

May 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;



Dear {FIRST_NAME},

This is the Leks Newsletter of May 2014. On this issue, you will see legal update and our blogs update. We hope that our newsletter is useful for you.

Leks News

Eddy Leks, Managing Partner of Leks&Co acted as moderator in the Hospitality Investment World Conference with a theme, “Establishing stable and profitable hospitality joint-ventures in Indonesia”.



- Finance Monthly,
6. We provide services 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.

Practice Areas

Real Estate



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Eddy Leks, Managing Partner of Leks&Co is the Winner of Finance Monthly Global Awards 2014 in the category “Mergers & Acquisition Lawyer of the Year”.



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A Legal Column by Eddy Leks, titled “Quo Vadis RUU Pertanahan?”, published in Property&Bank magazine, May 2014 edition.

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 - Arbitration

Mining

General Mining - Mining



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Leks&Co awarded in the category of “Client Choice – Real Estate Law Award in Indonesia” by 2014 Legal’s Finest 200 Awards.



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The Winner in the category of “Real Estate Law Firm Of The Year – Indonesia” by Worldwide Financial Advisor Awards Magazine – Worldwide Advisor Superior Lawyer 2014



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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

**International
Network**



**Awards and
Accolades**

Leks Legal Update

New Procedures on Granting Business Permits of Industrial Area and Permits of Expansion of Industrial Area

Background

In implementing the
Government Regulation
No. 24 Year 2009 on
Industrial Area (“GR
No. 24/2009”), the
government



promulgates the

Regulation of the Minister of Industrial of Republic of
Indonesia Number 05/M-IND/PER/2/2014 (“Permenperin
No. 5/2014”) to regulate business permits of industrial area
(“BP Industrial Area”) and permits of expansion of
industrial area (“PE Industrial Area”). Under Article 1
paragraph (1) of Permenperin No. 5/2014, the definition of
an industrial area (“Industrial Area”) is the region where the
concentration of industry activity is completed by facilities
and infrastructure which are developed and maintained by
the industrial area company. Whereas, the industrial area
company (“Industrial Area Company”) is a company that is
seeking the business development and management of
Industrial Area.

BP Industrial Area

The authority of granting the BP Industrial Area and and
PE Industrial Area Industrial are granted by:

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New Procedures For Validating a Legal Entity, Approving an Amendment of Article of Association and Company’s Data

New Procedures



On March 26, 2014, the

The
**LEGAL
500**

ASIA PACIFIC

LEADING FIRM

2012

The
**LEGAL
500**

ASIA PACIFIC

LEADING FIRM

2013

asialaw
PROFILES 2013
HIGHLY RECOMMENDED

asialaw
PROFILES 2014
HIGHLY RECOMMENDED

Corporate INTL
Legal Awards
2010
Winner

Corporate INTL
Global Awards
2011
Winner

Corporate INTL
Global Awards
2014
Winner



Minister of Law and Human Rights (“MoHLR”) enacted the Regulation of MoHLR No. 4 of 2014 on Validating a Legal

Entity, Approving an Amendment of Article of Association and Company’s Data (“Regulation of MoHLR No. 4/2014”). In principle, the Regulation of MoHLR No. 4/2014 regulates new procedures to improve services and accelerate processes for validating a legal entity, approving an amendment of article of association and data of a limited liability company (“Company”) through online media.

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Leks Blog Update

Government Enacts the New Negative Investment List

Background

In order to increase investment activities in Indonesia as well as the implementation of Indonesia’s commitment with respect to the Association of Southeast Asian



Nations/ASEAN Economic Community (AEC), it is necessary to rework the provisions on the list of business fields closed to investment and business fields open with conditions to investment or commonly known as negative investment list, as stipulated under Presidential Decree Number 36 of 2010 (“NIL 2010”). In addition, this is also the implementation of provisions under Article 12 paragraph (4) and Article 13 paragraph (1) of Law Number 25 of 2007 on Investment (“Investment Law”). The new negative investment list was enacted on 23 April 2014 under the Presidential Decree Number 39 of 2014 on List of Business Fields Closed to Investment and Business Fields



Business Fields Closed to Investment and Business Fields Open with Conditions to Investment (“NIL 2014”).

There are several differences between NIL 2014 with NIL 2010, among others related to policy of foreign capital ownership, increased or decreased of capital ownership, and the presence of additional new businesses, which has not been stipulated in the NIL 2010. NIL 2014 stipulates policy concerning business fields closed to investment and open with conditions that are divided into 3 (three) categories, namely:

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