5. Independent regulators

The regulatory body is separate from, and 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, transparent and non-discriminatory 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.

Schedule of the Republic of Indonesia

Explanatory Notes

1. "sub sectors" section:
   a) "sub sectors" section of each entries sets out the scope of sectoral/activities committed by Indonesia
   b) Reference to CPC group represents the scope of sub-sectors/activities committed by Indonesia
2. Whenever double asterisk behind the CPC numbers used, it reads that not all activities or subsectors covered by such referral.

SCHEDULE OF THE REPUBLIC OF INDONESIA

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

Sector or Sub-sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
HORIZONTAL COMMITMENTS			
All Sectors Included In This Schedule	3) Commercial presence of the foreign service provider(s) shall be in the form of joint venture enterprise, unless mentioned otherwise. Joint venture enterprise should meet the following requirements: (i) should be in the form of Limited Liability Enterprise (Perseroan Terbatas/PT); and (ii)not more than 49% of the capital share of the Limited Liability Enterprise (Perseroan Terbatas/PT), may be owned by foreign partner(s).	3) The Income Tax Law provides that non-resident taxpayers will be subject to withholding tax of 20% if they derive the following income from Indonesian source: (a) interest (b) royalties (c) dividend (d) fee from service performed in Indonesia Land Acquisition Land Law (Undang-Undang Pokok Agraria) 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.	