

The Authority of The Supervisory Board and Legal Protection for Parties Regarding The Loss of The Minutes Of a Deed as Evidence

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ABSTRACT

Notary is a prestigious, noble profession (nobile officium), with high values of nobility and dignity. Thus, in carrying out his duties and position a Notary must be guided normatively by applicable legal regulations and have a responsible attitude towards the authentic deeds he makes. Therefore, the urgency of this research is to analyse the authority of the Supervisory board in providing guidance to Notaries who are negligent in storing their Minutes of deeds and the protection as well as legal certainty of the parties in the event of the loss of Minutes of Deeds, which are evidence for the parties. This research is a normative legal research conducted by examining library materials or secondary data, which commonly referred to library study research. This study concludes that the Minister of law and Human Rights formed the Supervisory board with the aim of supervising and providing guidance to Notaries in carrying out their professional positions as public officials. Supervisory board consists of Regional Notary Supervisory Board, Territory Notary Supervisory Board and Central Notary Supervisory Board. This is made in accordance with its work area, Regional Supervisory Board as the main spearhead has the authority in terms of guidance and examination, one of which is regarding the Minutes of Deeds, which are part of the Notary Protocol. The Regional Supervisory Board can impose sanctions as a form of guidance on Notaries who commit violations, one of which is negligence in storing minutes of deeds. Notary is responsible for the loss of the Minutes of the Deed by making a report to the Indonesian Police as a form of fulfilling the rights and legal certainty regarding the copy of the deed kept by the parties.

Keywords: Authority of supervisory board, Legal certainty, Minutes of deed

Introduction

The historical development of Notaries in Indonesia cannot be separated from the influence of the Netherlands during the Dutch colonial period. The legal system in force was Continental European law, including the Notary legal system. The first Notaries in Indonesia were appointed in the 19th century, particularly in major port cities such as Batavia (now known as Jakarta), Semarang and Surabaya. The development of Notary Law in the Netherlands subsequently became the basis of the Notary Law in Indonesia. At that time, the Notary system was based on the Dutch Notary Law (Wet Op Het Notarisambt).

During the New Order era (1966-1998) a number of reforms occurred in the national legal system, especially Notary law. Notary education began to develop in various universities in Indonesia, the government began to draft a national law on Notaries which no longer depended on colonial law. The education of Notary began to develop in various universities in Indonesia, hence the government began to draft a law from the nation concerning Notaries and will no longer depends on colonial law. The peak of renewal occurred in the reform era, with the enactment of national laws as a form of proof that Notaries are an important part of Indonesia's legal and economic system Law Number 30 of 2004 concerning the position of Notary Public is the first national law to comprehensively regulate the profession of Notary. Law Number 2 of 2004 improves regulations clarifies sanctions and codes of ethics and strengthens legal protection for Notaries.

Notary is a prestigious, noble profession (*nobile officium*), with high value and dignity (Dhoni Martien,2023). Notary is a public official who is authorized to make authentic deeds based on agreements and provisions required by general rules and or by an interest stated in the agreement. The agreement that is made by the Notary ensures the certainty of the date, will provide grosse and copies as well as mutual agreements by a general rule that are granted or excluded for officers or other people.

Notaries are required to adhere to the legal regulations relating to all actions to be documented in a deed. In carrying out their duties and positions, Notaries must act in accordance with applicable legal regulation and provide legal certainty to those appearing before the deeds that is made by the Notary and has comply with statutory provisions. The role and authority of a Notary are crucial therefore they must carry out their profession professionally with high dedication and always uphold their dignity and honor, guided by the Notary Code of Ethics.

In essence, a Notary must have professional responsibilities and ethics, so that in carrying out his duties and positions a Notary is under the supervision of the Minister of Law and Human Rights. As for its implementation according to Article 67 of the Notary law, the Minister forms a Notary Supervisory Board (here in after abbreviated as MPN), which is a body that has an authority and obligation to carry out guidance and supervisions of Notaries. The Regional Supervisory Board (here in after abbreviated as MPD), the Territory Supervisory Board (here in after abbreviated as MPW) and the Central Supervisory Board (here in after abbreviated as MPP) (Ody Raedi Radifan, et. al,2023).

The MPN consists of nine members, consisting of several elements; three members from the Government, three members from Notary organizations, and 3 members from experts or academics. The MPN plays an important role in supervision and development. Development is intended that the Supervisory Board's duties prioritize preventive measures, while supervision is repressive by imposing sanctions towards Notaries who are proven to have committed violations of office and/or behavior (Latifah Amir dan Dhill's Noviadess,2014). The imposition of sanctions by the MPN on Notaries is carried out before and after receiving complaints from parties who feel aggrieved by negligence doing by the Notaries and errors made by Notaries, both errors in Notary as a public officer and Notary that has violated the code of ethics. The MPN then coordinates with the Honorary Council for violations of the code of ethics committed by Notaries, sanctions that can be given are; warnings, reprimands, honorable dismissal from the association, temporary dismissal from the association, and dishonorable dismissal from the association

The authority of the MPN as stated in Article 67 of the Notarial Law, is also reflected in its derivatives regulations namely the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 15 of 2020 concerning Procedures for the Supervisory Board's Examination of Notaries (here in after abbreviated as Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 15 of 2020). One aspects of this regulates in is the supervision of Notary Protocols. Article 1 Number 11 of Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 15 of 2020 defines Notary Protocols as a collection of documents that constitute state archives that must be stored and maintained by Notaries in accordance with statutory provisions.

The MKN conducts periodic examinations of Notary Protocols once a year or at any time deemed necessary, by visiting Notary offices and meeting directly with Notaries. Article 17 of Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 15 of 2020 states that examinations by the Supervisory Board are closed to the public. The examination begins no later than seven days after the Examination Board is appointed, and the Board must complete and submits the results no later than 30 days from the date the report is recorded in the case register. The scope of the Supervisory Board's examination,

specifically regarding Notary Protocols, is regulated in Article 21 of Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 15 of 2020.

The examination of the Notary Protocol is intended to preserve the authenticity of a deed by ensuring they are stored in their original form. This allows any forgery or misuse of the grosse, the copy or excerpt to be immediately identified by comparing it with the original (Cut Era Fitriyeni, 2012). However, a common issue that often occurs is the lack standardize regulations regarding the storage Notary Protocol. This particularly concerning given that Notary Protocol are considered state archives, which must be stored to prevent damage or loss. The loss of the minutes of the deed is an essential part of the Notary Protocol can occur due to negligence in fulfilling obligations or a failure to apply proper prudential principles by the Notary. These issues form the basis for the author's research, titled "The Authority of the Supervisory Board and Legal Protection For Parties Regarding the Loss of the Minutes of a Deed As Evidence" with the following problem formulations: (1) How does Supervisory Board authority in providing guidance to Notaries who are negligent in storing the Minutes of the Deed?; and (2) How is the legal protection and legal certainty for the parties in the event of the loss of the minutes of the deed, which serves as evidence for those parties? This writing conducted with the aim of urgency to analyze the authority of the Supervisory Board in providing guidance to Notaries, especially in terms of Notary Protocols and all forms of protection and legal certainty for the parties regarding the loss of minutes of deeds.

Based on the researcher's review, there has been no prior study that specifically focuses on this issues. First, a journal written by Desmal Fajri Zarfinal entitled "The Authority of the Regional Notary Supervisory Board in Examination of Notary Protocols" published in the *Jurisprudential Journal* Vol. 4 No. 2 December 2021, discusses the authority of the Regional Supervisory Board (MPD) in examining Notary Protocols. However it does address the issues of legal protection in cases involving the loss of minutes of deeds, which are part of the Notary Protocol. Second, a journal written by Fauziah Rachmadyta entitled "Legal Protection for Applicants Regarding Minutes of Deeds as Part of Notary Protocols Destroyed by Fire" published in the *Law Journal* Vol. 1 No. 1 May 2012, focuses on legal protection for applicants in cases where minutes of deeds were destroyed by fire. Third, a journal written by Ria Trisnomurti and I Gusti Bagus Suryawan entitled "Duties and Functions of the Regional Supervisory Council in Carrying Out Supervision, Examination, and Imposing Sanctions on Notaries" published in *Jurnal Notariil* Vol. 12 No. 2 of 2017, discusses the duties and functions of the MPD in supervising, examining, and imposing sanctions on Notaries. Based on this literature review, it can be concluded that this study is relatively new and previously unexplored topic.

Methods Research

This research is a normative legal research conducted by examining library materials or secondary data only. It utilizes three types of legal materials: namely (1) primary legal materials that have binding legal force that are directly related to the issue being studied, such as the Notarial Law and other related laws and regulations (Soerjono Soekanto, 2012), (2) Secondary legal materials, which provide explanations or commentary on primary legal materials obtained from books, journals, opinions of legal experts, legal practitioners and research results; and (3) tertiary legal materials which offer guidance or clarification on primary and secondary legal materials, such as the Dictionary, Legal Dictionary, Encyclopedia.⁷ This research is descriptive in nature, with data presentation in the form of narratives and analyzed using descriptive qualitative data analysis techniques to answer the problem formulation set out in this study.

Results and Discussion

As public officials, Notaries play a vital role in ensuring legal certainty, order, and protection in all legal matters within society. They are state-appointed officials vested with the legal authority to provide services in the field of civil law, particularly in the drafting of authentic deeds as perfect evidence (Fella Mudiana, et. al, 2019). Today's society is experiencing an era of disruption, marked by significant and rapid changes that can transform the entire system across industry, business, government and even people's lifestyles and other fundamental aspects of life. These social development has made the role of Notaries increasingly complex and, at times in conflict with existing statutory regulations. Nevertheless, Notaries essentially, retain the authority to draw up authentic deeds, along with the other powers as outlined in Article 15 of the UUJN.

The authority held by a Notary is a professional obligation (*ambtsplicht*), meaning that a Notary's authority is a general nature, as a public official authorized to draft deeds. In contrast, the authority of other officials is an exception, meaning that it is limited solely to the creation of authentic deeds that are explicitly assigned to the by law (Sjaifurrachman dan Habib Adjie, 2011). A Notary records legal a legal action carried out by the parties and/or the appearing party into a deed, by documenting what occurred, what was seen, and what was experienced by the parties and or the appearing party, while ensuring compliance with the formal requirements for drafting an authentic deed. Given this primary responsibility, a Notary is required to demonstrate accountability as an officials authorized to produce authentic deed, specifically by safe guarding minutes of the deed as stipulated to in Article 16 paragraph (1) Notarial Law. According to Article 16 paragraph (1) letter b Notarial Law, states that a Notary is obligated to draft the deed in the form of minutes of the deed and keep it as part of the Notary Protocol.

Notaries have two main functions in carrying out their duties. First they are responsible to provide legal certainty to the parties appearing before them in relation to the legal binding of a deed. Second, notaries hold the authority granted by law, as public officials to provide legal reinforcement for legal bindings which ultimately offering peace of mind and a sense of security to the parties involved (Sania Salamah dan Agung Iriantoro, 2022).

In addition to their responsibility for providing legal certainty to the appearers, Notaries are also obligated to safeguard the minutes of the deed as part of the Notary Protocol. Furthermore, Notaries must uphold both individual and social responsibilities, particularly by adhering to applicable legal norms and professional codes of ethics. A Notary, even if equipped with sufficient legal expertise, cannot effectively carry out their duties and responsibilities if not grounded in a strong sense of responsibility and an appreciation for the nobility and dignity of the profession. Without these values, the Notary will fall short of fulfilling the expectations set by law and by society (G.H.S. Lumban Tobing, 1983). For these reasons, it is entirely appropriate to implement legal regulations concerning the supervision of Notaries, in order to protect public interests and ensure the security of those appearing before them.

Supervision of Notaries under the Notary Law was carried out by the Supervisory Judge who was delegated by the District Court. The scope of supervision ordered under the Notarial Law included both professional domain, when the Notary performing duties as a public official and the private domain when not engaged in out professional activities (Ria Trisnomurti dan I Gusti Bagus Suryawan, 2017). To Improve the quality and quantity of Notaries, the government introduced new regulations through enactment of the Notarial Law. With the implementation of the Notarial law the authority to supervise Notaries was transferred to the Notary Supervisory Council (MPN). From that point forward, the MPN has held the authority to supervise and provide guidance to Notaries.

The Authority of the Supervisory Board to Provide Guidance to Notaries Who Negligently Store Minutes of Deeds

Article 67 paragraph (1) of the Notarial Law states that the institution authorized to supervise Notaries is the Minister, specifically the Minister of Law and Human Rights. The Minister forms the Notary Suoercusiry Council with the purpose of supervising and providing guidance to Notaries in the execution of their professional duties as public officials. The supervisions aim to ensure Notary continuously improve professionalism and work quality, thereby providing legal certainty to those appearing before them and the wider public Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number M.02.PR08.10 of 2004). According to P. Nicolai, such supervision involves repressive measures to enforce compliance. The objective is to prevent the government from exercising power beyond reasonable limits that would contravene rule of law, to protect the public from arbitrary governmental actions, and to ensure that the government exercises its authority properly and in accordance with statutory regulations (Ridwan HR,2022).

Notaries who carry out their duties and positions for the benefit of the parties must be supervised by neutral and independent institution (Agung Iriantoro dan Gadis Nur Shafira,2025). In the context of the Notary Office, supervision is intended to ensure that Notaries fully comply with the requirements and perform their duites in accordance with the applicable laws and regulations. In addition to overseeing the conduct of Notaries, the Notary Supervisory Council also explicitly regulates the rights, authorities, and obligations of Notaries in the performance of their duties as stipulated by prevailing legal provisions. These duties must always be carried out not only within the framework of legal compliance but also in accordance with moral and ethical standards.

Article 1 paragraph (6) of the Notary Supervisory Board Law in conjunction with Article 1 paragraph (2) of the Minister of Law and Human Rights Regulation No. 15 of 2020 in conjunction with Article 1 paragraph (1) of the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 16 of 2021 concerning the Organizational Structure and Procedures for Appointment and Dismissal, Budget of the Notary Supervisory Board (hereinafter referred to as the Minister of Law and Human Rights Regulation No. 16 of 2021), defines the Supervisory Board, as a body tasked with providing guidance and supervision to Notaries.

The term "guidance" in this context implies that the MPN's role emphasizes preventive measures. However, in other references, "guidance" is also interpreted to include preventive activities, while "supervision" carries a repressive-curative meaning referring to actions such as examining Notaries suspected of misconduct or professional violations. Accordingly, the structure of the Supervisory Council is both functional and hierarchical, divided into three levels based on territorial jurisdiction: MPD at the Regency or city level, MPW at the Provincial level and MPP for the Capital City of Jakarta.

The MPD is the body authorized to provide guidance and supervision to Notaries at the Regency/City level. It serves as the frontline institution in implementing oversight and guidance for Notaries. As the first line of defense directly overseeing the practice of the notarial profession, the MPD holds the authority to, among other things, guide and inspect the Notary Protocol covering aspects such as the condition of the office, signage, archival integrity, storage of deed minutes, as well as the number of employees and availability of office facilities (Lia Trizza Firgitta Adhilia dan Anisah Daeng Tarring,2022). The Notary Protocol refers to a collection of documents that constitute state archives and must be stored and maintained by Notaries in accordance with the applicable laws and regulations. Inspections of the Notary Protocol are conducted periodically once a year or at any time deemed necessary by a team of three members from each element appointed by the MPD, and supported by one secretary (Regulation of the Minister of Law and Human Rights of the

Republic of Indonesia Number M.02.PR08.10 of 2004). In addition to these responsibilities, the MPD is also authorized to: a. Provide guidance to Notaries who have been reported by the public for alleged violations of the Notarial Law; and b. Provide guidance to Notaries based on the findings of periodic inspections conducted annually or as needed. Minutes of deeds are part of the Notary Protocol in accordance with the explanation of Article 62 of the UUJN, which states that minutes of deeds are included among vital state archives and must be kept and maintained by Notaries. Although this is not explicitly regulated in writing, conceptually, minutes of deeds are classified as vital archives in accordance with the provisions of Article 1 number (4) of the Archives Law, as well as Articles 40 and 41 of the Government Regulation on Archiving, which govern the maintenance of vital archives within dynamic archives. Minutes of deeds must be preserved to maintain their originality because they hold evidentiary and ongoing legal value for the benefit of the parties involved. The contents of these minutes provide legal protection to the parties appearing before the Notary and offer clear, reliable information in the deed for individuals or legal entities.

Minutes of deeds held by a notary may be damaged or destroyed or lost due to negligence or force majeure beyond the notary's control. Force majeure is generally refers to events beyond human control (Agri Chairunisa Isradjuningtias,2015). Although force majeure is not explicitly defined in the Notarial Law, but is instead contained in the Civil Code.

If the minutes of the deed are destroyed or lost due to the negligence of the Notary, then the Notary is considered to have violated the obligations stipulated in Article 16 paragraph (1) of the Notarial Law. Damage or loss caused by the Notary may result sanctions, which demonstrate that the Notary is not immune from the law. The Notary can be subject to civil, administrative, as well as professional ethics sanctions. Essentially these sanctions serve as a legal form of coercion intende to make the Notary aware that they violated the provisions regarding the Notary's Position as outlined in the Notarial Law. Sanctions against Notaries are regulated in Articles 84 and 85 of the UUJN, which outline two types of sanctions:

Article 84 states that if a Notary violates the provisions referred to in Article 16 paragraph (1), Article 44, Article 48, Article 49, Article 50, Article 51, and Article 52, the deed made by the Notary will only have the evidentiary power of a private deed or may become null and void by law. This provides grounds for the parties involved to demand reimbursement of costs, compensation, and interest from the Notary. Such demands are consequences the Notary must face if it is proven that the deed holds only the power of proof as a private deed or is legally null and void. These sanctions fall under civil sanctions.

According to Article 85 of the UUJN, a Notary who violates the provisions of Article 7, Article 16 paragraph (1) letters a to k, Article 17, Article 20, Article 27, Article 32, Article 37, Article 54, Article 58, Article 59, and/or Article 63 can be subject to the following sanctions: Verbal warning, written warning, temporary dismissal and dishonorable dismissal.

In principle, not all Notary Supervisory Council have the authority to impose sanctions. Regarding the MPD, the MPD does not have the authority to impose any sanctions. Its Role is limited to receiving reports from the public and other notaries to hold hearings regarding alleged violations of the Notary Code of Ethics. Howeber the MPD does not have the power to impose any form of sanctions (Habib Adjie,2008).

The provisions of Article 70 UUJN also regulate the authority of the MPD in relation to (Habib Adjie,2017):

- a. Hold hearings to investigate alleged violations of the Notary Code of Ethics or breaches of the Notary's official duties;
- b. Conduct periodic examinations of Notary Protocols once a year or at any time deemed necessary;

- c. Grant leave permits for a maximum period of six (6) months;
- d. Appoint a Replacement Notary, taking into account the recommendation of the Notary concerned;
- e. Determine the storage location for Notary Protocols when, at the time of handover, the protocol is 25 (twenty-five) years old or more;
- f. Appoint a Notary to temporarily hold the Notary Protocols of a Notary appointed as a state official, as referred to in Article 11 paragraph (4);
- g. Receive public reports regarding alleged violations of the Notary Code of Ethics or breaches of the law, as part of supervisory and guidance efforts;
- h. Prepare and submit reports related to the actions referred to in points a, b, c, d, e, and g to the MPW.

Protection and Legal Certainty for Applicants Regarding the Loss of Minutes of Deeds as Evidence.

A Notary, in carrying out their duties and responsibilities, is inseparable from the obligation to provide both individual and moral accountability to the parties appearing before them. The responsibility of a Notary is stipulated in Article 65 of the Notarial Law, which states that a Notary, Substitute Notary, Special Substitute Notary, and Temporary Notary Official are responsible for every deed they create, even after the Notary Protocol has been submitted or transferred to the designated recipient. It is essential for a Notary to remember that any deed made by or before them constitutes an authentic deed in the form of minutes of the deed. This authentic deed carries compelling evidentiary value (een dwingende bewijskracht), meaning it holds both formal and material evidentiary power, and in certain legal matters, may even have executorial force. Therefore, the Notary is entrusted with the duty to properly store and maintain the minutes of the deed in order to safeguard the legal protection and certainty of the parties involved.

One of the causes of the loss of minutes of deeds are the large volume of deeds prepared by the Notary, which makes proper storage difficult and may result in inadequate space to accommodate them (Andi Putra Marbun, 2023). The loss of minutes of deeds has legal consequences not only for Notary and the parties appearing before them. The parties may suffer losses due to the loss of their legal rights, leaving their interests unprotected.

If the minutes of the deed are destroyed due to the Notary's error or negligence, the Notary must take responsibility and may be subject to civil and/or administrative sanctions. Administrative sanctions may include temporary dismissal from office for violating the duties and prohibitions of the notarial profession, as well as the Notary Code of Ethics. The type of administrative sanction depends on the severity of the Notary's error. In cases where improper storage of the Notary Protocol results in the loss of deed minutes, a written warning may be imposed (Gio Vanni Tampubolon, et. al, 2023). As for civil sanctions, if the Notary's negligence in storing the minutes constitutes a violation of Article 16 paragraph (1) letter b of the Notarial Law, and causes loss to the parties, the Notary may be deemed to have committed an unlawful act (onrechtmatige daad), thereby incurring civil liability.

According to Fardian, S.H., M.Kn., the Notarial Law only requires Notaries to store minutes of deeds as part of the Notary Protocol, but does not establish standard regulations regarding the procedures for their storage. The absence of specific requirements for secure storage locations is one of the factors contributing to the loss or destruction of minutes of deeds (Fardian, 2025). Due to the lack of standardized storage procedures, Notaries often store minutes of deeds using materials that are prone to rust, place them carelessly, fail to use protective sprays for paper to prevent pest damage, and neglect to regulate air circulation in storage rooms causing the documents to become damp and deteriorate over time.

In order to find mechanisms and legal protection measures to that ensures legal certainty for the parties appearing, it is essential to recognize that these parties have civil

rights that must be protected in the minutes of the deed. Notaries are obligated to provide legal protection that safeguards the interest of the appearing parties or any other relevant parties by ensuring that their legal status is properly maintained and upheld (Hadjon, Pholipus M,1987).

Article 1889 of the Civil Code states that although a notarial deed (in the form of a copy) whose minutes are lost can still serve as evidence of the legal actions of the parties subject to certain conditions, the loss of the original minutes of the deed may cast doubt on the authenticity of the copy. This is because the copy only bears the Notary's signature, whereas the original minutes include the signature. Of the parties, witness and the Notary. These provisions may be interpreted through the argument per analogiam method. In such cases, the Notary may submit to the local District Court for a ruling to reconstruct the minutes of the deed, based on the copy retained by the parties.

As a form of accountability for negligence, whether due to the Notary's own actions or in a force majeure situation, the Notary is obliged to report the loss of the minutes of the deed, which is considered a vital state archive, to the Indonesian National Police. A Police Report is necessary in case a legal dispute arises in the future concerning the list of minutes of the deed. Following the report, the Notary must take steps to protect the parties involved by notifying the MPD through a written report or by submitting a copy of the police report regarding the loss. This notification will be used as an examination by the MPD, which is shown by the results of the forensic laboratory result. Subsequently the MPD will notify the MPW and MPP.

A notary can submit a request for a decision to the local District Court for a decision to recreate minutes of a lost deed based on a copy of the deed still held by the parties. This request must be supported by a loss report or statement from the Indonesian Police and a report issued by the MPD. As the applicant, the Notary seeks a ruling from the District Court judge to recreate the minutes of the deed with permanent and binding legal force, allowing it to be restored to the collection of minutes kept by the notary as part of the notarial protocol.

In addition to the responsibilities mentioned above, due to the challenges faced by notaries and the lack of detailed regulations supporting the obligations to the Notary Protocols, the Notary and PPAT office of Fardian, has taken the initiative as a form of responsibility, to back up data by storing it as electronic documents. Existing regulations are considered outdated and have not kept pace with advancement in information technology. By transferring Notary Protocols to electronic media, issues such as physical shrinkage and limited storage space can be avoided, while also minimizing the risk of damage or loss of deeds. This ensures that the parties involved retain their right of valid and binding evidence (Fardian,2025).

Conclusion

Based on the description in the researcher's analysis that has been presented, several conclusions can be drawn in this research, including: The Minister of Law and Human Rights established the MPN with the purpose of supervising and providing guidance to Notaries in the performance of their professional duties as public officials. The MPN is composed of the MPD, MPW, and MPP, each responsible for their respective work areas. As the primary frontline body, the MPD has the authority to provide guidance and conduct inspections, including those related to the minutes of deeds, which are part of the Notary Protocol. If the minutes of deeds are damaged or lost due to the negligence of the Notary, the Notary is considered to have violated the obligations set forth in Article 16 paragraph (1) of the UUJN. Damage or loss caused by the Notary may result in sanctions, which can include civil penalties, administrative sanctions, and professional ethics sanctions. These sanctions can be imposed by the MPW, with notification to the MPD, as part of the supervisory process and

guidance for Notaries who commit violations, including negligence in storing minutes of deeds.

Notaries play a crucial role in helping to establish legal certainty and protection in the event of legal issues by creating authentic deeds that regulate the legal status, rights, and obligations of the parties involved. In carrying out their duties, Notaries are obligated to store and maintain the minutes of deeds, which are part of the Notary Protocol. If the minutes of deeds are lost due to the negligence of the Notary, the Notary is responsible for reporting the loss to the Indonesian Police. Subsequently, the Notary must notify the MPD to enable the submission of a request to the local Court for a decision to re-create the lost minutes of deeds based on the copies retained by the parties involved.

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