

PROFILE



Partner
Real Estate
Mining and Energy
Mergers and Acquisitions
Litigation and Dispute Resolution
Competition Law
Employment
Construction
Infrastructure and Major Project
Hotel, Resort and Tourism
Foreign Investment & General Corporate Practice
Makarim & Taira S., Jakarta, Indonesia
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Qualifications

LL.M, Boston University, Boston, USA, 2001
 S.H., University of Pancasila, Indonesia, 1996
 S.S., Universitas Indonesia, 1985

Language

Bahasa Indonesia, English

RAHAYU NINGSIH HOED

ABOUT RAHAYU

Rahayu Ningsih Hoed has been with Makarim & Taira S for more than 30 years rendering her the most senior partner at the firm. She has extensive experience in almost every aspect of legal practice due to her background as journalist and paralegal and is a widely recognised authority on corporate and M&A transactions, project financing, arbitration, and employment. Praise for Rahayu's advice from clients include: "incredible, extremely well-considered advice", "ensuring that deals always involve "remarkable levels of risk management".

Rahayu has represented many major multinational companies such as Sumitomo Corporation, Halliburton, Marubeni Corporation, GAP Inc., Samsung, Hong Leong, Sembcorp and more and embassies such as British Embassy and Australian Embassy. Her achievements include project financing for the 1,320MW large capacity Tanjung Jati B power plant and its expansions of 1,320 MW, and Cirebon Power Plant of 600 MW, major land acquisitions for infrastructure and mining projects, and highly sensitive mass terminations of employees. Rahayu also has acted as an expert of Indonesian law issues several times in various court, among others, at the Civil District Court for the Parish of Orleans, Louisiana, the High Court of the Republic of Singapore, the South Jakarta District Court and Family Court in London. Her expertise is recognised in several legal directories such as an A-list lawyers by the ABLJ's Top 100 Lawyers in Indonesia, as an ABLJ's Top 20 Top Women Lawyers Across Asia 2021, Chambers and Partners as a Key Individual for Dispute Resolutions and Real Estate and Legal 500 as a Leading Individual for

Corporate and M&A, Employment, Projects and Energy and Real Estate and recently included her in the Hall of Fame. Asialaw Profiles has also selected her as Elite Practitioner, while IFLR1000 has also ranked her Highly Regarded Lawyer.

EXPERIENCE

Litigation and Dispute Resolution

- Represented a power plant company, in a claim filed by a third party in the state administrative court in order to have one of the Client's licenses revoked. This was highly impactful to the Client's business and became precedent.
- Represented a Malaysian company with core activities of developing, marketing, manufacturing and production support of high technology automation systems for the semiconductor backend and carrier tape industries in a dispute against its purchaser (the Indonesian Company) which supplied the Government of Indonesia of smart card ID. The disputes have been referred to Indonesian and Malaysian courts.
- Represented a ship equipment company in Civil Case filed by a third party pertaining to the property used as its factory.
- Represented one of the biggest and major Japanese companies as the Indonesian counsel in SIAC arbitration proceedings related to the construction dispute.
- Represented a number of clients in the settlement of labor disputes and mass termination due to business acquisitions and closure involving more than 300 employees in one occasion (a number of clients).
- Represented various clients in conjunction with shareholders disputes, employee embezzlement cases, Intellectual Property cases and bankruptcy cases.
- Represented the executives of one of the largest mining company in connection with criminal complaints for alleged pollution through submarine disposal of mine tailings.
- Represented a large European bank in relation to sugar imported from Thailand and confiscated by the State.

Real Estate

- Represented major Australian developer in the development of mixed use property project in North Jakarta and major Singapore developer in the development of mixed used property project in Batam.
- Represented various multinational corporations major clients in conducting acquiring major land acquisition (between 50 to 200 hectares for each of the transaction) land for power plant and mining projects involving hundreds of individual land owners, various legal matters including customary community land (Tanah Hak Ulayat), overlapping land/fake certificates and inheritance dispute.
- Represented various embassies in the land acquisitions and disposals involving various legal matters including negotiations with the Government for acquisition of public property.
- Represented various large domestic and international property developers in the lease agreement with major tenants in their mixed-use developments.
- Represented various hotel management companies in various legal matters.
- Land acquisition of 50 hectares for chemical plant in Cilegon, West Java (a consortium of Japanese and American multinational companies).

Mining, Oil and Gas and Power Plants

- Represented major mining companies in the construction of their smelting projects.
- Represented a power plant multinational company in relations to various legal matters including gas supply and gas transportation agreement and bond issuance.
- Represented an oil and gas multinational company in relation to various legal issues.
- Acted as legal counsel to PT Bhumi Jati Power (the project company) in relation to the development of the Tanjung Jati 5 & 6 (Jawa-4) expansion (2 x 1000 MW power plants).
- Acted as legal counsel to Reliance Power Netherlands B.V. with regards to regulatory issues on coal mining and transportation infrastructure.
- Acted as legal counsel to Krakatau Steel with regards to EPC contract for Blast Furnace and queries of China Development Bank.
- Acted as legal counsel to Sumitomo Corporation in relations to gas importation and feasibility study on FSRU project, including structuring the transaction.

Employment – Mass Termination of Employment

- Represented clients in advisory work, among others, on employment contracts, labour unions, strikes and outsourcing.
- Represented clients in employment dispute: Mass Termination of Employment. Processing termination of employment of more than 500 employees due to depletion of natural resources).

ACCOLADES

Legal 500

Awarded a Hall of Fame in Projects & Energy in the Legal 500 2021-2023

Ranked as a Leading Individual in Corporate and M&A, Projects & Energy, Employment, and Real Estate, The Legal 500 2014-2023

A Recommended Lawyer in Corporate and M&A, Dispute Resolution, and Real Estate The Legal 500 2023

Chambers Global

Highly ranked for Projects and Energy by Chambers & Partners Global 2017-2022

Chambers Asia-Pacific

Highly ranked for Projects & Energy Chambers Asia-Pacific 2018-2023 and for Real Estate from 2017-2023

IFLR1000

Highly Regarded Lawyer in Project Development, Project Finance, and M&A IFLR1000 2017-2023

Recognised as one of the IFLR1000 Women Leaders 2022-2023

Asialaw

Elite Practitioner in Real Estate & Energy 2021-2023, Corporate and M&A in 2020-2021, Market-Leading Lawyer in Corporate/M&A and Dispute Resolution and Litigation, Asialaw 2017-2023

Asia Business Law Journal

Indonesia's A-list lawyers by the Asia Business Law Journal's Top 100 Lawyers in Indonesia, 2018-2023

Asia Business Law Journal's Top 20 Women Lawyers Across Asia 2021

Benchmark Litigation Asia-Pacific

Recognised as Litigation Star in Commercial & Transactions, Benchmark Litigation Asia-Pacific 2019-2023

Recognised as Top 100 Women in Litigation in Benchmark Litigation Asia-Pacific 2020-2023

Shortlisted in Lawyer of The Year by Benchmark Litigation Asia-Pacific Awards 2022

APPOINTMENTS/MEMBERSHIPS

- Member of the Indonesian Advocates Association (PERADI)
- International Bar Association (IBA)
- Indonesian French Chamber of Commerce and Industry (IFCCI)
- Indonesian Translators Association (HPI)
- The International Chamber of Commerce (ICC)
- The Indonesian Electrical Power Society (MKI)

PUBLICATIONS

- Proud Contributor to the Chambers Global Practice Guides Real Estate 2022
- Author, Mondaq Comparative Guides on Real Estate 2022
- Co-author, Chambers Global Practice Guide Template Real Estate 2020
- Co-author of various M&T's newsletters and publications