

30 April 2011

Leks Newsletter March 2011



Leks&Co

The Firm

Leks&Co are law offices specialized in the real estate law, filled by young, energetic, creative lawyers, providing premium legal services with competitive price plus 7 amazing added values, and delivering our services based on definite core values.

Leks&Co currently manages two blogs i.e. HukumProperti.com & IndonesiaRealEstateLaw.com. 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.

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.

ISO 9001:2008



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

Award



Recommendations



Dear {FIRST_NAME},

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

Leks Legal Update

Law on Electronic Information and Transaction

Nowadays, the information and communication technology are developing

rapidly. Such development and the use of said development is changing the behavior of the global community. The development of information and communication technology has also contributed to the borderless of world connection and has significantly made social,



economic, and cultural changes rapidly. Along with the said development, a new law called hukum siber (cyber law) or hukum telematika was born. Cyber law is internationally used as a legal term concerning the usage of information technology and communications. Other term that also used is hukum teknologi informasi (information technology law).

The birth of information technology law is supported by the existence of many activities conducted through the medium of electronics systems, although these activities are virtual but legal actions can be categorized as real action. In connection with this matter, to overcome the security problems, the implementation of electronic systems requires an approach that is absolutely legal. Therefore, it is necessary to arrange a specific regulation of electronic information and transaction, which is now set under the Law Number 11 of 2008 on Electronic Information and Transaction (“**Law No.11/2008**”).

[Click here to read more](#)

Leks Blogs Update

The Legal Aspect and The Rules of The Right to Build

Background

Nowadays, there are various kind of companies established in Indonesia. In

term of construction, these companies require a building located on a land. Therefore, according to Law Number 5 of 1960 on the Principle Provisions of Agrarian, there are several rights over land. One of these rights over land is the right to build which can be defined as the right to establish and own a building on a



land. The Government Regulation Number 40 of 1996 develops and improves this right to build. The right to build can be given or imposed on state land, land submitted to the right of management, and land submitted to the right of ownership. The right to build can also be used as collateral for loans pledged with mortgage rights.

[Click here to read more](#)

Legal Aspect on Term of Right of Use Over State

Land and Land Under Right of Ownership

According to Article 41 of Law Number 5 of 1960 on the Basic Principles of

Land (“**Land Law**”), Right of Use means right to use and collect the production over State Land or land which is owned by private parties. As stipulated in Article 42 of Land Law, Right of Use can be granted to:



1. Indonesian citizens;
2. foreigners domiciled in Indonesia;
3. Indonesian companies established based on Indonesian law and domiciled in Indonesia; and
4. foreign companies having its representative office in Indonesia.

Further, as stipulated in Government Regulation Number 40 of 1996 on Right of Cultivation, Right to Build, and Right of Use Over Land (“**Government Regulation 40**”), Right of Use can be granted over a land with land status of:

1. state land;
2. land under Right of Management (hak pengelolaan);
3. land under Right of Ownership (hak milik).

[Click here to read more](#)

[Forward this message to a friend](#)

T: (6221) 58356150
F: (6221) 58356151
query@lnclawyer.com
www.lnclawyer.com

If you no longer wish to receive these emails, please reply to this message with "Unsubscribe" in the subject line or simply click on the following link: [Unsubscribe](#)

Leks&Co
Wisma RMK 3rd Floor, Suite 304, Jalan Puri Kencana Blok M4 No. 1
Jakarta, DKI Jakarta 11610
ID

[Read](#) the VerticalResponse marketing policy.

