENGINEERING SERVICES A. General construction work for building Construction work for building (CPC 512 except CPC 51210)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
B. General construction work for civil engineering Construction work for civil engineering (CPC 513)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
C. Installation and assembly work Assembly and erection of prefabricated construction (CPC 514)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
D. Other - Pre-erection work at construction system (CPC 511 except CPC 51110 and 51113)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
- Steel binding and erection (incl. welding) (CPC 51550)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
- Renting Services related to equipment for construction or demolition of building or civil engineering works, with operator (CPC 518)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
- Foundation work including pile driving (CPC 51510)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
- Gas fitting construction work (CPC 51630)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
- Fire alarm construction work (CPC 51642)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
- Burglar alarm system construction work (CPC 51643)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
- Lift and escalator construction work (CPC 51691)	(1) Unbound* (2) None (3) (a) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended. (b) Joint venture company by fulfilling the requirements as specified in the Horizontal Section and the Foreign Capital Investment Law. Not more than 55% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s). (4) As specified in the Horizontal Section	(1) Unbound* (2) Unbound (3) (a)1. License fee requirement 2. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. (b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
TOURISM AND TRAVEL RELATED SERVICES			
Hotel (CPC 64110)	(1) None (2) None (3) In East of Indonesia, Kalimantan, Bengkulu, Jambi, East Nusa Tenggara 100% of capital share can be owned by foreign investor. In other areas FEP is 49% (4) Unbound, except for: a. Top Management Level in Hotel business comprised of: - General Manager - Food and Beverage Managers - Resident Manager - Comptrollers (Only for 4-5 star hotels) - Marketing Directors (only for 4-5 star hotels) b. Highly-skilled Professionals comprised of: - Executive Chef - Sous Chef (pnly for 4-5 star hotels) - Specialty Cook	(1) None (2) None (3) a. Higher paid-up capital is required of foreign services suppliers than of domestic suppliers. This measure will be eliminated in the year 2020. b. Only 3,4, or 5 starred hotels are permitted (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Meal Serving Services with Full Restaurant Services (CPC 64210)	(1) None (2) None (3) Unbound, except in Kalimantan, Bengkulu, Jambi, Sulawesi and East Nusa with foreign equity participation (FEP) is permitted up to 51% (4) Unbound, *except for:* a. Top Management Level in Hotel business comprised of: - General Manager - Food and Beverage Managers - Resident Manager - Comptrollers (Only for 4-5 star hotels) - Marketing Directors (only for 4-5 star hotels) b. Highly-skilled Professionals comprised of: - Executive Chef - Sous Chef (pnly for 4-5 star hotels) - Specialty Cook	(1) None (2) None (3) Subject to prevailing local government's laws regarding to the moral or public order in accordance with Article XIV (a) of the GATS (4) As specified in the Horizontal Section	

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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Golf Courses and Other Sporting Facilities (CPC 96413)	(1) None (2) None (3) Unbound, except in: Kalimantan, Bengkulu, Jambi, Sulawesi and East Nusa Tenggara with FEP 100%. (4) Unbound except Resort Managers	(1) None (2) None (3) a. Higher paid-up capital is required of foreign services suppliers than of domestic suppliers. This measure will be eliminated in the year 2020. b. Only 3,4, or 5 starred hotels are permitted (4) As specified in the Horizontal Section	
Beverage Serving Services with Entertainment (CPC 64310)	(1) None (2) None (3) Unbound, except in Sulawesi, Papua, Maluku, East Nusa Tenggara), FEP is permitted up to 49%	(1) None (2) None (3) Subject to prevailing local government's laws regarding to the moral or public order in accordance with Article XIV (a) of the GATS.	

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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
	(4) Unbound, except for : A) Top Management Level in Hotel Business which comprise of: i) General Managers, ii) Food and Beverage Managers. B) Highly Skilled Professionals: i) Excecutive Chef, ii) Specialty Cooks	(4) As specified in the Horizontal Section	
Beverage Serving Services without Entertainment (CPC 64310)	(1) None (2) None (3) Unbound, except in Sulawesi, Papua, Maluku, East Nusa Tenggara), FEP is permitted up to 49% (4) Unbound except for : A) Top Management Level in Hotel Business which comprise of: i) General Managers, ii) Food and Beverage Managers. B) Highly Skilled Professionals: i) Excecutive Chef, ii) Specialty Cooks	(1) None (2) None (3) Subject to prevailing local government's laws regarding to the moral or public order in accordance with Article XIV (a) of the GATS. (4) As specified in the Horizontal Section	

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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Tourism Consultancy Services (CPC 91136)	(1) None (2) None (3) Must be registered to Indonesian Ministry of Justice as Indonesian company. In the case of cooperation with a national company, it is required to do joint venture, joint operation and contract management (4) Unbound	(1) None (2) None (3) Unbound (4) As specified in the Horizontal Measures	

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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
International Hotel Operator (CPC 91135)	(1) None (2) None (3) Must be registered to Indonesian Ministry of Justice as Indonesian company. In the case of cooperation with a national company, it is required to do contract management , joint venture and joint operation (4) Unbound, except for: a. Top Management Level in Hotel business comprised of: - General Managers - Food and Beverage Managerss - Resident Manager - Comptrollers - Marketing Directors b. Highly-skilled Professionals comprised of: - Executive Chefs - Sous Chefs - Specialty Cooks	(1) None (2) None (3) Unbound (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Tourist Resorts including: • Hotels (3,4, and 5 star) • Marinas	(1) None (2) None (3) In Eastern Part of Indonesia, Bengkulu and Jambi, 100% of capital share can be owned by foreign investor (4) Unbound, except for Resort Manager	(1) None (2) None (3) a. Higher paid-up capital is required of foreign services suppliers than of domestic suppliers. This measure will be eliminated in the year 2020. b. Only 3,4, or 5 starred hotels are permitted (4) As specified in the Horizontal Section	
Travel Agent and Tour Operator (TA & TO) (CPC 74710)	(1) None (2) None (3) Maximum service providers 30 TA & TO (4) Unbound except for technical advisor	(1) None (2) None (3) Tour operator must be Travel Agent located in Jakarta and Bali (4) As specified in the Horizontal Section	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
FINANCIAL SERVICES			
General condition on Non Banking Financial Services Sub-sector : 1) All market access and national treatment limitations specified in the Non Banking Financial Services Sub-sectors will be eliminated by the year 2020 subject to similar commitment by other members. 2) The share ownership of foreign services suppliers is bound at the prevailing laws and regulations. The conditions of ownership and the percentage share of ownership as stipulated in the respective shareholder agreement establishing the existing individual joint venture in non banking financial services shall be respected. No transfer of ownership shall take place without the consent of all parties in the joint venture concerned. 3) Limitation on national treatment in terms of taxation which is specified in the Horizontal Measures is not applied on the Non Banking Financial Services Sub-sector. 4) In addition to the Horizontal Measures, temporary entry will be granted to technical expert(s)/advisor(s) for no longer than 3 (three) months per person for any given year. 5) Share of non-bank financial companies listed in the stock exchange may be 100% owned by foreign investors. 6) In relation to the presence of natural person, only directors, managers, and experts/advisors can be assumed by expatriates with maximum stay of 3 (three) years and can be extended. 7) All joint venture companies shall provide training for their employees. 8) Limitation on national treatment in terms of difference in paid up capital requirement will be eliminated in the year 1998.			
Portfolio management, all forms of collective investment management	(1) Unbound (2) None (3) Through establishment of an investment management company. (4) Unbound, except for directors	(1) None (2) None (3) As specified in the General Conditions (4) As specified in the Horizontal Measures	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Factoring Services (CPC 8113)	(1) None (2) None (3) As specified in the Horizontal Measures and General Conditions (4) Unbound except as indicated in the Horizontal Measures	(1) None (2) None (3) As specified in the General Conditions (4) As specified in the Horizontal Section	
Asset Management limited only to investment fund management	(1) Unbound (2) None (3) Through establishment of an investment management company. (4) Unbound, except for directors	(1) None (2) None (3) As specified in the General Conditions (4) As specified in the Horizontal Measures	

Banking Sub-sector :
General Conditions on Banking Sub-sector.

1. All Market Access and National Treatment limitation specified in the banking sub-sector will be eliminated by the year 2020 subject to similar commitment by other members.
2. With the exception of the existing branches of foreign banks, foreign services provider shall be in the form of joint venture bank locally incorporated in Indonesia with the following requirements:
   (a) Unbound for new license
   (b) Only bank institutions are permitted to establish joint venture banks.

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
3. The share ownership of foreign services supplier in the joint venture bank is bound at prevailing laws and regulation. 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 Indonesian partner(s). No transfer of ownership shall take place without the consent of all parties in the joint venture bank concerned. 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. 5. Limitation on national treatment in terms of difference in paid up capital requirement will be eliminated in the year 1998. 6. Foreign bank and joint ventures bank may open their offices in the cities of Jakarta, Surabaya, Semarang, Bandung, Medan, Makasar, Denpasar , and Batam Island, 7. With respect to the presence of natural persons no economic needs test will apply. A non Indonesian employed as manager or as technical expert shall have at least two Indonesian under studies during his/her term. 8. In addition to the Horizontal Measures, temporary entry will be granted to technical expert(s)/advisor(s) of branch office of the foreign bank and joint venture bank for no longer than 3 (three) months per person for any given year. 9. Limitation on national treatment in terms of taxation which is specified in Horizontal Measures is not applied on the Banking Sub-sector.			
Commercial Banking Business Lending of all types, including consumer credit, mortgage, credit, factoring, and financing of commercial transaction	(1) None (2) None (3) (a) Bound only 1 (one) sub-branches and 1 (one) auxiliary offices for foreign bank's branch office. (b) Bound only 1 (one) branches and 1 (one) sub-branches for joint venture bank (4) Unbound except as indicated in the Horizontal Measures and General Conditions on Banking Sub-sector.	(1) None (2) None (3) 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 venture bank, only for the director can be assumed by the expatriates in proportion to the ownership sharing. (4) Unbound except as indicated in the Horizontal Measures and General Conditions on Banking Sub-sector.	

INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS
For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
ENERGY SERVICES			
General condition on energy services - Indonesia's Schedule of Specific Commitments on energy services sector based on 2nd Revised Indonesian proposal of energy services classification			
Core analysis and other Lab Test, only for Isotop Analysis (1A.2.7.3)	(1) None (2) None (3) Joint operation through a representative office in Indonesia (4) Unbound, except for directors and technical experts	(1) None (2) None (3) As specified in the Horizontal Section (4) As specified in the Horizontal Section	
Geological and geophysical services, only for seismic data acquisition (1A.1.4.1.1) a) According to Indonesia Proposal of Energy Services Classification is under : Seismic Data Acquisition (1A.1.4.1.1.) b) According to W/120 Seismic Data Acquisition is under : Business Services on Subsurface Surveying Services (CPC 8672)	(1) None (2) None (3) Joint operation through a representative office in Indonesia (4) Unbound, except for directors and technical experts	(1) None (2) None (3) As specified in the Horizontal Section (4) As specified in the Horizontal Section	

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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Liquefaction and gasification only for coal - Coal liquefaction (2.4.4.4) - Coal Gasification (2.4.4.5) According to W/120 is under Services Incidental to Manufacturing (CPC 884)	(1) None (2) None (3) Joint venture through a representative office in Indonesia (4) Unbound, except for directors and technical experts	(1) None (2) None (3) As specified in the Horizontal Section (4) As specified in the Horizontal Section	

INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
FINANCIAL SERVICES **Non banking**			
General condition on Non Banking Financial Services Sub-sector : 1) All market access and national treatment limitations specified in the Non Banking Financial Services Sub-sectors will be eliminated by the year 2020 subject to similar commitment by other members. 2) The share ownership of foreign services suppliers is bound at the prevailing laws and regulations. The conditions of ownership and the percentage share of ownership as stipulated in the respective shareholder agreement establishing the existing individual joint venture in non banking financial services shall be respected. No transfer of ownership shall take place without the consent of all parties in the joint venture concerned. 3) In addition to the Horizontal Measures, temporary entry will be granted to technical expert(s)/advisor(s) for no longer than 3 (three) months per person for any given year. 4) Share of non-bank financial companies listed in the stock exchange may be 100% owned by foreign investors. 5) In relation to the presence of natural person, only directors, managers, and experts/advisors can be assumed by expatriates with maximum stay of 3 (three) years and can be extended. 6) All joint venture companies shall provide training for their employees.			
Factoring Services (CPC 8113)	(1) None (2) None (3) As specified in the Horizontal Section and General Conditions. (4) Unbound except as indicated in the Horizontal Section	(1) None (2) None (3) As specified in the General Conditions. (4) As specified in the Horizontal Section.	

INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
TRANSPORT SERVICES			
A. Air Transport Services			
a. Aircraft repair and maintenance service	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign service suppliers should be limited entity in accordance with Indonesian Law and regulations and have a permanent office in Indonesia, with maximum foreign equity 49%.	(3) None	
	(4) Unbound except as indicated in horizontal commitments	(4) Unbound except as indicated in horizontal commitments	

INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
b. Computer reservation system (CRS) services	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign CRS services should be limited entity in accordance with Indonesian Law and regulations and have a permanent office in Indonesia, with maximum foreign equity 49%.	(3) None	
	(4) Unbound except as indicated in horizontal commitments	(4) Unbound except as indicated in horizontal commitments	
c. Selling and marketing	(1) None	(1) None	
	(2) None	(2) None	
	(3) Foreign Sales and Ticketing services should be limited entity in accordance with Indonesian Law and regulations and have a permanent office in Indonesia, with maximum foreign equity 49%.	(3) None	
	(4) Unbound except as indicated in horizontal commitments	(4) Unbound except as indicated in horizontal commitments	

INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
B. Maritime Transport			
a. Passenger Transportation (Excluding Cabotage) (CPC 7211)	(1) None (2) None (3) Only through joint venture corporation, with foreign equity share allowable up to maximum 49% (4) As specified in the Horizontal section	(1) None*) (2) None (3) Foreign shipping company is obliged to appoint Indonesian shipping company as its General Agents (4) As specified in the Horizontal section	Access to and use of port facilities in the port which is opened for international shipping
B Freight Transportation (Excluding Cabotage) (CPC 7212)	(1) None (2) None (3) Only through joint venture corporation, with foreign equity share allowable up to maximum 49% (4) As specified in the Horizontal section	(1) None*) (2) None (3) Foreign shipping company is obliged to appoint Indonesian shipping company as its General Agents (4) As specified in the Horizontal section	Access to and use of port facilities in the port which is opened for international shipping

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INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

For the 3rd Package of Commitments under ASEAN - China FTA Trade in Services

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

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
c. Maritime cargo handling Services	(1) Unbound due to lack of technical feasibility (2) None (3) Only through joint venture corporation, with foreign equity share allowable up to maximum 49% (4) As indicated in the horizontal section	(1) Unbound due to lack of technical feasibility (2) None (3) As indicated in the horizontal section (4) As indicated in the horizontal section	
d. Rental of vessel without crew	(1) None (2) None (3) Unbound due to lack of technical feasibility (4) As indicated in the horizontal section	(1) None (2) None (3) As indicated in the horizontal section (4) As indicated in the horizontal section	

Notes (Maritime) :

*) : effective after issuance of implementing regulation of Shipping Law No 17 Year 2008 by May 2009 and foreign shipping company should be appointed national shipping agency company