

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
BUSINESS SERVICES			
A. Professional Services			
Legal Services (Advisory services in home country law, and international law). (CPC 861)	(1) None (2) None (3) Unbound	(1) None (2) None (3) Unbound	
Definition : Lawyer (advocate) is person who has the profession of providing legal service in and outside the court. International law means law established by international treaties and conventions as well as customary law			
Accounting, Auditing and Bookkeeping Services (CPC 86220, Bookkeeping Services except Tax Return)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) None	

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Architectural Services (CPC 8671)	(1) None (2) None (3) a) Joint operation: By establishing a representative office in Indonesia. b) Joint venture company: Not more than 51% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner (s)	(1) None (2) None (3) License fee requirement: Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big.	

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Engineering Services (CPC-8672 except CPC 86721 and 86725)	(1) None (2) None (3) a) Joint operation by establishing a representative office in Indonesia. b) Joint venture company Not more than 51% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner (s)	(1) None (2) None (3) a) License fee requirement. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big.	
Advisory and Consultative Services Related to Engineering (CPC 86721)	(1) None (2) None (3) None	(1) None (2) None (3) The company must be a member of Indonesian Consultant Association	

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Engineering Design Services for Industrial Processes and Production (CPC 86725)	(1) None (2) None (3) None	(1) None (2) None (3) The company must be a member of Indonesian Consultant Association	
Engineering Services (CPC 86725**) Mould and dies (die-Casting, forging, Stamping, etc) Powder metallurgy	(1) None (2) None (3) Joint operation by establishing a representative office in Indonesia. License for representative office shall be valid for 3 years and can be extended	(1) None (2) None (3) License fee requirement Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big.	

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Integrated Engineering Services (CPC 8673)	<p>(1) None</p> <p>(2) None</p> <p>(3) a) Joint operation: By establishing a representative office.</p> <p>b) Joint venture company: Not more than 51% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner (s)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) License fee requirement</p> <p>Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big.</p> <p>Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big.</p>	

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Urban Planning Services (CPC 86741)	(1) None (2) None (3) a) Joint operation: By establishing a representative office. b) Joint venture company: Not more than 51% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner (s)	(1) None (2) None (3) License fee requirement Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big.	

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Landscape Architectural Services (CPC 86742)	(1) None (2) None (3) a) Joint operation by establishing a representative office in Indonesia. b) Joint venture company: Not more than 51% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s)	(1) None (2) None (3) a) License fee requirement. Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big. b) Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big.	

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B. Computer and Related Services			
Consultancy Services related to the installation of computer hardware (CPC 841)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation in the form of Limited Liability Enterprise (Perseroan Terbatas/PT) with Indonesian individuals or Indonesian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 per cent	(1) None (2) None (3) None	
Software Implementation Services (CPC 842)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation in the form of Limited Liability Enterprise (Perseroan Terbatas/PT) with Indonesian individuals or Indonesian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 per cent	(1) None (2) None (3) None	

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Input Preparation Services (CPC 84310)	(1) None (2) None (3) Joint venture with foreign equity participation not exceeding 70 per cent	(1) None (2) None (3) None	
System Analysis Services (CPC 84320) Time Sharing Services (CPC 84330) Other Data Processing Services (CPC 84390)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation in the form of Limited Liability Enterprise (Perseroan Terbatas/PT) with Indonesian individuals or Indonesian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 per cent	(1) None (2) None (3) None	

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Data Base Services (CPC 84400*)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation in the form of Limited Liability Enterprise (Perseroan Terbatas/PT) with Indonesian individuals or Indonesian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 per cent	(1) None (2) None (3) None	
Maintenance and repair Services of Office Machinery and Equipment Including Computers (CPC 845)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation in the form of Limited Liability Enterprise (Perseroan Terbatas/PT) with Indonesian individuals or Indonesian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 per cent	(1) None (2) None (3) None	

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Other Computer Services (CPC 849)	(1) None (2) None (3) Only through a locally incorporated joint-venture corporation in the form of Limited Liability Enterprise (Perseroan Terbatas/PT) with Indonesian individuals or Indonesian-controlled corporations or both and the aggregate foreign shareholding in the joint-venture corporation shall not exceed 49 per cent	(1) None (2) None (3) None	

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C. Research and Development Services			
Interdisciplinary R&D (CPC853, limited to Industrial Activities)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) Subject to Qualification and Licensing requirement and procedure including registration	
Research and experimental development services on linguistic and languages (CPC 85204), limited to foreign language only	(1) Unbound (2) None (3) Joint venture with foreign equity participation up to 51%	(1) Unbound (2) None (3) Subject to Qualification and Licensing requirement and procedure including registration	

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E. Rental and leasing services without operator			
Rental of Vessel without Crew (CPC 83103)	(1) None (2) None (3) Joint venture company with foreign equity participation up to 60 per cent	(1) None (2) None (3) As indicated in the Horizontal Section	
Other (CPC 832), limited to rental services concerning video tapes (CPC 83202)	(1) Unbound (2) None (3) Joint venture with foreign equity participation up to 51%	(1) Unbound (2) None (3) Subject to Qualification and Licensing requirement and procedure including registration	

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F. Other Business Services			
Advertising Services (CPC 871)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) a. Subject to qualification and Licensing requirement and procedure including registration. b. Have the obligation to cooperate with educational institution in providing internship programme for at least 100 person per year c. Must joint in Indonesian Advertising Association	
Market Research Services (CPC 86401)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%.	(1) None (2) None (3) a. Subject to qualification and Licensing requirement and procedure including registration. b. Have the obligation to cooperate with educational institution in providing internship programme for at least 100 person per year	

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Management Consulting Services for: - General management consulting services (CPC 86501) - Marketing management consulting services (CPC 86503) - Human resources management consulting services (CPC 86504)	(1) None (2) None (3) Commercial Presence is permitted in the form of a limited liability company with foreign equity participation must not exceed 49 per cent of the registered capital.	(1) None (2) None (3) Unbound except as indicated in Horizontal section	
Management Consulting Services for: - Marketing management consulting services (CPC 86503)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) <ul style="list-style-type: none"> a. Subject to qualification and Licensing requirement and procedure including registration b. Have the obligation to cooperate with educational institution in providing internship programme for at least 100 person per year c. Must joint in Indonesian Consultant Association 	

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Project Management Services other than for Construction (CPC 86601)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%.	(1) None (2) None (3) a. Subject to Qualification and Licensing requirement and procedure including registration. b. Have the obligation to cooperate with educational institution in providing internship programme for at least 100 person per year. c. Must joint in Indonesian Consultant Association.	
Technical Testing and Analysis Services (CPC 8676)	(1) None (2) None (3) Joint operation through a representative office in Indonesia	(1) Unbound (2) None (3) The Indonesian participant in joint operation must be member of Indonesian Consultant Association	

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<p>Technical Testing and Analysis Services (CPC 8676)</p> <p>Limited to Technical Inspection Services (CPC 86764) only</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture with foreign equity participation up to 51%</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) Subject to Qualification and Licensing requirement and procedure including registration</p>	
<p>Core analysis and other Lab Test, only for Isotop Analysis</p> <p>According to Indonesia Proposal of Energy Services Classification is under: Isotop Analysis (1.A.2.7.3.)</p> <p>According to WI20 is under: Business Services on Technical Testing and Analysis Services (CPC8676)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture with foreign equity participation up to 49%</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) As specified in the horizontal section</p>	
<p>Services Incidental to energy distribution (CPC 887)</p> <p>Exclusively covers only consultancy services related to operation of power plant and network</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture with foreign equity participation up to 51%</p>	<p>(1) Unbound</p> <p>(2) None</p> <p>(3) As specified in the Horizontal Section</p>	

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Investigation and security (CPC 873), limited to shoplifting investigation services (CPC 87301)	(1) Unbound (2) None (3) Joint venture with foreign equity participation up to 51%	(1) Unbound (2) None (3) Only in Papua and Moluccas	
Photographic services (CPC 875) limited to Restoration, copying and retouching services of photography (CPC 87507)	(1) Unbound (2) None (3) Joint venture with foreign equity participation up to 51%	(1) Unbound (2) None (3) Only in Papua and Moluccas	
Packaging Services (CPC 87600)	(1) None (2) None (3) As indicated in the Horizontal Section (FEP 49%). For eastern parts of Indonesia foreign equity participation is allowed up to 70 %	(1) None (2) None (3) Unbound except as indicated in the Horizontal Section	
Printing, Publishing on a fee or contract basis (CPC 88442) limited to publishing for english text book for higher educational services only	(1) Unbound (2) None (3) Joint venture with foreign equity participation up to 51%	(1) Unbound (2) None (3) Only in Papua	

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Other: telephone answering services (CPC 87903)	(1) Unbound (2) None (3) Joint venture with foreign equity participation up to 51%	(1) Unbound (2) None (3) Subject to Qualification and Licensing requirement and procedure including registration	
Geological and Geophysical Services, only for Seismic Data Acquisition According to Indonesia Proposal of Energy Services Classification is under Seismic Data Acquisition (1A.1.4.1.1.) According to W 120, Seismic Data Acquisition is under: Business Services on Subsurface Surveying Services (CPC 86752)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) As specified in the horizontal section	
Maintenance and Repair of Equipment (not including maritime vessel, air craft, or other transport equipment) (CPC 633+8861+8866)	(1) None (2) None (3) Joint operation through a representative office in Indonesia	(1) None (2) None (3) Subject to Qualification and Licensing requirement and procedure including registration	

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Convention Services (CPC 87909)	(1) None (2) None (3) As indicated in the Horizontal Section (FEP 49%)	(1) None (2) None (3) Unbound except as indicated in the Horizontal Section	
Professional congress organiser	(1) None (2) None (3) joint venture with foreign equity participation up to 51% is permitted.	(1) None (2) None (3) As indicated in Horizontal commitment a. Only in certain parts of East Indonesia (Sulawesi, Papua, Moluccas, Nusa Tenggara), while in other areas, it is closed for foreign investment. b. Joint Venture with local Small and Medium Enterprises (SME's)	

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COMMUNICATIONS SERVICES			
Telecommunication Services			
Voice Telephone Services (CPC 7521)	(1) None (2) None (3) Joint venture with foreign equity participation up to 49%	(1) None (2) None (3) None	
Public local telephone services (CPC 75211) Fixed wireline access technology only	(1) None (2) None (3) Aggregate foreign equity participation is permitted up to 70% provided that: up to 49% through foreign direct investment and the remaining percentage through other mechanisms.	(1) None (2) None (3) Services shall be provided in certain provinces and or necessary areas	

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Packet-switched data transmission services (CPC 7523**)	(1) None (2) None (3) Joint venture with foreign equity participation up to 49%.	(1) None (2) None (3) None	
Circuit-switched data transmission services (CPC 7523**)	(1) None (2) None (3) Aggregate foreign equity participation is permitted up to 70% provided that: up to 49% through foreign direct investment and the remaining percentage through other mechanisms.	(1) None (2) None (3) None	

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Telex Services	(1) None	(1) None	
Telegraph Services	(2) None	(2) None	
Facsimile (CPC 7521** + 7529**)	(3) Joint venture with foreign equity participation up to 70 %	(3) None	
Private leased circuit services (CPC 7522** + 7523**)	(1) None (2) None (3) Joint venture with foreign equity participation up to 49%.	(1) None (2) None (3) None	

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Dedicated network services (CPC 75222)	(1) None (2) None (3) Aggregate foreign equity participation is permitted up to 70% provided that: up to 49% through foreign direct investment and the remaining percentage through other mechanisms.	(1) None (2) None (3) (a) Services shall be provided in certain provinces and or necessary areas (b) Services shall be provided only for closed user group (c) Network provider is prohibited to connect to other networks	
Electronic mail services (CPC 75232) Electronic mail box (CPC 75232)	(1) None (2) None (3) Aggregate foreign equity participation is permitted up to 70% provided that: up to 49% through foreign direct investment and the remaining percentage through other mechanisms.	(1) None (2) None (3) None	

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Voice mail services (CPC 7523)	(1) None (2) None (3) Aggregate foreign equity participation is permitted up to 70% provided that: up to 49% through foreign direct investment and the remaining percentage through other mechanisms.	(1) None (2) None (3) None	
On-line information and database retrieval (CPC 7523**)	(1) None (2) None (3) Only through joint venture with local private sector. Foreign Equity Participation is limited to 51%.	(1) None (2) None (3) None	

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Electronic data interchange (EDI) (CPC 7523**)	(1) None (2) None (3) Aggregate foreign equity participation is permitted up to 70% provided that: up to 49% through foreign direct investment and the remaining percentage through other mechanisms.	(1) None (2) None (3) None	
Enhanced/ value added facsimile services, including store and forward, store and retrieve (CPC 7523**)	(1) None (2) None (3) Aggregate foreign equity participation is permitted up to 70% provided that: up to 49% through foreign direct investment and the remaining percentage through other mechanisms.	(1) None (2) None (3) None	

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Code and protocol conversion	(1) None (2) None (3) Aggregate foreign equity participation is permitted up to 70% provided that: up to 49% through foreign direct investment and the remaining percentage through other mechanisms.	(1) None (2) None (3) None	
On-line information and or data processing (including transaction processing) (CPC 843**)	(1) None (2) None (3) Joint venture foreign equity participation up to 49%.	(1) None (2) None (3) None	
Local services: c) Teleconferencing Services (CPC 75292)	(1) None (2) None (3) Joint venture with foreign equity participation up to 49%.	(1) None (2) None (3) None	
Long Distance and International: Services: Teleconferencing Services (CPC 75292)	(1) None (2) None (3) Joint venture with foreign equity participation up to 49%.	(1) None (2) None (3) None	

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Regional and National Paging Service (CPC 75291)	(1) None (2) None (3) Joint venture with foreign equity participation up to 70%.	(1) None (2) None (3) None	
Internet Access Services	(1) None (2) None (3) Joint venture with foreign equity participation up to 49%.	(1) None (2) None (3) None	

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Computer time sharing services (CPC 84330) Video text services (CPC 75299)	(1) None (2) None (3) Joint venture with foreign equity participation up to 70%.	(1) None (2) None (3) None	
File transfer services (CPC 75299) Home telemetering alarm (CPC 75299) Entertainment services (CPC 75299) Management information services (CPC 75299)	(1) None (2) None (3) Joint venture with foreign equity participation up to 70%.	(1) None (2) None (3) None	

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CONSTRUCTION AND RELATED ENGINEERING SERVICES			
Pre-erection Work at Construction Site (CPC 511) Construction Work for Buildings (CPC 512) Construction Work for Civil Engineering (CPC513) Assembly and Erection of Prefabricated Constructions (CPC 514) Special Trade Construction (CPC 515) Installation Work (CPC516) Building Completion and Finishing Work (CPC517) Renting Services Related 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. b) Joint venture company: Not more than 55 per cent of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner(s)	(1) Unbound* (2) None (3) License fee requirement Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Construction Services Development Board and having qualification A/Big Local partner(s) in joint venture shall be registered by Construction Services Development Board and having qualification A/Big	

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Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
DISTRIBUTION SERVICES			
<p>Wholesale Trade Services of food, beverages, and tobacco with minimum space above 5,000 meter square (CPC 6222)</p> <p>Wholesale Trade Services of textile, clothing and footwear with minimum space above 5,000 meter square (CPC 6223)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture with foreign equity participation up to 51%.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) a. Subject to qualification and Licensing requirement and procedure including registration.</p> <p>b. 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>c. Permitted only operate in the islands of Kalimantan, Sulawesi, Nusa Tenggara, Maluku and Papua</p> <p>d. Have to be located in the suburbs of the capital province</p>	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Direct Selling (Multi Level Marketing)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) a. Subject to qualification and Licensing requirement and procedure including registration. b. Have the obligation to include Indonesian product in their list of product. c. Must joint in Indonesian Direct Selling Association	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
EDUCATION SERVICES			
B. Secondary education services: Technical and vocational secondary education services (electronic automotive) (CPC 92230)	(1) None (2) None (3) Joint venture with foreign equity participation up to 49%	(1) None (2) None (3) (a) Subject to Qualification and Licensing requirement and procedure including registration. (b) Foreign Education Institutions are required to collaborate with local education in Jakarta, Surabaya, Bandung, Yogyakarta and Medan.	
C. Higher Education Services (CPC 923) Post-secondary technical and vocational education services (Polytechnique Machine and Electrical) (CPC 92310)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) (a) Subject to Qualification and Licensing requirement and procedure including registration. (b) Foreign Education Institutions are required to collaborate with local education in Jakarta, Surabaya, Bandung, Yogyakarta and Medan.	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>D. Adult Education (CPC 924)</p> <p>Language courses and training</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture with foreign equity participation up to 51%</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) (1) Subject to Qualification and Licensing requirement and procedure including registration.</p> <p>(2) Foreign Education Institutions are require to collaborate with local education in Jakarta, Surabaya, Bandung, Yogyakarta and Medan.</p>	
<p>E. Other Education services (CPC 92900)</p> <p>Football and chess only</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture with foreign equity participation up to 49%.</p> <p>Licences will be issued only for five foreign education institution for joint venture with foreign equity participation up to 51%.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Subject to Qualification and Licensing requirement and procedure including registration</p> <p>Establishment only in Jakarta, Surabaya, Bandung, Yogyakarta and Medan.</p>	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
ENVIRONMENTAL SERVICES			
A. Sewage Services (CPC 9401) wastewater management	(1) None for all sub sectors and activities (2) None for training, technical consultation, sample testing (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) Subject to qualification and registration requirement and procedure	
B. Refuse Disposal Services (CPC 9402) Solid Waste Disposal Services, only for : - Integrated hazardous waste treatment facility services for oil sludge and waste mercury treatment in a particular area. The services provider must be equipped with modern and sophisticated technology and environmental safety. The product will be used as a new material or energy power - In site hazardous waste treatment facility services for the treatment of waste of mining product and waste of fly ash and bottom ash of coal product	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) Subject to qualification and registration requirement and procedure	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
C. Sanitation and similar services (CPC 9403) limited to public sanitation facilities only	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) Subject to qualification and registration requirement and procedure	
D. Cleaning Services of Exhaust Gases (CPC 9404) Air pollution Control	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) Subject to qualification and registration requirement and procedure	
Other Environmental Protection Services (CPC 9409) Limited to Laboratory Services for Environment (laboratory which has the ability and authority to test and examine the environmental quality parameter according to the current laws and regulations on environment)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) Subject to qualification and registration requirement and procedure	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
HEALTHCARE SERVICES			
Clinic of specialised medical services (only for registered health institution, with 3 sub specialistic/super specialistic medical care/more specific than specialistic medical care) (CPC 93122)	(1) None (2) None (3) Joint venture with foreign equity participation up to 70%, except in Makassar and Manado up to 51%	(1) None (2) None (3) As indicated in the Horizontal Section and General Conditions The health professionals shall be Indonesian Establishment limited to the capital of provinces in East Indonesia region	
Clinic of specialised dental services (only for registered health institution, with specialistic dental care, provided by hospital of more than 50 dental units and chairs) (CPC 93123)	(1) None (2) None (3) Joint venture with foreign equity participation up to 70%, except in Makassar and Manado up to 51%	(1) None (2) None (3) As indicated in the Horizontal Section and General Conditions The health professionals shall be Indonesian Establishment limited to the capital of provinces in East Indonesia region	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>Other Human Health Services (CPC 9319 other than 93191)</p> <p>Limited to Residential health facilities services than hospital services only (CPC 93193)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture foreign equity participation up to 70 %</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Subject to Qualification and Licensing requirement and procedure including registration</p>	
<p><u>Social Services</u></p> <p>(Social welfare services for the elderly)</p> <p>(Social welfare services for persons with disabilities)</p> <p>Social welfare training and education</p> <p>Social workers and care workers</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint venture foreign equity participation up to 51%</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) As indicated in the Horizontal Section</p>	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
TOURISM AND TRAVEL RELATED SERVICES			
A. Hotel and Restaurant Services			
Hotels (CPC 64110) (3, 4, 5 starred hotels)	(1) None (2) None (3) In Eastern Part of Indonesia, Kalimantan, Bengkulu, Jambi, Sulawesi and East Nusa Tenggara (NTT), 100 % of capital share can be owned by foreign investor, however joint venture up to 70 % in all other areas	(1) None (2) None (3) Higher paid-up capital is required of foreign services suppliers than of domestic services suppliers. This measures will be eliminated in the year 2020	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Hotels (CPC 64110) (1 or 2 starred hotels)	(1) None (2) None (3) In certain parts of East Indonesia (Sulawesi, Papua, Moluccas, Nusa Tenggara) joint venture with foreign equity participation up to 70% is permitted. For other areas, it is closed for foreign investment	(1) None (2) None (3) As indicated in the Horizontal Section	
Motel Lodging Services (CPC 6412/64120)	(1) None (2) None (3) In certain parts of East Indonesia (Sulawesi, Papua, Moluccas, Nusa Tenggara) joint venture with foreign equity participation up to 70 % is permitted in partnership with Indonesian Small and Medium Enterprises (SME's). For other areas, it is closed for foreign investment	(1) None (2) None (3) As indicated in the Horizontal Measures	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Letting services of furnished accommodations (CPC 64193)	(1) None (2) None (3) In certain parts of East Indonesia (Sulawesi, Papua, Moluccas, Nusa Tenggara) joint venture with foreign equity participation up to 49 %. For other areas, it is closed for foreign investment	(1) None (2) None (3) As indicated in the Horizontal Measures	
Meal Serving Services with Full Restaurant Services (CPC 64210)	(1) None (2) None (3) In certain parts of East Indonesia (Sulawesi, Papua, Moluccas, Nusa Tenggara) joint venture with foreign equity participation up to 70% is permitted. For other areas, it is closed for foreign investment	(1) None (2) None (3) Subject to prevailing local government's laws regarding to the moral or public order in accordance with the article XIV a) of the GATS	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Beverage Serving Services without Entertainment (CPC 64310)	(1) None (2) None (3) In certain parts of East Indonesia (Sulawesi, Papua, Moluccas, Nusa Tenggara) joint venture with foreign equity participation up to 49% is permitted. For other areas, it is closed for foreign investment	(1) None (2) None (3) Subject to prevailing local government's laws regarding to the moral or public order in accordance with the article XIV a. of the GATS	
Beverage serving services with entertainment (CPC 6432/64320)	(1) None (2) None (3) In certain parts of East Indonesia (Sulawesi, Papua, Moluccas, Nusa Tenggara) joint venture with foreign equity participation up to 51% is permitted. For other areas, it is closed for foreign investment	(1) None (2) None (3) Subject to prevailing local government's laws regarding to the moral and public order in accordance with the Article XIV a) of the GATS	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
B. Travel Agencies and Tour Operators			
Travel Agent and Tour Operator Services (TA&TO) (CPC 7471)	(1) None (2) None (3) Maximum services providers 55 TA &TO There should be license from Regional Investment Coordinating Body to establish TA&TO in Badung and Denpasar districts (Bali), except for special TA & TO i.e. ones which manage tourist demo a certain country	(1) None (2) None (3) Tour operator must be inbound tour operator in Jakarta and Bali	
C. Tourist Guide Services			
Tour Leader Services (CPC 74710)	(1) None (2) None (3) Unbound	(1) None (2) None (3) Unbound	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
D. Other			
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. Foreign equity participation is permitted up to 70 %	(1) None (2) None (3) Unbound	
International Hotel Operator (CPC 91135)	(1) None (2) None (3) Joint venture with foreign equity participation up to 70 %	(1) None (2) None (3) As indicated in Horizontal commitment a. Only in certain parts of East Indonesia (Sulawesi, Papua, Moluccas, Nusa Tenggara), while in other areas, it is closed for foreign investment. b. Joint Venture with local Small and Medium Enterprises (SME's)	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
RECREATIONAL, CULTURAL AND SPORTING SERVICES (OTHER THAN AUDIO VISUAL SERVICES)			
A. Other Entertainment services (Theatrical producer, Singer Group, Band and Orchestra Entertainment Services) (CPC 96191)	(1) None (2) None (3) Unbound	(1) None (2) None (3) Unbound	
C. Libraries., archives, museums and other cultural services Museums services limited to museums of jewellery (CPC 96321)	(1) Unbound (2) None (3) Joint venture with existing services provider with FEP 51%	(1) Unbound (2) None (3) Foreign services supplier should renewal the license every 5 years	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
D. Sporting and Other Recreational Services			
Golf Courses and other facilities (CPC 96413)	(1) None (2) None (3) In eastern part of Indonesia, Kalimantan, Bengkulu, Jambi and Sulawesi and East Nusa Tenggara (NTT), Papua, Moluccas, Lampung, Riau, Bangka Belitung, 100 per cent of capital share can be owned by foreign investor. For other areas, joint venture with the maximum foreign equity participation is 51%.	(1) None (2) None (3) Higher paid-up capital is required of Foreign Service suppliers than of domestic service suppliers. These measures will be eliminated in the year 2020.	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
E. Other			
Tourist Resorts include: <ul style="list-style-type: none"> • Hotel (3, 4 and 5 stars)Marinas • Golf Courses and other sport facilities (Not include marina facilities and hotel management)	(1) None (2) None (3) In eastern part of Indonesia, Kalimantan, Bengkulu, Jambi and Sulawesi, Papua, Moluccas, Bangka Belitung, Lampung, South Sumatera, Riau and Nusa Tenggara, 100% of capital share can be owned by foreign investor. For other areas, joint venture with maximum foreign equity participation is 70%.	(1) None (2) None (3) Higher paid-up capital is required of Foreign Service suppliers than of domestic service suppliers. These measures will be eliminated in the year 2020.	
Marina facilities	(1) None (2) None (3) Unbound	(1) None (2) None (3) Unbound	
Hotel Management	(1) None (2) None (3) Unbound	(1) None (2) None (3) Unbound	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
TRANSPORT SERVICES			
A. Maritime Transport Services	(1) None	(1) None	The following services at ports are made available to international maritime transport supplier on reasonable and non-discriminatory terms and conditions: <ol style="list-style-type: none"> 1. Pilotage; 2. Towing and tug assistance; 3. Provisioning and water supply; 4. Garbage collection and ballast waste disposal; 5. Port captain's services; 6. Navigation aids; 7. Shore-based operational services essential to ship operation, including communication, water and electrical supply; 8. Emergency repair facilities; and 9. Anchorage and berthing services.
International Passenger Transport Excluding Cabotage (pillar 1) (CPC 7211)	(2) None	(2) None	
International Freight Transport excluded Cabotage (CPC 7212)	(3) Joint venture with foreign equity participation up to 60 per cent or owner's representative**.	(3) As indicated in the Horizontal Section	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Maintenance and repair of Vessels (CPC 8868)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51% , for Eastern part of Java and eastern part of Indonesia, with vessels classification 500 DWT above. For other area and capacity, as indicated in the Horizontal Commitment	(1) None (2) None (3) As indicated in the horizontal section	
Pushing and Towing Services for Maritime Transport (CPC 7214) (Excluding Cabotage)	(1) None (2) None (3) Joint venture company with foreign equity participation up to 51%	(1) None (2) None (3) As indicated in the Horizontal Section	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Pushing and towing Services (CPC 7224)	(1) None	(1) None	
Supporting services for internal Waterways Transport (CPC 745*) (Excluding Cabotage)	(2) None	(2) None	
	(3) Joint venture company with foreign equity participation up to 51%	(3) As indicated in the Horizontal Section	
E. Rail Transport Services	(1) None	(1) None	
Passenger Transportation (CPC7111)	(2) None	(2) None	
	(3) a) Commercial presence is only possible by establishing joint venture company	(3) As indicated in the horizontal Section	
	b) Maximum share of foreign equity participation (FEP) in the joint venture railway company could be 49%		
Passenger Transportation (CPC7111)	(1) None	(1) None	
limited to Interurban Passenger Transportation (CPC 71111)	(2) None	(2) None	
	(3) Joint venture company with foreign equity participation up to 51%	(3) Shall not operate on the existing railways	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Freight Transportation (CPC 7112)	(1) None (2) None (3) a) Commercial presence is only possible by establishing joint venture company b) Maximum share of foreign equity participation (FEP) in the joint venture railway company could be 49%	(1) None (2) None (3) As indicated in the horizontal Section	
Freight Transportation (CPC 7112) limited to Transportation of Frozen or Refrigerated Goods (CPC 71121)	(1) None (2) None (3) Joint venture company with foreign equity participation up to 70%	(1) None (2) None (3) As indicated in the Horizontal Section	
Pushing and Towing Services (CPC 7113) Supporting Services for Rail Transport Services (CPC 743)	(1) None (2) None (3) Joint venture company with foreign equity participation up to 51%	(1) None (2) None (3) As indicated in the horizontal Section	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Maintenance and repair of rail transport equipment (CPC 8868)	(1) None (2) None (3) a. Commercial presence is only possible by establishing joint venture company b. Maximum share of foreign equity participation (FEP) in the joint venture company is 49% c. Maximum share of foreign equity participation (FEP) is allowed up to 51% if the joint venture is established with PT. INKA (state owned company)	(1) None (2) None (3) As indicated in the horizontal section	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Parking Services (CPC 74430)	(1) None (2) None (3) Maximum share of foreign equity participation (FEP) in the joint venture company is 70 %	(1) None (2) None (3) As indicated in the Horizontal Section Only in suburbs in Sulawesi, Moluccas and Papua	
Maintenance and repair of road transport equipment (CPC 8867)	(1) None (2) None (3) a. Commercial presence is only possible by establishing joint venture company b. Maximum share of reign equity participation (FEP) in the joint venture company is 49%	(1) None (2) None (3) As indicated in the horizontal Section	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
<p>G. Pipiline Transport</p> <p>Transportation of petroleum and natural gas (CPC 7131)</p> <p>-According to Indonesia Proposal of Energy services Classification is under Transportation, Transmission and Distribution of Petroleum Product and Gas (2.2.7.1)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Joint Operation through a representative office in Indonesia</p> <p>Joint venture company: Not more than 30% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT) may be owned by foreign partner (s)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) License fee requirement: Registered foreign company shall form a joint operation with local partner(s) which is (are) registered by Government in license oil and gas downstream.</p>	
<p>H. Services Auxiliary to All Mode of Transport</p> <p>Maritime cargo handling Services (CPC 741)</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Joint venture shipping company with foreign equity participation up to 70 per cent is permitted only for port in Bitung, Kupang, Ambon, and Sorong. For other area, maximum foreign equity participation is 60 per cent.</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) As indicated in the Horizontal Section</p>	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Storage and warehousing services Outside Port Area and 1 st Area for: - Storage services of frozen or refrigerated goods (CPC 7421) - Other storage or warehousing services (CPC 7429)	(1) None (2) None (3) Commercial Presence is permitted in the form of a limited liability company with foreign equity participation must not exceed 49 per cent of the registered capital.	(1) None (2) None (3) Unbound except as indicated in Horizontal section	
Storage and warehousing services Outside Port Area and 1 st Area for: - Storage services of frozen or refrigerated goods (CPC 7421)	(1) None (2) None (3) Joint venture with foreign equity participation up to 51 %	(1) None (2) None (3) a. Subject to qualification and Licensing requirement and procedure including registration. b. Permitted only operate in the islands of Kalimantan, Sulawesi, Nusa Tenggara, Maluku and Papua	

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
Maritime Freight Forwarding Services	(1) None (2) None (3) Joint venture company with foreign equity participation up to 49 per cent	(1) None (2) None (3) As indicated in the horizontal section	
<p>Notes (Maritime) :</p> <p>* : The tasks of General Agent in Indonesia inter alia are as follows :</p> <ul style="list-style-type: none"> 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 uploading 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. <p>** : Owner's Representative appointed by foreign shipping company has the following tasks :</p> <ul style="list-style-type: none"> a. to monitor his vessels during operational activities in Indonesian ports; b. to supervise activities done by its General Agent in servicing of its vessels, calling in Indonesia. 			

INDONESIA – SCHEDULE OF SPECIFIC COMMITMENTS

For the 9th Package of Commitments under ASEAN Framework Agreement on Services

Modes of Supply:

1) Cross-border supply

2) Consumption abroad

3) Commercial presence

Sector or Subsector	Limitation on Market Access	Limitation on National Treatment	Additional Commitments
OTHER SERVICES N.E.C			
ENERGY SERVICES General Condition on energy services: Indonesia's Schedule of specific commitments on energy services sector is based on Indonesian Proposal of Energy Services Classification			
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 W/120 is under Services Incidental to Manufacturing (CPC 884)	(1) None (2) None (3) (a) Joint operation through a representative office in Indonesia (b) Joint venture with foreign equity participation up to 51%	(1) None (2) None (3) As specified in the horizontal section	
Spa Services	(1) None (2) None (3) As indicated in the horizontal measures	(1) None (2) None (3) As indicated in the horizontal measures	

REFERENCE PAPER

Scope

The following are definitions and principles on the regulatory framework for the basic telecommunications services.

Definitions

Users mean service consumers and service suppliers.

Essential facilities mean facilities of a public telecommunications transport network or service that

(a) are exclusively or predominantly provided by a single or limited number of suppliers; and

(b) cannot feasibly be economically or technically substituted in order to provide a service.

A major supplier is a supplier which has the ability to materially affect the terms of participation (having regard to price and supply) in the relevant market for basic telecommunications services as a result of:

(a) control over essential facilities; or

(b) use of its position in the market.

1. Competitive safeguards

1.1 Prevention of anti-competitive practices in telecommunications

Appropriate measures shall be maintained for the purpose of preventing suppliers who, alone or together, are a major supplier from engaging in or continuing anti-competitive practices.

1.2 Safeguards

The anti-competitive practices referred to above shall include in particular:

(a) engaging in anti-competitive cross-subsidization;

(b) using information obtained from competitors with anti-competitive results; and

(c)not making available to other services suppliers on a timely basis technical information about essential facilities and commercially relevant information which are necessary for them to provide services.

2. Interconnection

2.1 This section applies to linking with suppliers providing public telecommunications transport networks or services in order to allow the users of one supplier to communicate with users of another supplier and to access services provided by another supplier, where specific commitments are undertaken.

2.2 Interconnection to be ensured

Interconnection with a major supplier will be ensured at any technically feasible point in the network. Such interconnection is provided.

(a)under non-discriminatory terms, conditions (including technical standards and specifications) and rates and of a quality no less favourable than that provided for its own like services or for like services of non-affiliated service suppliers or for its subsidiaries or other affiliates;

(b)in a timely fashion, on terms, conditions (including technical standards and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled so that the supplier need not pay for network components or facilities that it does not require for the service to be provided; and

(c)upon request, at points in addition to the network termination points offered to the majority of users, subject to charges that reflect the cost of construction of necessary additional facilities.

2.3 Public availability of the procedures for interconnection negotiations

The procedures applicable for interconnection to a major supplier will be made publicly available.

2.4Transparency of interconnection arrangements

It is ensured that a major supplier will make publicly available either its interconnection agreements or a reference interconnection offer.

2.5 Interconnection: dispute settlement

A service supplier requesting interconnection with a major supplier will have recourse, either:

(a) at any time or

(b) after a reasonable period of time which has been made publicly known

to an independent domestic body, which may be a regulatory authority as referred to in paragraph 5 below, to resolve disputes regarding appropriate terms, conditions and rates for interconnection within a reasonable period of time, to the extent that these have not been established previously.

3. Universal service

Any Member has the right to define the kind of universal service obligation it wishes to maintain. Such obligations will not be regarded as anti-competitive *per se*, provided they are administered in a transparent, non-discriminatory and competitively neutral manner and are not more burdensome than necessary for the kind of universal service defined by the Member.

4. Public availability of licensing criteria

Where a licence is required, the following will be made publicly available:

- (a) all the licensing criteria and the period of time normally required to reach a decision concerning an application for a licence and
- (b) the terms and conditions of individual licences.

The reasons for the denial of a licence will be made known to the applicant upon request.

5. Regulatory Authority

The regulatory Authority is not accountable to, any supplier of basic telecommunications services. The decisions of and the procedures used by regulators shall be impartial with respect to all market participants.

6. Allocation and use of scarce resources

Any procedures for the allocation and use of scarce resources, including frequencies, numbers and rights of way, will be carried out in an objective, timely and transparent manner. The current state of allocated frequency bands will be made publicly available, but detailed identification of frequencies allocated for specific government uses is not required.