

INDONESIA - SCHEDULE OF SPECIFIC COMMITMENTS

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

Sector or sub-Sector	Limitation on market access	Limitation on national treatment	Additional commitments
<p>1. MARITIME TRANSPORT</p> <p>a) International Passenger Transport Excluding Cabotage (pillar 1)</p> <p>(CPC 7211)</p>	<p>1) None</p> <p>2) None</p> <p>3) a. commercial presence may be in the form of owner's representative**</p> <p>b. Maximum share of foreign equity in the joint venture shipping company could be 60%.</p> <p>4) As indicated in the horizontal measures.</p>	<p>1) Foreign shipping company is obliged to appoint Indonesian Shipping Company or joint venture shipping company as its general agent*</p> <p>2) None</p> <p>3) As indicated in the horizontal measures.</p> <p>4) As indicated in the horizontal measures.</p>	<p>The following services at ports are made available to international maritime transport supplier on reasonable and non-discriminatory terms and conditions:</p> <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.

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<p>b) International Freight Transport excluded Cabotage</p> <p style="text-align: center;">(CPC 7212)</p>	<p>1) None</p> <p>2) None</p> <p>3) a. commercial presence may be in the form of owner's representative**</p> <p>b. Maximum share of foreign equity in the joint venture shipping company could be 60%.</p> <p>4) As indicated in the horizontal measures.</p>	<p>1) Foreign shipping company is obliged to appoint Indonesian Shipping Company or joint venture shipping company as its general agent*</p> <p>2) None</p> <p>3) As indicated in the horizontal measures.</p> <p>4) As indicated in the horizontal measures.</p>	<p>The following services at ports are made available to international maritime transport supplier on reasonable and non-discriminatory terms and conditions:</p> <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.

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c) Maritime cargo handling services (CPC 741)	1) Unbound* 2) None 3) a. commercial presence is only possible by establishing joint venture company b. Maximum share of foreign equity in the joint venture shipping company could be 60%. 4) As indicated in the horizontal measures.	1) Unbound* 2) None 3) As indicated in the horizontal measures 4) As indicated in the horizontal measures	

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Notes (Maritime Transport)

- * : Maritime agency services are an integral part of the shipping company's activities.
The tasks of General Agent in Indonesia inter alia are as follows:
 - a) to make arrangement in order to get all necessary port services as required by the foreign vessel concerned during their stay in Indonesian ports;
 - b) to appoint stevedoring company for cargo loading and unloading on behalf of its principal;
 - c) to arrange cargo booking and canvassing;
 - d) to collect freight on behalf of the principal;
 - e) to issue bill of lading on behalf of the principal;
 - f) to settle the disbursement and claim (if any);
 - g) to give information as required by its principal.

- ** : Owner's Representative appointed by foreign shipping company has the following tasks:
 - 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.

- *** : A commitment on this mode of delivery is not feasible.

- **** : Government cargo is cargo originated from other countries (import cargoes) purchased by government agencies based on loan/credit agreement with other countries.

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<p>2. TOURISM</p> <p>a) International Hotel Operator</p> <p>(A foreign management company operating a hotel or a group of hotels under management contract for a certain agreed by the owner and the international hotel operator. The management company should be implemented by corporate body which is established in the form of limited liability company subject to Indonesian law.</p>	<p>1) None</p> <p>2) None</p> <p>3) Must be registered to Indonesian Ministry of Justice as Indonesian company to do contract management</p> <p>4) Unbound except for:</p> <p style="margin-left: 20px;">(i) Top Management Level comprised of General Manager, Food and Beverage Manager, Resident Manager, Comptroller, and Marketing Director;</p> <p style="margin-left: 20px;">(ii) Highly Skilled Professionals comprised of Executive Chef, Sous Chef; and Specialty Cook</p>	<p>1) None</p> <p>2) None</p> <p>3) Unbound</p> <p>4) As specified in the horizontal measures</p>	

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<p>b) Tourism Consultancy Services</p> <p>(A service rendered to a company or individuals in tourism project on basis of mutual consent agreed by both parties. The company should be implemented by corporate body which is established in the form of limited liability company subject to Indonesian law)</p>	<p>1) None</p> <p>2) None</p> <p>3) Must be registered to Indonesian Ministry of Justice as Indonesian company. In the case of cooperation with national company, it is required to do : joint venture, joint operation, or contract management. Foreign equity participation is limited to 49 percent</p> <p>4) Unbound</p>	<p>1) None</p> <p>2) None</p> <p>3) Unbound</p> <p>4) As specified in the horizontal measures</p>	

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<p>Definitions:</p> <p>"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.</p> <p>"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.</p> <p>"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 proprietarial to the service, research equipment, techniques or management.</p> <p>"Joint Operation": A joint operation is an undertaking between one or several foreign and Indonesian enterprises of temporary nature, to handle one or several project/businesses without establishing a new statutory body according to Indonesian laws.</p> <p>"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</p>			

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<p>Definitions:</p> <p>"Contract Management": Contract management is a contract organised under Indonesian law in the form of cooperation on management of temporary nature between Indonesian (national) capital and foreign capital.</p> <p>"International Hotel Operator": Is a foreign management company operating a hotel or a group of hotels under management contract for a certain period agreed by the owner and the international hotel operator. The management company should be implemented by corporate body which is established in the form of limited liability company subject to the Indonesian law.</p> <p>"Tourism Consultancy": Is a service undressed to a company or individuals in tourism project on a basis of mutual consent agreed by both parties. The company should be implemented by corporate body which is established in the form of limited liability company subject to the Indonesian law.</p> <p>"Starred Hotel": Is a business which provides accommodation and food and beverage facilities and other services, except casino and other activities prohibited by law; against public moral, religions, security and public sector.</p>			