

Kedudukan werda notaris dalam penindakan majelis pengawas notaris: analisis kasus putusan Majelis Pengawas Pusat Notaris nomor 07/B/Mj.PPN/XII/2014 = Position of werdha notary in investigation by notary supervisory council: case analysis of Putusan Majelis Pengawas Pusat Notaris Nomor 07/B/Mj.PPN/XII/2014

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Abstrak

Notaris adalah suatu profesi yang mulia, karena peran dan tugasnya sebagai pejabat umum yang berwenang untuk membuat akta otentik. Fungsi dan peran notaris ialah memberikan pelayanan kepada masyarakat berupa penyuluhan hukum serta menjaga kepentingan pihak yang terkait dalam pelaksanaan jabatan Notaris harus didasarkan pada aturan dalam Kitab Undang-Undang hukum Perdata, Undang-Undang Jabatan Notaris dan juga menjunjung tinggi Kode Etik Notaris. Karena Notaris merupakan suatu jabatan maka ditentukan masa jabatan Notaris yang terdapat dalam pasal 8 Undang-Undang Jabatan Notaris. Setelah berakhirnya masa jabatan tersebut, seorang Werda Notaris tetap bertanggung jawab terhadap semua akta yang pernah dibuat pada saat menjabat. Majelis Pengawas Notaris adalah badan yang bentuk oleh Menteri Hukum dan Hak Asasi Manusia sebagai badan yang di tunjuk oleh Undang-Undang Jabatan Notaris dalam pengawasan terhadap Notaris. Pada dasarnya pengawasan yang dilakukan oleh Majelis Pengawas Notaris adalah terhadap Notaris yang masih aktif menjabat sebagai Notaris. Maka terdapat batasan dalam penindakan Majelis Pengawas Notaris terhadap Notaris yang masa jabatannya telah berakhir yakni dalam memberikan sanksi terhadap pelanggaran Kode Etik. Tesis ini menggunakan metode penelitian yuridis normatif dengan analisis data secara kualitatif. Dari hasil analisis dapat ditarik kesimpulan bahwa Majelis Pengawas Notaris tidak dapat memberikan sanksi terhadap pelanggaran yang dilakukan oleh Werda Notaris pada saat menjabat karena sudah tidak lagi menjabat sebagai Notaris.

.....Notary is a noble profession, because of the role and duties as a public official authorized to make an authentic deed. The function and role of the notary in providing services to the public in the form of legal counseling as well as safeguarding the interests of stakeholders. Notary implementation should be based on the rules in the Code of Civil law, Law Notary and also uphold the Notary Code. Notary is specified term of office of the Notary contained in article 8 of Law Notary. After the expiration of the job, a Notary Werdha remains responsible for all the deeds ever made upon taking office. Notary Supervisory Assembly is the body that forms by the Minister of Law and Human Rights as a institution appointed by the Law Notary in the supervision of the Notary. Basically supervision by the Supervisory Council of the Notary Public Notary is still actively serving as a Notary. So there is a limit in the enforcement of the Notary Public Notary Supervisory Council whose term has ended that in imposing sanctions for violations of the Code. This thesis using normative juridical research method with qualitative data analysis. From the analysis it can be concluded that the Supervisory Council of Notaries can not provide penalties for violations committed by Werda Notary in office because it is no longer served as a Notary. Notary is a noble profession, because of the role and duties as a public official authorized to make an authentic deed. The function and role of the notary in providing services to the public in the form of legal counseling as well as safeguarding the interests of stakeholders. Notary implementation should be based on the rules in the Code of Civil law, Law

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