

October 2014

Leks Newsletter

The Firm

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.

Our Uniqueness

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.

Leks News

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



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



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

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

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

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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