

A conference presented by the IBA Asia Pacific Regional Forum,  
IBA Young Lawyers' Committee and PERADI



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the legal profession®



# The Fundamentals of International Legal Business Practice



**3 August 2018, Grand Hyatt, Jakarta, Indonesia**

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**Topics include:**

- E-commerce – what legal measures to consider when a deal in e-commerce goes wrong
- M&A: fundamental issues to M&A transaction
- The future for Indonesian lawyers
- International arbitration / alternative dispute resolution
- Bankruptcy in Indonesia and Asian countries and bankruptcy law: its application and what lawyers need to know

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# Programme

## Programme Co-Chairs

**Mark Gilligan** *Squire Patton Boggs, Abu Dhabi; Chair, IBA Young Lawyers' Outreach Subcommittee*

**Sun Hee Kim** *Yulchon, Seoul; M&A Liaison Officer, IBA Asia Pacific Regional Forum*

**A Haryo Wibowo SH** *AHW & Co Law Offices, Jakarta; Head of International Cooperation, PERADI*

## Continuing Professional Development/Continuing Legal Education

\*The number of CPD/CLE hours available may vary depending on the rules applied by the members' bar association/law society on time recording criteria.

For conference delegates from jurisdictions where CPD/CLE is mandatory, the IBA will provide a Certificate of Attendance for the conference. Subject to CPD/CLE requirements, this can be used by conference delegates to obtain the relevant number of hours' accreditation.

A CPD/CLE Certificate of Attendance is available to conference delegates on request. Please ask at the IBA conference registration desk for information on how to obtain the certificate.

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).

## Friday 3 August

0800 – 1700 **Registration**

0910 – 0930 **Welcome remarks**

**Peter Bartlett** *Minter Ellison, Melbourne; LPD Secretary-Treasurer / IBA Treasurer*

**Dr Fauzie Yusuf Hasibuan** *President, Indonesian Bar Association (PERADI), Jakarta*

0930 – 1045

### **E-commerce – what legal measures to consider when a deal in e-commerce goes wrong**

In this session, the speakers shall discuss about the potential problems or disputes that might happen in e-commerce transaction which are common nowadays in Indonesia and how such problems/disputes shall be addressed using the existing regulations on e-commerce which are very limited pending the issuance of Government Regulation on E-Commerce Trading.

*Moderator*

**Dr Edmon Makarim** *Faculty of Law University of Indonesia, Jakarta*

*Speakers*

**Mark Gilligan** *Squire Patton Boggs, Abu Dhabi*

**Iliia Putilin** *Asian International Arbitration Centre, Kuala Lumpur*

**Maria Sagrado** *Makarim & Taira S, Jakarta*

1045 – 1100 **Coffee/tea break**

1100 – 1215

### **M&A: fundamental issues to M&A transaction**

In this session, the speakers shall discuss the fundamental issues which must be considered in drafting the M&A transactions document, particularly shares sales and purchase agreement, and what are important aspects to be analysed in conducting legal due diligence over the target company before the M&A transaction is closed.

*Moderator*

**Johannes C Sahetapy-Engel** *Akset Law Firm, Jakarta*

*Speakers*

**Michael S Carl** *SSEK Legal Consultants, Jakarta*

**Mark Choy** *WongPartnership, Singapore*

**Hanim Hamzah** *ZICO Law, Singapore; Secretary-Treasurer, IBA Law Firm Management Committee*

**Daniel Yi** *Yulchon, Seoul*

1215 – 1330 **Lunch**

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# Friday continued

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1330 – 1445

## The future for Indonesian lawyers

### A. Law firm management: what to do and how to do it

In this sub-topic, the Speaker will explain, among other things, the law firm management techniques for improving the work environment, managing the client, the lawyers, the staffs, managing technology, etc.

### B. Develop a career model for young lawyers and the skills required

In this sub-topic, the Speaker will explain, among other things, the tips to take the young lawyers to the next level, the recommendations for the young lawyer to be an attractive lawyer in the future, the important of the networking and appearing in publications for a young lawyer, etc.

*Moderator*

**Amrie Hakim** *News & Content Director, hukumonline.com, Jakarta*

*Speakers*

**Patrick Dransfield** *In-House Community, Hong Kong SAR*

**Mohamed Idwan Ganie** *Lubis, Ganie & Surowidjojo, Jakarta*

**Hermann Knott** *Andersen Tax & Legal, Cologne; Council*

*Member, IBA Section on Public and Professional Interest*

**Rahmat Sadeli Soebagia Soemadipradja** *Soemadipradja & Taher, Jakarta; Newsletter Editor, IBA Mining Law Committee*

1445 – 1600

## International arbitration / alternative dispute resolution

### A. International arbitration: a quick guide to international arbitration

In this sub-topic, the Speaker will explain, among other things, the requirements and procedures for international arbitration and the enforcement of international arbitration awards under the Indonesian Arbitration Law. The Speaker will also explain any trends in industry-specific international arbitration, any noteworthy cases or examples of new case law precedents, etc.

### B. Understanding alternative dispute resolution and its effectiveness for resolving a dispute

In this sub-topic, the Speaker will explain, among other things, the type of alternative dispute resolution, whether there have been any recent regulatory changes or interesting developments, any noteworthy cases or examples of new case law precedents, the alternative dispute resolution method which is most commonly recommended and the reason, etc.

*Moderator*

**Sheila Ahuja** *Allen & Overy, Hong Kong SAR*

*Speakers*

**Aniz Ahmad Amirudin** *Cecil Abraham & Partners, Kuala Lumpur*

**Theodoor Bakker** *Ali Budiardjo, Nugroho, Reksodiputro*

*Counsellors at Law, Jakarta*

**Karen Mills** *KarimSyah Law Firm, Jakarta*

**Anangga Wardhana Roosdiono** *Roosdiono & Partner, Jakarta*

**Hesti Setyowati** *Lubis, Santosa & Maramis, Jakarta*

1600 – 1615 **Coffee/tea break**

1615 – 1730

## Bankruptcy in Indonesia and Asian countries and bankruptcy law: its application and what lawyers need to know

In this sub-topic, the Speaker will explain, among other things, the bankruptcy application and the procedure for filing for bankruptcy, the effects of bankruptcy, the management of the bankruptcy estate, the delay of payment procedure, whether there have been any recent regulatory changes or interesting developments, any noteworthy cases or examples of new case law precedents.

*Moderator*

**Jamaslin James Purba** *James Purba & Partners, Jakarta*

*Speakers*

**Satyajit Gupta** *Advaita Legal, New Delhi; India Contact Group*

*Liaison, IBA Asia Pacific Regional Forum*

**Sushil Nair** *Drew & Napier, Singapore*

**Ramesh Sathasivam** *Adnan Sundra & Low, Kuala Lumpur*

**Ricardo Simanjuntak** *Ricardo Simanjuntak and Partners, Jakarta*

1730 – 1740 **Closing remarks**

The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

# Information

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## Date

3 August 2018

## Venue

Grand Hyatt Jakarta  
JI MH Thamrin Kav 28-30  
Jakarta, 10350  
Indonesia  
Tel: + 62 21 2992 1234  
Fax: + 62 21 2992 1444

## Fees

*Online registrations received:*

	on or before 20 July	until 31 July
IBA member	US\$85	US\$95
PERADI member	US\$85	US\$95
Non-member*	US\$95	US\$105

After **31 July** registrations must be received in hard copy at the IBA office.

*Hard copy registration forms and fees received:*

	on or before 20 July	after 20 July
IBA member	US\$95	US\$105
PERADI member	US\$95	US\$105
Non-member*	US\$105	US\$115

\* By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this conference is held, which entitles you to the following benefits:

- 1) Password access to certain parts of the IBA website.
- 2) Receipt of *IBA E-news* and access to online versions of *IBA Global Insight*.

If you would like to become a full or general member of the IBA, which includes membership of one committee or more – and inclusion in and access to our membership directory – we encourage you to do so now in order to register for this conference at the member rate. Full details of how to join can be found at [www.ibanet.org](http://www.ibanet.org).

A reduced rate is offered to lawyers who are over the age of 65, have been an IBA member for more than 20 years and are no longer practicing law.

**Full payment must be received in order to process your registration.**

## Fees include:

- Attendance at all working sessions
- Conference materials, including any available speakers' papers submitted to the IBA before 27 July
- Access to the above conference working materials from the IBA website ([www.ibanet.org](http://www.ibanet.org)) approximately seven days prior to the conference
- Access to mobile delegate search application
- Lunch on Friday
- Tea and coffee during breaks

**Please note that registrations are not transferable.**

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## Language

All working sessions and conference materials will be in English.

## How to register

Register online at [www.ibanet.org/conferences/conf915.aspx](http://www.ibanet.org/conferences/conf915.aspx) and make payment by credit card to avail of the ten per cent online registration discount or complete the attached registration form and return it to Rina Choi at the IBA together with your payment. You should receive emailed confirmation of your registration within five days; if you do not then please contact Rina Choi at [rina.choi@int-bar.org](mailto:rina.choi@int-bar.org).

## List of participants

In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by **27 July** at the latest.

## Mobile delegate search application

All registered delegates will receive a printed list of participants at the conference, however delegates are now also able to use the mobile delegate search. This application has been developed to aid networking by giving delegates instant access to an up-to-date list of their fellow attendees, and comes with the added benefit of a built-in messaging service. All registered delegates with an internet or Wi-Fi-enabled device will have access, using their IBA username and password. Simply visit: [m.ibanet.org/conf915](http://m.ibanet.org/conf915)

## Registration confirmation

All documentation regarding your attendance at the conference can now be obtained from the IBA website. Upon receipt of your payment for the conference a confirmation email will be sent containing instructions on how to download the documents. Registration confirmation will not be distributed by post.

## Photography and filming

Certain sessions and/or social functions may be photographed and/or filmed and some of this content may be used for future IBA marketing materials, member communications, products or services. Should you have any concerns with regard to this, or do not wish to be featured in any of these materials please contact the IBA Marketing Department at [ibamarketing@int-bar.org](mailto:ibamarketing@int-bar.org).

## Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the IBA Sponsorship Department at [andrew.webster-dunn@int-bar.org](mailto:andrew.webster-dunn@int-bar.org).

## Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. **We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.**

**Please apply for your visa in good time.**

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**Payment of registration fees**

**US dollars:** by cheque drawn on a US bank and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

**OR** by bank transfer to the IBA account number: 01286498 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498. **Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Pounds sterling:** by cheque drawn on a UK bank and in favour of the International Bar Association. Please send to: 4th Floor, 10 St Bride Street, London EC4A 4AD, United Kingdom.

**OR** by bank transfer to the IBA account number: 13270222 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L, IBAN GB05NWBK56000313270222. **Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Use the exchange rate prevailing at the time of registration.**

**Euro:** by cheque or bank draft, drawn on a euro zone bank and converted at the current rate of exchange and in favour of the International Bar Association.

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**Use the exchange rate prevailing at the time of registration.**

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**Cancellation of registration**

If cancellation is received in writing at the IBA office by **27 July 2018**, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date. Registrations received after 27 July will not be eligible for any refund of registration fees.

Provided you have cancelled your registration to attend an IBA conference in accordance with the terms of the 'cancellation of registration'

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**Credit card payments:** by Visa, MasterCard or American Express.  
**No other cards are accepted.**

**No deductions or withholdings**

All fees payable to us by you in accordance with the terms contained in this 'Information' section shall be paid free and clear of all deductions or withholdings whatsoever.

If any deductions or withholdings are required by law to be made from any fees payable to us by you under the terms contained in this 'Information' section you shall pay such sum as will, after the deduction or withholding has been made, leave us with the same amount as we would have been entitled to receive in the absence of any such requirement to make a deduction or withholding.

If we obtain the benefit of any tax credit or other relief by reference to any such deductions or withholdings, then we shall repay to you such amount as, after such repayment has been made, will leave us in no worse position than we would have been had no such deductions or withholdings been required.

**Conference sell-outs**

The IBA places its conferences in venues of a suitable size for the event; however there are times when our conferences may sell out. Should this happen, prospective delegates will be informed and a waitlist will operate. The waitlist will function on a 'first come, first served' basis, subject to receiving registered delegate cancellations. The IBA will not be liable for any travel or accommodation expenses incurred by an individual who travels to the conference without a confirmed place at the event.

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clause included in the 'Information' section of the relevant conference programme, you must then confirm to us in writing at the IBA office as soon as possible but in no event later than one year (12 calendar months) from the date of any such conference all necessary details to enable any reimbursement owed to you to be paid. We regret that no refunds will be made after the date that is one year (12 calendar months) after the date of the relevant conference.

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# International Bar Association

the global voice of the legal profession

The International Bar Association (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations, law firms and law societies.

The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 individual lawyers and more than 190 bar associations and law societies spanning over 170 countries.

Inspired by the vision of the United Nations, the IBA was founded in the same spirit, just before the Universal Declaration of Human Rights was proclaimed in 1948.

The IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to date information, enabling them to better represent their clients' interests.

Through its various committees, fora and task forces, the IBA facilitates the exchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of law around the globe.

## **IBA Asia Pacific Regional Forum overview**

In addition to offering an unrivalled opportunity to establish contact among lawyers within and outside the region, and with acknowledged experts on different areas of law, specialist Forum activities provide an unparalleled opportunity to keep abreast of legal business developments in the region. Members also benefit from excellent working relations with national Bars, the Inter-Pacific Bar Association and LAWASIA.

## **IBA Young Lawyers' Committee overview**

In 2004, there was a common understanding that the IBA needed to do more to attract young lawyers to join the association and become active and engaged in its various committees, groups and initiatives. Therefore, the Young Lawyers' Committee was founded with a clear focus on young colleagues and their specific aims and interests, serving as an 'entrance door' for young lawyers and putting them into contact with the rest of the Divisions to become further involved in the IBA. The major goal of all our activities is to create a win-win situation in which young colleagues can enhance their skills and networks thanks to IBA programmes, conferences and other projects, while simultaneously providing the IBA and its constituents with fresh ideas and a vivid contact to the next generation of legal experts and counsel.

## **Contact information**

### **International Bar Association**

4th Floor, 10 St Bride Street  
London EC4A 4AD  
United Kingdom  
Tel: +44 (0)20 7842 0090  
Fax: +44 (0)20 7842 0091  
Email: [member@int-bar.org](mailto:member@int-bar.org)  
[www.ibanet.org](http://www.ibanet.org)

### **International Bar Association, Asia Office**

Trade Tower, Suite 1703  
511 Yeongdong-daero (Samseong-dong)  
Gangnam-gu, Seoul, South Korea 06164  
Tel: +82 2 6279 8100  
Fax: +82 2 6279 8101  
Email: [asia.office@int-bar.org](mailto:asia.office@int-bar.org)  
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# Registration form



## The Fundamentals of International Legal Business Practice

3 August 2018, Grand Hyatt, Jakarta, Indonesia

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### SPECIAL DIETARY REQUIREMENTS

If you have special dietary requirements, due to allergen intolerances, medical, religious reasons or a life choice, please specify the requirement below. The IBA is unable to cater for dietary requirements other than for the above reasons.

Please tick box if you have allergen intolerances and specify \_\_\_\_\_

Please state all other dietary requirements clearly, i.e. I am a vegetarian; I do not eat red meat.

*Disclosure of dietary information denotes you have agreed to the IBA sharing this information with relevant third parties who are providing catering on our behalf.*

TO OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW,  
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IBA MEMBERS CAN REGISTER ONLINE BY **20 JULY** FOR **US\$85**,  
PLEASE SEE 'INFORMATION' FOR FURTHER ONLINE REGISTRATION DETAILS.

HARD COPY REGISTRATION FORMS AND FEES RECEIVED:	on or before 20 July	after 20 July	amount payable
IBA member	US\$95	US\$105	US\$
PERADI member	US\$95	US\$105	US\$
Non-member*	US\$105	US\$115	US\$

**TOTAL AMOUNT PAYABLE US\$**

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## PLEASE SEND THE COMPLETED FORM TO INTERNATIONAL BAR ASSOCIATION ASIA OFFICE:

### Rina Choi

Trade Tower, Suite 1703, 511 Yeongdong-daero (Samseong-dong)

Gangnam-gu, Seoul, South Korea 06164

Tel: +82 2 6279 8100 Fax: +82 2 6279 8101 Email: [rina.choi@int-bar.org](mailto:rina.choi@int-bar.org) [www.ibanet.org](http://www.ibanet.org)