

Overview food And Beverage regulation in Indoneisa

Indonesia is known as the potential market in investment in the food and beverage sector, especially in providing the food and beverage services-shaped restaurant with franchise system who comes from local or abroad.



Special food and beverage franchise, based on the record of one of the Association's franchise in Indonesia, the food sector becoming one of the biggest contributors in the franchise business turnover circulation in Indonesia. In order for the development of franchising in indonesia intensified, the Government tried to give legal certainty with published a number of legal regulations related to the franchise. Recorded since 1997, indonesia has regulated about the franchise with the goverment regulation No.16 of 1997 in franchising, and because franchising has growth rapidly, than The Goverment changed Regulation with the goverment regulation No. 42 of 2007 in franchising.

In 2012 and 2014, government issued the new regulation rules through regulation of trade minister No. 53/M-DAG/PER/8/2012 on the organization of the franchise and regulation of trade minister No. 57/M-DAG/PER/8/2014 on amendments the regulations of trade minister No. 53/M-DAG/PER/8/2012, declare franchise must have the franchise agreements.

To open investment in food and beverage franchise sector, the first, investors must have operational license in tourism sector, who knows business tourism license (*Tanda daftar usaha pariwisata*) under the Ministry of Culture and Tourism, and then register the franchise agreements to the Ministry of trade.

The Future

Realization of BP Lawyers's clients' objective is the foremost consideration. BP Lawyers's people





are all experienced and dedicated to the full achievement of our clients' objectives by assisting clients to find their main goals, providing active advisory assistance, strategy advisement, and creative support with quick responses around the clock.

With recognition of entrepreneurial spirit, and high standards of service and ethics, we have been very successful in providing timely and cost-effective representation of our clients. We also believe that complicated legal issues may not always demand complicated solutions, but they certainly demand creativity and the cooperation of lawyers mastering different areas of the law.

Involvement in food and beverage Sector

BP Lawyers has longstanding experience and expertise in all aspect of Food and Beverage sector. We have been retained by numerous multinational and domestic companies to assist in Preparing Franchise agreements for an F&B companies, Representing client in dispute settlement related to franchise agreement or Assisting clients in establishment of foreign investment company in F&B business, such as:

- ✓ PT Dwimitra Semerbak Artamulia (Semerbak Coffee)
- ✓ Chaswood Resources Holding Ltd
- ✓ PT Chaswood Resource BB
- ✓ PT Yokee Food Indonesia
- ✓ PT Tokopi Sinergi

Recent Experience in foof and beverage Sector

- 1) Preparing Franchise agreements for an F&B companies.
- 2) Representing client in dispute settlement related to franchise agreement.
- 3) Assisting clients in establishment of foreign investment company in F&B business.

Fee Structures

A. Hourly Fee System

This is the most common method by which our office charges fees to clients. Under this system we charge clients for the actual time spent by our lawyers that are assigned to the case. Currently the hourly charges of our lawyers



are:

Title	Rate
Partners	IDR 2,000,000/hour
Associates	Ranging from IDR 500,000 – IDR 1,500,000 per hour depending on Seniority

By this method, we will charge clients monthly in arrear (except that for new clients, we normally require a deposit, the amount of which would depend on the case).

B. Project Fee System

This system would be beneficial to the client for transactions that are normally standard and can be readily quantifiable. In this system we would quote a lump sum fee (IDR 30,000,000 – 150,000,000) for the whole project with details of the scope of works covered. Any work beyond the scope of work or time beyond a capped limit would be charged separately. In order to set on appropriate lump sum fee, we would firstly have to know the scope of work required by the client.

C. Retainer Fee System

In this system the client pays us a fixed retainer monthly/annually, which will allow the client to utilize our services up to a pre-set time limit during the retainer period. Any time beyond the set limit will be charged additionally based on the applicable hourly fees of the lawyers handling the case (however with a pre-agreed discount). This system will provide the client with substantial savings if we are utilized effectively.

More details for of the retainer arrangement will be set forth in the retainer agreement.

Please note that all the fee systems above require the client to pay out-of-pocket expenses (e.g. traveling, long distance calls, photocopies, faxes, etc.).

We believe our experience and expertise in this area of law will support each client's objectives of achieving the best possible outcome, whether it be precautionary of any business interruption or seeking first step of remedies for avoiding litigation case.



If you would like additional information or about the Firm, please contact us (+62 889 2630 556, email: info@bplawyers.co.id).



Puri Imperium Office Plaza Unit G - 9

**Jl. Kuningan Madya Kav. 5-6
Jakarta Selatan 12980, Indonesia**

Hotline : +62889 - 2630 556

Phone : +6221 - 2947 5691

Fax : +6221 - 2947 5698

Please visit our Website:

www.bplawyers.co.id

www.smartcolaw.com

www.yayasanbpl.org