

**APPENDIX 6-B-1**

**Schedule of Commitments for Entry and Temporary Stay of Natural Persons (Korea)**

1. The following sets out Korea's commitments with respect to the temporary entry of natural persons of Indonesia into, or their temporary stay in, the territory of Korea in accordance with paragraph 7 of Annex 6-B.
2. Korea remains unbound in respect of the temporary entry of natural persons of Indonesia into, or their temporary stay in, the territory of Korea, except as set out in the following commitments. For greater certainty, Korea reserves the right to adopt or maintain any measure in respect of the requirement of requisite visa and the conditions attached to entry and temporary stay under such a visa for each of the categories specified below.
3. Nothing in this Agreement shall be construed to impose any obligation on Korea regarding its immigration measures except for this Chapter.
4. Temporary entry and stay shall be granted to the natural persons as indicated in the following Schedule of Commitments, provided that the natural persons present documentations and eligibilities as provided under applicable domestic laws and regulations.
5. For transparency purposes:
  - (a) Natural persons whose entry and temporary stay is permitted shall observe Korea's domestic laws and regulations including *Immigration Law*, and the labor laws and regulations.
  - (b) Korea's commitments regarding temporary movement of natural persons do not apply in the case of labor-management disputes.

<b>Category of Natural Persons</b>	<b>Conditions and Limitations (including Length of Stay)</b>
<b>A. Intra-corporate Transferees (ICT)</b> Natural persons who are employees of	Entry and stay of natural persons as defined in A is limited to a period not exceeding three years that may be extended if the above condition is

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<p>firms that supply services through subsidiaries, branches<sup>1</sup>, or designated affiliates<sup>2</sup> established in Korea and who have been in the employ of their firm for a period of not less than one year immediately preceding the date of their application for admission, and who are one of the following, subject to the conditions indicated in the <b>Conditions</b> column:</p> <p>(i) <b>Executives</b> - persons within an organization who primarily direct the management of the organization, exercise wide latitude in decision-making, and receive only general supervision or direction from higher-level executives, the board of directors, or shareholders of the business. Executives would not directly perform tasks related to the actual supply of a service or services of the organization.</p> <p>(ii) <b>Senior Managers</b> - persons within an organization who primarily direct the organization or a department of the organization, supervise and control the work of other supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing or</p>	<p>still met by the applicants.</p>

<sup>1</sup> “Branch” is defined as an operating division or a representative office of the same organization, which has an employee holding an extensive right to represent a parent housed in the territory of Indonesia.

<sup>2</sup> “Designated affiliate” is defined as one of two subsidiaries, both of which are owned or controlled by the same parent, or as one of two legal entities, both of which are owned or controlled by the same group of shareholders who are partners of a partnership, a company or other legal entity and who have more than 50 percent of the total equity of each of the two entities or have a responsibility for more than 50 percent of the total investment amount of each of the two entities.

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<p>other personnel actions, and exercise discretionary authority over day-to-day operations. Senior managers do not include first-line supervisors, unless the employees supervised are professionals, nor do they include employees who primarily perform tasks necessary for the supply of the service.</p> <p>(iii) <b>Specialists</b> - persons within an organization who possess knowledge at an advanced level of continued expertise and proprietary knowledge on the services, research equipment, techniques, or management of the organization.</p>	
<p><b>B. Business Visitors (BV)</b></p> <p>Natural persons who are: representing a service supplier for the purposes of negotiating for the sale of the services of that supplier when such sales are not directly made to the general public; not engaged in supplying the services directly; not based in the territory of Korea and receiving no remuneration from a source located within Korea.</p>	<p>Entry and stay of natural persons as defined in B is limited to a period of 90 days.</p>
<p><b>C. Contractual Service Suppliers (CSS)</b></p> <p>Natural persons who are engaged in the supply of a contracted service as employees of a juridical person that has no commercial presence in Korea, subject to the conditions indicated in the <b>Conditions</b> column.</p>	<p>Entry and stay of the natural persons as defined in C is limited to the duration of the contract, which is not exceeding one year.</p> <p>The natural persons must possess the necessary academic and professional qualifications and professionally qualified competency-based experience to exercise an activity in</p>

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<p>The natural persons seeking access must be employees of the juridical person, who supplying the service for a period not less than one year immediately preceding the date of their application for admission.</p> <p>The contract is required to be obtained in the following service-supplying activities or sub-sectors, without conferring entitlement to exercise the professional title of Korea:</p> <ul style="list-style-type: none"> <li>- Services related to the installment, management or repair of industrial equipment or machine, excluding construction and power generation equipment, for a juridical person in Korea which purchases the equipment or the machine from a juridical person employing the natural person located in Indonesia;</li> <li>- Consultancy services related to technical knowledge or skill concerning the natural science applied to information technology, e-business, biotechnology, nanotechnology, digital electronics, and the environmental industry;</li> <li>- Consultancy services for foreign accounting standards and auditing, training of CPAs, transfer of auditing technology and exchange of information related to accounting, auditing and bookkeeping services, to a Korean accounting firm or office through a membership contract;</li> </ul>	<p>the sector concerned pursuant to the laws, regulations or requirements of Korea and to accreditations by the relevant international organizations such as Washington Accord, EMF International Registered Professional Engineer and APEC Engineers.</p> <p>The juridical person where the natural person is employed has to obtain a service contract for a period not exceeding one year from a juridical person incorporated in Korea, who is the final consumer of the service which is supplied. The contract shall comply with the laws and regulations of Korea.</p> <p>The natural persons are required to receive no remuneration from a juridical person located in Korea.</p> <p>The natural persons may be subject to the application of a numerical ceiling, numerical limitation and economic need tests.</p>

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<ul style="list-style-type: none"> <li>- Architectural services subject to collaboration with architects registered under Korean law in the form of joint contracts;</li>   <li>- Management consulting services.</li> </ul> <p>Professional Engineers in the following services:</p> <ul style="list-style-type: none"> <li>- Consultancy services related to the installation of computer hardware;</li>   <li>- Software R&amp;D based implementation services;</li>   <li>- Data management services;</li>   <li>- Data system services;</li>   <li>- Specialty engineering design services for automobiles.</li> </ul>	