

September 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 our client password protected;
7. We provide useful legal



Dear {FIRST\_NAME},

This is the Leks Newsletter of September 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

### Legal Training



**PELATIHAN HUKUMONLINE 2014 “ASPEK HUKUM PERTANAHAN DAN RUMAH SUSUN DI INDONESIA (TEORI & PRAKTEK)**

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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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### Real Estate

Construction Law -  
 Foreclosure -  
 Homeowners Association

## WAKTU DAN TEMPAT KEGIATAN

Hari/Tanggal: Selasa, 30 September 2014

Pukul: 08.30 - 16.15 WIB

Tempat: Aryaduta Hotel, Jakarta Pusat

### INVESTASI

Umum : Rp.2.420.000

Early Bird, pembayaran sampai dengan 19 September 2014:

Rp. 2.200.000

Pelanggan hukumonline.com: Rp. 1.980.000

### PENGAJAR

Eddy M. Leks, S.H., M.H., ACI Arb

dan tim dari Leks&CO Lawyer

info lebih lanjut klik di [sini](#)

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## Our Managing Partner “Eddy Leks” Shares “What and How to be a Lawyer?” to Students of Victory Plus in its Career Day

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- 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



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## **Our Managing Partner “Eddy Leks” Presenting the Land Law and Utilization of State-Owned Company’s Assets to Pertamina’s team at Hotel Patra Jasa, Bandung**

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## **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



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## **Our Managing Partner “Eddy Leks” Presenting Condominium Law to Tokyu Land’s team**

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## Intellectual Property

Intellectual Property Rights

## International Network



## Awards and Accolades



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## Leks&Co at Bisnis Indonesia Newspaper Celebrating National Housing Day



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## Leks&Co Participates on a Book Titled “Indonesia Practical Guide For Investment 2014 – 2015”, Published by Ikatan Purnabhakti Indonesia Investment Coordinating Board (IP-BKPM)

HIGHLY RECOMMENDED

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**PROFILES** 2014  
HIGHLY RECOMMENDED

Corporate **INTL**  
Legal Awards  
**2010**  
Winner

Corporate **INTL**  
Global Awards  
**2011**  
Winner

Corporate **INTL**  
Global Awards  
**2014**  
Winner

FINANCE MONTHLY  
GLOBAL AWARDS 2013  
**WINNER**  
LAWYER  
WAL Law Firm of the Year  
Indonesia

Corporate **INTL**  
**LEGAL**  
AWARDS  
**2012**  
WINNER

IFLR **1000**  
**2014**  
Recognised Firm

WHO'S WHO LEGAL  
**W&L** Recognised in  
REAL ESTATE 2014



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## Leks Blog Update

### Collective Labor Agreement



Collective labor agreement (“CLA”) is stipulated in Law Number 13 of 2003 on Employment (“Law No.13/2003”) and Minister of Manpower and Transmigration Regulation No.PER.16/MEN/XI/2011 on Procedures for the Making and Legalization of Company Regulations and Procedures for the Making and Registration of Collective Labor Agreements (“MOMTR 16/2011”).

Under Article 1 number 2 of MOMTR 16/2011, CLA is an agreement, as a result of discussion between worker union/labor union or some worker unions/labor unions recorded on the competent authority of manpower and entrepreneur, or some entrepreneur or enterpreneur organization which contains the requirements of work, rights or obligations of both parties.

Article 22 of MOMTR 16/2011 regulates that CLA at least contains:

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## **Requirement for Commercial Banks to Undertake Business Activities in Foreign Currency**

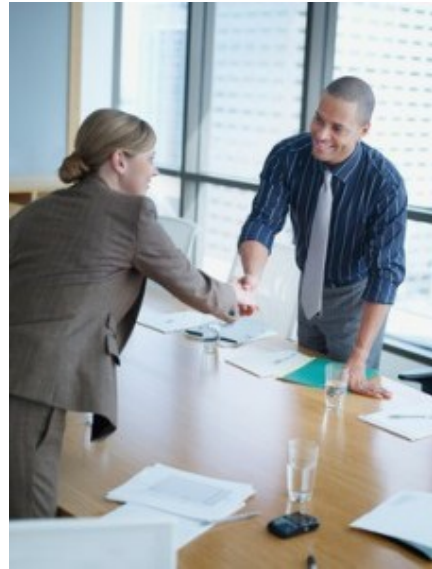
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Under Article 59 Law Number 13 of 2003 on Employment

("Employment Law"), fixed-term employment contract is an employment agreement for definite period of time, or the completion of work is for certain period ("PKWT").

PKWT is for a temporary job, seasonal job and

work related to new activities at the probation stage.



PKWT may be undertaken for a period of maximum 2 (two) years and may only be extended once for 1 (one) year. PKWT may also be renewed for a period of no longer than 2 (two) years. In that case, the renewal of PKWT can only be made after the lapse of 30 (thirty) days grace period.

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## **The Records and Depository of Company's Document**

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Association is a legal entity that consists of group of people that is established to achieve



the equality of purpose and objective in social, religion, and humanity



field as well as not distributing any profits for its member (“Association”). To do some legal activities, association has to obtain legalization from the Minister of Law and Human Rights (“MoHLR”). Procedures of legalization of Association as legal entity are regulated under the Regulation of MoHLR No. 6 of 2014 on Legalization of Association Legal Entity (“Regulation of MoHLR No. 6 of 2014”). Applicant is every person, either individually or jointly, who directly gives the power of attorney to notary to submit request to the administration system of legal entity (“Applicant”). The regulation of MoHLR No. 6 of 2014 issued on March 25th, 2014 and it is applied since the issuing date.

#### **The Request of Submitting the Name of Association**

The application to legalize the association as legal entity shall be started with the submission of the name of Association, through the Administration System of Legal Entity (“SABH”). The application is submitted by fulfilling the form of submission for the name of association that consists of (i) the approval number of name usage payment from the receiving bank, and (ii) the reserved name of association. The total payment is in accordance with the regulation on non-tax State revenues applicable in the Ministry of Law and Human Rights (“Ministry”). The paid cost is only applicable for maximum 60 (sixty) days since the payment date. The Association’s reserved name shall comply with the regulation. The applicant shall fulfill the statement form declaring that the Association’s reserved name complies with the regulation and fully responsible on the reserved name of association.

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Leks&Co

Menara Palma 17th Floor, Suite 17-02B

Jl HR Rasuna Said Blok X Kav. 6

Jakarta, DKI Jakarta 12950

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