

The Analysis of the Notary Regional Supervisory Board on the Storage of Notary Protocols that are more than Twenty-Five Years

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Article	Abstract.
Keywords: Archives; Notes; Storage. Article History Received: 2022-10-30; Reviewed: 2022-11-26; Accepted: 2022-12-22; Published: 2022-12-23. DOI: 10.30659/jdh.v%vi%i.27 128	<i>This study aims to know that notary makes authentic deeds regarding all the deeds, agreements, and conditions required by laws and regulations and/or are desired by interested parties to be included in an authentic deed, guarantees certainty that coincides with the making of the deed, saves the deed, distributes grosse, deposits and quotes the deed , all of that during the making of the deed was also not delegated or excluded to other officials or other people determined by law ". A message made by or in the presence of a universal official in power is said to be an authentic deed, by providing enough evidence for both parties and their heirs and all those who have the right to override all the things mentioned in the message and also about what is stated in the message. The message is only a notification, but what was later notified was directly related to the subject matter of the deed. An authentic deed has formal, material and binding strength. The profession of a notary among residents because residents need their services after that socializes them to residents.</i>

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1. Introduction

The notary carries out his duties and positions according to normative legal provisions relating to all actions that will be attempted to make a deed afterward. Notary profession must be guided by UUJN and other regulations relating to the making of deeds, and the Notary Code of Ethics. The related interpretation of the Code of Ethics is also presented in the Change of Notary Code of Ethics at the Extraordinary Congress of Indonesian Notary Associations (INI) in Banten on May 29 to 30 2015 which reads:

"The notary makes authentic deeds regarding all deeds, agreements and conditions required by laws and regulations and/or is desired by interested parties to be included in an authentic deed, guarantees certainty that coincides with the making of the deed, saves the deed, distributes grosse, entrusts and quotes deed, all

of that during the making of the deed was also not delegated or excluded to other officials or other people determined by law. A message made by or in the presence of a universal official in power is said to be an authentic deed, by providing enough evidence for both parties and their heirs and all those who have the right to override all the things mentioned in the message and also about what is stated in the message. The message is only a notification, but what was later notified was directly related to the subject matter of the deed. An authentic deed has formal, material and binding strength. The profession of a notary among residents because residents need their services after that socializes them to residents. The notary carries out his duties and positions according to normative legal provisions relating to all actions that will be attempted to make a deed afterward. Notary profession must be guided by UUJN and other regulations relating to the making of deeds, and the Notary Code of Ethics. The related interpretation of the Code of Ethics is also presented in the Change of Notary Code of Ethics at the Extraordinary Congress of Indonesian Notary Associations (INI) in Banten on May 29 to 30 2015 which reads:

Notary records include documents containing notary notes as complete facts to achieve legal certainty. Therefore, notary archives must be placed and ratified on the basis of supervision and are required by law. With regard to state archives, Article 1 Paragraph 2 of Act No. 43 of 2009 concerning Archives states: Archives are records of activities or events in various formats and media in response to the growth of data and communication technology by local government agencies. As well as accepting the government, learning institutions, industry, organizations, politics, citizen organizations and people in the administration of social, national and state life as certifiers. Make die;

B. The term of office has ended.

C. Ask yourself

D. Inability to carry out mental and/or physical tasks for more than 3 years;

E. Promotion as civil servant;

F. Changing the office zone.

G. Stuck whereas;

H. Given the extent of the obligations and responsibilities of a notary for UUJN regulations, the authority of a notary is a collection of letters related to notary deed, notary. Notary deed, is the state.

The notary deed which is an archive has submitted a notarial deed which can be used as evidence that is legal, solid, and the notary no longer acts as a notary. Or because of other matters mentioned in Article 60 2 UUJN 2014, so that the celebration activity will create files that have been produced years ago, so that these files can be easily searched and found with a notary protocol from a notary. which has been transferred to the Notary assigned because the Notary protocol holder. The position of Notary cannot always be held through a Notary, which can be seen from the notary's age limit in carrying out the obligations of the Notary profession. As with civil servants,

- A. Died;
- B. Has reached the age of 65 (6ty 5) years;
- C. individual requests;
- D. Inability spiritually and/or physically to carry out the obligation to become a notary on a regular basis for more than 3 years;
- E. Concurrent positions as defined in Article 3 letter g". One of the reasons for the termination of a person as a Notary is because the Notary has passed away.

With the death of a Notary, all obligations to settle and the protocols of the Notary concerned need to be immediately submitted to the Regional Supervisory Board, which is then called the MPD through the heirs placed through a Notary who protects a protocol that has been appointed through a Notary who has finished his term of office. rent or issue a protocol to a notary appointed by MPD as the protocol holder. The explanation of this matter is indicated in Article 6ty 3 paragraph (2) UUJN 2014, namely "In terms of the interpretation of Article 62 (a), the transfer of the Notary Protocol, prepared by the heirs of the Notary, to another Notary appointed by the DPRD Regional Supervisor. State notary no 13 UUJN2014.

Provisions for the Notary Protocol are regulated in Article 63(5). UUJN 2014 changes to notary area regulations regarding "Notary protocols from other notaries will be notified to directors by the notary who received the notary deed if he is 25 years old or more at the time of filing." At the time of delivery. submission, delivery of the notarial deed to the deputy notary, the impact is over 25 years old. the nds referred to by the MPD cannot be used due to the following reasons: the MPD cannot store records of many notaries who have been in the State of the Supreme Audit Agency for another 25 years, meaning that the notary files are always placed in each notary office, the notary files concerned are taken over by the notary himself or the owner of the notary. record appointed by the MPD or the Minister. Create a

notary work that has ended, The MPD must be notified in writing of the termination of work and within 180 or 90 other notaries must be nominated as record holders. One day before the notary reached the age of 65. Years of life ended. Notes of a notary who has retired are transferred to another notary, but the responsibility of the notary's protocol is always on the retired notary. In practice, there are still notary heirs who have not or are late delivering the Notary protocol to the Notary receiving the Notary protocol. This can cause confusion for residents who need an explanation or need a copy of the information on the activities of the deed that has been made, moreover it can cause losses. In this case the heirs have position and responsibility but there are no consequences or sanctions that can be given to the Notary's heirs if there is a delay and/or negligence in submitting the Notary Protocol, due to the nature of carrying out his position, the Notary must uphold the Notary's code of ethics, namely protecting confidentiality deed made to anyone, including wife, family, or other parties who are not related to the deed he made. With no sanctions for heirs who are late in submitting Notary Protocols by planning to neglect or not submitting, so proactive behavior is urgently needed for MPD Notaries, because in UUJN there are no provisions that control overriding sanctions intended for these heirs. If the Notary does not quickly submit the Notary protocol to the Notary receiving the protocol. In the case of a Notary who passes away, the Notary's protocol is notified by the heir to the MPD or other Notary, with the aim that if the citizen requires a copy of the protocol deed of the deceased, it can be provided, but in reality the submission of the Notary Protocol is not attempted as stipulated by the Notary's office law and regulations other legislation. In submitting the Notary's protocol, a careful process is needed, so that the Notary's protocol is not scattered, lost or damaged. Obligation to protect Notary protocols for up to a period of 25 years. The next Notary's obligation is to deliver notes on activity reports related to making deeds, messages, and documents that become the authority of the Notary every month for MPD in the work area of the Notary concerned and specifically for wills that are reported to the Center for Probate Records of the Department of Law and Human Rights of the Republic of Indonesia. The authority of the Supervisory Council which is administrative in character requires that the MPD meeting decisions be regulated in Article 21 of the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia, hereinafter referred to as PERMENKUMHAM RI Number: 40 of 2015 concerning Organizational Layers, Working Procedures, Procedures for Member Assignment, Termination of Members, and Working Procedures of the Supervisory Committee The Notary Supervisory Council as one of the institutions authorized to carry out supervision, guidance, checking and sanctions of a Notary,

Use the directors in the framework of supervision and supervision of the notary. In this regard, the Notary urges the Notary to carry out his duties seriously, work according to applicable regulations, and act neutral and impartial. To protect

the integrity and dignity of the Notary. Examiner's Body & UUJN Substitution Supervisor is regulated with the following conditions. Article 1(6) For the universal requirements of the 2014 UUJN, "The Industrial Examiner's Body is a body that has the authority and obligation to carry out management and supervision of a notary."

The position and authority of a notary is a traffic in social life. Because it is so meaningful to the law, the deeds and actions of a notary in carrying out the functions of his authority can be misused and harm the community, resulting in the guidance and supervision of a notary. no. Notary supervision requirements are regulated in UUJN 2004 in Chapter IX, Articles 67-80. Prior to the enforcement of UUJN 2004 supervision, sanctions were reviewed and imposed on notaries by the judiciary at that time. 1847 Number. 23), 96 Outer Zone Ordinance, Part 3 Ordinance for Extra-Judicial Action, State Bulletin 1946 Number. 135, as well as Section 50 UUJN.

After that the universal legal assembly Article 32 and the supervision of the Supreme Court are located in the legal assembly of the State law assembly and the legal panel of the Supreme Court as well as the legal panel of the legal assembly and the legal assembly of the legal assembly, as well as the legal assembly of the legal assembly, the Supreme Court NOTRARES, the Supreme Judge and the Minister of State No. KMA/ 006/ SKB/ VII/ 1987 Number of Decisions on Self-Test Procedures and Universal Court Verdict No. 54 of 2004 from Universal Court No. 54 Final. From the explanation above, as a writer as a writer, there is a universal nature of legislation and conflicts that are expressed as concrete incidents of citizens that are intertwined in the community. The following industries are intertwined (existence). From now on, the distance to the signal often occurs inequality, imbalance or the form of gaps. 16 If the relevant contract cannot be waived if the real notification that appears on the comfortable and convenient delivery protocol, the action can be broken or lost, if this happens, this will be an Ary notation. Endanger citizens. Because the notarized protocol is a conditional will, it is the MPD to ensure other records to save and deliver the paid protocol. Therefore, the author is the title of the notary's title from the notary's position, the title of heir from the notary," said the title of the title of this post, as well as the title "the mortgage results of the heirs of the heirs" Not submitted".

Based on the background explanation of the problem above, we can formulate two main problems.

1. What are the legal consequences of negligence if the notary's heirs do not do so? Would you like to submit a record of 25 years of age to the DPRD supervisor?
2. What is the storage system for notarial deeds that are 25 years old or more?

This research provides clarity and contribution to the general public, students, legal practitioners, especially notaries, as well as regional/city governments, as well as regional inspector DPRD notaries and the general public who have an interest in legal issues. It is hoped that this will provide knowledge about questions related to professional negligence. The heirs of the notary do not submit a copy of the notarial deed to the local directors, and the local directors to the notary archives. Authority is 25 years or more in relation to the law. Law Number 30 of 2014 concerning the Office of a Notary in February 2014 concerning Amendments to 2004.

2. Research Methods

The type of research is normative research. This study is called a normative study because it only considers aspects of norms that originate from law and doctrine. Therefore it is also called learning research and carrying out or conducting library research or documentary research which only includes written regulations or other legal materials. Not only that, this research is a field. The characteristics of this research is a descriptive analysis, which means that through an analysis of existing legal facts and information obtained, systematically, using the legal requirements listed below, this is a survey that aims to provide a factual and accurate description. method. Legislation concerning the obligation of a notary overrides the validity of the hand characteristics of the deed issued.

This research uses primary and secondary sources from legal sources to find answers to researchers' questions.

1. The main source of legal data focuses on Law Number. 30 of 2004 jo. Act No. 2014 concerning the Raising of the Notary, Criminal and Civil Criminal Code.
2. Secondary legal sources use various documents that contain doctrine related to the responsibility of a notary regarding the validity of the signature made on the certificate.
3. In addition to these two sources of legal material, this research also reviews information from interviews with notaries to support conclusions regarding the notary's obligations for the validity of the signature on the notary deed.

Legal materials are collected by carrying out a literature search on the subject of research, namely the legal obligation of a notary to verify the signature of a notary deed. In addition, dialogue was attempted with a notary to strengthen literary studies. Next, sources of legal materials and information obtained are processed qualitatively. In addition, legal materials and information are analyzed

and presented systematically to respond to any issues that may arise in connection with the notary's responsibility for the validity of the notary's signature. The final results of the processing and analysis are presented in dialogues and constructed as conclusions.

3. Results and Discussion

Notary is a universal official who has the authority to make authentic deeds and has other powers as defined in Act No. 2 of 2014 concerning Amendments to Act No. 30 of 2004 concerning Notary Position Regulations. The notary's authority is to make authentic deeds regarding all deeds, agreements and provisions required by a universal regulation or by interested parties that are desired to be stated in an authentic deed, guarantee certainty of coincidence, save the deed and distribute grosse, copy and excerpts thereof, So far, the deed is not based on universal provisions that are given or excluded by officials or other people (Yuhana, 2021). And carrying out the obligations of a notary in the administrative field is storing and maintaining all documents listed, including a collection of deed and various other documents commonly known as notary protocols (Fitri, 2021). Notary Protocol is a collection of documents which are state archives that must be placed and maintained by a Notary (Arliman, 2015). Bearing in mind the importance of the notary protocol as a means of providing facts for the notary and the parties making the deed to the notary concerned and also as a state archive, so that the maintenance of the notary protocol document must be tried very carefully and must be placed and maintained in accordance with the requirements of the statutory regulations. invitation. always be authentic. However, in the case of a Notary whose age is limited to only 65 years.

With the use and authority of the DPRD Regional Supervisor in relation to the notary archives. As well as there is a normative conflict/conflict between Act No. 43 of 2009 concerning notary status officials by law regarding archives related to storage (archive retention)(Hajar, 2021). Therefore, the notary protocol is a state archive and the legal archive of the notary protocol applies. Contrary to the norms defined, the Archives Law controls the period of storage (storage) based on the archive preservation plan. On a scheduled basis, archiving is an assessment of archives, whether archives are moved, destroyed, or maintained (Soesanto, 1982). (Listyarini, 2019). Notary records must be placed and maintained without judgment by a notary, deputy notary, interim notary, notary file holder and directors, but the storage period of the notary archive (retention).) Is the notarial deed appointed by the client and/or related parties (Amsyah, 2003). Based on the alibi above, the issue arises of how the legal bond between notary minutes and BPK's authority to preserve notary minutes as a filing agency. State archives. Article 63(5) of the Notary Law, which reports on social/empirical issues related to the authority of the National

Supervisory Board in relation to the preservation of notary archives, is another notarial file.) Unclear norms At the time of filing, the person must be at least 25 years old and informed by the recipient notary notary to the parliamentary area supervisor.

The limitations experienced by the Regional Supervisory Board in applying Article 6ty 3 paragraph (5) are of no value or there is no interest in the authorities to provide funding for the provision of a 25 year old notary protocol workshop or so until now the Regional Supervisory Council is defined as maintaining Notary protocol that is 25 years old cannot carry out its obligations in accordance with Article 6ty 3 Paragraph (5) of the Notary Office Law. This component must come first to the Directorate General of Common Law Administration and the authority to provide that at least each province has one garage where it can accommodate the 25-year-old notary protocols that the United States archives maintain through the Regional Board of Trustees. Because the Regional Supervisory Board has a heavy burden and obligation to simply accept the notary protocol that is required for 25 years through the Regional Regulation but does not have a regional workshop. This raises the issue of the method of arranging destiny which is contrary to the authority of the Regional Oversight Body linked to the notary's protocol garage as the state archive. The results of the research (Wardani & Iriantoro, 2021) explain the submission of the protocol related to the entertainment of the appearers to obtain a duplicate deed/offer through events and positions and the actual criminal nature of the recipient of the notary protocol. After that (Noer & Fajriyah, 2021) examines the meaning of protecting and preserving Notary Protocol as a state archive.

The regional supervisor acts as a notary in carrying out his duties in accordance with the Notary Law, and the notary has been notarized as a storage facility, although the government only gives authority to regional supervisors in the DPR. Appoint a notary for the Protocol for not sharing notes. Protecting a notary deed since the age of 25 is not an easy task and is a particular burden for a notary who has been appointed as a notary holding a notary file. Of course, there are too many notaries and 25 years of record barriers need special attention. The regional administrator must also carry out notary records, but this is abandoned because the recipient of the notary file appointed by the regional administrator does not want to receive files from other notaries. it tried. There is no alibi for filing b. Was a notary, it could be that he is not skilled at carrying out his duties, but this will not be notarized at a later date so that the recipient of the notarial deed does not want to accept it for him. Raised concerns about the many legal processes against a notarial deed that was previously made by a person.

The regional Panwaslu who must receive notarial deeds that are more than 25 years old, is the role of NOTAR Article 63 (5), and is an appropriate condition so

that the task cannot be carried out at this time, who is a suitable community leader, is a protocol because it does not share capabilities repository, of course it would take a large dimension of space to record a protocol spanning thousands of years. Article 63(5) Chaos in the Industrial Audit Body of the Corporate Auditor cannot fulfill the obligations stemming from Article 63(5) Article 63(5) and the local Panwaslu. You can put a copy of the Notary for a while. Assembly zone supervisors have a serious burden of responsibility for legal and regulatory requirements, but no storage space.

The place for storing notary archives for those aged over 25 years is handed over to the MPD by the notary receiving the archives, because the notary archives actually belong to the state. The MPD is managed by the MPD as the state archive. But so far there has been no protocol that has been reported to the MPD which is a national issue and is implemented in the Indonesian region because of the lack of facilities and infrastructure. The law reports that the notary records 25 years later have been submitted to the MPD, but the reality on the ground cannot play the role indicated by the law. It's confusing and out of the question when MPD addresses this logging issue. Regulations weren't regulated until recently because they were basically always behind, but it's actually not that easy.

Not only Notary and MPD Statement Messages, the Regional Office of the Department of Law and Human Rights (Kanwil DIY) Yogyakarta Special Region never received a notary record 25 years ago at that time. Moreover, if the notary does not retire, the log will be placed at the notary concerned. When he retires, the log will be placed in the notary receiving log. The obstacle in this case is the lack of facilities and infrastructure due to budget constraints. The efforts of the Regional Office of DIY related to this problem are as follows: Contact has been made with the central government to build a building to be used as an archive/special storage for notary archives.

Based on the above matters, UUJN has given authority to MPD to receive, store and determine the place of storage of notary deeds 25 years ago, but in reality the MPD has granted the authority granted to UUJN. Cannot be executed.

As a quote the condition of the industrial auditor from the regional supervisory committee as the auditor, meanwhile, this description is a notary in the implementation of his duties, as a law is an alibi for the provincial industrial auditor. Likewise, the obligations of a notary are not only regulated in article 16. However, the notary has a management obligation to store and store all documents, including collections of deed and various other popular documents with notary records (Susanti, 2015). Notary Protocol Notary Protocol controls that Notary Protocol is a collection. State archives that must be placed and maintained by a notary for the

requirements of Articles 1-9 of the Law Ordinance (Kie, 2011). The notary protocol consists of (RACHMI, 2014):

- A. Records of reality;
- B. Records of certificates or repertoire.
- C File directory
- D. Note the name of the moderator or rattle.
- E. Registration of protest
- F. Register a novel.
- G. Other note novels that must be placed by a notary based on law.

Means put a note with a notary. The notary must issue a copy of the Minuta Deed, which is part of the notary's record and submitted to stakeholders, heirs, or those who receive notary rights. In the event that a dispute arises between the parties and/or between the recipients of their rights overriding the related rights and obligations, he is prepared to return them and use them as a complete piece of evidence in a court of law.

Notary Records with the Notary Law If you think of a notary in the state, the administration is the Lex Expert, Act No. 43 of 2009, which controls the management of records. Compulsory obedience. The notary protocol is archiving, and for Article 1 of Act No. 43 of 2009 concerning archiving, there are several definitions of archiving (Deliarnoor & SH, 2016). Notary archives are called meaningful archives, originating from the classification of these archives. This is the most important preserved. Resurrection means a notary record of the state and its existence and survival and must be kept for security and protection. Overwriting the format as an archive means, we analyze the elements of Article 1 Paragraph 4 of the Archive Law. "Meanwhile archives are a necessity for safe archive forming operations and are irreplaceable and irreplaceable archives. If there is a breakdown or run out." Next, Presidential Regulation 28 of 2012 concerning Enforcement of the Archive Law. Reliability, integrity and archive security, among others, in relation to Articles 40 and 41 of these issues. Maintain dynamic archives, include meaningful archives, active archives related to archive maintenance for notary law. Dynamic archive maintenance is performed through active archive archiving which is performed through archiving and archiving activities. Therefore, based on this notary record as a state archive of dynamic vital type integrity, as well as archive

security, among others, when it relates to Articles 40 and 41 of these issues. Maintain dynamic archives, include meaningful archives, active archives related to archive maintenance for notary law. Dynamic archive maintenance is performed through active archive archiving which is performed through archiving and archiving activities. Therefore, based on this notary record as a state archive of dynamic vital type integrity, as well as archive security, among others, when it relates to Articles 40 and 41 of these issues. Maintain dynamic archives, include meaningful archives, active archives related to archive maintenance for notary law. Dynamic archive maintenance is performed through active archive archiving which is performed through archiving and archiving activities. Therefore, based on this notary record as a state archive of dynamic vital type (Kumalawati et al. 2019).

The government handed over some of his paintings to provide security to the public, therefore we handed over some of his powers to a notary to make evidence in the form of an actual deed for those events that require free time and protect their rights.

4. Conclusion

The Notary Protocol was sentenced or legalized as a royal archive that must be stored and maintained so that the entertainment of the people is always maintained. However, overriding the designation of the notary protocol garage as a royal archive, the main thing is that it can be based entirely on Article 60 5 of the Law on the Office of a Notary who does not directly report that the notary's protocol must be placed even though, the Notary takes leave, the Notary reaches the age of 60 5 years or moreover the Notary has passed away. Bearing in mind the notary's protocol, if you think of it as an archive, its supervision must be obeyed by the Archives Law. For Article 1 Paragraph (22) of Act No. 43 of 2009 concerning Archives, the Archive Retention Agenda (JRA) is a record that contains at least the length of the garage or retention, type of archive, as well as an outline that contains guidelines about the type of dedication archives are destroyed, reassessed, or used entirely as manual archive reduction and preservation. Bankruptcy 1 Paragraph (37) of Government Regulation No. 28 of 2012 concerning Application of the Archives Law, stipulates that archive storage is a period of time. Archive types require storage. However, even though notary archives are meant to be state archives, filing arrangements are regulated by the Archives Law if notary archives are not properly placed in the notary position law. This matter raises legal uncertainty for notaries in protecting and maintaining notary protocols.

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