

## Obligations and Implications of Cyber Notary Protocol Storage

Risna Rahadian

(Universitas Prima Indonesia)

**ABSTRACT:** Notaries are responsible for storing and maintaining the minutes of deed as part of the Notary protocol, which is the state archive. The implication of Notary cyber law on Notary protocol storage is legal certainty as authentic evidence, which needs to be specifically regulated regarding electronic Notary protocol storage by reviewing the law related to the authenticity of Notary deed through updating the legal system of evidence by making the Notary protocol one of the Electronic Documents to be one of the legal evidence.

**KEYWORDS** –Notary, Cyber Notary, Protocol Storage.

### I. INTRODUCTION

Notary positions are public positions, appointed and dismissed by the government, carrying out state duties and the deed made, namely the minuta (original deed), is a state document.<sup>1</sup> Notaries as public officials are given the authority and obligation to serve the public in certain matters, and participate in carrying out the authority of the government.<sup>2</sup> Notaries are given the authority to declare a legal relationship between the parties in a deed which is a reflection of the will of the parties.<sup>3</sup>

The function and role of Notaries in the national development movement are increasingly complex today, because smoothness and legal certainty cannot be separated from the services and legal products provided by Notaries, therefore Notaries must have reliable values and weights.<sup>4</sup> Notary Position Act<sup>5</sup> regulates the public office held by a Notary, so that it is hoped that an authentic deed made by or before a Notary guarantees certainty, order and legal protection.<sup>6</sup> A Notary Deed authentically describes an action taken or a situation seen or witnessed by the deed maker, namely the Notary, in carrying out his position. The deed has 3 (three) functions for the parties who made it, namely:<sup>7</sup>

1. As evidence that the parties concerned have entered into certain agreements;
2. As proof of the parties that what is written in the agreement is the goals and desires of the parties;
3. As evidence for third parties that on a certain date unless otherwise specified the parties have entered into an agreement and the contents of the agreement are in accordance with the wishes of the parties, then in the event of a dispute in which one of the parties submits an authentic deed as evidence in the Court, the Court must respect and acknowledge the contents of the deed are authentic, unless the party who denies can prove that a certain part of the deed has been replaced or it is not what the parties agree on.

In carrying out his position, a Notary must be professional, based on a noble personality, always carry out his duties according to the legislation, while upholding the professional code of ethics as a sign that must be obeyed. Notaries need to pay attention to professional behavior that has elements:<sup>8</sup>

1. Have strong moral integrity;

<sup>1</sup>Heriyanti, *Perlindungan Hukum Terhadap Notaris Yang Terindikasi Tindak Pidana Dalam Pembuatan Akta Otentik*, Jurnal Yustisia, Volume 5 Nomor 2, Mei-Agustus 2016, p. 327.

<sup>2</sup>R. Soesanto, *Tugas, Kewajiban dan Hak Notaris, Wakil Notaris*, Pradnya Paramita, Jakarta, 1991, p. 75.

<sup>3</sup>A. R. Putri, *Perlindungan Hukum Terhadap Notaris: Indikator Tugas Jabatan Notaris yang Berimplikasi Pembuatan Pidana*, Softmedia, Jakarta, 2011, hlm7.

<sup>4</sup>Suhrawardi K Lubis, *Etika Profesi Hukum*, Sinar Grafika, Jakarta, 2004, p. 33.

<sup>5</sup>Law Number 30 of 2004 concerning Notary Positions, and Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning Notary Positions. y Retention of Notary Protocols

<sup>6</sup>Habieb Adjie, *Sanksi Perdatadan Administrasi Terhadap Notaris sebagai Pejabat Publik*, Rafika Aditama, Bandung, 2008, p. 72.

<sup>7</sup>Salim H S, *Hukum Kontrak-Teori dan Teknik Penyusunan Kontrak*, Sinar Grafika, Jakarta, 2006, p. 43.

<sup>8</sup>Liliana Tedjasaputro, *Etika Profesi Notaris Dalam Penegakan Hukum Pidana*, Bigraf Publishing, Yogyakarta, 1995, p.86.

2. Must be honest with clients and themselves (intellectual honesty);
3. Be aware of the limits of their authority; and
4. Not solely based on money considerations.

In carrying out the position, the Notary is obliged, one of which is to make a deed in the form of a minutes of deed and save it as part of the protocol<sup>9</sup> as regulated in Article 16 paragraph (1) letter b of Law Number 2 of 2014, and in the explanation of the article, that the obligation to save the minutes of the deed is part of the Notary protocol, is intended to maintain the authenticity of a deed by keeping the deed in its original form, so that if there is a falsification or misuse of grosse, a copy or quote can be immediately identified easily by matching it with the original.

Notaries have office administration obligations as written activities (administrative activities), such as writing a list of deeds, a list of legalized letters, a list of registered letters, a Klapper list arranged alphabetically, a protest register book; the will register, and the limited liability company register.<sup>10</sup> In the storage of the protocol, the Notary needs to be careful, so as not to be scattered, lost or damaged. The obligation to keep the Notary's protocol for a period of 25 (twenty five) years, and then submit it to the Regional Supervisory Council (MPD) in the Notary's working area.

This activity by a Notary creates problems in terms of storage which, if following the provisions of the company's document regulations, is a minimum of 30 years. The period of time is not short and there is often a risk of damage or even loss. Likewise, the Regional Supervisory Council is not able to store thousands of Notary protocols aged over 25 years in the Regional Supervisory Council's office because they do not have an office to store documents, so the protocols are stored in the Notary's office concerned. This means that the provisions of Article 63 paragraph (5) of Law Number 2 of 2014 cannot be carried out properly.<sup>11</sup> To anticipate the impact of storage and maintenance processes that are constrained by space and maintenance costs, the solution for protocol storage is through the application of information technology<sup>12</sup> or electronically in a notary practice (cyber notary).

The development of information technology has influenced the practice of notary in Indonesia with the term cyber notary. However, the Law on Notary Positions does not regulate the development of information technology-based notary protocol storage. The provisions of Article 16 paragraph (1) letter b of Law Number 2 of 2014 and its explanations only stipulate the obligation of a Notary to carry out his position, namely to make a deed in the form of a minuta deed and save it as part of the Notary protocol. Based on the void of these norms, a research was conducted with the title: **Notary Obligations and Cyber Notary Implications for Notary Protocol Storage.**

## II. RESEARCH METHODS

Research is one way of solving problems to find, develop and test the truth by collecting data in order to obtain answers to the formulation of the problem, so a systematic plan is needed. Methodology is a logic that forms the basis of scientific research.

This research is juridical normative by conducting problem analysis and research through the approach of principles and legal norms in laws and regulations. The data in this study consisted of secondary data obtained based on a literature study consisting of primary, secondary, and tertiary legal materials, What is analyzed with the relevant theory is then concluded to answer the problem and finally presented in an analytical description.

## III. RESEARCH RESULT

### 3.1 Obligations of a Notary to Minutes of Deed and Protocol Deposits

A notary is a public official who is authorized to make an authentic deed as long as the making of a certain authentic deed is not reserved for other public officials. Making authentic deeds that are required by laws and regulations in order to create certainty, order and legal protection.

Notary deed is an authentic deed made by or before a notary according to the form and procedure stipulated in the law, and the original notary deed is called a minuta deed, kept by the notary as part of the notary protocol, while what is given to interested parties is a copy of the deed, namely a copy word by word of the entire deed and at the bottom of the copy of the deed the phrase "is given as a copy of the same sound.

---

<sup>9</sup> Notary Protocol is a collection of documents which are state archives that must be stored and maintained by a notary in accordance with the provisions of laws and regulations. Article 1 number 13 of Law Number 2 of 2014.

<sup>10</sup> Mohamat Riza Kuswanto, *Urgensi Penyimpanan Protokol Notaris Dalam Bentuk Elektronik dan Kepastian Hukum di Indonesia*, Jurnal Repertorium, Volume IV, Nomor 2, Juli – Desember 2017, p. 63.

<sup>11</sup> *Ibid.*

<sup>12</sup> Article 1 point 3 of Law Number 11 of 2008 concerning Information and Electronic Transactions, states that information technology is a technique for collecting, preparing, storing, processing, announcing, analyzing, and/or disseminating information.

Minuta deed is the original notary deed. The meaning of minuta in this case is the original deed stored in the Notary protocol. In the minutes of the deed, the original signature, initials or thumbprint of the left hand of the Appellant, Witness and Notary Public are listed. Also other evidence supporting the deed attached to the minutes of the deed. Minutes of deed must be kept by a Notary, given a monthly number and included in the Notary deed list book (repertorium) and given a repertory number. The obligation to keep not only the minutes of the deed made by and/or before the Notary, also applies to other Notary protocols that he or she receives either because the other Notary has died, has ended his term of office, or for other reasons as regulated in Article 62 of the Law. Notary position.

Before the minutes of deed are stored, it must be in the volume made in 1 (one) month into a book containing no more than 50 (fifty) deeds, and if the number of deeds cannot be contained in one book, the deed can be bound into more than one. books, and record the number of minutes of deed, month, and year of manufacture on the cover of each book.

The Law on Notary Positions only regulates and explains the standards and procedures for storing the minutes of deed, but does not regulate the place for storing the minutes of deed. Minutas must be protected against damage caused by fire and external influences, such as moisture and from damaging them and against theft. Although the law does not say that it is strict and detailed, it means how it should be done, but it pays attention to how a person's habits are to store and secure his money, important letters and other valuables, namely in a vault.<sup>13</sup> A person who keeps a document in a Notary's protocol generally knows that a document is safe in the hands of a Notary. The public has great trust, both in notaries and notarial institutions. If a Notary moves or retires, the Minister based on the law appoints another Notary domiciled in the same city or appoints a Notary to hold the protocol of a Notary who will quit or move. Thus, the person who keeps a document or his heirs can always request a copy or a copy of the document.<sup>14</sup> Minutes of deed are important and confidential documents from the archives of the Notary's office and must be stored in an orderly manner in a safe and closed place, usually put in a cupboard and locked, so that they are not easily taken by unauthorized persons and seen the contents.<sup>15</sup>

The concept related to legal obligations is the concept of legal responsibility. A person is legally responsible for a certain act or that he bears legal responsibility.<sup>16</sup> The theory of legal responsibility explains the relationship between the responsibilities of a Notary with respect to the Notary's authority based on the Law on Notary Positions in the field of civil law.

The notary position is an institution created by the state.<sup>17</sup> Placing a Notary as a position and profession that is made by laws and regulations for certain purposes and functions (certain authorities) and is sustainable as a permanent work environment.<sup>18</sup> The position of a Notary is held or the presence is required by the rule of law with the intention of serving the community requires authentic written evidence regarding legal conditions, events, or actions. Those who are appointed as Notaries have the spirit to serve the community, and for services according to their duties, they can provide honorariums to Notaries, therefore Notaries do not mean anything if the community does not need them.<sup>19</sup> One form of state service to the people is to give the people the opportunity to obtain evidence or documents related to civil law, and the minutes of the deed become state archives that must be kept and guarded by a Notary until the time limit is determined.<sup>20</sup>

Minuta is the original notary deed that must be kept. The obligation to keep the minutes of the deed as part of the Protocol to maintain the authenticity of a deed by keeping the deed in its original form, so that if there is forgery or gross misuse, copies, or quotations can be identified by matching the originals. The protocol is a state archive that must be stored and maintained by a Notary, the protocol does not belong to the notary who made the deed and also does not belong to the Notary assigned by the Minister to keep it.

People generally know that a deed is safe in the hands of a notary. The public has great trust in notaries. Even if the notary concerned dies, moves, retires or is dismissed, the protocol of the notary is handed

<sup>13</sup>G.H.S. LumbanTobing, *PeraturanJabatanNotaris*, Erlangga, Jakarta, 1999, hlm 328.

<sup>14</sup>Tan Thong Kie, *StudiNotariat (Serba-serbiPraktekNotaris)*, IchtiarBaru Van Hoeve, Jakarta, 2000, p. 267.

<sup>15</sup>SoegondoNotodisoejo, *HukumNotariat di Indonesia (SuatuPenjelasan)*, Raja GrafindoPersada, Jakarta, 1993, p. 230.

<sup>16</sup> Hans Kelsen, *GeneralTheoryofLaw&State, TeoriUmumhukumdan Negara, dasar-dasarIlmuHukumNormatifsebagaiIlmuHukumDeskriptif-Empirik*, (AlihBahasaolehSomardi), BEE Media Indonesia, Jakarta, 2007, p. 81.

<sup>17</sup>BagirManan, *HukumPositif Indonesia*, UII Press, Yogyakarta, 2004, p. 15.

<sup>18</sup>Anonymus, *PengaturanHukumMengenaiKeberadaanMinutaAktaNotaris yang HilangatauRusakakarenaBencanaAlam*, FakultasHukumUniversitas Sumatera Utara.

<sup>19</sup>HabibAdjie, *Op, Cit*, p. 27.

<sup>20</sup>TutiIrawati, *AnalisaTanggungJawabNotarissebagaiPejabatUmumTerhadapAktaBerindikasiPerbuatanPidana*, FakultasHukumUniversitas Indonesia, Jakarta, 2010, p. 27.

over to the new notary, thus people who have a direct interest in the deed, their heirs and the person who has the right can always request a copy of the deed.

### 3.2 Implications of Cyber Notary in Notary Protocol Storage

Lawrence Leff argues that a cyber notary is someone who has the ability to specialize in law and computers. Cyber notary is the concept of utilizing technological advances in carrying out the duties and authority of a Notary.<sup>21</sup> The concept implies that a notary works based on technology, namely a cyber notary is a public notary who performs notary services for documents electronically.<sup>22</sup>

Notary work is still very dependent on paper as a medium, it takes space and maintenance is quite expensive to secure files, the application of information technology products can be a solution option for solving these storage problems. Article 68 paragraph (1) of Law Number 43 of 2009 concerning Archives regulates that archive creators and/or archival institutions can create archives in various forms and/or transfer media including electronic media and/or other media, but the Notary has not implemented it.

In the Law on Notary Positions, it is not regulated for electronic protocol storage, the explanation of Article 15 paragraph (3) states the possibility of a Notary certifying transactions conducted electronically (cyber notary). The government through the Ministry of Law and Human Rights has started to provide legal services online, issued by the Minister of Law and Human Rights Regulation Number 4, 5, and 6 of 2014.

The absence of rules for storing protocols electronically in the Law on Notary Positions creates a norm vacuum. Based on Plato's view, a good state is a state based on good (legal) arrangements, related to protocols which are state archives must be kept and kept confidential by a notary who in terms of carrying out some state duties, the state should make firm and clear rules regarding the safekeeping of notary protocols. electronic related cyber notary. Good laws and regulations provide legal certainty so as to create a safe and peaceful atmosphere in society.

Regarding the theory put forward by Van Apeldoorn regarding legal certainty, it means that:

1. Legal certainty is something that can be determined from the law, related to concrete matters.
2. Legal certainty is legal security.

Legal certainty is realized, one of which is when there are clear and consistent rules. The legislation in question is the implementing regulation of the Notary Position Act regarding electronic protocol storage. Technology offers a more practical, efficient, inexpensive and secure way of storing protocols, namely through storage in electronic form. The enactment of Law Number 8 of 1997 concerning Corporate Documents, became the starting point for the transfer of data in the form of letters or based paper into electronic media. As the consideration of the formation of this law, the section considers in letter f that technological advances have made it possible for notes and documents made on paper to be transferred to electronic media. Media transfer is an option so that a company in storing documents does not cause economic and administrative burdens.

The function and purpose of electronic protocol storage can be assessed from two aspects, namely economic aspects and legal aspects. Economically, it aims to be more practical, efficient, cheap and safe, from a legal aspect, electronic protocol storage can help and facilitate legal processes, especially the law of proof related to electronic evidence.

The procedure for storing the minutes or the original deed along with the document is also the responsibility of the Notary in the context of maintaining and maintaining the state archives properly and seriously. The relationship in the world of notary is to minimize the use of paper (paperless) and the possibility of loss of reporting archives, even minutes and copies of the deed can also be transferred to media scanning files as material for supervision of the Notary in carrying out activities.

The regulation regarding the minutes of deeds and protocols in the Law on Notary Positions is only limited to making, storing and submitting protocols, as in Article 58 to Article 65. Although the Notary Position Act does not regulate and does not require Notaries to keep documents in electronic form, it can This is done to reduce all risks and the worst possible thing for the documents stored. Media are considered to be used as data or information storage according to technological developments, namely.

1. Notary work is still very dependent on paper as a medium, it takes space and maintenance is quite expensive to secure files, the application of information technology products can be a solution option for solving these storage problems. Article 68 paragraph (1) of Law Number 43 of 2009 concerning Archives regulates that archive creators and/or archival institutions can create archives in various forms and/or transfer media including electronic media and/or other media, but the Notary has not implemented it.
2. In the Law on Notary Positions, it is not regulated for electronic protocol storage, the explanation of Article 15 paragraph (3) states the possibility of a Notary certifying transactions conducted electronically (cyber notary). The government through the Ministry of Law and Human Rights has started to provide

---

<sup>21</sup> EmmaNurita, *CyberNotaryPemahamanAwaldalamKonsepPemikiran*, RefikaAditama, Bandung, 2012, p. 47.

<sup>22</sup> *Ibid*, p. 20.

legal services online, issued by the Minister of Law and Human Rights Regulation Number 4, 5, and 6 of 2014.

3. The absence of rules for storing protocols electronically in the Law on Notary Positions creates a norm vacuum. Based on Plato's view, a good state is a state based on good (legal) arrangements, related to protocols which are state archives must be kept and kept confidential by a notary who in terms of carrying out some state duties, the state should make firm and clear rules regarding the safekeeping of notary protocols. electronic related cyber notary. Good laws and regulations provide legal certainty so as to create a safe and peaceful atmosphere in society.
4. Regarding the theory put forward by Van Apeldoorn regarding legal certainty, it means that: Legal certainty is something that can be determined from law, related to concrete matters.
5. Legal certainty is legal security.

Legal certainty is realized, one of which is when there are clear and consistent rules. The legislation in question is the implementing regulation of the Notary Position Act regarding electronic protocol storage. Technology offers a more practical, efficient, inexpensive and secure way of storing protocols, namely through storage in electronic form. The enactment of Law Number 8 of 1997 concerning Corporate Documents, became the starting point for the transfer of data in the form of letters or based paper into electronic media. As the consideration of the formation of this law, the section considers in letter f that technological advances have made it possible for notes and documents made on paper to be transferred to electronic media. Media transfer is an option so that a company in storing documents does not cause economic and administrative burdens.

The function and purpose of electronic protocol storage can be assessed from two aspects, namely economic aspects and legal aspects. Economically, it aims to be more practical, efficient, cheap and safe, from a legal aspect, electronic protocol storage can help and facilitate legal processes, especially the law of proof related to electronic evidence.

The procedure for storing the minutes or the original deed along with the document is also the responsibility of the Notary in the context of maintaining and maintaining the state archives properly and seriously. The relationship in the world of notary is to minimize the use of paper (paperless) and the possibility of loss of reporting archives, even minutes and copies of the deed can also be transferred to media scanning files as material for supervision of the Notary in carrying out activities.

The regulation regarding the minutes of deeds and protocols in the Law on Notary Positions is only limited to making, storing and submitting protocols, as in Article 58 to Article 65. Although the Notary Position Act does not regulate and does not require Notaries to keep documents in electronic form, it can This is done to reduce all risks and the worst possible thing for the documents stored. Media are considered to be used as data or information storage according to technological developments, namely:<sup>23</sup>

Magnetic tape is a storage medium made of magnetic material that is coated on a thin plastic, such as the tape on a cassette tape.

1. Magnetic tape is a storage medium made of magnetic material. Magnetic disk is a disk-shaped storage medium.
2. Optical disk is a disk that can accommodate data up to hundreds or even thousands of times compared to diskettes.
3. UFD (USB Flash Disk) is a data storage device shaped like a pen, how to use it by connecting to a USB port.
4. Memory card (memory card) is a type of storage such as thin plastic commonly used in PDAs, digital cameras, cell phones, and handy came. ang coated on a thin plastic, like the tape on a cassette tape.

The mechanism for storing protocols electronically can be used with the process of transferring media from printed, audio, video documents into digital or scanning forms. This way of storing minutes of deed can be done as a form of security. The paperwork digitization system starts from taking archives for checking, then scanning.

Scanning results are stored in the database server and automatically output scanned document digitizing available. The results are stored in the database server stored in the form of a flash disk or in a memory card with a capacity adjusted for the amount of data. Then in order to maintain security, the database server and flash disk are stored in a deposit box or anti-fire safe for later storage by a Notary or the storage is submitted to the Regional Supervisory Council. With the existence of electronic documents, they can be opened when needed and copies made for later use to represent damaged or lost protocols.

Without having to deviate from the provisions of the evidentiary law, for judges to accept various scriptless systems, only electronic evidence can be carried out through the use of versatile evidence.<sup>24</sup> Versatile evidence in criminal procedural law, namely instructions as referred to in Article 184 of the Criminal Procedure

<sup>23</sup> Agus Sugiartodan Teguh Wahyono, *Manajemen Kearsipan Elektronik*, Gava Media, Yogyakarta, 2014, p. 93.

<sup>24</sup> Munir Fuady, *Teori Hukum Pembuktian (Pidanan dan Perdata)*, Citra Aditya Bakti, Bandung, 2006, p. 168.

Code. Electronic evidence can be used as evidence to guide judges in making decisions in criminal cases. Evidence of instructions can be obtained through witness statements, letters or statements from the defendant.

Judging from the five forms of evidence in the Criminal Procedure Code, protocols stored electronically are included in the category of documentary evidence as referred to in Article 187 of the Criminal Procedure Code, so that the protocol including the minutes of the deed only applies as evidence if it relates to the contents of other evidence. In addition, the judge can further examine the evidence so that if it is deemed appropriate, it can be used as evidence. This is in accordance with the KUHAP system which demands the wisdom of judges and the judge's accuracy based on conscience in assessing the evidence of these instructions, as stated in Article 188 paragraph (3) of the Criminal Procedure Code. In addition, the evidence in the form of experts in interpreting the meaning of evidence and clarifying the case is needed by the judge, so that it is expected that the criminal case being tried is fairer and more correct.

Through electronic media, it is hoped that archive management, including protocol storage, can be done better. The dangers of new information media (cyberspace and facilities such as libraries, archive storage areas, databases, court files) include virus infection (very disturbing), power outages, breaches, and destruction or destruction by users who are not careful or because poor maintenance.<sup>25</sup> Loss and destruction of protocols stored electronically by a Notary on purpose is a violation. Potential legal violations of protocols stored electronically by a Notary can cause harm to the parties. In the event that there is an opportunity for file manipulation (addition, subtraction, deletion, modification without the knowledge of the parties) it can cause harm to the parties. In addition to causing losses, file manipulation also causes the absence of legal certainty.

Regarding the Notary's responsibility to the protocol as stated in Article 65 of the Law on Notary Positions, that the Notary is fully obliged and responsible for the Protocol it has. From an administrative point of view, the Notary's responsibility in terms of storing and holding the physical form of every deed made which is a protocol has ended at the end of the Notary's term of office.<sup>26</sup>

Notary legal responsibility for violations of the Notary protocol that is stored electronically based on the theory of legal liability put forward by Kranenburg and Vegtig in the theory of fautespersonelles that losses to third parties are borne by officials as individuals who because of these actions cause losses. The burden of responsibility is addressed to the Notary as a person in carrying out his position in the event of a violation related to electronically stored protocol storage.

Referring to the theory of legal responsibility, Hans Kelsen stated that the Notary is legally responsible for a certain act, meaning that the Notary is responsible for a sanction in the event of a contradictory act. The electronic storage of notary protocols is not regulated in the Law on Notary Positions, legal responsibilities arising from general law provisions both civil, criminal and administrative to the notary concerned.

#### IV. CONCLUSION

Based on Article 15 paragraph (1), Article 16 paragraph (1) letter b, Article 58, Article 59 and Article 63 of the Notary Position Act, that the Notary is responsible for storing and maintaining the minutes of the deed as part of the Notary protocol, which is the state archive. . The implication of Notary cyber law on Notary protocol storage is legal certainty as authentic evidence, which needs to be specifically regulated regarding electronic Notary protocol storage by reviewing the law related to the authenticity of Notary deeds through updating the legal system of evidence by making the Notary protocol one of the electronic documents to be one of the legal evidence.

#### REFERENCES

- [1] Agus Sugiartodan TeguhWahyono, Manajemen Kearsipan Elektronik, Gava Media, Yogyakarta, 2014.
- [2] Assafa Endeshaw, Hukum E-Commerce dan Internet dengan Fokus di Asia Pasifik, terjemahan Siwi Purwandari dan Mursyid Wahyu Hananto, Pustaka Pelajar, Yogyakarta, 2007
- [3] A. R. Putri. Perlindungan Hukum Terhadap Notaris : Indikator Tugas-Tugas Jabatan Notaris yang Berimplikasi Perbuatan Pidana, Softmedia, Jakarta, 2011
- [4] Cut Era Fitriyeni, Tanggung Jawab Notaris Terhadap Penyimpanan Minuta Akta Sebagai Bagian Dari Protokol Notaris, Kanus Jurnall Ilmu Hukum, Nomor 58, Tahun XIV, Desember 2012.
- [5] Heriyanti, Perlindungan Hukum Terhadap Notaris Yang Terindikasi Tindak Pidana Dalam Pembuatan Akta Otentik, Jurnal Yustisia, Volume 5 Nomor 2, Mei-Agustus 2016.

<sup>25</sup>

Assafa Endeshaw, *Hukum E-Commercedan Internet dengan Fokus di Asia Pasifik*, terjemahan Siwi Purwandari dan Mursyid Wahyu Hananto, Pustaka Pelajar, Yogyakarta, 2007, p. 10.

<sup>26</sup>*Ibid*, p. 201.

- [6] MohamatRizaKuswanto, UrgensiPenyimpananProtokolNotarisDalamBentukElektronikdanKepastianHukum di Indonesia, JurnalRepertorium, Volume IV, Nomor 2, Juli – Desember 2017.
- [7] MunirFuady, TeoriHukumPembuktian (PidanadanPerdata), Citra AdityaBakti, Bandung, 2006.
- [8] EdmoMakarim, NotarisdanTransaksiElektronikKajianHukumtentang Cyber Notary atau Electronic Notary, Raja GrafindoPersada, Jakarta, 2013
- [9] Emma Nurita, Cyber Notary PemahamanAwaldalamKonsepPemikiran, RefikaAditama, Bandung, 2012
- [10] G. H. S. LumbanTobing, PeraturanJabatanNotaris, Erlangga, Jakarta, 1999.
- [11] HabiebAdjie, SanksiPerdatadanAdministrasiTerhadapNotaris sebagaiPejabatPublik, RafikaAditama, Bandung, 2008.
- [12] HadariNawawi, PenelitianTerapan, Gajah Mada University Press, Yogyakarta, 2006.
- [13] Hans Kelsen, General Theory of Law & State, TeoriUmumhukumdan Negara, dasarIlmuHukumNormatifsebagaiIlmuHukumDeskriptif-Empirik, (AlihBahasaolehSomardi), BEE Media Indonesia, Jakarta, 2007.
- [14] LilianaTedjasaputro, EtikaProfesiNotarisDalamPenegakanHukumPidana, Bigraf Publishing, Yogyakarta, 1995.
- [15] Ronny HanintijoSoemitro, MetodePenelitianHukumdanJurumetri, Ghalia Indonesia, Jakarta, 1998
- [16] R. Soesanto, Tugas, Kewajiban dan Hak-hakNotaris, WakilNotaris, PradnyaParamita, Jakarta, 1991.
- [17] SoegondoNotodisoerjo, HukumNotariat di Indonesia (SuatuPenjelasan), Raja GrafindoPersada, Jakarta, 1993.
- [18] Sunaryati Hartono, PenelitianHukum di Indonesia PadaAkhir Abad ke- 20, Alumni, Bandung, 1994.
- [19] Suhrawardi K Lubis, EtikaProfesiHukum, SinarGrafika, Jakarta, 2004.
- [20] Tan Kamelo, HukumJaminanFidusia, SuatuKebutuhan Yang Didambakan, Alumni, Bandung, 2006.
- [21] TutiIrawati, AnalisaTanggungjawabnotaris sebagaipejabat umum terhadap pakta yang dibuat dan berindikasi perbuatan pidana, Fakultas Hukum Universitas Indonesia, Jakarta, 2010.
- [22] UndangUndangDasar Negara Republik Indonesia Tahun 1945.
- [23] KitabUndang-UndangHukumPerdata
- [24] Undang-undang Nomor 30 Tahun 2004 tentang Jabatan Notaris