

**INDONESIA
PRIVATE CLIENT
VIRTUAL ROUND TABLE**

**2 JUN 2020
4:30PM (GMT +8)**

ABNR
COUNSELLORS AT LAW






AMICORP

**MCCARTHY
DENNING**

**BUTLER
SNOW**

H&P

1

 <p>Joe Teng Managing Director Amicorp Global</p>	 <p>Zac Lucas Partner McCarthy Denning</p>	 <p>Dominic Volek Managing Partner Henley & Partners</p>
 <p>Freddy Karyadi Partner ABNR</p>	 <p>John Shoemaker Register Foreign Lawyer Butler Snow</p>	

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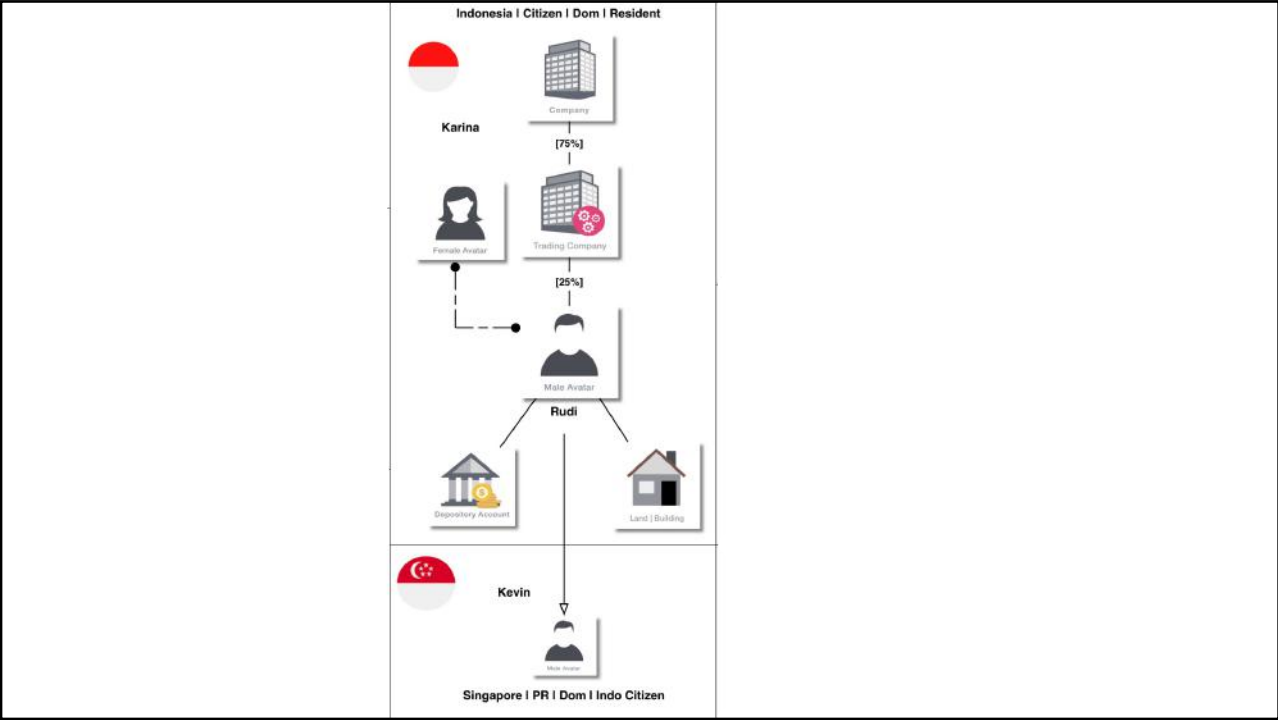
Agenda:

- **Case Study 1**
 - Domestic Matrimonial Property | Divorce | Succession
- **Case Study 2**
 - Foreign Matrimonial Property | Divorce | Succession
- **Case Study 3**
 - EU Emigration | Applicable Programs →

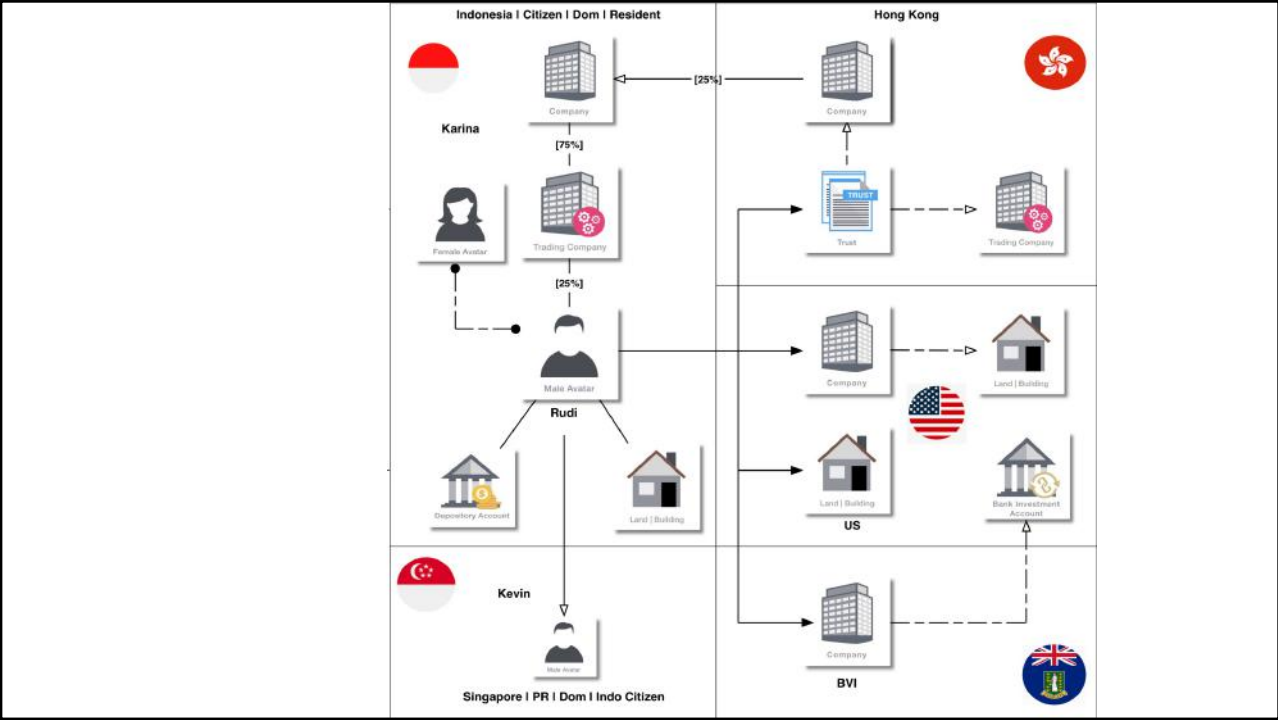
3

Case Study No. 1

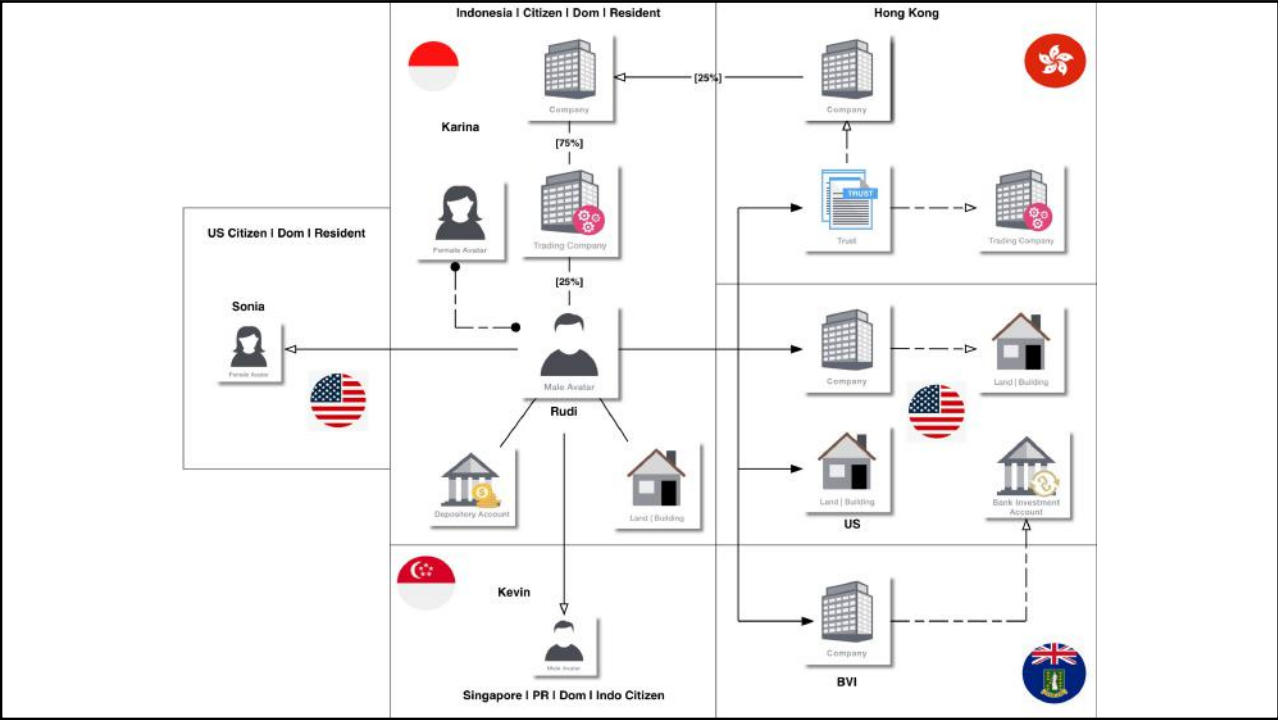
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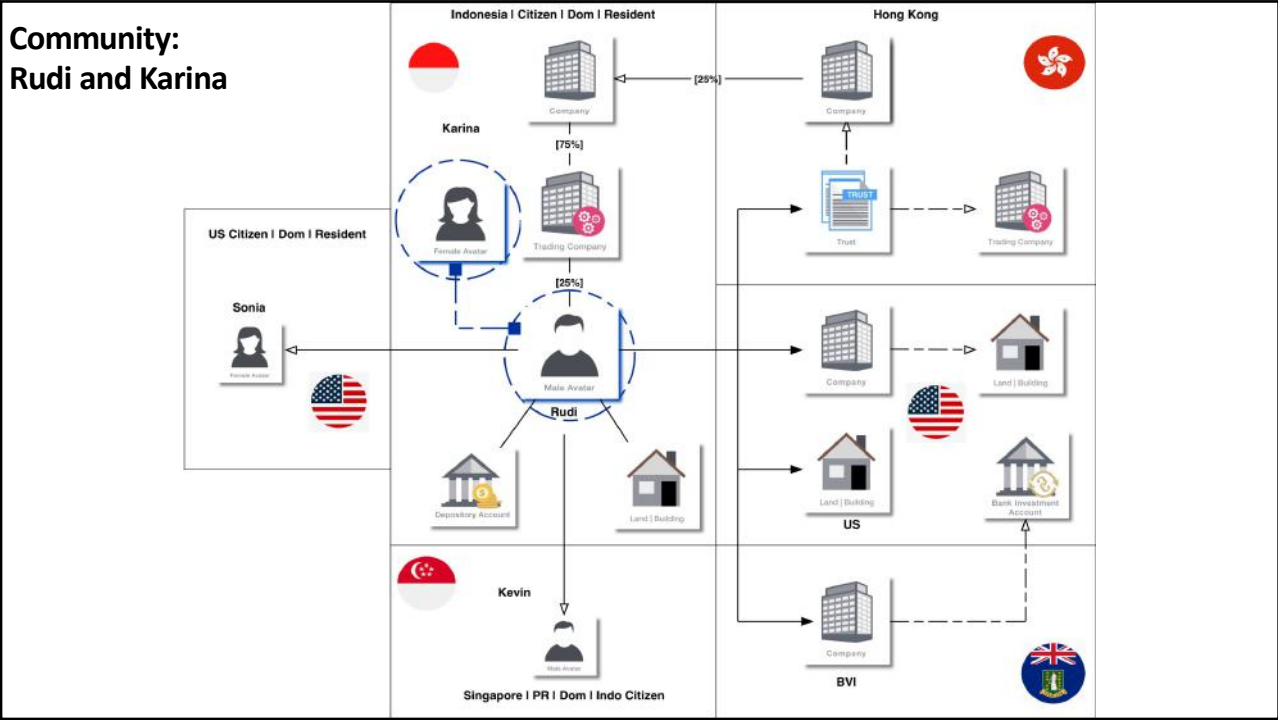
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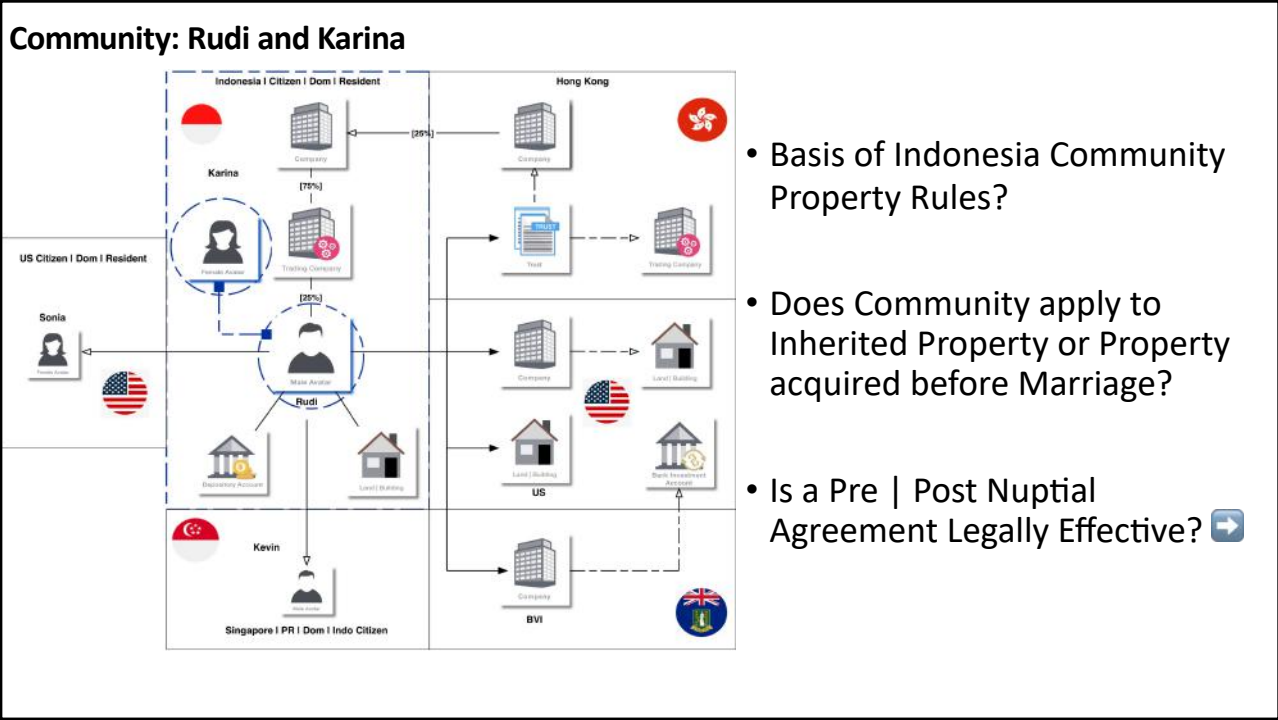
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Domestic Community Property

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- Basis of Indonesia Community Property Rules?
- Does Community apply to Inherited Property or Property acquired before Marriage?
- Is a Pre | Post Nuptial Agreement Legally Effective? ➡

10

Community: Rudi and Karina

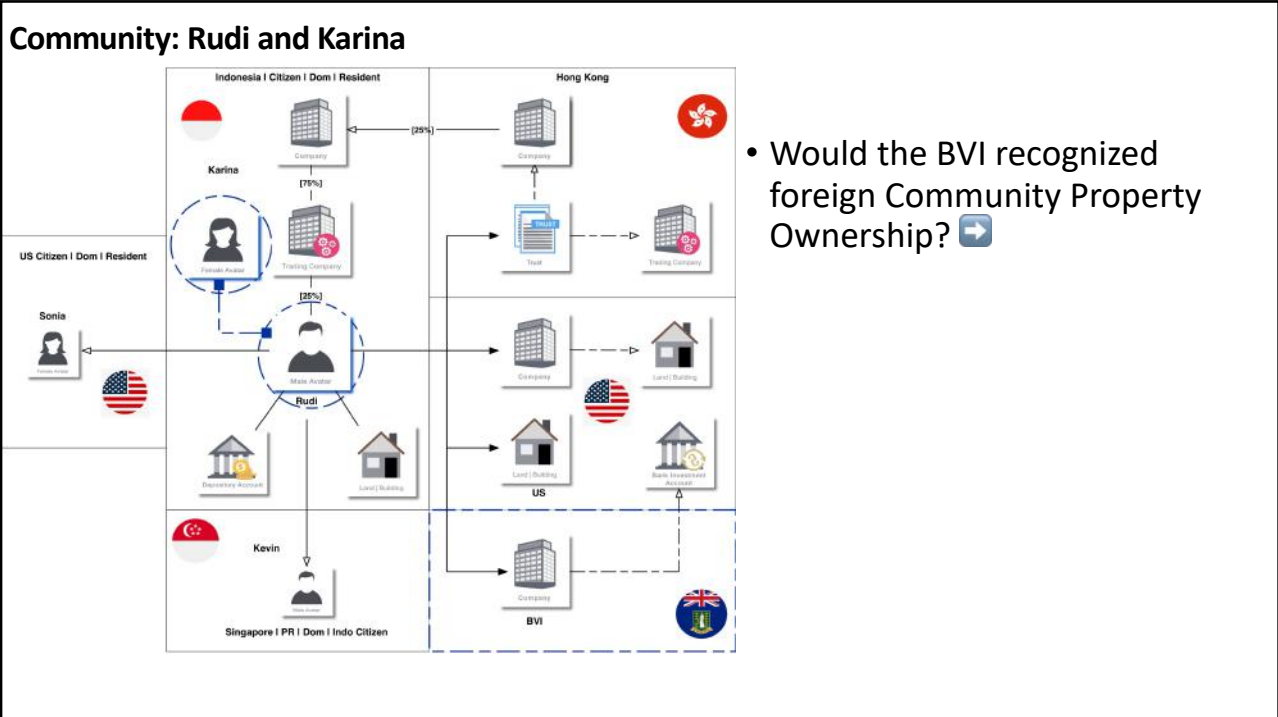
- Can Karina claim Community Rights to property transferred to a foreign Trust?
- Does HK trust law provide protections against a Community Property Claim?
- What about the trust's indirect share (75%) in the Indonesia trading company? ➡

11

Community: Rudi and Karina

- Would the US recognize foreign Community Property Ownership? ➡

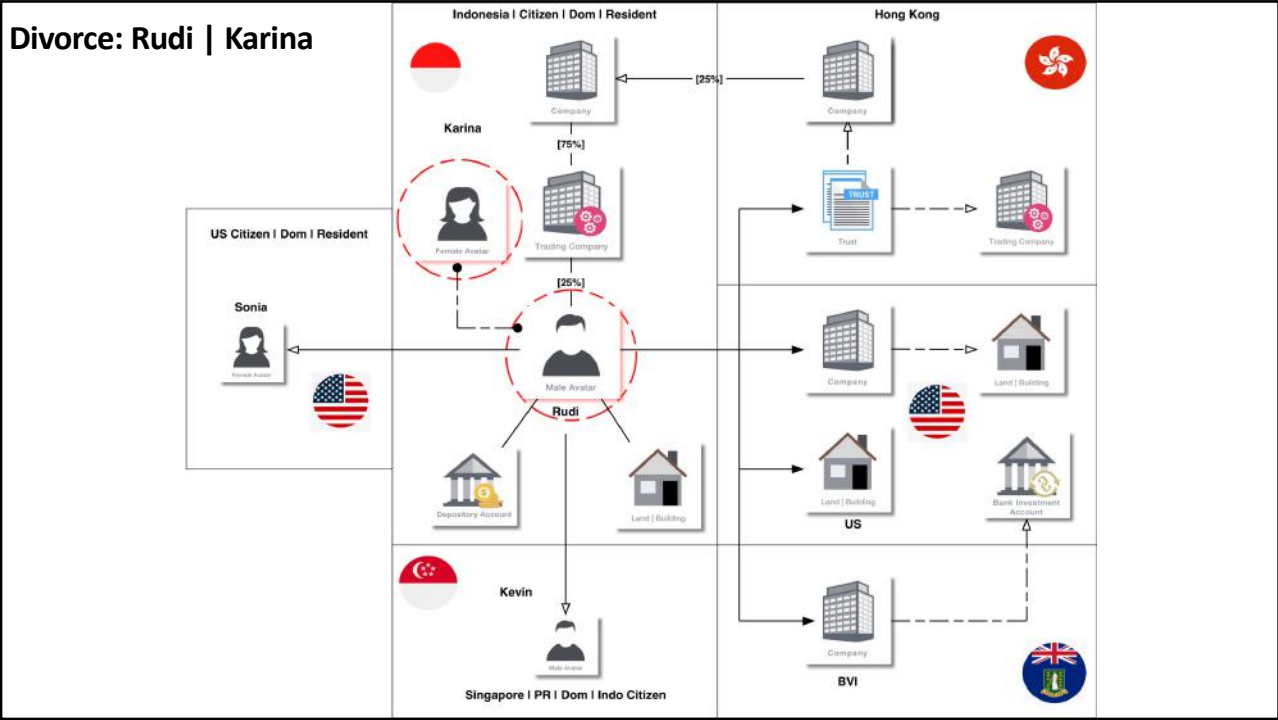
12



13

Domestic Divorce

14



15

- Basis on which Indonesia Court will Exercise Jurisdiction to Grant Divorce?
- Would Indonesia Court seek to (re)distribute or alter Community Property Rights?
- Would Indonesia Court follow and enforce the terms of a Nuptial Agreement? ➡

16

Divorce: Rudi | Karina

- Would an Indonesia Divorce Court seek to make a Discretionary Order varying or terminating the HK Trust? ➡

17

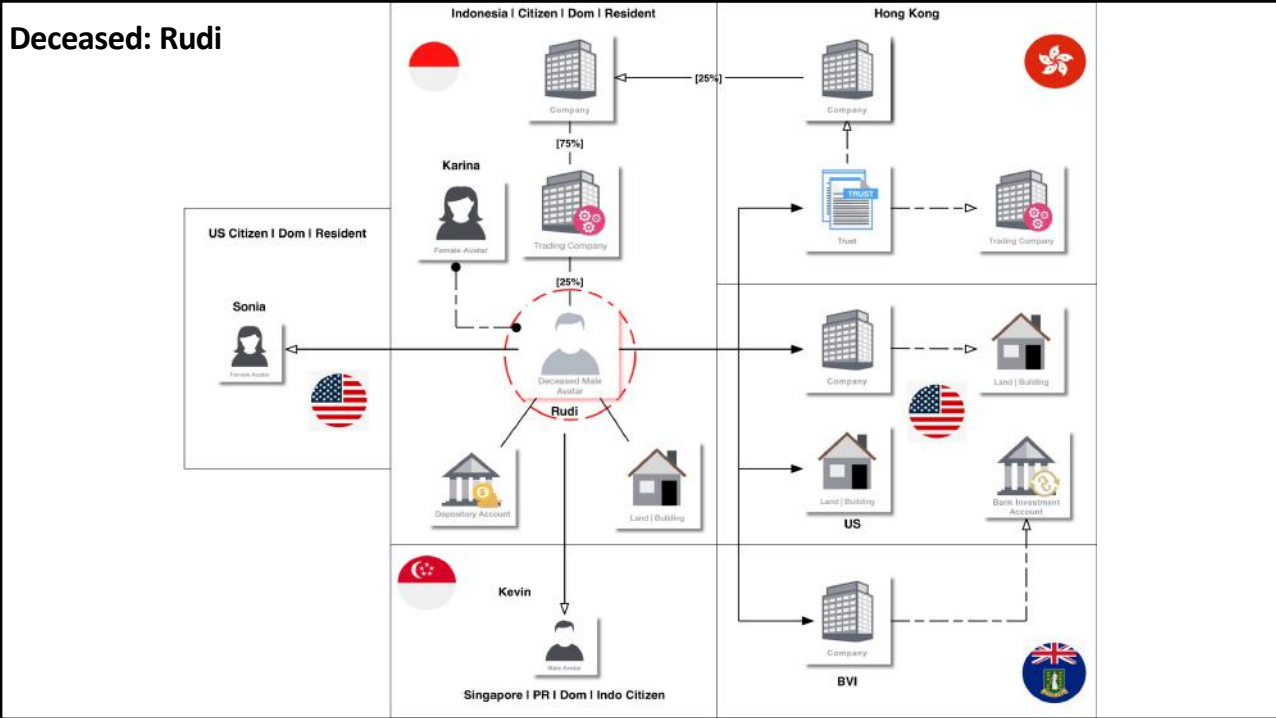
Divorce: Rudi | Karina

- Would an Indonesia Divorce Court seek to make a Discretionary Order varying rights to Foreign Property? ➡

18

Domestic Succession

19



20

Deceased: Rudi

- Basis of application of Indonesia Succession Laws
- Does Indonesia Succession Law include Forced Heir rights?
- Is it possible to agree to vary Inheritance Rights?
- Does Indonesia Succession Law permit any Testamentary freedom? ➡

21

Deceased: Rudi

- Does Indonesia Succession Law permit heirs to “claw back” transfers made to a foreign trust?
- What about the trust’s indirect shareholding (75%) in the Indonesia trading company?
- Does HK trust law provide protection against an inheritance or succession “claw back” claim? ➡

22

Deceased: Rudi

- Which Succession Law will apply to US company shares: Indonesia or US?
- Which Succession Law will apply to US Land: Indonesia or US?
- Is there any state and/or federal estate tax implications? ➡

23

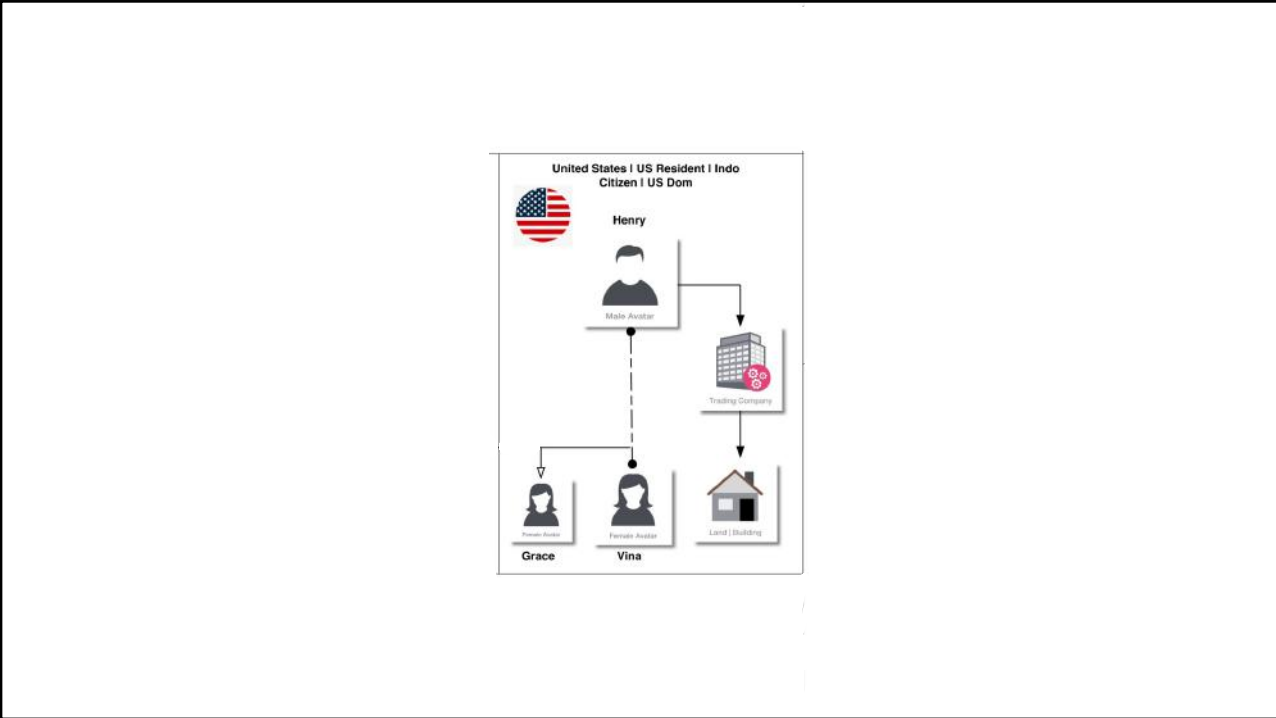
Deceased: Rudi

- Which Succession Law will apply to BVI company shares: Indonesia or BVI?
- Would a BVI Will be effective to override Indonesia Succession Law? ➡

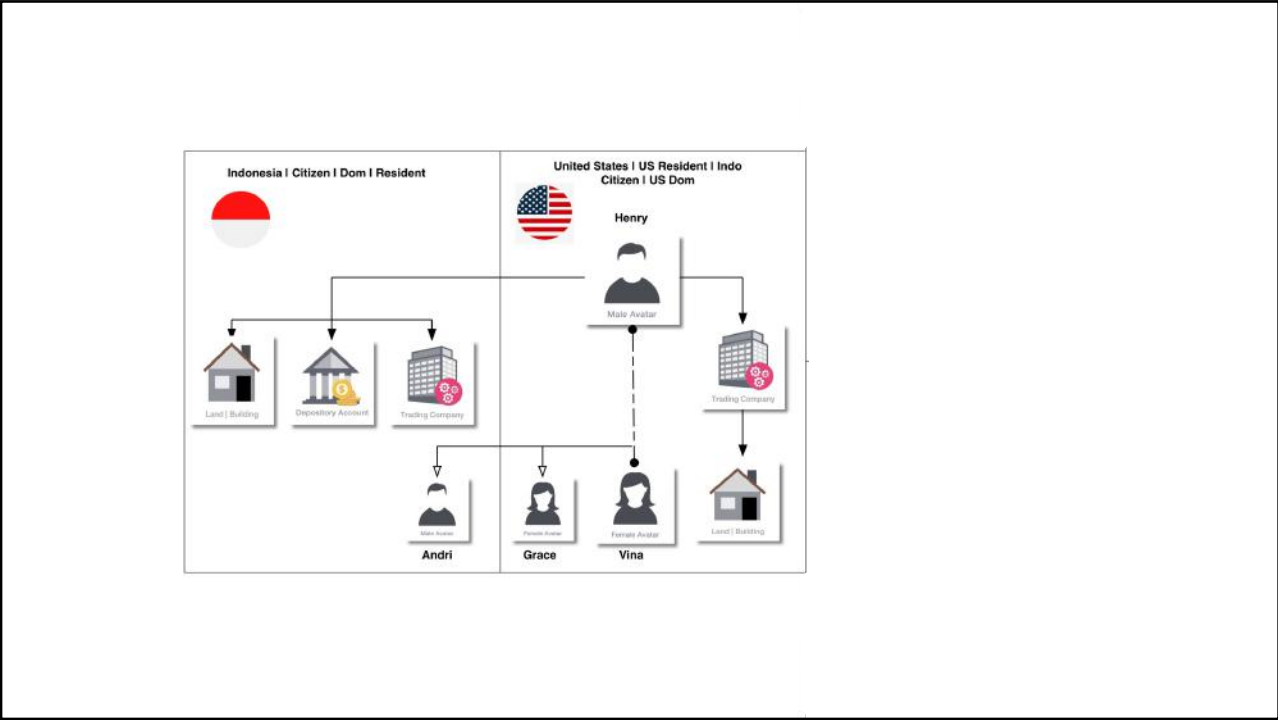
24

Case Study No. 2

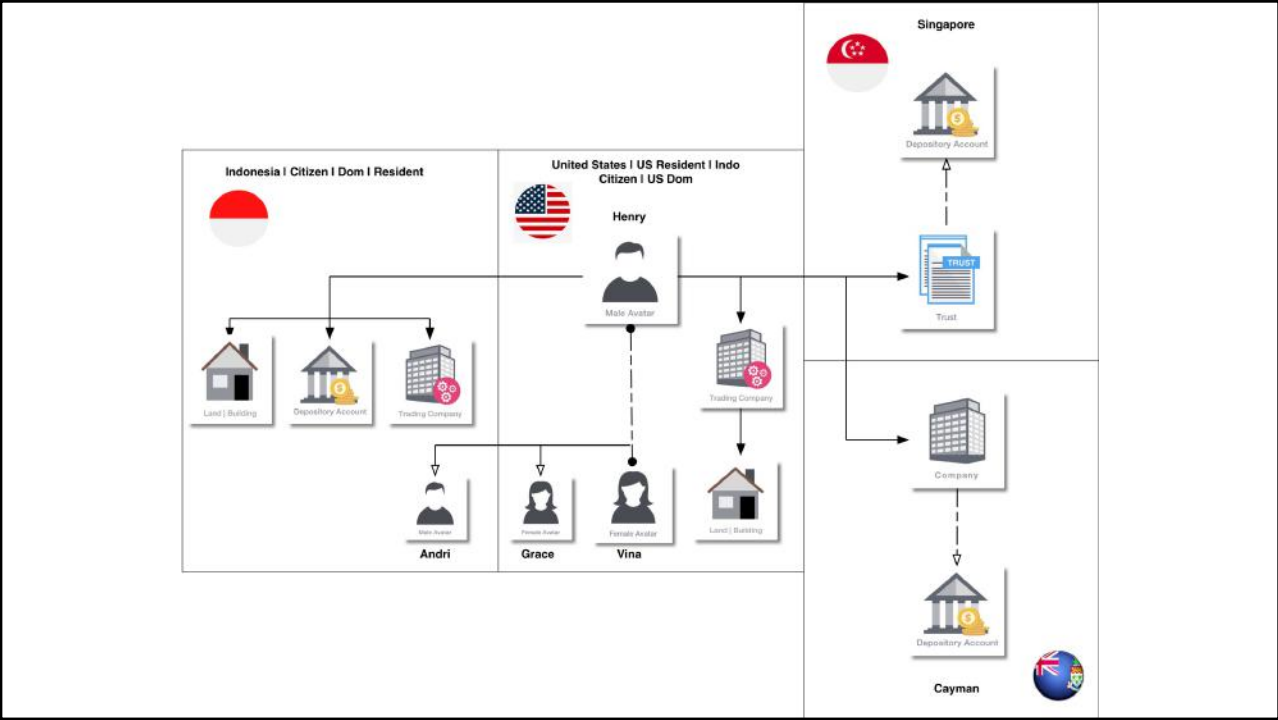
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26



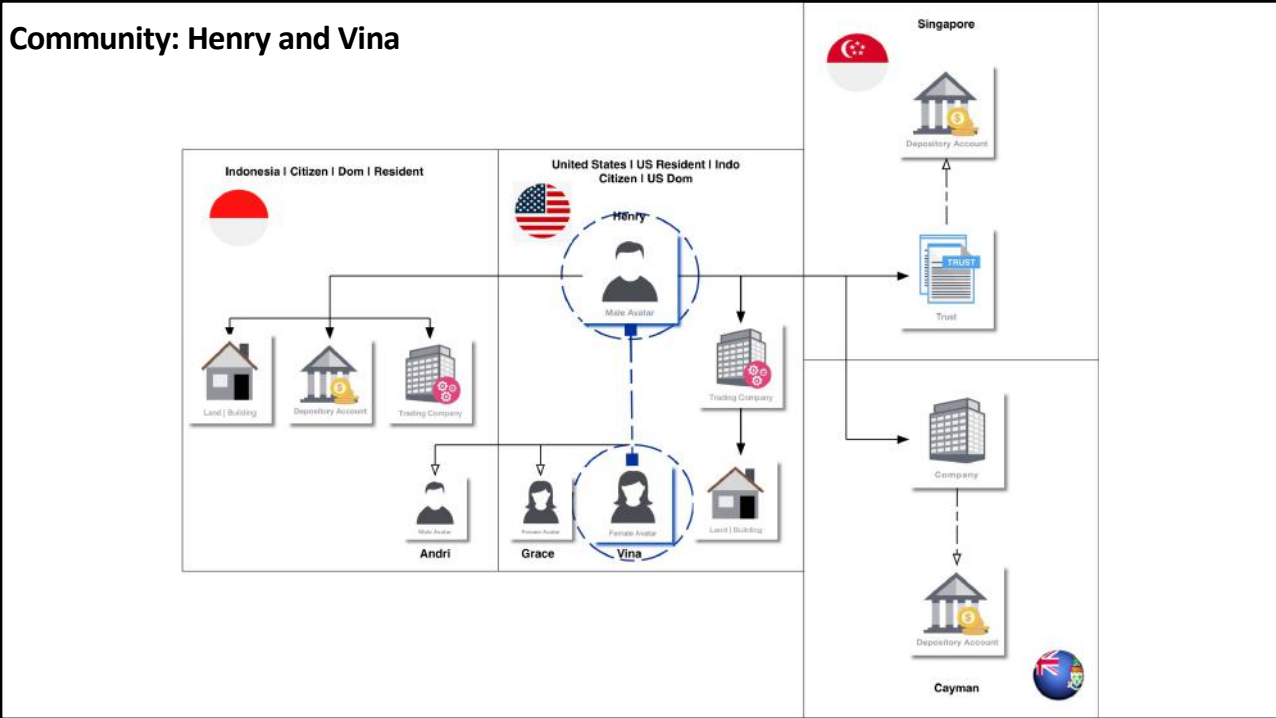
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28

Foreign Community Property

29



30

Community: Henry and Vina

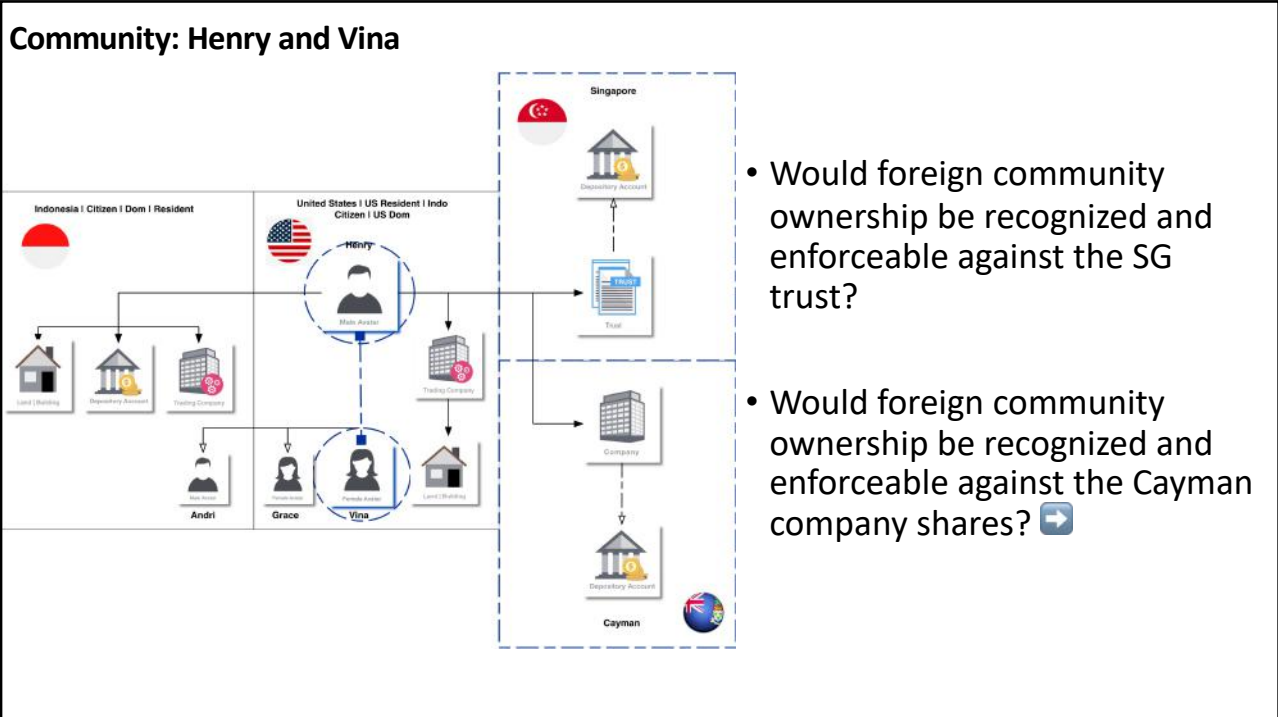
- Basis of Community Property Rights in the US?
- Application to Inherited and Pre-Marriage Property?
- Is a Pre | Post Nuptial Agreement legally valid? ➡

31

Community: Henry and Vina

- Would Foreign Community Ownership be recognized in Indonesia?
- Would it make a difference if the foreign marriage was registered in Indonesia? ➡

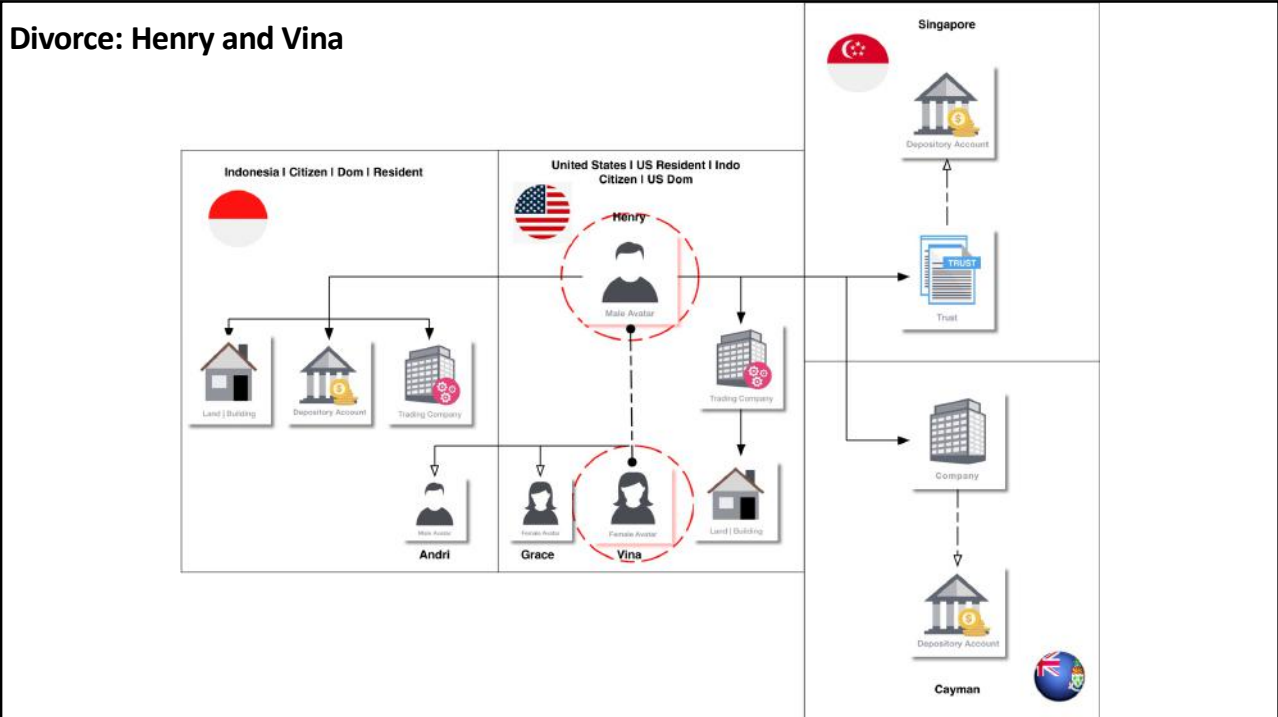
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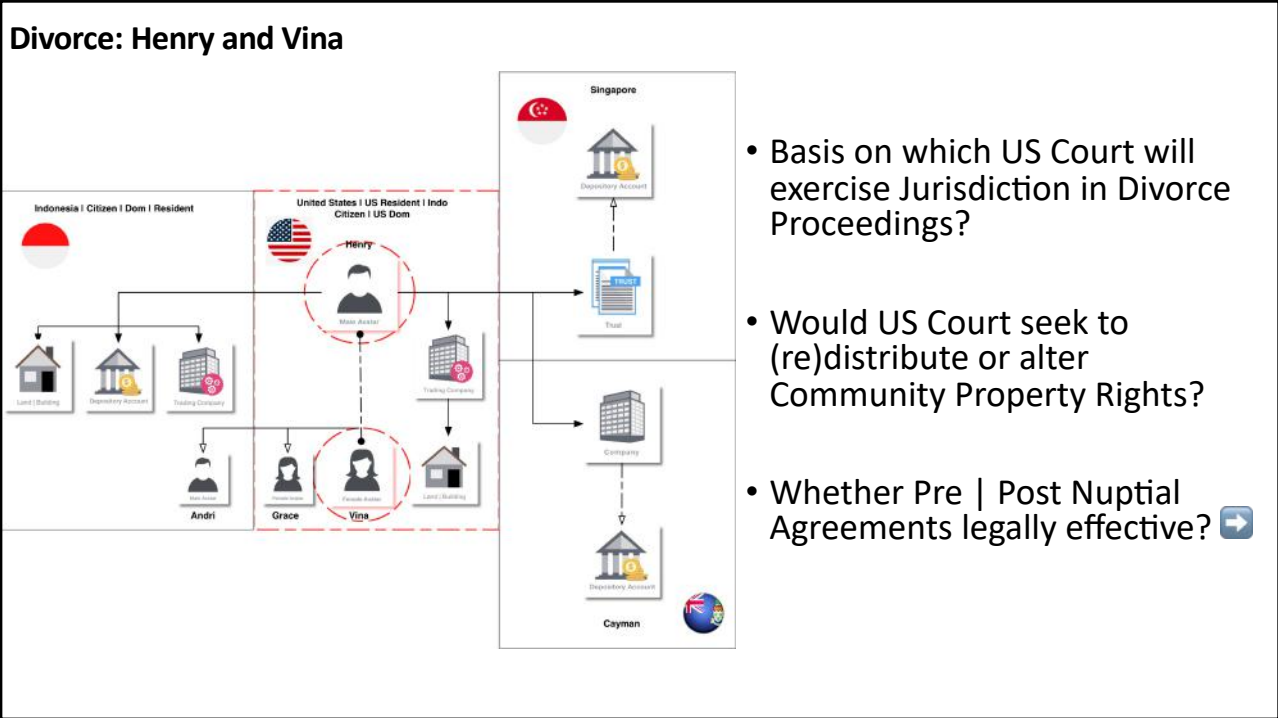
33

Foreign Divorce

34



35



36

Divorce: Henry and Vina

Indonesia | Citizen | Dom | Resident

United States | US Resident | Indo Citizen | US Dom

Singapore

Depository Account

Trust

Company

Depository Account

Cayman

- Whether US Court may Order division of Indonesia property?
- Whether US Court Order would be recognized and enforceable in Indonesia? ➔

37

Divorce: Henry and Vina

Indonesia | Citizen | Dom | Resident

United States | US Resident | Indo Citizen | US Dom

Singapore

Depository Account

Trust

Company

Depository Account

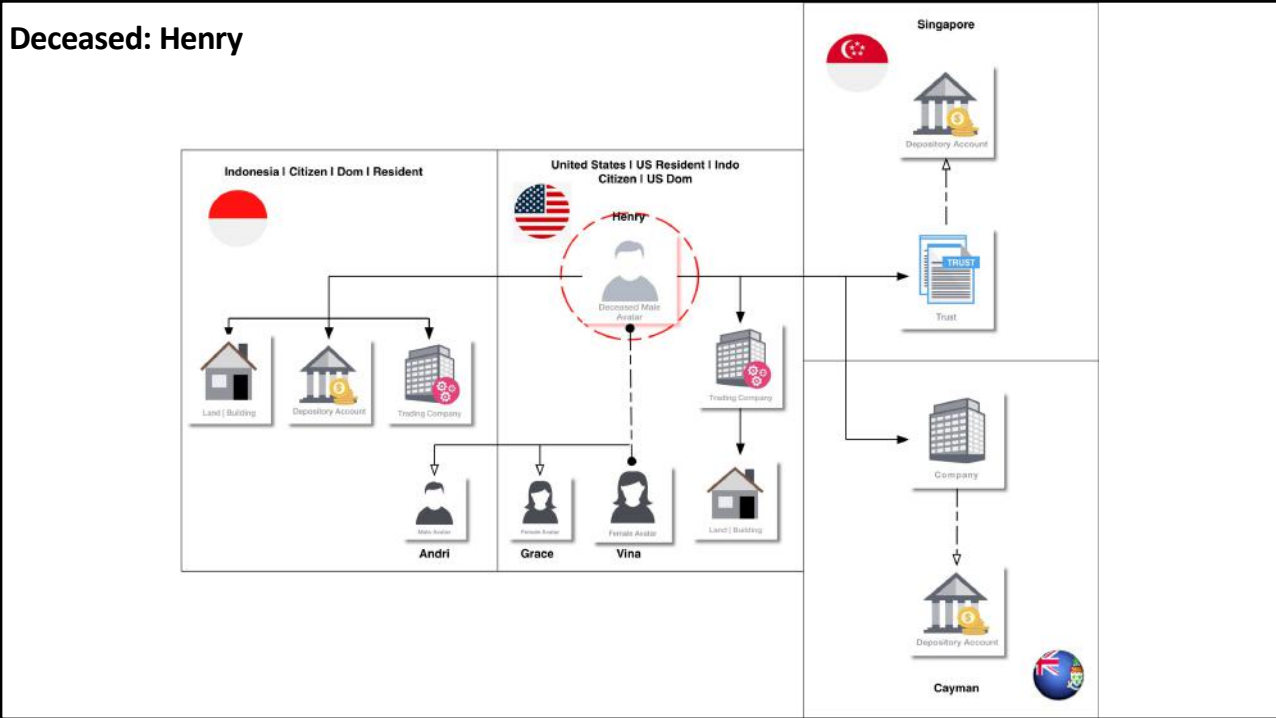
Cayman

- Whether US Court may seek to vary the terms of the HK trust or divide the Cayman company shares?
- Whether HK trust law provides protections against a foreign matrimonial order?
- Whether Cayman would recognize and enforce a foreign matrimonial order? ➔

38

Foreign Succession

39



40

Deceased: Henry

The diagram illustrates Henry's estate across four jurisdictions:

- Indonesia:** Citizen, Domicile, Resident. Assets include Land (Building), Depository Account, and Trading Company. Children: Andri (Citizen, Resident), Grace (Citizen, Resident), Vina (Citizen, Resident).
- United States:** US Resident, Indo Citizen, US Dom. Assets include Personal Bank Account and Trading Company.
- Singapore:** Assets include Depository Account and Trust.
- Cayman:** Assets include Company, Depository Account, and Cayman flag.

- Basis of application of US Succession Law – Domicile | Situs | Nationality | Residence?
- Which Succession Law will apply to US company shares and Land: US or Indonesia?
- Whether US Succession Law contains Forced Heirship Provisions? ➡

41

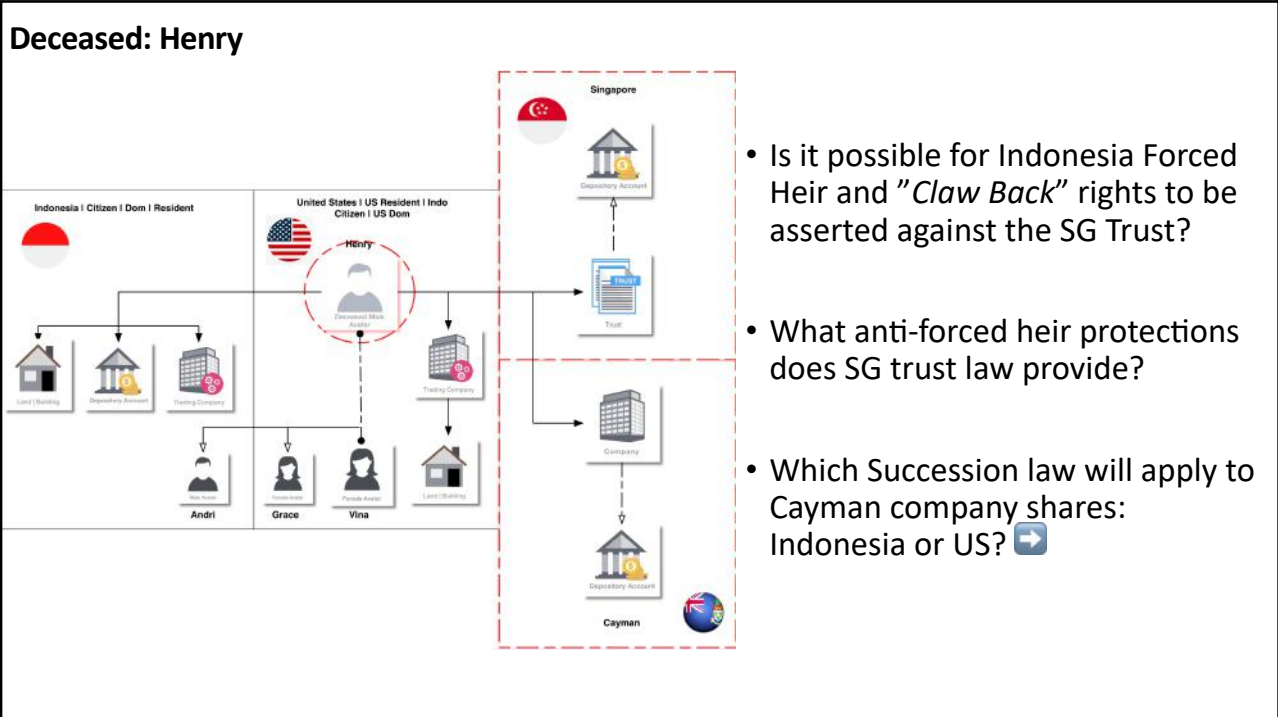
Deceased: Henry

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- United States:** US Resident, Indo Citizen, US Dom. Assets include Personal Bank Account and Trading Company.
- Singapore:** Assets include Depository Account and Trust.
- Cayman:** Assets include Company, Depository Account, and Cayman flag.

- Which Succession Law will apply to the Indonesia property: US or Indonesia?
- Is it possible for Forced Heir rights to be asserted against the Indonesia property?
- What are the consequences if the foreign marriage was not registered in Indonesia? ➡

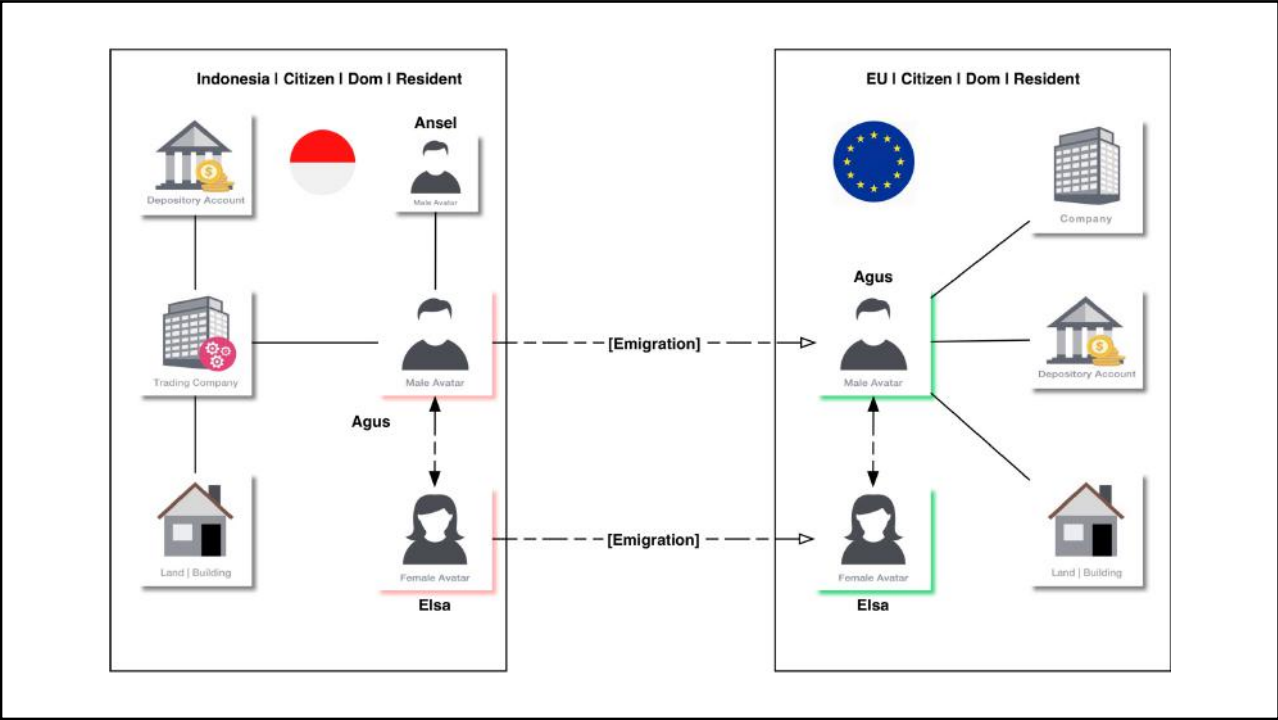
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43

Case Study No. 3

44

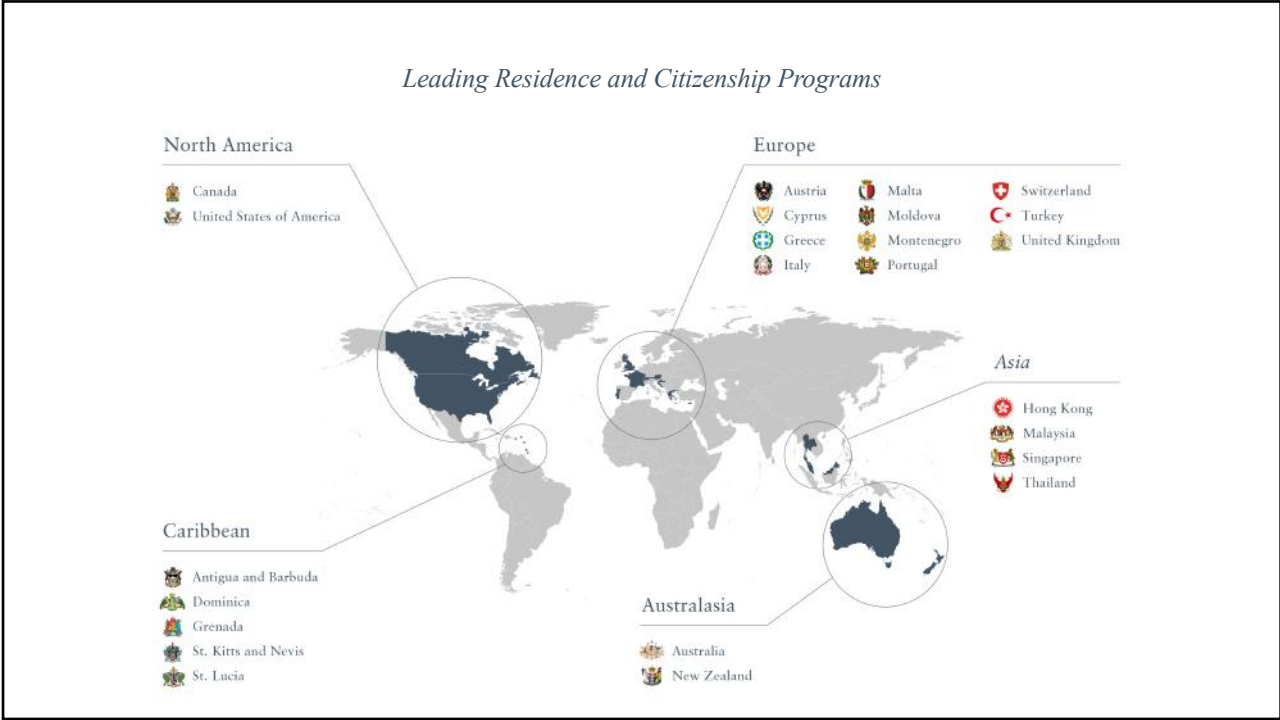


45

Emigration

- Popular European Programs
- Process to apply
- Investment amount
- AML | Due Diligence Process ➡

46



47



48

