

UNDERSTANDING INDONESIA INVESTMENT & EMPLOYMENT LAW

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OUTLINE

1. General Regulatory Framework for Foreign Investments in Indonesia

- Investment Negative List: foreign investment permitted, restricted and prohibited business sectors
- Forms of investment
- Setting up a Foreign Investment (PMA) Company and overview of Indonesian Company Law
- Acquiring shares in an ordinary PT company and converting into a PMA company
- Online Single Submission system

2. Indonesia Employment Regulations

- Types of employment (Permanent and fixed-term and their difference – pros and cons)
- Drafting employment agreements: statutory minimums, practices and policies
- Employees' statutory minimum rights
- Outsourcing: outsourcing regulations and agreements, practical aspects

3. Manpower Reporting & Compliance

- Annual Compulsory Manpower Report
- BPJS for Employment
- Company regulation vs. Collective Labour Agreement – highlighted issues to be included in company regulation

4. Disciplinary Actions, Termination & Labour Disputes

- Warning letters and Suspension
- Requirements for termination
- Termination entitlements
- Types of labour disputes and settlement of industrial disputes Law no. 2 of 2004
- Strategies and best practices in terminating employment: planning, communication, documentation and logistics

5. Employment of Expatriates in Indonesia

- Application of the Labour Law to expatriates and expatriate's employment agreement
- Requirements for the employment of expatriates
- Expatriate directors and commissioners
- Termination of expatriates

TRAINERS' PROFILE

Lia Alizia – Partner, Makarim & Taira S., Indonesia

Lia Alizia has been working with Makarim & Taira S. for more than 17 years. Two of her areas of expertise are Indonesian employment and Intellectual Property Rights related issues. She has handled mass terminations of employment (more than 300 employees) in various industries, the resolution of disputes as well as the enforcement of Intellectual Property Rights. She has also assisted several major multinational companies by reviewing and updating their company regulations, employment agreements and/or collective labour agreements. Lia has authored or co-authored a number of significant publications and often speaks at local and overseas seminars or training programmes on employment matters.

Federick Simanjuntak – Partner, Makarim & Taira S., Indonesia

Frederick Simanjuntak has been with Makarim & Taira S. for more than 10 years. Two of his areas of expertise are foreign investments and financing. He has advised on various investment and corporate matters, including but not limited to assisting in the establishment of foreign investment companies and representative offices, joint venture arrangements, transfer of shares, the reorganization of companies, and mergers and acquisitions projects. He has also advised in various trade and commercial matters and assisted clients in syndicated loan and various other loan transactions. Frederick has authored or co-authored a number of significant publications and often speaks at local and overseas seminars on foreign investment matters.