

August 2015

Leks Newsletter

## The Firm

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

## 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



Dear {FIRST\_NAME},

This is the Leks Newsletter of August 2015. On this issue, you will see legal update and our blogs update. We hope that our newsletter is useful for you.

## Leks News Update

Eddy Leks, our Managing Partner, wrote an article titled "*Perluakah Kepemilikan Properti bagi WNA?*"



Eddy Leks, our Managing Partner, wrote an article titled "Perluakah Kepemilikan Properti bagi WNA?", published in 21 August 2015 edition of Kontan daily newspaper.

to store client's legal document in the online server, accessible by 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 Commerce.

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## Practice Areas

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## Leks Legal Update

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### The Settlement Procedure of Simple Claim

#### Background



The Supreme Court of Republic of Indonesia Regulation No. 2 of 2015 on the Procedure of Simple Court Settlement (“**Perma No. 2 of 2015**”) was issued to regulate the examination of simple claim in court. Prior to the issuance of Perma No. 2 of 2015, the settlement of civil cases examined without distinguishing

value of the claim, assessment the simple or not the claim and also simple or not the procedure of the authentication, so the simple court settlement of civil cases takes a long time.

#### Simple Claim

Simple claim is a civil claim with the claim material value at maximum of Rp 200.000.000, – (two hundred million Rupiah), with regard to breach of contract and / or unlawful act (“Simple Claim”). Simple Court Settlement is the procedure of examination at the trial of the Simple Claim, that will be completed with a simple procedure and evidentiary. Case or dispute that is not included in the Simple Claim is (i) dispute that is carried out through special court; or (ii) disputes over land rights. Other requirements that must be fulfilled in Simple Claim are:

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## 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 -

## Leks Blog Update

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### Procedure of Procuring Financing From Foreign Private Creditors

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#### Background

Procedure of procuring financing from foreign private creditors (“FPC”) is governed under Minister of Finance Regulation No.



45/PMK.08/2014 of 2014 (“**MFR No. 45/2014**”). This regulation has been enforced to renew the previous one, namely Minister of Finance Regulation No. 14/PMK.08/2012 of 2012 (“**MFR No. 14/2012**”) which is considered inappropriate with the current condition.

#### Types of Financing

Several types of financing that are offered are in the form of:

1. single loan, given by FPC to finance a certain activity or package of activities;
2. club deal, given jointly by more than one FPC put in a separate loan agreement for each FPC to finance a certain activity or package of activities and or;
3. syndicated loan, given jointly by more than one FPC coordinated by one or more than one FPC put in a loan agreement to finance a certain activity or package of activities.

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### Classification And Licensing of Hospital

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#### Background

Financial Litigation –  
Mediation – 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



Regulation of Minister  
of Health Number 56 of  
2014 on Classification  
and Licensing of  
Hospital  
(“**Permenkes No.  
56/2014**”) is published

to perfect the system of licensing and classification of hospital as mandated by Law Number 44 of 2009 on Hospital. Prior to the publication of Permenkes 56/2014, there were also Minister of Health Regulations which have regulated the licensing and classification of Hospital. However, those previous regulations are deemed could not cover all types of hospitals.

### **Classification of Hospitals**

Hospital can be established and organized by the government local government or private entity. Of the types of services provided, hospital is categorized into general hospital and specialized hospital. General hospital is a hospital that provides health services in all areas and types of diseases (“**General Hospital**”). Specialized hospital is a hospital that provides primary care in one area or certain types of diseases based on scientific disciplines, ages, organs, or other specificities (“**Specialized Hospital**”), for example, Specialized Hospital of mothers and children and Specialized Hospital of Cancer.

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**Intellectual Property**  
Intellectual Property  
Rights

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**International  
Network**

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**Awards and  
Accolades**

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