

August 2013

Leks Newsletter



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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, quality management and delivering our services based on definite 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 are internationally certified of ISO 9001:2008 on Quality Management;
4. We emphasize our core values in providing and delivering our



Dear {FIRST\_NAME},

This is the Leks Newsletter of August 2013. 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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### Eddy Leks as trainer on QCC Training

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## Leks Blog Update

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### The Function of the Condominium House

delivering our service;

5. Our office is strategically located at CBD area;
6. We have received numerous award from Global Law Expert, Corporate INTL and Finance Monthly;
7. We provide services to store client's legal document in the online server, accessible by our client password protected;
8. We provide useful legal update knowledge through Blogs, Twitter, Facebook and other resources ;
9. We provide pro bono service for churches and social organizations through Mitra Klinik Hukumonline, and international organizations through Trust Law Connect, run by Thomson Reuters Foundation;
10. We provide one (1) hour free consultation and free trial for retainer services within two (2)

## Rule

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According to the Law of Republic of Indonesia Number 20 of 2011 of Condominium (“Law No.20/2011”), Condominium is

highrise building built in an environment divided into parts and structured functionally, either horizontally or vertically, and the respective units can be owned and used separately, especially for residence including with common section (bagian bersama), common object (benda bersama), and common land (tanah bersama).

Based on the definition as mentioned above, Condominium consists of common parts which is owned together by the residents of the condominium. The common ownership (kepemilikan bersama) between the residents may cause friction or even a conflict, if there is no regulation that regulates about the rules of procedure in condominium (“House Rule”).

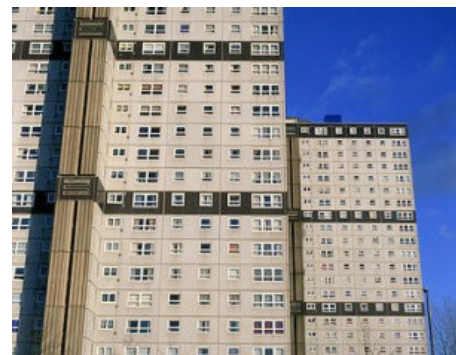
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## Association of Owners and Residents of the Apartment

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Nowadays, an apartment has become one of the most popular option as residence. Apartments are built all over the cities and hundreds of people live in it. However, not



everyone knows the legal aspects of living in an apartment. In this article, there will be explanations concerning the Association of Owners and Residents of the Apartment

- weeks;
11. We provide premium service with a cost efficient approach;
  12. We are the International Partner of China-ASEAN Legal Cooperation Center;
  13. We are member of Eurojuris International, a leading international law firms network and International Chambers of Commerce.

### International Certification



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

### International Network



### Awards and Acolades



(“PPPSRS”). PPPSRS is a important entity of an apartment and it has a big role in it.

### Establishment of PPPSRS

Establishment of PPPSRS is mandatory in an apartment. The developer of the apartment is obliged to facilitate the forming of PPPSRS at the latest before the transition from the developer to the handover of apartment units to the owner has completed. The aforementioned transition itself shall not exceed the period of one year (since the first handover of apartment unit to the unit owner). After PPPSRS has been formed, the developer gives the management of community objects (benda bersama), community sections (bagian bersama) and community land (tanah bersama) to the PPPSRS.

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### Criminal Action related to Condominium



#### Background

Since the validity of Law Number 20 of 2011 on Condominium (“Condominium Law”), there are a lot of changes as the

consequence to the revocation of Law Number 16 of 1985 on Condominium which is the previous regulation on condominium. One of the changes are visible in the provisions regarding the criminal action in Condominium Law. The provisions regarding criminal action are mentioned in Article 109 until 117 of Condominium Law.

#### The Obligation and Prohibition for the Condominium Developer

Every developer of commercial condominium which breach its obligations to provide a public condominium of at least 20% (twenty percent) from the total area of the floor of a commercial condominium which is built as mentioned in Article 97 of Condominium Law shall be sentenced at



most 2 (two) years of imprisonment or be imposed with a fine at most Rp 20.000.000.000,00 (twenty billion Rupiah).

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### **Business License for Shopping Center**

The provisions concerning business license for shopping center are regulated in the President Decree Number 112 Year 2007 on Structuring and Development of Traditional Markets, Shopping Center, and Modern Stores (“Perpres No. 112/2007”) and the Minister Decree Number 53/M-DAG/PER/12/2008 Year 2008 on



Guidelines on Structuring and Development of Traditional Markets, Shopping Center and Modern Stores (“Permendag No. 53/M-DAG/PER/12/2008”). Based on the above mentioned regulations, there is a license which require in order to engage in the business of Shopping Center. In order to engage in the shopping center business, the owner or the management of the shopping center is obliged to obtain the business license, which is the Shopping Center Business License (“IUPP”) for stores, mall, plaza and trade center.

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