

Lembaga-lembaga penegak kode etik notaris dan tata cara
penegakan/pemeriksaannya = The establishing institutions of the code
of ethics for notary and the procedures of establishing inspecting /
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Abstrak

ABSTRAK

Jabatan notaris adalah jabatan publik namun lingkup kerjanya berada dalam konstruksi hukum privat. Dalam menjalankan jabatannya sebagai pejabat umum untuk membuat akta otentik, Notaris diawasi oleh 3 tiga lembaga penegak, yaitu Dewan Kehormatan, Majelis Pengawas dan Majelis Kehormatan Notaris sebagai pihak yang melakukan pengawasan tidak hanya ditujukan dalam pentaatan terhadap kode etik tetapi juga bertujuan yang lebih luas yaitu agar notaris dalam menjalankan tugas jabatannya memenuhi persyaratan-persyaratan yang ditetapkan oleh peraturan perundang-undangan demi perlindungan atas kepentingan masyarakat yang dilayaninya. Penegakan yang dilakukan terhadap Notaris sangat beralasan karena notaris merupakan pejabat yang memberikan jasanya kepada masyarakat dan memberikan penjelasan mengenai peraturan perundang-undangan yang berlaku. Metode penelitian dilakukan secara yuridis normatif. Data dalam penelitian ini diperoleh dengan mengumpulkan data pendukung dan data sekunder. Data pendukung yang dimaksud di sini adalah data yang dikumpulkan melalui wawancara dengan nara sumber yang berasal dari pengurus Dewan Kehormatan Pusat, Majelis Pengawas Pusat Notaris dan Majelis Kehormatan Notaris Pusat. Pengumpulan data dalam penelitian ini dilakukan dengan cara studi kepustakaan dan wawancara. Analisis data terhadap data pendukung dan data sekunder dilakukan secara kualitatif. Dari hasil penelitian, penegakan yang dilakukan oleh ketiga lembaga penegak tersebut tidak saling tumpang tindih, akan tetapi justru saling bersinergi satu sama lain, dimana Dewan Kehormatan dikaitkan dengan Notaris sebagai profesi, Majelis Pengawas dan Majelis Kehormatan Notaris dikaitkan dengan Notaris sebagai pejabat umum. Kata kunci: Penegakan, Dewan Kehormatan, Majelis Pengawas, Majelis Kehormatan Notaris.

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ABSTRACT

The position obtained as a notary is a public position, however, the extent of the area or subject matter in which they work in, is all constructed under private law. In order to create an authentic certificate to become a notary deed, a Notary must be supervised under 3 three institution upholders the Honorary Council, the Supervisory Council and the Honorary Council of Notary. As a party who is performing the duty of inspecting and supervising is not only shown in terms of the regulations of the code of ethics but with a much diverse and broader aim, by doing so, the notary is ensured that once they are in their position, they will perform the tasks and uphold the responsibilities of doing their jobs proficiently, fulfilling the requirements that is enforced by the law in order to protect the people that the notary is taking care of. The foundation of the establishment that is enforced towards the Notary is very reasonable due to the fact that a Notary serves as an attendant for the public, giving their service for the people and giving clarifications associated with the laws that are valid. The method of completing my thesis is done under the process of juridical normative. The data is obtained through collecting supporting data and secondary data. The

supporting data means that the data is gathered through the process of conducting an interview with the source that comes from the Board of Center Honorary Council, Center Supervisory Council and Center Honorary Council of Notary. The gathering of data is conducted under a process of a study by using the knowledge gathered from books and the skill of conducting an interview. Both supporting and secondary data are then analyzed through the means of qualitative analysis. Then, from the result of the analysis, the establishment that is conducted by all three institutions of establishment are not overlap within one another but instead, they are cooperate with one another, where the Honorary Council rsquo s involvement and interaction with the Notary as a profession, the Supervising Council and the Honorary Council of Notary shall be involved with the Notary as a public attendant. Key words Establishment Enforcement, Honorary Council, Supervisory Council, Honorary Council of Notary