

22 December 2011

Leks Newsletter December 2011



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## The Firm

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Leks&Co is a multi services law firm, filled by young, energetic, creative lawyers, providing premium legal services with competitive price, quality management and delivering our services based on definite core values.

Leks&Co currently manages five blogs. Leks&Co is also active in social media through Facebook, Twitter, LinkedIn. Leks&Co actively writes law articles for the benefit of its clients and the community through its websites and other channels.

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Leks&Co is appointed as recommended firm by Global Law Experts and Corporate INTL. Our Managing Partner, Eddy Leks, is also appointed as recommended attorney by Global Law Experts in the field of real estate law in Indonesia.



Dear {FIRST\_NAME},

This is the Leks Newsletter of December 2011. On this issue, you will see legal update and our blogs update. We hope that our newsletter is useful for you.

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## Leks News

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### **Merry Christmas and Happy New Year**

We wish all of our clients, colleagues, and friends a Merry Christmas and Happy New Year. We thank you for all the good relationship that we have during this year. We hope that we can always be your partner and friend on the next year and onward.

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### **Office Closure**

Due to Christmas season, our office will be closed on Tuesday, 27 December 2011 and will resume to operational on 28 December 2011.

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## Leks Legal Update

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### **Legal Aid Law**

On 2 November 2011, there was a new law issued on Legal Aid. This law should have been issued since a long time ago to provide assistance and protection to the poor and the needy who lacks economic ability to hire a lawyer. This

**Recommended by  
Legal 500**



Leks&Co is recommended by the Legal 500 Asia Pacific 2012 on Real Estate

**ISO 9001:2008**



Leks&Co is certified of ISO 9001:2008 on Quality Management

**Award**



new law brings hope to the poor so that they have the chance to obtain the legal protection they deserve.

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## Leks Blogs Update

### Limited Liability Companies as a Legal Entity which is Established Under the Agreement



Definition of Limited Liability Companies according Article 1 paragraph 1 of Law Number 40 of Year 2007 (“Company Law”), stated: Limited Liability Company (“Company”) means a legal entity which constitutes an alliance of capital established pursuant to a contract in order to carry on business activities with an authorized capital all of which is divided into shares and which fulfils the requirements stipulated in this law and its implementing regulations” According to Article above, a Company as a legal entity which is established under the “agreement”, whereas the establishment of a Company which constitutes an alliance of capital among the founder and/or shareholder, shall fulfill the law agreement which is regulated in the Book Three of Indonesia Civil Code (“Civil Code”), especially Chapter two, Section 1 (one) on General Provision of Agreement (Article 1313-1319 of Civil Code) and the section on the condition that are required for the validity of agreement (Article 1320-1337 of Civil Code) and the Section 3 (three) on the effect of agreement (Article 1338-1341 of Civil Code).

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### Inspection of Companies

Background

According to Article 138 paragraph (1) Law Number 40





## Recommendations



of 2007 on Limited Liability Companies (“Company Law”),



Inspection toward a Company

may be performed with the purpose of obtaining data or information regarding suspicion that a Company has committed acts which violate the law and are detrimental to shareholders or third parties; or if member of the Board of Directors (“BOD”) or Board of Commissioners (“BOC”) commits acts which violate the law and are detrimental to the Company or shareholders or third parties.

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