

The Principle of Caution for Notaries Regarding Deeds Not Read Aloud in the Presence of the Parties Involved

Anindya Alfadinanti¹, Liza Priandhini²

¹Fakultas Hukum, Magister Kenotariatan, Universitas Indonesia, anindyaalfa7@gmail.com

¹Fakultas Hukum, Magister Kenotariatan, Universitas Indonesia

ABSTRACT

This study aims to analyze and identify the validity of the Notary deed that was not read out by the Notary before the applicants and, to analyze and identify the role of the Notary Supervisory Board in terms of enforcing UUJN regarding the behavior of a Notary who does not read the Notarial deed that they have made. This is a qualitative normative legal research as it examines legal norms related to the validity of notarial deeds which were not read out by the notary before the applicants and witnesses at the time of signing the minutes of the deed. The results of the study concluded that the Notary is obliged to guarantee the certainty of the day, date, month, year, and facing time listed or mentioned at the beginning of the Notarial deed, as proof that the parties face and sign the deed and all procedures for making the deed have been carried out according to the applicable legal regulations in UUJN. In the case of the notarial deed not being read to the applicants and witnesses due to the notary's negligence is certainly in contrary to the UUJN provisions, which undoubtedly will have legal implications for both the deed and the notary concerned. The reading of the deed that is not carried out by a Notary will result in a decrease in the value of proving an authentic deed to become a private deed as stated in Article 16 paragraph (9) UUJN. Keywords: Notary, Be careful, Deed Reading. Notaries are considered responsible and can be blamed if there is a misunderstanding regarding the purpose and content of the deed resulted in invasion of the deed

Keywords	Notary; Prudential Principle, reading of the deed
Cite This Paper	Alfadinanti, A., & Priandhini, L. (2026). The Principle of Caution for Notaries Regarding Deeds Not Read Aloud in the Presence of the Parties Involved. <i>Legal Spirit</i> , 10(1).
Manuscript History: <u>Received:</u> June 15, 2024 <u>Accepted:</u> April 9, 2026 <u>Corresponding Author:</u> Anindya, anindyaalfa7@gmail.com	 Legal Spirit is Licensed under a Creative Commons Attribution-ShareAlike 4.0 International License Indexed:    Layout Version: V8.2024

PRELIMINARY

The role of notaries has long been recognized in Indonesia, even predating its independence during the Dutch colonial period. Initially, the presence of notaries was a necessity for the European population in Indonesia, aiming to create authentic deeds, particularly in the field of commerce.¹ The notary profession is popular among the public,

¹ Hartanti Sulihandari & Nisya Rifiani, *Prinsip-Prinsip Dasar Profesi Notaris*, (Yogyakarta Dunia Cersas, 2013), hlm.2-3.

and its presence is increasingly needed to produce authentic written evidence for legal acts performed by the community. Consequently, various regulations often mandate that certain legal acts be documented in authentic deeds. Notaries and their authentic deeds can be interpreted as the state's efforts to provide legal certainty and protection for its citizens.

Article 1 of Law of the Republic of Indonesia Number 2 of 2014 on the Position of Notary states that a notary is a public official authorized to create authentic deeds and has other authorities as specified in this law or other laws. The position of a notary is as a public official assigned by public authority to serve the community's need for authentic evidence, providing certainty in civil legal relations. As long as authentic evidence is required by the legal system, the existence of the notary profession will remain essential within society.²

Authentic deeds created by notaries hold significant legal power as they serve as perfect evidence. Therefore, numerous regulations require certain legal actions to be documented in authentic deeds, such as the establishment of limited liability companies, cooperatives, fiduciary security deeds, among others, apart from those made at the request of the parties. Positive law in Indonesia has regulated the notary position in a specific law, as the government, together with the House of Representatives, enacted Law Number 30 of 2004 on the Position of Notary.³

Article 15 of Law Number 2 of 2014 on the Position of Notary states that a notary is authorized to create authentic deeds concerning all actions, agreements, and determinations required by regulations and/or desired by interested parties to be stated in an authentic deed, ensuring the certainty of the date of creation, keeping the deed, providing grosse, copies, and excerpts of the deed, all of which are within the scope of the notary's authority unless otherwise assigned or excluded to other officials or persons specified by law.

Notarial deeds are legal products in the form of agreements created and used by notaries in their professional practice. In this era of globalization, a significant portion of society utilizes notary services, indicating the public's openness to legal developments and the increasing necessity for notarial services.⁴

A notary is required to read the deed aloud in the presence of the parties requesting its creation and the witnesses. These witnesses, known as instrumental witnesses, must be present to observe the creation of the authentic deed by the notary. The duties of instrumental witnesses include signing the deed, providing testimony about the accuracy of its contents, and ensuring the formalities required by law are fulfilled. Instrumental witnesses serve as evidence to protect the notary in case the deed is disputed by any party involved or by a third party. Once everyone understands and agrees with the content of the deed, it is followed by the signing of the deed by all present parties (the notary, the parties, and the witnesses).

Reading the deed aloud is a critical step; if omitted, the deed may be downgraded to a private deed if proven in court. Furthermore, non-compliance with several articles in the Notary Law (UUJN) can result in the deed's evidentiary power being reduced to that of a private deed, as specified in Article 84 of the Notary Law, which states:

² Hartanti Sulihandari dan Nisya Rifiani, *Etika & Kode Etik Profesi Hukum*, (Yogyakarta, FH UII Press, 2017), hlm. 63.

³ Abdul Gofar Anshori, *Lembaga Kenotariatan Indonesia Prespektif Hukum dan Etika*, (Yogyakarta: UII Press, 2009), hlm. 5.

⁴ Agus Pandoman, *Teknik Pembuatan Akta-akta Notaris*, (Yogyakarta : Raga Utama Kreasi, 2017), hlm 9.

"Violations committed by the notary as stipulated in Article 16 paragraph (1) letter l, Article 16 paragraph (1) letter k, Article 41, Article 44, Article 48, Article 49, Article 50, Article 51, or Article 52 that result in a deed having only the evidentiary power of a private deed or being void by law may serve as grounds for the aggrieved party to claim compensation, damages, and interest from the notary."

Reading the deed aloud is a mandatory part of creating an authentic deed, forming part of the "verlijden" process (reading and signing). The regulation requiring notaries to read authentic deeds is stipulated in Article 16 paragraph (1) letter m. However, in practice, some notaries neglect this process during the formalization of the authentic deed, which can have legal consequences for the deed, the notary, the parties involved, and the deed itself. An incident in Yogyakarta exemplifies the repercussions of a notary failing to read a deed aloud, resulting in losses for the parties and leading to the notary being reported to the Notary Supervisory Council. The notary's negligence in not reading the deed aloud in the presence of the parties led to significant losses for the involved parties.

Article 16 of Law Number 2 of 2014 on the Position of Notary, paragraph (1) letter (a), mandates that a notary must act in a trustworthy, honest, thorough, independent, impartial manner and prioritize the interests of the involved parties. The term "thorough" here implies careful, meticulous, and cautious behavior, which is essential in recognizing the parties appearing before the notary.

A notary must always act cautiously in conducting legal actions, ensuring that all relevant facts are thoroughly examined according to applicable laws. This includes verifying the completeness and validity of evidence or documents presented and hearing statements from the appearing parties as a basis for the deed. Lack of thoroughness in examining crucial facts indicates negligence on the notary's part.⁵

Notarial deeds must guarantee that the events and facts stated in the deed genuinely occurred or were declared by the appearing parties at the specified time, following established procedures. This ensures formal proof of the truth and certainty regarding the date, time, and identity of the appearing parties, signatures, and the content witnessed or heard by the notary, thereby substantiating the authenticity of the deed.⁶

Menjalankan tugas dan jabatan Notaris selain harus tunduk dan patuh kepada n executing their duties, notaries must adhere to the Notary Law and the Notary Code of Ethics, while also considering the principle of caution, especially in recognizing the appearing parties. Thoroughly identifying the parties ensures the accurate execution of their duties. Reading the deed is crucial to ensure that all signatories and witnesses fully understand and are aware of the legal implications of the deed.⁷

Article 38 paragraph (3) letter c of the Notary Law emphasizes that the deed's content reflects the will of the appearing parties, not the notary. The notary's role is to formalize the content into a notarial deed according to the Notary Law. The Minister of Law and Human Rights Regulation Number 9 of 2018 on the Application of the Principle of Recognizing Service Users for Notaries mandates reporting suspicious transactions to the Financial Transaction Reports and Analysis Center (PPATK), as outlined in Government Regulation Number 43 of 2015 on Reporting Parties in the Prevention and Eradication of Money Laundering.

The regulation obliges notaries to carefully and thoroughly recognize the appearing parties, verify the completeness and authenticity of presented documents, and assess

⁵ Ibid, hlm. 38-39.

⁶ Habib Adjie, *Kebatalan Dan Pembatalan Akta Notaris*, (Surabaya : 10, refika Aditama), hlm.19.

⁷ Freddy Haris dan Leny Helena, *Notaris Indoensia*, (Jakarta : Lintas Cetak Publishing, 2017), hlm.

whether the transaction involves money laundering. Given this background, the research problems addressed in this study are : 1. What is the validity of a notarial deed that is not read aloud by the notary in the presence of the parties and witnesses? 2. What role does the Notary Supervisory Council play in enforcing the Notary Law regarding the conduct of notaries who fail to read the deeds they create?

METHOD

The author employs a normative legal research method, utilizing secondary data or data obtained from library materials, including research on legal principles, legal history, and legal comparisons. The object of this scientific work is the subject that provides data or information for the research. In this case, the object of the study is the application of the Principle of Caution by notaries in identifying the parties involved, as stipulated in Article 16 paragraph (1) letter a of Law Number 2 of 2014 on the Position of Notary, and Regulation of the Minister of Law and Human Rights Number 9 of 2017 concerning the principle of recognizing service users for notaries.

RESULT AND DISCUSSION

Validity of Notarial Deeds Not Read by the Notary in the Presence of the Appearing Parties

In the performance of their duties and functions, it is essential for notaries to exercise a high degree of caution in the process of creating authentic deeds. This is crucial given the frequent legal issues arising from authentic deeds made by notaries, often due to the involvement of parties committing crimes such as submitting forged documents or false statements into the deeds made by the notary. To prevent such crimes that could implicate notaries in legal issues, the Notary Office Act needs to be revised to provide clearer guidelines and instructions for notaries to act more carefully, accurately, and prudently in the process of creating authentic deeds.

As legal issues evolve over time, notaries, as public officials providing legal services to the community, need protection and guarantees to achieve legal certainty. The regulation governing the office of notaries, namely Law No. 30 of 2004 on the Office of Notary, as amended by Law No. 2 of 2014 (hereinafter referred to as UUJN), serves as a legal umbrella for notaries in carrying out their functions. This law assures the public that a notary, in performing their duties, acts in the best interest of the community and is responsible for the deeds made by the parties in the presence of the notary. Thus, it can be understood that adherence to the applicable laws and regulations, especially the UUJN, is a legal safeguard for notaries to avoid legal issues in the future.

A notary must act in accordance with the prevailing legal provisions, providing assurance to the parties that the deeds made before or by the notary comply with the applicable laws. This ensures that, in the event of a dispute, the notarial deed can serve as a reliable reference for the parties involved. At the beginning of a deed, the notary records the date and time of its creation, which is crucial for the formal evidentiary strength of the notarial deed. The formal evidentiary strength implies that the notarial deed provides certainty that an event or fact stated by the appearing parties at the time recorded in the deed is accurate and follows the prescribed procedures.

When discussing the evidentiary strength of notarial deeds that are not read to the appearing parties and witnesses, it must be understood that a notary, in performing their duties, formulates the intentions and actions of the parties into an authentic deed while adhering to the applicable legal provisions. The notary and their deeds are inseparable, as

the status of a notarial deed as an authentic document is derived from the notary's status as a public official as stipulated by law.

Ida Bagus Paramaningrat Manuaba outlines the prudential principles that should be followed by notaries in the deed creation process, which include: verifying the identity of the appearing parties, meticulously verifying the data of the subjects and objects involved, allowing sufficient time for deed preparation, acting cautiously, and meticulously throughout the deed preparation process, fulfilling all technical requirements of deed creation, and reporting any indications of money laundering in notarial transactions. These prudential principles should be strictly adhered to by notaries to prevent future legal issues arising from the authentic deeds they create.⁸

According to Article 38 paragraph (4) letter a of the UUJN, the reading of the deed must be explicitly mentioned in the notarial deed. Whether the deed was read or not must be included at the end of the deed. Failure to do so constitutes a formal defect, rendering the deed legally flawed and only as strong as a private deed. An authentic deed with the evidentiary strength of a private deed is acceptable as long as it only regulates agreements acknowledged by the parties. However, this becomes problematic when the deed serves as a prerequisite for a legal relationship mandated by law, such as the establishment of a limited liability company requiring an authentic deed.⁹

Therefore, the reading of the deed by the notary is mandatory for the formation of an authentic deed. This is because reading the deed is part of the formalization of an authentic deed, alongside its signing. Hence, a deed made by the notary within their jurisdiction must be read by the notary themselves, not by an assistant or staff. Reading the deed benefits both the notary and the appearing parties. It provides formal evidentiary strength, ensuring that the statements made and the matters described in the deed are accurate and reflect the intentions of the parties appearing before the notary. The obligation to read the deed, as stipulated in Article 16 paragraph (7) of the UUJN, allows for an exception if the appearing parties prefer the deed not to be read because they have already read and understood its contents. If the deed is not read due to this exception, it must be stated in the concluding section of the deed, with the appearing parties, witnesses, and notary initialing each page of the deed. This indicates that reading the deed is not mandatory as long as it complies with these provisions, making the obligation to read the deed not absolute.

The legal consequences of a court ruling against a notary often demand a higher level of professionalism in their work. Notaries are expected to adopt an active role in verifying facts in the field, ensuring their work's security and reputation in the public eye. The ultimate judge of a notary's professionalism is the public they serve.

By reading the deed, the notary can clarify its content and intent to ensure it aligns with the parties' wishes. The fact that the deed was read must be recorded at the end of the deed. This also applies if the parties prefer not to have the deed read because they have reviewed and understood its content themselves. In such cases, the notary must also record this preference at the end of the deed. This practice is crucial as it pertains to the status of the deed.¹⁰

In conclusion, the evidentiary strength of notarial deeds that are not read to the appearing parties and witnesses hinges on the understanding that the notary formulates the

⁸ Universitas Udayana, https://notary-pps.unud.ac.id/pages/view_skripsi/1592461018, diakses tanggal 2 April 2024, pukul 18.16 WIB.

⁹ H, Kartikosari & Sesung. *Pembatasan Jumlah Pembuatan Akta Notaris Oleh Dewan Kehormatan Puser Ikatan Notaris Indonesi*. Jurnal Panorama Hukum, hlm 167

¹⁰ Ratih Tri Jayanti, *Perlindungan Hukum Notaris Dalam Kaitannya Dengan Akta yang Dibuatnya Manakala ada Sengketa di Pengadilan Negeri (Studi Kasus Putusan Pengadilan Negeri Pontianka No.72/pdtg/pn.Pontianak)*, (Tesis Magister Kenotariatan : Universitas Diponegoro, 2010), hlm 155-156.

parties' intentions into an authentic deed, adhering to legal standards. The notary and their deeds are interconnected, as the authenticity of a notarial deed is derived from the notary's status as a public official established by law.¹¹

Examining the Evidentiary Strength of Notarial Deeds Not Read to the Appearing Parties and Witnesses. When assessing the evidentiary strength of notarial deeds that have not been read to the appearing parties and witnesses, it is crucial to understand that a notary, in the execution of their duties, formulates the intentions and actions of the parties into an authentic deed while adhering to the applicable legal provisions. The notary and their deeds are inseparable because the status of a notarial deed as an authentic document is directly linked to the notary's position as a public official, as established by law.

The Role of the Notary Supervisory Council in Enforcing the Notary Office Law Related to Notaries Who Do Not Read Aloud the Deeds They Draft

In the process of drafting deeds, it is within the duties and authority of a notary to read the deed aloud and ensure that the deed is understood and signed by the appearing parties and witnesses involved in the deed. This process differentiates an authentic notarial deed from a private deed.¹² Reading the deed aloud is a crucial part of the notarial deed-making process, allowing the notary to verify the contents and intent of the deed align with the parties' wishes. Furthermore, one purpose of the notary reading the deed aloud is to ensure that the deed signed by the parties is identical to the one that was read. This reading process acts as a safeguard for both the parties and the notary, ensuring the deed reflects the true intentions of the parties, allowing for corrections before signing if any errors or omissions are detected.

Regarding the status of notarial deeds that are not read aloud by the notary, it is important to note that while notarial deeds are considered authentic documents with legal evidentiary strength, this status is contingent upon following proper procedures and regulations. These regulations establish boundaries for notaries in exercising their authority, and adherence to these regulations ensures legal certainty. Therefore, the authenticity and legal standing of a notarial deed that does not comply with the applicable regulations can be called into question. The legal certainty of the status of authentic notarial deeds is paramount for the involved parties.

Notaries, in performing their duties, may make mistakes or exhibit unprofessional behavior, such as favoring one party over another, which can lead to legal issues in the deeds they create. As public officials authorized to create authentic deeds, notaries are sometimes negligent, resulting in legal complications, whether in criminal or civil law. This negligence often arises from parties presenting false documents or false information to the notary, leading to the creation of flawed authentic deeds.¹³

The Notary Supervisory Council is mandated to effectively oversee and guide notaries, ensuring the creation of legal certainty, order, and protection for the public using notarial services. Consequently, notaries must adhere strictly to the regulations governing their profession. The authority to supervise notaries lies with the Minister of Law and Human Rights, who delegates this authority to the Notary Supervisory Council. The Notary Office Law (UUJN) stipulates that the Minister oversees notaries and delegates supervisory authority to the Notary Supervisory Council, rather than performing the Council's functions.

¹¹ Rizky Yunian, "Keabsahan Akta Notaris yang tidak dibacakan Oleh Notaris didepan para penghadpa dan para saksi saat penandatanganan minuta akta," *jurnal hukum*, vol. 2, No. 2. Hlm. 35

¹² Multazam dan Purwaningsih, *Verlijiden Pada Jabatan Notaros di Indonesia*

¹³ Fikri Ariesta Rahman, "Penerapan Kehati-Hatian Notaris dalam Mengenal Para Penghadap." (Tesis Magister Kenotariatan Universitas Islam Indonesia, Yogyakarta, 2018), hlm 77.

The concrete legal steps that the Notary Supervisory Council can take to enforce oversight include various forms of supervision, such as.¹⁴

The supervision authority over Notaries lies in the hands of the Minister of Law and Human Rights. However, in practice, the minister delegates this authority to the Notary Supervisory Board that they form. The UUJN (Law on Notary Position) affirms that the minister oversees Notaries, and the minister's authority to conduct this oversight is granted in the form of delegative delegation to the minister to establish the Notary Supervisory Board, not to carry out the functions of the Notary Supervisory Board explicitly designated as the authority of the Notary Supervisory Board.

Concrete legal steps that the Notary Supervisory Board can take to conduct oversight include various forms of supervision found in supervision theories, including:

1. Reviewed in terms of the position of the body/organ conducting the supervision, it consists of:

a. Internal Supervision: Internal supervision is conducted by a body that structurally remains within its own governmental framework, in this case, because the Notarial Field falls under the Ministry of Law and Human Rights of the Republic.

b. Functional Supervision: Supervision carried out by oversight authorities over state finances and especially over government actions in the notary field.

2. External Supervision: Oversight conducted by an organization/agency structurally outside the government (executive branch), for example, in the oversight carried out by the Notary organization, the Indonesian Notary Association, over Notaries.

3. Preventive and Repressive Supervision:

- Preventive Supervision: Supervision conducted before a government decision/decision is issued, known as prior supervision, which will be established by government regulations.

- Repressive Supervision: Supervision carried out after a government decision/decision is issued, making it corrective and restoring a wrong action, also known as posterior supervision.

4. Legal Aspect Supervision: A judgment on the validity of a deed made by a Notary that results in legal consequences. The authority to oversee Notary actions, whether wise or not, lies with the Regional Notary Supervisory Board as stipulated in Article 70 and Article 71 of the UUJN, Article 13 and Article 14 of the Minister of Law and Human Rights Regulation of the Republic of Indonesia Number M.02.PR08.10 Year 2004 concerning Procedures for Appointment of Members, Dismissal of Members, Organizational Structure, Work Procedures, and Examination Procedures of the Notary Supervisory Board.

Supervision over the execution of the Notary's duties also needs to be conducted regarding the failure of the Notary to read the deed to the parties involved and the witnesses. The Notary Supervisory Board, as an institution empowered to oversee the performance of Notary duties, should provide seminars or training sessions as a preventive measure against violations in carrying out Notary duties.

Responsibility is a reflection of human behavior. Human behavior is related to mental control, which is part of intellectual or mental considerations. When a decision is made or rejected, it becomes part of one's responsibility and the consequences of their choices. There

¹⁴ Habib Adjie *Majelis Pengawas Notaris*, PT. Refika Aditama, Bandung, 2015, hlm. 101.

is no other reason why this is done or left. The decision is considered to be guided by intellectual awareness.¹⁵

Potential legal issues that often occur in the Notary's duties include:

1. Deeds made without the parties being face-to-face.
2. Identity data of one of the parties in the deed is considered incorrect or providing false information.
3. Data regarding the promised object does not match the actual facts.
4. Data provided by one or both parties is incorrect, resulting in the notarial deed being deemed fake.
5. There are two deeds among the parties, with the same number and date but different content.
6. The signature of one party in the minute is forged.
7. The client uses someone else's identity.¹⁶

A Notary who makes mistakes in carrying out their duties cannot escape the sanctions available. Sanctions can take the form of criminal sanctions or civil sanctions. Civil sanctions apply to notarial deeds, with the deed losing its authenticity. The difference between degradation and annulment of an authentic deed is that if declared null by a judge, the authentic deed is deemed to have never existed. Legal consequences need to be distinguished between being declared void, which is a subjective requirement declared invalid, or void ab initio, which is an objective requirement declared invalid.¹⁷

An authentic notarial deed being void ab initio means that the legal act performed has no effect since the inception of that law or is retroactively nullified. Void ab initio is based on a Court Decision that has acquired legal finality. On the other hand, being void means that the legal act performed has no legal effect since the nullification, and the nullification or the legal act depends on a specific party, causing the legal act to be nullified. Deeds with cancellable sanctions still maintain legal finality that cancels the deed.

Notaries who err in identifying the identities of the appearers require appropriateness, precision, and a cautious attitude, obligating everyone to fulfill their interests while considering the interests of others. The fulfillment of one's interests must be carried out in such a way that it does not pose a danger to the interests of the appearers. Notaries who cause harm, such as by creating deeds that do not protect the rights of the appearers as stated in the notarial deed, face the consequence of losing trust in the notary. As for legal sanctions for violations committed by notaries, if any of the appearers file a lawsuit due to errors or negligence by the Notary, the outcome depends on the judge's decision. If one of the appearers is harmed due to the Notary's mistakes or negligence, the appearer can seek compensation.

¹⁵ Masyur Efendi, *Dimensi/Dinamika Hak Asasi Manusia Dalam Hukum Nasional Dan Internasional*, (Jakarta :Ghalia Indonesia, 1994), hlm. 82.

¹⁶ <https://www.ucnews.id/news/Waspadai-Tuntutan-Pidana-yang-Mungking-Dihadapi-Notaris-DalampBertugas/4072341047767155.html>, diakses tanggal 23 April 2024, pukul 16:14 WIB.

¹⁷ Fikri Ariesta Rahman, *"Penerapan Kehati-Hatian Notaris dalam Mengenal Para Penghadap."* (Tesis Magister Kenotariatan Universitas Islam Indonesia, Yogyakarta, 2018), hlm 80.

Legal actions that can be taken by parties harmed due to the Notary's lack of accuracy include:¹⁸

1. If a party feels harmed due to the Notary's lack of accuracy in performing their duties, that party can demand compensation, costs, and interest by filing a lawsuit in a district court.
2. Another legal recourse is to report to the Regional Notary Supervisory Board so that the respective Notary can be sanctioned. The process of imposing sanctions involves:
 - a. Initiating legal action against the Notary who has received legal sanctions by filing a lawsuit in a district court.
 - b. The process of imposing ethical sanctions on the notary who has received ethical sanctions is outlined in Article 9 of the Code of Ethics.

CLOSING

The Notary has the obligation to ensure the validity of the Notary Deed by guaranteeing the certainty of the day, date, month, year, and time of appearance stated in the deed. Reading the deed by the Notary in the presence of the appearers and witnesses is an integral part of the procedure that must be followed in accordance with the UUJN and the Notary's code of ethics. Notary's negligence in this matter has the potential to violate applicable legal provisions, which can result in a decrease in the evidentiary value of the deed to become a private deed according to Article 16 paragraph (9) of the UUJN. As a supervisory institution, the Notary Supervisory Board plays a crucial role in upholding the Notary Profession Law. Optimal supervisory and mentoring functions need to be performed to ensure the Notary's compliance with legal regulations, especially concerning behaviors that may harm the involved parties. The Notary Supervisory Board is also expected to provide preventive measures, such as seminars or knowledge enhancement, to prevent violations in carrying out the Notary's duties. In the event that the Notary is proven to have made a mistake, the aggrieved party has the right to demand accountability both civilly and criminally through the applicable legal process.

BIBLIOGRAPHY

- Anshori, Abdul Ghofur. (2009). *Lembaga Kenotariatan Indonesia Prespektif Hukum dan Etika*, Yogyakarta: UII Press.
- Adjie, Habib. (2010). *Kebatalan Dan Pembatalan Akta Notaris*, Surabaya: Refika Aditama.
- Darus, M Luthfan Hadi. (2017). *Hukum Notariat dan Tanggung Jawab Jabatan Notaris*, Yogyakarta: UII Press.
- Haris, Freddy dan Leni Helena. (2017). *Notaris Indonesia*, Jakarta: Lintas Cetak Publishing.
- Efendi, Masyur. (1994). *Dimensi/ Dinamika Hak Asasi Manusia Dalam Hukum Nasional dan Internasional*, Jakarta: Ghalia Indonesia.
- Pandoman, Agus. (2017). *Teknik Pembuatan Akta-akta Notaris*, Yogyakarta : Raga Utama Kreasi.
- Silihandari, Hartanti dan Nisya Rifiani. (2013). *Prinsip-prinsip Dasar Profesi Notaris*, Yogyakarta: Dunia Cerdas.
- Syamsudin. (2017). *Operasionalisasai Penelitian Hukum*, Jakarta: Raja Grafindo Persada.
- Hutama, Bayu Rushadian. (2012). *Ketidak Cermatan Notaris Dalam Menjalankan Jabatan Notaris*. Tesis Magister Kenotariatan Fakultas Hukum Universitas Indonesia.

¹⁸ Bayu Rushadian Utama, "Ketidak Cermatan Notaris Dalam Menjalankan Jabatan Notaris.". (Tesis Magister Kenotariatan : Universitas Indonesia, 2012), hlm 79.

- Rahman, Fikri Ariesta, (2018). Penerapan Kehati-Hatian Notaris dalam Mengenal Para Penghadap. Tesis Magister Kenotariatan Universitas Islam Indonesia, Yogyakarta
- Jayanti, Ratih Tri, (2008). Perlindungan Hukum Notaris Dakan Jaitannya Dengan Akta Yang Dibuatnya Manakala Ada Sengketa Di Pengadilan Negeri (Studi Kasus Putusan Pengadilan Negeri Pontianak No.72/Pdtg/Pn.Pontianak.” Tesis Magister Kenotariatan Fakultas Hukum Universitas Indonesia.
- Saputra, Denny, (2017). Prinsip Kehati-Hatian Bagi Notaris/PPAT Dalam menjalankan Tupoksinya Dalam Upaya Pencegahan Kriminalisasi Berdasarkan Kode Etik, Jurnal Akta.