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SECURING A SOLID AND RISK-FREE CONTRACT
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2ND NEGOTIATING & DRAFTING COMMERCIAL CONTRACTS INDONESIA

PROMINENT SPEAKERS ON BOARD:

LEGAL COUNSELS FROM ASSOCIATION & LEADING ORGANISATIONS:

INDONESIAN CORPORATE COUNSEL ASSOCIATION (ICCA)

Reza Topobrotu
 Chairman of ICCA and Counsel/Legal Head Kraft Foods Indonesia
 Ninong Sari Widorini, Vice Chairman

ABN AMRO BANK, Indra Kusuma, Legal Counsel

HONG KONG AND SHANGHAI BANK (HSBC)

Mustika Kuwera, Corporate Counsel

INDOSAT, Dewie Pelitawati, General Counsel/Group Legal Head

P&G HOME PRODUCTS INDONESIA, Reski Damayanti, Legal Manager

INTERNATIONAL LEGAL ADVISORS:

ALLEN & GLEDHILL, SINGAPORE

Edwin Tong, Partner
 Dinesh Dhillon, Partner

BRIGITTA I. RAHAYOE & PARTNERS IN ASSOCIATION WITH DEACONS

Rebecca Mohr, Foreign Legal Counsel
 Kresna Panggabean, Senior Associate

BUDIDJAJA & ASSOCIATES, Tony Budidjaja, Principal

DREW & NAPIER, SINGAPORE, Julian Kwek, Director

HUTABARAT HALIM & REKAN LAWYERS

Pheo M. Hutabarat, Founding Partner

LUBIS GANIE SUROWIDJOJO, Dr. M. Idwan Ganie, Managing Partner

ROSETINI & PARTNERS, Rosetini Ibrahim, Partner

ROOSDIONO & PARTNERS

Hanim Hamzah, Jakarta Resident Partner/Senior Foreign Counsel
 Dini S. Purwono, Partner

FEATURING PANEL OF SPEAKERS FROM:

O&G COMPANIES:

BPMIGAS, Alan Frederik Panggabean, Chief Legal Counsel

BP MIGAS, Didi Setiarto, Senior Legal Counsel

BPMIGAS, Agoes Supto Rahardjo, Senior Manager LNG Business

PREMIER OIL INDONESIA, Yandri Hendarta, Legal Manager

INTERNATIONAL O&G LEGAL ADVISORS:

HADIPUTRANTO, HADINOTO & PARTNERS

Norman Bissett, Foreign Legal Consultant, Finance & Projects

ALI BUDIARDJO, NUGROHO, REKSODIPUTRO

Phillip P. Payne, Foreign Counsel

HERBERT SMITH, SINGAPORE

Maurice Burke, Partner, Litigation and Arbitration

Conference Date : **23-24 November 2009**

Conference Venue : **Crowne Plaza Jakarta, Indonesia**

WHAT'S NEW IN THIS YEAR'S PROGRAMME:

**Balanced Mix of Speakers from
 FMCG, Banking, Telco, O&G and
 Legal Services Companies**

**2 Interactive Roundtable
 Discussions with External Lawyers
 and In-House Legal Counsels**

**Practical Indonesia-Focused
 Solutions**

**Comprehensive Coverage on Best
 Practices in Commercial Contracts
 Management for Various Industries
 in Indonesia**

Peer-to-Peer Strategic Advice and Networking Opportunity



PLUS

**A SEPARATELY BOOKABLE 1-DAY SYMPOSIUM
 OIL & GAS CONTRACT MANAGEMENT
 25 NOVEMBER 2009, WEDNESDAY**

GET IN-DEPTH UNDERSTANDING ON THE VARIOUS OIL & GAS CONTRACTS IN INDONESIA

UNDERSTAND THE A-Z OF O&G CONTRACT LAWS,
 DRAFTING AND MANAGEMENT IN INDONESIA, INCLUDING:

UPSTREAM OIL & GAS REGULATORY FRAMEWORK	JOINT OPERATING AGREEMENT
JOINT BIDDING AGREEMENT	SALE & PURCHASE AGREEMENT
EPC (ENGINEER PROCURE CONSTRUCT) CONTRACT	PRODUCTION SHARING CONTRACT (PSC)
RISK MITIGATION STRATEGIES FOR OIL & GAS AGREEMENTS	REGULATORY FRAMEWORK ON LNG BUSINESS
CONTRACTUAL FRAMEWORK ON LNG BUSINESS	LNG SALES PURCHASE AGREEMENTS
NEGOTIATION AND DISPUTE RESOLUTION STRATEGIES FOR O&G CONTRACTS	CONTRACTING STRATEGIES DURING UNCERTAIN ECONOMIC CLIMATE

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DAY 1

23 NOVEMBER 2009 • MONDAY

8.00 REGISTRATION AND MORNING COFFEE

9.00 **CHAIRPERSON'S WELCOME AND OPENING ADDRESS**
Edwin Tong, *Partner*
ALLEN & GLEDHILL, SINGAPORE

REGULATORY UPDATES

9.15 **UPDATES ON THE NEW COMPANY LAW IN INDONESIA**

- Significant changes: Old company law vs. new company law
- New features introduced under the new company law
- Consequences of the new company law



Dini S. Purwono, *Partner*
ROOSDIONO & PARTNERS
Dini Purwono's specialisation is in capital market transactions, advising on initial public offerings, dual-listings, private placements, rights issues, venture capital and private equity issues. She has extensive experience in advising financial institutions and banks in loan restructurings using capital market products and instruments.

CONTRACTUAL RISK MANAGEMENT

10.00 **MANAGING COMMERCIAL CONTRACT RISKS & LIABILITIES IN INDONESIA**

- Understanding the legal system and economic condition of Indonesia
- Overview of Indonesian court system
- Domestic vs. international contractual disputes



Mustika Kuwera, *Corporate Counsel*
HONG KONG AND SHANGHAI BANK (HSBC)
Mustika Kuwera is the Corporate Counsel of HSBC Indonesia since 2000. Previously he was the Deputy Head of Legal Division (Internal Legal counsel) of Bank Central Asia, Indonesia for 11 years. He used to be appointed by the Minister of Justice as the Member of Task Force at the National Law Council – Ministry of Justice in drafting laws and regulations for banking and finance.

10.45 MORNING REFRESHMENT AND NETWORKING

11.00 **STRATEGIES IN DRAFTING CONTRACTUAL PROVISIONS TO MINIMISE POTENTIAL BUSINESS AND FINANCIAL RISKS IN INDONESIA**

- Risks prior to entering contracts
 - ❖ Risk identification: Supplier due diligence
 - ❖ Risk assessment
 - ❖ Risk management
- Key commercial terms
 - ❖ On product/service
 - ❖ On liability and indemnification
 - ❖ Duration and termination of contract
- Contract drafting considerations



Reski Damayanti, *Legal Manager*
P&G HOME PRODUCTS INDONESIA
Reski Damayanti is currently the Legal Manager of P&G Home Products Indonesia. Previously, she was a Legal Manager of Combiphar from 2004 to 2008 and Attorney at Law at Lou & Mitra Firm. She is an active speaker at various legal related seminars and currently serves as the Deputy Vice Secretary General of Indonesian Corporate Counsel Association.

ENFORCEMENT AND ARBITRATION

11.45 **UNDERSTANDING THE ENFORCEMENT OF FOREIGN JUDGMENT AND ARBITRATION AWARDS IN INDONESIA**

- Development of international arbitration and litigation in Indonesia (theory and practice)
- How to prepare for and win an arbitration or litigation involving Indonesian party?
- Issues to be considered when drafting a dispute resolution clause
- Recognition, enforcement and annulment of foreign judgment and arbitral award in Indonesia



Tony Budidjaja, *Principal*
BUDIDJAJA & ASSOCIATES
Tony Budidjaja the founder and principal lawyer of B&A. Tony has extensive knowledge and experience in all aspects of Indonesian commercial law. Tony was identified by the "Asialaw Leading Lawyers" survey in 2006, 2007, 2008 and 2009 consecutively as one of the most highly-acclaimed legal experts in the Asia Pacific region.

12.30 NETWORKING LUNCH

1.45 **DRAFTING ARBITRATION CLAUSES FOR CROSS-BORDER COMMERCIAL CONTRACTS**

- Examining the fundamental elements of arbitration clauses



- Understanding the factors affecting the enforceability of an arbitration clause
- Addressing the issue of ambiguity in arbitration clauses
- Determining the scope of the arbitration clause
- Identifying specific concerns in drafting that are unique to the nature/business of dispute

Dinesh Dhillon, *Partner*
ALLEN & GLEDHILL, SINGAPORE
Dinesh Dhillon is a Partner in Litigation & Dispute Resolution of Allen & Gledhill, Singapore. His areas of practice encompass litigation, international arbitration, insurance and employment law. He has successfully argued cases at all levels of Court in Singapore including its highest court, the Court of Appeal. Dinesh is a Fellow of the Singapore Institute of Arbitrators and Editor of the Singapore Institute of Arbitrators (SIArb) Newsletter.

2.30 **ASSESSING THE COMMON PITFALLS IN MANAGING COMMERCIAL CONTRACTS WITH FOREIGN COMPANIES**

- Understanding different legal systems and concepts
- Dealing with legal realities
- Choice of law and choice of jurisdiction
- Impact of change of laws and regulations compliance issues



Dr. M. Idwan Ganie, *Managing Partner*
LUBIS GANIE SUROWIDJOJO
Dr. Ganie is the Managing Partner of Lubis, Ganie & Surowidjojo, one of Indonesia's largest law firms, established in 1984. He has held this position since 1998. Dr. Ganie is on the panel of arbitrators of the Singapore International Arbitration Centre (SIAC), a Fellow of the Singapore Institute of Arbitrators and Chairman of the Association of Indonesian Antitrust Lawyers.

3.15 AFTERNOON REFRESHMENT AND NETWORKING

CORPORATE RESTRUCTURING

3.30 **TO STANDSTILL OR NOT?: COMMON ISSUES IN RESTRUCTURING**

- Common default scenarios
- Court driven options:
 - ❖ Liquidation
 - ❖ Judicial management
 - ❖ Schemes of arrangement
- Difficulties and issues in enforcing security
- Restructuring alternatives: Advantages and risks



Edwin Tong, *Partner*
ALLEN & GLEDHILL, SINGAPORE
Edwin Tong is a Partner in Litigation & Dispute Resolution of Allen & Gledhill, Singapore. He regularly acts in major corporate, commercial and insolvency disputes for private and public listed companies, major international as well as local banking and financial institutions. Edwin is recommended for his expertise in dispute resolution in The Asia Pacific Legal 500 (2007/2008).

EXTERNAL LAWYERS ROUNDTABLE

4.15 **EXTERNAL LAWYERS' PERSPECTIVES: WHAT IN-HOUSE LEGAL COUNSELS REALLY NEED TO DO TO STRATEGICALLY MANAGE COMMERCIAL CONTRACTS IN INDONESIA**

- Assessing the strategic role of in-house counsel as the deal maker, not the deal breakers
- Redefining the responsibilities of in-house legal counsels in managing contracts
- Balancing the legal profession and commercial interests
- Understanding the importance of win-win negotiation skills and efficient communication in safeguarding company's interest to obtain good outcome in Indonesia
- How best can in-house legal counsel handle contract disputes in Indonesia



Moderator:
Edwin Tong, *Partner*
ALLEN & GLEDHILL, SINGAPORE

Panelists:
Norman Bissett
Foreign Legal Consultant, Finance & Projects
HADIPUTRANTO, HADINOTO & PARTNERS

Dr. M. Idwan Ganie, *Managing Partner*
LUBIS GANIE SUROWIDJOJO

Tony Budidjaja, *Principal*
BUDIDJAJA & ASSOCIATES

Dini S. Purwono, *Partner*
ROOSDIONO & PARTNERS

5.00 **END OF DAY ONE**

8.30 MORNING COFFEE

9.00 **CHAIRPERSON'S WELCOME AND OPENING ADDRESS**



Hanim Hamzah, *Jakarta Resident Partner*
ZAID IBRAHIM & CO
and *Senior Foreign Counsel*
ROOSDIONO & PARTNERS

CONTRACT MANAGEMENT BEST PRACTICES

9.10 **BEST PRACTICES IN EFFECTIVELY NEGOTIATING AND DRAFTING COMMERCIAL CONTRACTS INDONESIA**



- Be simple and be smart
- Understand the business nature of your contract
- Role expected from each stakeholder
- Who are you dealing with?

Reza Topobroto, *Chairman of ICCA and Counsel/ Legal Head Kraft Foods Indonesia*

INDONESIAN CORPORATE COUNSEL ASSOCIATION (ICCA)

Reza is Chairman of ICCA and at present works as a Legal Counsel for Kraft Foods, heading its legal department in Indonesia. Prior to Kraft he was counsel at Procter and Gamble handling legal matters for Indonesia and hold regional responsibility. He had been practising as lawyer for 7 years in different major law firms in Jakarta, among others are Soebagjo Jatim Djarot and Roosdiono & Partners.

NOTARY'S ROLE

9.50 **UNDERSTANDING THE ROLE OF NOTARY IN COMMERCIAL AND CORPORATE CONTRACTS IN INDONESIA**



Rosetini Ibrahim, *Partner*
ROSETINI & PARTNERS

Prior to opening her private practice in 1995, Rosetini Ibrahim was a legal officer of the Jakarta Office of a Japanese bank, a participant of the international attorney programme at Milbank Tweed Hadley & McCloy, New York and an associate at Law Firm Liane Gunawan. She has much experience in handling corporate, commercial, foreign investment, merger and acquisition, banking and finance transactions.

10.30 MORNING REFRESHMENT AND NETWORKING

MANAGING CONTRACTS WITH FINANCIAL INSTITUTIONS

10.50 **ADDRESSING THE CONTRACTUAL CHALLENGES BETWEEN BANKS AND CORPORATE CLIENTS IN INDONESIA**



- Understanding the contractual management loopholes between banks and corporate clients in Indonesia
- What corporate legal practitioners need to know to avoid contentious contractual issues with capital lenders or financial institutions in Indonesia

Indra Kusuma, *Legal Counsel*
ABN AMRO BANK

Indra Kusuma is currently the Legal Counsel for ABN AMRO Bank Indonesia. His expertise is on Banking and Finance including Consumer, Commercial and Corporate Loan transaction. Prior to this position, he was working with Bank Niaga from 1996-2002.

MANAGING TELCO'S CONTRACTS

11.30 **MANAGING TELCO'S CONTRACTS EFFICIENTLY AND EFFECTIVELY**



- Indosat at a glance
- Contract management in practice: How to manage standard clause, frame contract and standard contract for procurement
- Legal documentation management system: Strategies to stay alert, keep the system updated & well maintained

Dewie Pelitawati, *General Counsel/Group Head Legal*
INDOSAT

Dewie is currently the General Counsel/Group Head Legal of INDOSAT. Before she became the company's General Counsel in 2001, she was previously the Staff Expert of Chairman of IBRA (Indonesian Bank Restructuring Agency) and Secretary to the Junior Minister of National Economic Restructuring.

12.10 NETWORKING LUNCH

STRATEGIC PARTNERSHIP CONTRACTS DRAFTING

1.20 **ESSENTIALS IN DRAFTING JOINT VENTURES, CROSS-BORDER AND INTERNATIONAL CONTRACTS IN INDONESIA**



- Defining the term of agreement of the joint venture in the contract
- Laying out the roles, management responsibilities, and degree of participation of each joint venturer
- Defining the contribution of capital and ownership rights and division of the profits and losses
- Setting the dispute mechanisms between the joint venturers
- Termination of the joint venture/buyout provision
- Managing the confidentiality and intellectual property in the JV contracts

- Developing indemnification provision of a joint venture agreement

Hanim Hamzah, *Jakarta Resident Partner*, **ZAID IBRAHIM & CO** and *Senior Foreign Counsel*, **ROOSDIONO & PARTNERS**

Hanim Hamzah returned to Zaid Ibrahim & Co in November 2005 as Partner and has since been Senior Foreign Counsel in the firm's associated office, Roosdiono & Partners. Her experience in Indonesia covers an extensive range of corporate and finance transactions with specialisation in infrastructure projects and M&A deals across the sectors of plantations, mining, oil & gas, banking, property and insurance.

2.00



KEY CONSIDERATIONS IN STRUCTURING M&A AGREEMENTS IN INDONESIA

Rebecca Mohr, *Foreign Legal Counsel*

BRIGITTA I. RAHAYOE & PARTNERS IN ASSOCIATION WITH DEACONS

Rebecca is a foreign legal counsel at Brigitta I. Rahayoe & Partners and a partner of Deacons, Australia. Rebecca has over 12 years experience as a lawyer in Australia's leading commercial law firms. She has particular expertise in environmental law, including sustainable development and climate change projects.



Kresna Panggabean, *Senior Associate*

BRIGITTA I. RAHAYOE & PARTNERS IN ASSOCIATION WITH DEACONS

Kresna is a senior associate at Brigitta I. Rahayoe & Partners. His areas of practice include corporate and commercial matters, such as mergers & acquisitions of private companies & business, corporate restructuring, joint ventures, employment, real property, resources and intellectual property.

JOINT PRESENTATIONS

CONTRACT NEGOTIATION

2.40 **EFFECTIVE CONTRACT NEGOTIATION STRATEGIES FROM FOREIGN INVESTORS' PERSPECTIVES IN INDONESIA**



Julian Kwek, *Director*
DREW & NAPIER, SINGAPORE

Julian became a Director of Drew & Napier LLC in May 2005. Julian's primary areas of practice include mergers and acquisitions, debt and corporate restructurings, and venture capital fundraising. He is also Head, Indonesian Desk and a member of our China Business Group.

3.20 AFTERNOON REFRESHMENT AND NETWORKING

DISPUTE RESOLUTIONS

3.40 **EFFECTIVELY MANAGING AND PREVENTING POTENTIAL DISPUTES IN COMMERCIAL CONTRACTS IN INDONESIA**



- Understanding the legal and court systems in Indonesia
- Understanding dispute resolutions mechanisms for commercial contracts in Indonesia
- Remedies available in the event of a dispute
- How to avoid common administrative problems in existing contracts
- Effectively making use of dispute management and resolution options in Indonesia
- Terminating a commercial contract with local counterpart
- Dealing effectively with lawyers and the legal system in Indonesia

Pheo M. Hutabarat, *Founding Partner*
HUTABARAT HALIM & REKAN LAWYERS

Pheo Hutabarat is one of the founding partners of Hutabarat Halim & Rekan. He has been acknowledged in the area of practice of commercial dispute resolution by the Asia Pacific Legal 500 since 2006. His extensive experience in drafting and structuring legal frameworks has led him to handle various transactional and transnational projects.

IN-HOUSE LEGAL COUNSELS ROUNDTABLE

4.20 **ADDRESSING THE CURRENT CHALLENGES IN RESOLVING COMMERCIAL CONTRACTS DURING THE CURRENT ECONOMIC DOWNTURN IN INDONESIA**

PANEL DISCUSSION



- Assessing the impact of the current recession on contract management in Indonesia
- Determining the remedies for multi party disputes and settlements in Indonesia
- How to minimise loss and maximise company's interests in Indonesia
- Developing skills and procedures needed for legal disputes in Indonesia
- Minimising the fallout from litigation and how to prevent it to take place

Moderator:

Ninong Sari Widorini, *Vice Chairman*
INDONESIAN CORPORATE COUNSEL ASSOCIATION (ICCA)

Panelists:

Dewie Pelitawati, *General Counsel/Group Head Legal*
INDOSAT

Reski Damayanti, *Legal Manager*
P&G HOME PRODUCTS INDONESIA

Indra Kusuma, *Legal Counsel*, **ABN AMRO BANK**

5.00

END OF CONFERENCE

SEPARATELY BOOKABLE



OIL & GAS CONTRACT MANAGEMENT SYMPOSIUM

25 November 2009 • Wednesday



GET IN-DEPTH UNDERSTANDING ON THE VARIOUS OIL & GAS CONTRACTS IN INDONESIA

Understand the A-Z of O&G Contract Laws, Drafting and Management in Indonesia, including:

- Upstream Oil & Gas Regulatory Framework
- Joint Bidding Agreement
- EPC (Engineer Procure Construct) Contract
- Risk Mitigation Strategies for Oil & Gas Agreements
- Contractual Framework on LNG Business
- Negotiation and Dispute Resolution Strategies for O&G Contracts
- Contracting Strategies during Uncertain Economic Climate
- Joint Operating Agreement
- Sale & Purchase Agreement
- Production Sharing Contract (PSC)
- Regulatory Framework on LNG Business
- LNG Sales Purchase Agreements

FEATURING PANEL OF SPEAKERS FROM:

O&G COMPANIES

- PREMIER OIL INDONESIA
- BPMIGAS

INTERNATIONAL O&G LEGAL ADVISORS

- HADIPUTRANTO, HADINOTO & PARTNERS
- ALI BUDIARDJO, NUGROHO, REKSODIPUTRO
- HERBERT SMITH, SINGAPORE

DETERMINING THE BEST AND MOST EFFECTIVE CONTRACTING STRATEGIES FOR OIL & GAS SECTOR IN INDONESIA

8.00 REGISTRATION AND MORNING COFFEE

9.00 CHAIRPERSON'S WELCOME AND OPENING ADDRESS

DRAFTING AND MANAGING VARIOUS O&G CONTRACTS

9.15 OIL & GAS CONTRACT DRAFTING AND NEGOTIATION



- Joint bidding agreements
- Sale and purchase agreements for interests in production sharing contracts

Philip P. Payne, *Foreign Counsel*
ALI BUDIARDJO, NUGROHO, REKSODIPUTRO

Philip was admitted to practise law in Australia and Papua New Guinea. Prior to joining ABNR, he was a partner of Blake Dawson for 17 years including 7 years as that firm's resident partner in Indonesia. He is recognised as a leading individual for Projects & Natural Resources in Chambers Asia 2009 and recommended in Asia Pacific Legal 500 2008/09 in areas of Projects & Energy and Banking & Finance.

10.00 DRAFTING & MANAGING JOINT OPERATING AGREEMENT IN INDONESIA



- Why do we need a JOA in oil & gas operation?
- What are the essential provisions in the JOA?
- Tips in drafting and negotiating JOA

Yandri Hendarta, *Legal Manager*
PREMIER OIL INDONESIA

Yandri is the Legal Manager of Premier Oil Indonesia and is involved in various legal matters in oil and gas operations in Indonesia. Prior to this position, he was the legal counsel of Unocal Indonesia Company from 2001-2006 and worked with Hadiputranto, Hadinoto and Partners dealing with the firm's various power and other infrastructure projects from 1993-2001.

10.45 MORNING REFRESHMENT AND NETWORKING

11.00 DRAFTING THE EPC (ENGINEER PROCURE CONSTRUCT) CONTRACT IN INDONESIA



- Regulatory background
- Key provisions
- Key issues
- Mitigating risk

Norman Bissett, *Foreign Legal Consultant, Finance & Projects*
HADIPUTRANTO, HADINOTO & PARTNERS

Norman is a Foreign Legal Consultant in the Finance and Projects Group of HHP, working specifically in the Energy and Resources practice. He advises a number of companies on structuring and investing in, and development of, mining and oil and gas projects in Indonesia and S.E. Asia.

11.45 ESSENTIALS IN MANAGING OIL & GAS AGREEMENTS IN INDONESIA



- Updates on upstream oil & gas regulatory framework in Indonesia
- Updates on the terms and conditions in Indonesian Production Sharing Contract (PSC)
- Managing and mitigation risk in oil & gas agreements in Indonesia

Alan Frederik Panggabean, *Chief Legal Counsel*
BPMIGAS

Alan is currently the Chief Legal Counsel for BPMIGAS. He was ARCO Indonesia's General Counsel and ARCO International's International Counsel in Plano Texas until 2000. In 2001, he assumed the position of Chief Legal Counsel Tangguh LNG Project for BP Indonesia. He joined BPMIGAS in November 2002 and was the lead counsel for several major projects e.g. Cepu Block, Tangguh LNG, Natuna D-Alpha PSC and negotiation of LNG sales contract extension with Japanese buyers.

12.30 NETWORKING LUNCH

LNG CONTRACTS MANAGEMENT

1.45 UNDERSTANDING THE LEGAL AND CONTRACTUAL FRAMEWORKS FOR LNG BUSINESS IN INDONESIA

- Understanding the regulatory framework on LNG business in Indonesia



Joint Presentations

2.30



3.15



3.30



4.15



5.00

- Contractual framework on LNG business in Indonesia
Didi Setiarto, *Senior Legal Counsel*, BP MIGAS
Didi is currently the Senior Legal Counsel at Legal Division BPMIGAS. His assists the Head of Legal Counsel in preparing legal memorandum, contract drafting and negotiation in relation to commercial contract such as LNG/GAS SPA and LNG/Gas Project Documents. Prior to this he was the Associate Lawyer of Wiradinata & Widyanan and Indrawan Heisky & Partners.

Agoes Sapto Rahardjo, *Senior Manager LNG Business*
BP MIGAS

Agoes has 14 years experiences in Arun LNG Plant – North Sumatera, in various engineering position (Instrument & control system Eng., process Eng and production planner). He was with Total Indonesia for 4 years working in its LNG commercial/marketing group and has been working for BPMIGAS (LNG Marketing & LNG Plant construction) since 2003. He also had been involved on several LNG contracts negotiations.

EFFECTIVELY DRAFTING & NEGOTIATING LNG CONTRACTS IN INDONESIA

- Understanding the clauses in LNG contracts (LNG sales purchase agreements)
- Defining commercial, legal and technical clauses in LNG contracts
- Examining long-term and short-term LNG contracts
- Assessing the flexibilities in LNG contracts in Indonesia
- LNG contracts negotiations in Indonesia

Agoes Sapto Rahardjo, *Senior Manager LNG Business*
BP MIGAS

AFTERNOON REFRESHMENT AND NETWORKING

NEGOTIATION AND DISPUTE RESOLUTION FOR O&G CONTRACTS

EFFECTIVE NEGOTIATION AND DISPUTE RESOLUTION STRATEGIES FOR O&G CONTRACTS IN INDONESIA

Maurice Burke, *Partner, Litigation and Arbitration*
HERBERT SMITH, SINGAPORE

Based in Singapore, Maurice is the Joint Head of Herbert Smith's dispute resolution practice in Southeast Asia and responsible for covering the Singapore, Malaysian and Indonesian markets. Originally qualified in Australia, Maurice qualified in Hong Kong in 1996, where he worked as a litigator for two years before joining Herbert Smith's Hong Kong litigation division in 1997.

REVIEWING AND RE-STRATEGISING YOUR O&G CONTRACTS TO SAFEGUARD YOUR COMPANY'S PROFITABILITY AGAINST THE CURRENT GLOBAL FINANCIAL UNCERTAINTIES

- Reviewing the current O&G contracts to ensure profitability and sustainability in the current economic climate
- Identifying the contractual loopholes and the solutions
- Determining the win-win contract re-negotiation strategies: How to counteract the effects of fluctuating global oil prices
- Identifying the risks in contracting major projects in a uncertain economic climate
- Reassessing the indemnities, warranties and insurance in the current O&G contracts for effective risk mitigation

Moderator:

Philip P. Payne, *Foreign Counsel*
ALI BUDIARDJO, NUGROHO, REKSODIPUTRO

Panelists:

Yandri Hendarta, *Legal Manager*
PREMIER OIL INDONESIA

Maurice Burke, *Partner, Litigation and Arbitration*
HERBERT SMITH, SINGAPORE

END OF SYMPOSIUM



MASTERING NEW AND PROVEN STRATEGIES IN MANAGING COMMERCIAL TRANSACTIONS AND CONTRACTS IN INDONESIA

KEY BENEFITS OF ATTENDING:

- ✓ **GET** updated on the New Company Law in Indonesia
- ✓ **UNDERSTAND** Indonesian court system
- ✓ **LEARN** how to effectively manage commercial contract risks and liabilities in Indonesia
- ✓ **MINIMISE** the potential business and financial risks through effectual contract drafting
- ✓ **EXAMINE** the fundamental elements of arbitration clauses
- ✓ **IDENTIFY** the common pitfalls in managing commercial contracts with foreign companies in Indonesia
- ✓ **MASTER** effective commercial contract negotiation strategies in Indonesia
- ✓ **GET** better understanding on the choice of law and choice of jurisdiction
- ✓ **UNDERSTAND** the common legal issues in corporate restructuring
- ✓ **AVOID** contentious contractual issues with capital lenders or financial institutions in Indonesia
- ✓ **LEVERAGE** on legal documentation management system for better contract management in Indonesia
- ✓ **SUCCESSFULLY** manage various strategic partnership contracts in Indonesia
- ✓ **EVALUATE** all the dispute resolutions mechanisms and available remedies for commercial contracts in Indonesia
- ✓ **GET** a grip on various contract drafting and negotiation strategies for Oil and Gas sector in Indonesia
- ✓ **MEET, SHARE** and **CONNECT** with the other legal practitioners around the region

With the global economy still in the doldrums, it is not surprising to see statistics that show increasing cases of contracts that have gone bad! Contractual problems and disputes are on the rise with parties having tougher times in fulfilling their terms and obligations.

Designed with cutting edge solutions and practical tips to equip you with strategies to successfully manage complex commercial agreements in Indonesia, **2ND NEGOTIATING AND DRAFTING COMMERCIAL CONTRACTS INDONESIA CONFERENCE** is a not-to-be missed event for you this year!

Addressing contractual issues facing by companies across sectors, this Conference will be an ideal chance for you to hear the strategic legal advice and best practices in creating a win-win situation for all involved parties and limit the risk exposure for your organisation. **Don't miss** the chance to network with other legal experts with a wealth of experience in this fast-moving and most fundamental area of work around the region!

PLUS



25 November 2009 • Wednesday

A SEPARATELY BOOKABLE 1-DAY SYMPOSIUM FOR THE ENERGY OIL & GAS SECTOR!



Delivering the most critical challenges and issues in Commercial Contracts the sector is facing



Presenting the cutting-edge and proven solutions for complex legal challenges

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REGISTRATION FORM

2ND NEGOTIATING AND DRAFTING COMMERCIAL CONTRACTS INDONESIA CONFERENCE (23-24 NOVEMBER 2009) & 1-DAY OIL & GAS CONTRACT MANAGEMENT SYMPOSIUM (25 NOVEMBER 2009) Crowne Plaza Jakarta, Indonesia

Yes! Please register the following delegate(s) for this Event
(Please photocopy for more delegates)

Please tick (✓) your choice session(s)

- 2-Day Conference + 1-Day Symposium [Nov 23-25, 2009]
 2-Day Conference only [Nov 23-24, 2009]
 1-Day Symposium [Nov 25, 2009]

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Job Title: _____ Department: _____

Email: _____

Approving Manager: _____

Job Title: _____ Department: _____

Email: _____

Company: _____

Address: _____

Tel: _____ Fax: _____

Booking Contact: _____

Email: _____

Nature of Business: _____

Company Web site: _____

CONFERENCE VENUE & ACCOMMODATION INFORMATION

Crowne Plaza Jakarta, Indonesia

Jalan Gatot Subroto Kav. 2-3, Jakarta 12930, Indonesia

Tel: (+62) 21 526 8833 Fax: (+62) 21 526 8831

Website: www.crowneplaza.com/jakarta

Attn: Room Reservation Department

For reservations, please make your bookings directly with the hotel. To enjoy the special room rates, please quote Asia Business Forum's "2ND NEGOTIATING AND DRAFTING COMMERCIAL CONTRACTS INDONESIA". Hotel bills are to be settled by delegates directly with the hotel. Hotel reservations and travel arrangements are the responsibilities of the registrant. Please note that hotel rooms are available on a first-come-first-served basis.

INCORRECT MAILING INFORMATION

It is possible that you may receive multiple mailings of this event or incorrect company details on the labels, for which we apologise. If this happens, please let us know so that we can update our database immediately. If you do not wish to have your name on our mailing list, please let us know and we will remove it from our listing.

FOR OFFICIAL USE

FEE RECEIVED

ADMISSION FORM SENT 2007J/CT/NL/SDW

IPBA

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5 EASY WAYS TO REGISTER



Telephone: (65) 6536 8676 or (65) 6536 8437



Fax: complete and send this registration form to:
(65) 6536 4356



Mail: this completed form together with payment to:
Asia Business Forum (Singapore) Pte Ltd
3 Raffles Place #08-01 Singapore 048617



Email: cs@abf-asia.com



WEB: <http://www.abf-asia.com>

Your investment for attending this Conference is:

	Regular Fee	Early Bird Fee (If Payment & registration are received by 23 October 2009)	Super Early Bird Fee (If Payment & registration are received by 23 September 2009)
2-Day Conference Only	US\$1,895	US\$1,695	US\$1,495
1-Day Symposium	US\$ 995	US\$ 995	US\$ 995
2-Day Conference + 1-Day Symposium	US\$2,690	US\$2,490	US\$2,290

The fee includes lunch, refreshments and conference documentation.

Group Discount: Enjoy a group discount of **10% for 3 or more delegates** registered at the same time from the same organisation and of the same billing source.

METHODS OF PAYMENT

Please cross cheque or bank draft made payable to **ASIA BUSINESS FORUM (Singapore) PTE LTD** and mail your payment together with this registration to **3 Raffles Place, #08-01, Singapore 048617**. Enclosed is our cheque/draft for US\$ _____

Overseas delegates may pay by telegraphic transfer into the account of Asia Business Forum (Singapore) Pte Ltd which is: **Account No. 260-469481-178, The Hongkong and Shanghai Banking Corporation Limited, 21 Collyer Quay, #01-01 HSBC Building, Singapore 049320**. Please quote our reference no. **2007J** and your Company's name in your payment instructions.

Payment by Credit Card
To make payment by credit card, please call our customer service hotline at 6536 8676.

Important Notice: Payments are required with registration and must be received prior to the Conference to guarantee your place. Walk-in delegates will only be admitted on the basis of space availability at the Conference and with immediate full payment.

CANCELLATIONS & TRANSFERS

If you are unable to attend, a substitute delegate is welcomed at no extra charge. Please provide the name and the title of the substitute delegate at least 2 working days prior to the Conference. A refund less US\$200 administration charge will be made for cancellation received in writing on or before **3 November 2009**. Regrettably, no refund can be made for cancellation received after this date. A complete set of documentation will however be sent to you.

The organiser reserves the right to make any amendments and/or changes to the programme, venue, speaker replacements and/or topics if warranted by circumstances beyond its control.