

October 2014

Leks Newsletter

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## The Firm

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Leks&Co is a multi-services law firm, full of young, dynamic, and intelligent lawyers, operating at a definite quality management system, rendering preeminent and world-class legal services under a specified quality code and core values.

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## Our Uniqueness

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1. We are young, energetic, and creative lawyers, so that we can provide and deliver a fast and reliable legal service;
2. We emphasize the use of technology in delivering our service;
3. We emphasize our core values in providing and delivering our service;
4. Our office is strategically located at CBD area;
5. We have received numerous award from Global Law Expert, Corporate INTL and Finance Monthly;
6. We provide services to store client's legal document in the online server, accessible by



Dear {FIRST\_NAME},

This is the Leks Newsletter of October 2014. 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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**Leks&Co's Team Presenting on Legal Training Hukumonline 2014 with a Topic "Aspek Hukum Pertanahan dan Rumah Susun (Teori dan Praktek)" at Hotel Aryaduta**

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our client password protected;

7. We provide useful legal update knowledge through Blogs, Twitter, Facebook, Slide Shares, and other resources;
8. We provide pro bono service for churches and social organizations, and international organizations through Trust Law Connect, run by Thomson Reuters Foundation and also through Mitra Klinik, group of pro bono providers at Hukumonline, leading legal news and education site in Indonesia;
9. We provide one (1) hour free consultation and free trial for retainer services within two (2) weeks;
10. We provide premium service with a cost efficient approach;
11. We are the International Partner of China-ASEAN Legal Cooperation Center;
12. We are member of (i) Eurojuris International, a leading worldwide network of law firms and (ii) International Chambers of



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## Plaques that Leks&Co Received from Hukumonline as Legal Trainer on Real Estate Law

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Commerce.

## Practice Areas

### Real Estate

Construction Law -  
Foreclosure -  
Homeowners Association  
- Land Use and Zoning -  
Landlord and Tenant Law  
- Property Law - Property  
Management - Property  
Commercial Dispute  
Resolution - Property  
Shares or Asset  
Acquisition - Legal Due  
Diligence on Property  
Company or its Assets -  
Lease Agreement

### General Corporate / Commercial

Agency and  
Distributorship - Business  
Formation - Business Law  
- Commercial Law -  
Contracts - Corporate  
Governance - Corporate  
Law - Franchising - Joint  
Venture - Mergers and  
Acquisition - Shareholders  
Rights - Retail -  
Investment Law

### Commercial Dispute Resolution

ADR (Alternative Dispute  
Resolution) - Business  
Litigation - Civil  
Litigation - Commercial  
Litigation - Corporate  
Litigation - Financial  
Litigation - Mediation -



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## A Legal Column by Eddy Leks, titled “Uji Tuntas Hukum Terhadap Aset Properti (Seri 1)”, Published in Property&Bank magazine, October 2014 Edition



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## Our Managing Partner "Eddy Leks" Interviewed by Intisari Magazine



Arbitration

## Mining

General Mining - Mining  
Construction - Mining  
Contractor – Mergers and  
Acquisition on Mining  
Companies – Legal Due  
Diligence – Commercial  
Dispute Resolution on  
Mining Company

## Employment and Labor

Employee Benefits -  
Employee Rights - Human  
Resources Law - Labor  
Relating - Outsourcing -  
Workers Compensation

## Government

Administrative Law -  
Government Contracts -  
Local and Municipal Law  
– Administrative Dispute  
Resolution

Bankruptcy Claim -  
Creditor Meeting -  
Administration of Assets -  
Liquidation

## Environmental

Environmental Law

## Criminal Criminal

Defense – Criminal  
Investigation

## Intellectual Property

Intellectual Property  
Rights



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**Leks&Co Shortlisted as Finalist at the ALB  
Indonesia Law Awards on "Real Estate Deal  
of the Year" and "Boutique Law Firm of the  
Year"**

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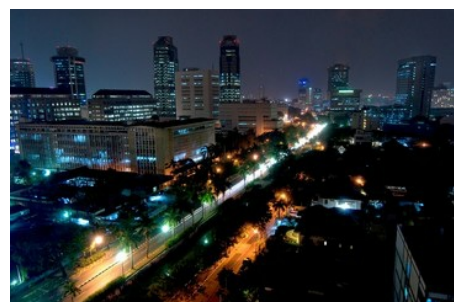
## Leks Legal Update

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**Standard Minimum Service on Public Works  
and Space Layout**

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Early 2014, in  
February, the  
Regulation of the  
Minister of Public  
Works Number  
01/PRT/M/2014 on  
Standard Minimum



Service on Public Works and Space Layout (SPM) was  
promulgated. SPM means the terms on the type and quality  
of basic services on public works and space layout

## International Network



## Awards and Accolades



constituting obligatory affairs of the region that every individual has the right to obtain. This regulation revokes the previous regulation of 2010.

### Provincial region

The provincial government shall provide 4 types of basic service on public works and space layout. The basic services will be implemented in phases with deadline of accomplishment up to 2019. The 4 types of basic service are, (i) water resources, supply of standard water for the people's need, (ii) roads, provision of roads to serve the people's need, (iii) construction service, development of information system on construction service, (iv) space layout, information on space layout. The SPM will be implemented in phases with deadline of accomplishment in the year of 2019. The Governor is responsible to implement SPM in provincial region.

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## Leks Blog Update

### Indefinite Term Employment Agreement



Under Article 56 of Law Number 13 of 2003 on Employment ("Law No.13/2003"), there are two types of employment agreements, namely the employment agreement for definite term employment agreement and indefinite term employment agreement ("PKWTT").

### Employment Relation



Article 51 of Law No.13/2003 regulates that employment agreement can be made orally or in writing. If it is made orally, the employer is obliged to issue a letter of appointment for the worker. The mentioned letter of appointment shall at least contain information on (i) the name and address of the worker, (ii) the date the worker starts to work, (iii) the type of job that the worker is supposed to do and (iv) the amount of wages that the worker is entitled to.

Under Article 54 paragraph (1) of Law No.13/2003, a written employment agreement shall at least contain:

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## Provisions on Mandatory Report on Employment

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Law Number 7 of 1989 on Mandatory Report on Employment in the Company (“Law No.7/1981”)



requires any entrepreneur or management to report in writing any establishment, discontinuance, recommencement, assignment or dissolution of the company to the minister or the competent authority.

Under Article 1 letter (b) of Law No.7/1981 entrepreneur means:

1. an individual, a partnership or a legal body that runs a self-owned business;
2. an individual, a partnership or a legal body that independently runs a business is not owned by them;
3. an individual, a partnership or a legal body that is domiciled in Indonesia but represents a business as set out in number 1 and number 2 above.

The management is defined as the person who is appointed to lead a company.

Article 6 of Law No.7/1981 stipulates that entrepreneur or the management shall report in writing to the appointed minister or competent authority at the latest 30 (thirty) days after establishment, recommencement or transfer of the company. Under Article 2 of Ministry of Employment and Transmigration Regulation Number PER.14/MEN/IV/2006 on the Mechanism of Employment Report in the Company (“MOMT No.14/2006”), entrepreneur is required to prepare an employment report in accordance with the actual condition whether it is in the head office, branch office or the independent part of the company.

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