



***GLOBALISING YOUR PRACTICE -
OPPORTUNITIES AND CHALLENGES***

COOPERATION WITH INTERNATIONAL LEGAL EXPERTISE – THE INDONESIAN EXPERIENCE

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FOREIGN LAW FIRM CANNOT OPEN AN OFFICE IN INDONESIA



**Article 1 of MOLHR
11/2004:**

Indonesian Advocates
Office is a civil partnership
(maatschap) established
by Indonesian Advocates
whose duty is to provide
legal services to the public

Article 23 (1) of Advocate Law:

A foreign Advocate shall be
prohibited from appearing
before the court, practicing
and/or opening a legal office in
the Republic of Indonesia.

Types of Cooperation with Foreign Advocate/ Law Firm in Practice



REGULATORY FRAMEWORK

**Law No. 18 of 2003 regarding
Advocates (“Advocate Law”)**

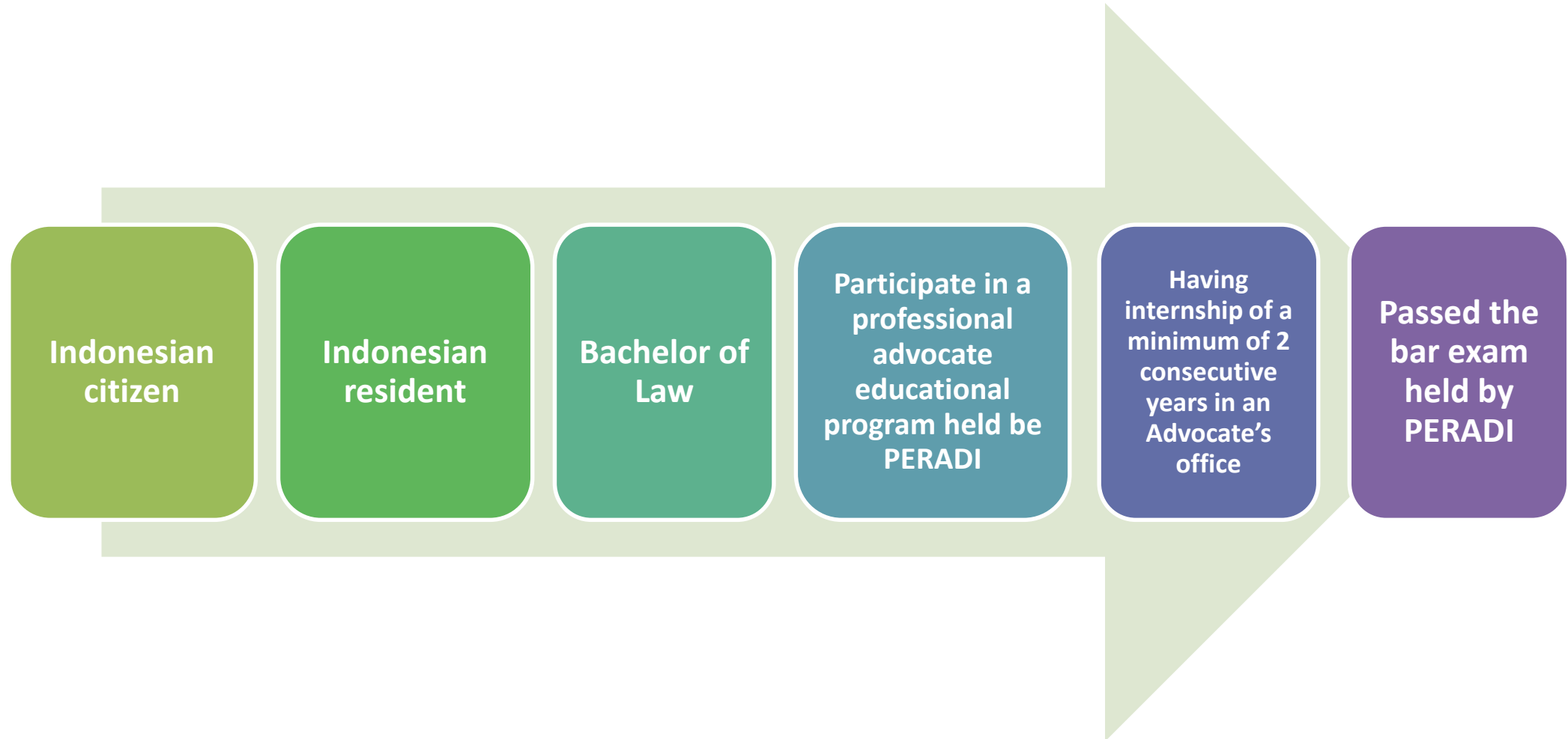
**Ministry of Law and Human Rights
Decision No. M.11-HT.04.02.TH 2004
regarding Requirements and Procedures
for Employing Foreign Advocates and the
Obligation to Provide Free Legal Services
to the World of Legal Education and
Research (“MOLHR 11/2004”)**

**National Leadership Decision Letter of
Indonesian Advocates Association (PERADI)
No. KEP.2010/PERADI/DPN/XII/2013
regarding Recommendation Requirements
and Procedures for Foreign Advocate who
Works in Indonesia (“PERADI 2010/2013”)**

DEFINITIONS



REQUIREMENTS TO BECOME AN ADVOCATE



REQUIREMENTS TO BECOME FOREIGN ADVOCATE

Join Indonesian
law firm as
employee or
foreign
consultant

Participate in a
professional
advocate
educational
program held by
PERADI

Passed the
advocate code of
etic exam held by
PERADI

Obtain
recommendation
from PERADI to
become foreign
advocate

Obtain work
permit from the
Ministry of Law
and Human
Rights

OBLIGATION OF A FOREIGN ADVOCATE



**Comply with the
applicable laws and
regulations**

**Develop and improve
the quality of legal
services at the law
firm where they
work**

**Transfer knowledge and
professional skills to the
Indonesian advocates**

**Provide free legal
services to legal
education and
research and
government
institutions at least
10 working hours
each month**

RESTRICTIONS

May only join an Indonesian law firm as an employee.

Prohibited from holding a double position as an employee or business partner of an Indonesian law firm or representative of a foreign law firm or a foreign company or an Indonesian company.

prohibited from appearing before the court, practicing and/or opening a law office.

a maximum of 5 (five) Foreign Advocates for each Indonesian law firm.