

Reconstruction of *Ius Constituendum* on Cyber Notary Regulations in E-RUPS as *Relaas Acta*

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Abstract. *The purpose of this study is to examine the reconstruction of the *ius constituendum* regulating cyber notary in E-RUPS as a *relaas acta* with 2 problems, namely the urgency of regulating cyber notary as the legal basis for making E-RUPS and the draft *ius constituendum* regulating cyber notary in the future. This study uses a normative legal research method in the form of a legislative approach. The results of the study indicate that there is uncertainty in the legal regulation of cyber notary in Indonesia regarding E-RUPS whose deeds are made by a notary as a *relaas acta*, so a draft legislation is needed as a legal basis for cyber notary in the future to guarantee the validity of an authentic deed.*

Keywords: *Cyber; E-RUPS; *Ius Constituendum*; Notary.*

1. Introduction

The development of technology in Indonesia has experienced very significant growth, where there is ease in carrying out daily activities and activities. Modern society currently lives in the era of information technology which is currently known as the "disruptive era" or the era of the industrial revolution 4.0. So that in its implementation, the development of information technology has penetrated various aspects of life, especially in the legal field.¹The development of electronics is always continuous, especially in the field of electronics, there are many developments that are happening today. Electronic technology has started to develop since long ago and until now it is still developing. The development of electronic technology is also inseparable from the development of computers and communications.

The era of globalization creates a new spirit that penetrates the boundaries of the country, because the competitiveness index between nations is now determined by the

¹Syafrinaldi, 2024, Hukum Di Era Revolusi Industri.

level of innovation and progress in science and technology. The phenomenon of globalization is not only marked by a dramatic increase in the flow of capital, goods and services in the context of the economy through the progress of science and technology in a country. Globalization is not only marked by a spectacular increase.² Seeing the development of the era that is increasingly advanced and modern has caused the development of the industrial revolution 4.0 (four point zero) to the Society 5.0 revolution (five point zero). The Society 5.0 revolution (five point zero) is a society where it is centered on humans who align systems related to the internet and real conditions. "The goal of the Society 5.0 revolution is to create a society where humans can enjoy life. Although society 5.0 started in Japan, its goal is not only for the country itself but for all countries."³

The cultural changes in society that pursue speed and convenience in everything reflect the transition to Society 5.0 today. Society 5.0 is a concept originating from Japan, developing along with technological advances and increasingly complex social dynamics. In this concept, advanced technology is expected to significantly advance human life. Industry in the Society 5.0 era is expected to create new innovations to overcome various challenges faced by consumers. The crucial role of the digital industry is considered very important in improving the quality of a country's economy.⁴

Developments in the legal profession, including the Notary profession, are undergoing rapid transformation along with rapid technological developments. Technological advances are a significant challenge for future legal practitioners, including Notaries. There is the potential that some aspects of the legal profession will be automated by technology, especially with the emergence of artificial intelligence. This phenomenon does not only apply to the legal profession but also has an impact on various other professions and types of work. The era of digitalization that continues to develop allows the possibility of shifting or replacing human roles by technology.⁵ New entities, including technology companies, will meet the public's need for legal services by providing systems for document creation and using artificial intelligence to support those legal services.⁶

"Het recht hink achter de feiten ann", the term states that the legal system is often

²Muladi, *Hukum Pidana dan Profesi Jabatan Notaris*, 2011, Makalah disampaikan Pada Acara Diskusi Panel Sehari Mengenai "Penegakan Hukum Berkaitan Dengan Pelaksanaan Tugas Jabatan Notaris", Ikatan Mahasiswa Magister Kenotariatan (IMMK) Fakultas Hukum Universitas Indonesia, Jakarta.

³Faza Irfan As Sauri Yunanto, 2024, "Urgensi Pembaharuan Cyber Notary Dalam Undang-Undang Jabatan Notaris Berdasarkan Perkembangan Teknologi", *Jurnal Notarius*, Volume 17 Nomor 1, p. 402.

⁴Aulia Zulfa & Fatma Ulfatun Najicha, 2022, "Urgensi Penguatan Identitas Nasional dalam Menghadapi Society 5.0 di Era Globalisasi", *Jurnal Kalacakra*, Volume 03 Nomor 02, p. 65.

⁵Nehemia Aritongan, 2021, "Digitalisasi di Lembaga Hukum dan Tantangan Profesi Hukum di Masa Depan", *Prosiding Seminar Nasional Kewarganegaraan*, Vol. 3, 22 Desember 2021, Universitas Ahmad Dahlan, Yogyakarta, p. 87.

⁶Agustin, Nurlaily, Triana Dewi Seroja, 2022, "Technological Advancement in The Society 5.0 Era for Notary in Indonesia: Glory or Obsolere?", *Legal Brief*. Volume 11 No. 3, p. 1589.

unable to keep up with the latest developments in society.⁷In line with this statement, the law regarding the implementation of the Notary's position is currently still lagging behind. The choice is whether the Notary wants to follow technological developments or continue with the implementation of the position conventionally. Currently, the use of technological facilities has not been fully maximized because it has not been fully regulated in the applicable legal regulations, so can the Notary position still provide optimal service in the Society 5.0 era or will the Notary become an obsolete position that is eroded by time, and slowly but surely begins to be abandoned by society.

The role and obligations of a Notary in making authentic evidence must be viewed as supporting business activities, not as an obstacle. Therefore, several legal regulations require that several agreements must be made in the form of an authentic deed. For example, the regulation can be found in Article 7 paragraph (1) of Law No. 40 of 2007 concerning Limited Liability Companies or what is known as UUPT which states: "A company is established by 2 (two) or more persons with a notarial deed made in Indonesian." Another regulation is Article 5 paragraph (1) of Law of the Republic of Indonesia Number 42 of 1999 concerning Fiduciary Guarantees which states: "The encumbrance of objects with Fiduciary Guarantees is made with a notarial deed in Indonesian and is a Fiduciary Guarantee deed."

A question arises whether the role of notaries in the future can be replaced by artificial intelligence technology. What if in the future an invention is created in the form of artificial intelligence that resembles a Notary with a more sophisticated level of security than Notarial deeds that are still made conventionally. To maintain the relevance of the Notary profession, it is important for them to provide services that are in accordance with the development of information and communication technology. Notaries need to integrate technology into their duties. Therefore, a concept is needed that directs Notaries to adapt to advances in information and communication technology on a global scale when carrying out their duties.⁸

The use of technology in carrying out the Notary's position can prevent Notaries from potential crimes committed by clients, for example in the case of the person appearing not recognizing the signature that has been affixed before the Notary (can be minimized by using an electronic signature), the person appearing before the Notary turns out to be a fake person (can be minimized by scanning the face), the signature affixed by the person appearing on the minutes of the deed turns out to be not identical (can be minimized by using an electronic signature). The maximum use of technology by notaries is the answer to all of these problems.

Notaries need to follow technological developments in order to provide better services and meet the expectations of the community who want speed, convenience, and

⁷Pricillia Virginia Rumengan, 2021, "Analisis Akta Notaris dalam Era Cyber Noatry Ditinjau dari Asas *Tabellionis Officium Fideliter Exercebo*", *Indoensia Noatry*, Vol. 3, p. 381.

⁸Habib Adjie, 2017, "Konsep Notaris Mayantara Menghadapi Tantangan Persaingan Global", *Jurnal Hukum Respublica*, Vol. 16 No. 2, p. 205.

accuracy. In the era of Society 5.0, ideally Notary services move towards an electronic platform known as Cyber Notary. The existence of regulations regarding Cyber Notary in Indonesian laws and regulations is expected to guarantee legal certainty, order, and protection for all parties involved in the deed made by the Notary.⁹Notaries must be able to adapt by implementing and integrating technology to be able to provide more optimal services to the community in the Society 5.0 era without reducing the dignity and honor of the Notary position.¹⁰

Article 1 number 1 of Law No. 2 of 2014 concerning Amendments to Law No. 30 of 2004 concerning the Position of Notary which became the UUJNP states that a Notary is a public official who can make authentic deeds (notarial deeds) and has other authorities as referred to in the UUJN or other laws and regulations.

An authentic notarial deed has binding legal force. Perfect means that if one party submits a notarial deed, the judge must accept and assume its truth until proven otherwise, so that the judge cannot request additional evidence. Article 1868 of the Civil Code defines an authentic deed as something made in legal form by or before a public official.” Articles 1870 and 1871 of the Civil Code regulate the evidentiary force of an authentic deed:

- a. Outwardly;
- b. Formal; and
- c. Material.

Article 15 of the UUJN outlines the authority of a notary, which in essence can be described as follows:

- a. Article 15 of the UUJN outlines the authority of a notary, which in essence can be described as follows:
- b. Make original deeds, confirm their dates, keep them, and provide grosse, copies, and extracts;
- c. Register the letter in a special book for verification of signature and date;
- d. Recording letters privately in a book;
- e. Hand copy of the original letter;
- f. Checking the conformity of the photocopy with the original letter;

⁹Mahfuzatun Ni'mah Sona,2022, “Penerapan *Cyber Notary* di Indonesia dan Kedudukan Hukum Akta Notaris yang Berbasis *Cyber Notary*”, *Jurnal Officium Notarium*, No. 3 Vol. 2, p. 498.

¹⁰Stefan Koos, 2023, “*The Digitization of Notarial Tasks - A Comparative Overview and Outlook of ‘Cyber Notary’ in Indonesia and Germany*”, *The Indonesian Journal of Socio – Legal Studies*, Vol. 2 No. 2, p. 2.

- g. Providing legal advice regarding the preparation of deeds;
- h. Carrying out land acts;
- i. Making a deed of auction minutes.

The law grants other authorities to Notaries in addition to those mentioned above. Article 15 paragraph (3) of the UUJN defines other authorities regulated in the articles of association as the authority to ratify electronic transactions (cyber notary), make deeds of mortgages, and airplane mortgages. certification of flying and cyber notaries for electronic transactions. The article does not explicitly mention the authority behind the term "Cyber Notary" in the agency. The Big Indonesian Dictionary (KBBI) initially defined "cyber" as computers and information systems/cyberspace. The internet, telecommunications networks, computer systems, processors, and systems form cyberspace. industrial command.¹¹The expert opinions regarding Cyber Notary are as follows:

- a. *Stephen Mason* put forward:

"Cyber Lawyers were originally the brainchild of the American Bar Association (ABA) Information Security Committee in 1994, based on the trust of the parties when conducting transactions via the internet, transmission security, communication integrity, and the belief that the transaction will receive legal recognition so that it is binding and can be enforced."¹²

- b. RA Emma Nuritamention :

"Cyber Notary is a Notary who carries out the duties and authorities of his position based on information technology related to the duties and functions of a Notary, especially in making deeds."¹³

Cyber notary is the latest concept contained in UUJN. The definition of cyber notary is a renewed concept in the form of a notary's authority to carry out his/her duties electronically, as an intermediary for the main media to make notarial deeds, which previously were deeds written in paper form and attended in person, can now be made in electronic form using the main media.

Cyber notary is a new breakthrough to balance the technological progress that is happening at this time. However, has the UUJN accommodated all the rules on cyber

¹¹Irfan Fanasafa, 2022 "Kenali Dunia Siber, Waspada! Kejahatan! (Bagian 1)", <https://www.djkn.kemenkeu.go.id/kpknl-purwakarta/baca-artikel/15712/Kenali-Dunia-Siber-Waspada-Kejahatannya-Bagian-1.html> .

¹²Edmon Makarim, 2011, "Modernisasi Hukum Notaris Masa Depan : Kajian Hukum Terhadap Kemungkinan *Cyber Notary* di Indonesia", Jurnal Hukum dan Pembangunan, Volume 41 Nomor 3, p. 427.

¹³Dewa Gede Prawira Buwana dan I Nyoman Bagiastra, 2022, "Keabsahan Akta Notaris Berbasis *Cyber Notary* Melalui *Teleconference*", Jurnal Kertha Semaya, Volume 11 Nomor 1, p. 212.

notary or notary rules in order to balance technological progress.

Technological advances allow cyber notaries to create authentic deeds digitally and carry out their duties routinely. General Meeting of Shareholders (GMS) via teleconference and electronic signing of deeds. To facilitate distant parties, cyber notaries eliminate distance barriers.

Long-distance communication technology has evolved from a simple method to a sophisticated system that can transmit sound, images, signs, codes, signals, or other information through cables, wireless, or other electronic systems. Internet-based telecommunications are growing rapidly. Human thinking and imagination in the internet network drive rapid innovation today. "The internet connects people across time and countries at the speed of light.

Cyber notary utilize information technology in carrying out its duties, especially in making deeds.¹⁴ Cyber notary simplifies the process of creating authentic deeds for legitimate or desired actions, agreements, or provisions.

The duties and functions of a Notary as a public official cannot be separated from the technological progress of society and the rapid growth of electronic transactions. Notaries have other authorities regulated in laws and regulations, as stated in Article 15 paragraph (3) of the UUJNP. Other authorities mentioned in this Article are explained in Article 15 Paragraph (3) of the UUJNP which requires Notaries to read deeds in front of two witnesses. Teleconferencing and video calls are used by cyber notaries to interact with the audience. Irresponsible parties can misuse cyber notaries to validate notarial deeds.

E-RUPS and Cyber notary have a close relationship because both use information technology to validate electronic transactions, especially in the context of electronic GMS. The electronic signatures of GMS participants are validated by a cyber notary. The notary is required to re-verify the electronic signatures of GMS participants by re-examining the authorized electronic deed organizer authority and the valid electronic deed.

UUPT regulates the implementation of electronic GMS (E-GMS), which in some cases requires a Notary deed for the E-GMS minutes. Article 77 of UUPT amends the GMS by meeting needs such as advanced technology and electronic media. Article 77 of UUPT regulates the procedures for implementing new GMS electronically:

Teleconference, video conference, and other electronic media can be used to hold the GMS as referred to in Article 76 so that all GMS participants can see and hear each other and participate. This article allows the GMS to be held through developing electronic media. You must still prepare the minutes of the GMS at the time of the E-GMS

¹⁴R.A Emma Nurita, 2012, *Cyber notary, Pemahaman Awal dalam Konsep Pemikiran*, Refika Aditama, Bandung, p. 4.

implementation.

E-RUPS is regulated in the Regulation of the Financial Services Authority of the Republic of Indonesia 15/Pojk.04/2020 concerning Planning and Implementation of General Meetings of Shareholders of Public Companies with an Electronic GMS Implementation System. Article 1 number (5) of POJK Number 15/Pojk.04/2020 defines "E-RUPS as an electronic system or means used to support information on GMS of Public Companies, implementation, and reporting." In addition, Article 3 of the Regulation of the Financial Services Authority of the Republic of Indonesia 16/Pojk.04/2020 concerning Implementation of General Meetings of Shareholders of Public Companies Electronic General Meetings of Shareholders of Public Companies are permitted.

2. Research Methods

This study uses a normative legal research method in the form of a legislative approach. In this problem, the author is interested in discussing the formulation of the problem, namely: How urgent is the regulation of cyber notary as a legal basis for the creation of E-RUPS, and how the *ius constituendum* draft regulates cyber notary in the future.

3. Results and Discussion

3.1 Urgency of Cyber Notary Regulation as Legal Basis for Making E-RUPS

"Cyber notary" is a term that is divided into two words, namely "Cyber" which comes from "Cyberspace", referring to the virtual world. While "Notary" or Notary is a public official regulated by UUJN, tasked with receiving attribution power from the State to carry out certain tasks in civil law. These two words are combined into "Cyber notary", which refers to a notary who uses information and communication technology, such as electronic media digitalization systems, teleconferencing, video conferencing, and other networked media. By utilizing this technology, the interaction of notaries with the parties involved in the process can occur without limitations of space and time, allowing online participation by many parties.¹⁵

Notaries are expected to adopt Cyber notary technology to improve the quality of service, so that it can encourage rapid economic growth. In carrying out their duties, notaries need to use technology to serve customers online. Digital Notary Service is a tool that can make it easier for notaries in their work and facilitate the exchange of information between notaries and other parties involved in the transaction. In its role as "a tool of society engineering" the law functions to ensure that all aspects of development can run in accordance with the mandate of the 1945 Constitution. Therefore, the law must be enforced along with development, to avoid problems arising due to legal uncertainty in the future.

Some challenges in implementing "Cyber notary" especially in the formation of notarial

¹⁵Edmon Makarim, 2020, *Notaris dan Transaksi Elektronik*, Depok: PT. Raja Grafindo Persada, p. 61.

deeds, namely as follows:

- a. The notary must know the presenter or be introduced by two witnesses based on the law of testimony (Article 40 UUJN).
- b. The presenter, observers and translator (if any) must be present when the notary reads and ratifies the deed (Article 44 UUJN).
- c. The solidarity of Notaries is related to their authority and work area (Articles 18 and 19 of the UUJN).
- d. According to Article 42 UUJN, a Notary deed must be readable. Article 16 paragraph 1 letter f requires Notaries to collect deeds every month in a book that can accommodate 50 deeds.
- e. The notary is obliged to make and keep a minutes of the deed to prove the authenticity of the deed (Article 16 paragraph 1 letter b). If the deed is forged or misused, the original must be kept for proof.
- f. Treasury books along with tables of deeds, other books that record deeds that have been legalized, legalization files, warming, clappers, protest lists in connection with unpaid securities, and will books must be maintained according to time.
- g. Article 16 paragraphs (2), (3), (4), and (5) must be complied with when making the original deed.

Many regulations in Indonesia have activated the concept of Cyber notary, so that Notaries can utilize information technology in carrying out their duties. However, legal unity is needed to avoid overlapping in the application of these rules. Legislation regarding the concept of Cyber notary should clearly regulate technological advances. "Legal experts, academics, and practitioners agree that this concept requires legal flexibility to adapt to information technology."¹⁶

Based on Article 1 number 4 of the UUPT, the GMS has authority that is not delegated to the Board of Directors or the Board of Commissioners, within the limits stipulated in the law or the company's articles of association. Article 78 of the UUPT regulates the annual GMS and other GMS. The Board of Directors' report on the company's performance one year ago and their plans for the following year are evaluated and decided at the annual GMS. Meanwhile, the Extraordinary General Meeting of Shareholders (EGMS) is held to discuss and resolve urgent issues.¹⁷

In his book, Achmad Ichsan states that the GMS is a will or important decision of a

¹⁶Ilhaam Aditio, Yuhelson, Maryano. *Kepastian Hukum Dalam Pelaksanaan Rapat Umum Pemegang Saham Melalui Video Konferensi Berdasarkan Konsep Cyber notary Di Indonesia*. 2022. *Jurnal Sosial Dan Budaya Syar-I*. Vol. 9, No. 5, p. 1370.

¹⁷Anisitus Amanat, 1996, *Pembahasan Undang-Undang Perseroan Terbatas 1995 dan Penerapannya dalam Akta Notaris*, Rajawali Press, Jakarta, p. 106 – 107.

company unless it conflicts with the law or the company's articles of association.¹⁸ Thus, the GMS must be held in an orderly manner and recorded in the Deed of Minutes of Meeting to provide legal certainty for all decisions of the GMS. Article 21 paragraph (4) and paragraph (5) of the UUPT also requires Notaries to document and state any changes to the articles of association made by the GMS within 30 days of the decision being taken.

In most cases, shareholders or their proxies are present at the GMS in person before a Notary. Based on Article 76 of the UUPT, the GMS must be held at the company's domicile in Indonesia. Article 77 of the UUPT allows the GMS to be held using teleconference, video conference, or other electronic media with the possibility of all GMS participants seeing, hearing, and participating directly. Advances in information technology make it possible to hold GMS online. At every electronic GMS, all participants are required to approve and sign the minutes of the meeting.

E-RUPS is used during the COVID-19 pandemic, where many activities are carried out online to stop the spread. To combat the COVID-19 pandemic, the government is streamlining the bureaucracy to restore economic stability. One of the steps is to issue POJK Number 15 / Pojk.04 / 2020 and POJK Number 16 / Pojk.04 / 2020. According to Article 1 number 3 of POJK Number 16 / Pojk.04 / 2020, "RUPS conducted electronically is the implementation of RUPS by a public company that is carried out using teleconference media, video conferences, or other electronic media."

Teleconferences that have legal implications are used for important decision-making or to provide information or testimony in legal proceedings. General teleconferences differ from legal teleconferences in terms of these implications. Articles 76 and 77 of the UUPT regulate conventional and modern (teleconference) GMS. Participants who attend sign the minutes of the GMS in a conventional GMS. However, teleconference GMS can use electronic signatures.

In Yahya Harahap's book, it is stated that electronic media used to hold a GMS electronically must first meet Article 77 of the formal requirements of the UUPT. This includes the ability of all GMS participants to see and hear the meeting and participate directly. Yahya Harahap also stated that electronic GMS media must meet these formal requirements. If one of the written provisions is not implemented, then electronic media cannot hold a GMS.¹⁹

- a. Show shareholders the written regulations, GMS materials, and agendas required to vote on each GMS agenda;
- b. Allowing all GMS participants to participate and interact with each other during the meeting;

¹⁸Ichsan, 1986, A. *Dunia Usaha Indonesia*. Pradnya Paramita, Jakarta, p. 38.

¹⁹Harahap, 2016, *Hukum Perseroan Terbatas*, Jakarta: Sinar Grafika, p. 312.

- c. Calculating attendance for the GMS quorum;
- d. Conducting voting and counting valid votes, including if there are several types of shares or parts;
- e. Capture the entire GMS interaction in sound, motion, audiovisual or other electronic format;
- f. Provide electronic power of attorney for attendance and voting at the GMS.

OJK's new policy on POJK Number 16/Pojk.04/2020 on implementing GMS in Indonesia, especially for companies listed on the Indonesia Stock Exchange (Issuers). This policy allows Issuers to hold GMS electronically with certain requirements:

- a. E-RUPS can be implemented using the service provider or Issuer system.
- b. E-RUPS service providers and issuers must comply with the regulations.

The E-RUPS organizer must be able to provide a copy or duplicate of the document to the notary which contains at least:²⁰

- a. Information regarding personal data of shareholders attending via electronic media;
- b. Information on shareholders who grant power of attorney via electronic media;
- c. Results of data collection on attendance quorum and decision quorum; And
- d. A copy or duplicate of the recording of all interactions during the GMS via electronic media which is then attached to the minutes of the GMS.

Article 12 of POJK Number 16/Pojk.04/2020 requires a notary to sign the minutes of the Extraordinary GMS. The presenters must appear before a notary to prepare the authentic deed. This is different from UUJN Article 16 paragraph (1) letter m, which requires a minimum of two witnesses or four witnesses specifically when making a private will and signed by the presenter, witnesses, and notary when making the deed that is read in public. According to Article 1868 of the Civil Code, an authentic deed is a deed made by or before an authorized public official at the place of its making. The requirements for an authentic deed according to Article 1868 of the Civil Code are:

- a. The deed must be made by or in the presence of a public official;
- b. The deed must be made in a form according to the provisions of the law;
- c. A public official, by or in the presence of the person appearing, must have the authority to make the deed.²¹

²⁰Ismatul Izzat, 2021, Analisis Yuridis Terhadap Pelaksanaan RUPS Secara *Cyber notary* (E-RUPS) Dalam Peraturan Otoritas Jasa Keuangan, Jurnal Signifikan Humaniora, p. 8.

²¹G.H.S. Lumban Tobing, 1999, *Peraturan Jabatan Notaris*, Jakarta: Erlangga, p. 48.

These conditions make inauthentic deeds private, with the deed-making official as a public official. The deed-making official in making deeds is divided into two types of deeds, namely:

- a. Notary (door) can make a deed of release/deed of service (ambtelijke akta, procesverbal acta, acta relaas). In the deed, the official explains objectively what he saw and did without the initiative of the party. There is no comparison and full responsibility of the notary that defines this deed.
- b. A party deed (partij-acteri) is an agreement made before the deed-making official, at the request of the parties who have that interest. The comparison in this deed explains the authority of the parties to make a deed before a Notary.²²

An authentic deed can be changed into a private deed if the requirements are not met. In the EGMS, the attendance requirement is carried out online via video without being present before a notary, thus causing problems in the future because it violates Article 1868 of the Civil Code and Article 16 paragraph (1) letter m UUJN. Unless it meets the following requirements, a notarial deed has the power of proof as a private deed is permitted according to Article 1869 of the Civil Code:

- a. Lack of authority of the relevant public official;
- b. Incompetence of relevant public officials;
- c. Defective in terms of its shape.

The legal subjects acting in a deed greatly affect the ability of the parties to carry out legal actions that are indicated to be able to cause certain legal consequences if the requirements are not met. Thus, the deed can be declared null and void at the request of the interested party if the subjective requirements of the parties present before the Notary were not initially met. A notarial deed has the ability to be a strong means of proof if all procedures are followed. A deed can have the ability to be the same means of proof as a private deed if the procedures are violated and proven in court. The judge will determine the evidentiary value of the deed in this case.

The certification print is also an electronic document under the authority of other notaries, such as the certification of cyber notary transactions. This electronic document must meet the requirements for the validity of the deed in Article 1868 of the Civil Code. Cyber notary in the UUJNP is increasingly possible with the regulation of Electronic Transactions in Law No. 1 of 2024 concerning the Second Amendment to Law No. 11 of 2008 concerning Information and Electronic Transactions or also known as the ITE Law. The ITE Law states that "Electronic Transactions are legal acts carried out using computers, computer networks, and/or other electronic media" in Article 1 paragraph

²²Maulida Luthfiyatul Azizah dan Muhaimin, 2022, Kajian Yuridis Penandatanganan Akta yang dilakukan Notaris di Luar Kantor berdasarkan Alasan-Alasan Tertentu. *Notary Law Journal*. Vol. 1, No. 4. p. 348.

(2). Edmon Makarim's book states that the ITE Law strengthens cyber notaries in Indonesia, allowing notaries to work remotely using technology.²³

Cyber notary should be implemented in Indonesia according to Article 15 Paragraph 3 of UUJN, but there are no additional regulations. Because there are no regulations regarding this matter, the notary profession has difficulty in serving the public. Legal services with cyber notary require a clear legal basis so that notaries can carry out their duties and provide services to the public. Therefore, adequate regulations are needed to provide legal certainty in the making of notarial deeds, especially during the COVID-19 pandemic which requires flexible and efficient services.

An electronic deed can be held accountable for its truth, has the same evidentiary force as a private deed, and can be legalized by a notary and the initials of witnesses and notaries. Cyber Notary is protected by the ITE Law because of the application of the principle of *lex specialis derogate lex generalis* which means that special laws override general laws. In this case, the ITE Law overrides the UUJN.²⁴ It is said so because the ITE Law has provided legal certainty related to the making of deeds by cyber notary which can override the provisions of Article 16 paragraph (1) letter m UUJN because Article 16 paragraph (7) has also regulated regarding the non-obligation of reading the deed before a notary if the parties who appear have such a will because the parties have previously read it themselves, know, and understand the contents of the deed. This is what can be an opportunity for the implementation of cyber notary in the duties and authorities of the notary position.

The implementation of E-RUPS must still prepare the minutes of the GMS as a notarial deed. Notaries can voluntarily attend the E-RUPS to prepare the minutes. There are two ways to make the minutes of the meeting into a notarial deed:

- a. If the Notary makes a deed in the form of minutes of the GMS, then the minutes of the meeting must be made by the Notary himself.
- b. With a Meeting Decision Statement (PKR), authorizes the representatives who are also present at the meeting to prepare and restate the minutes of the meeting before a Notary.

This is usually applied to GMS which require the minutes of the meeting to be made using a notarial deed without the direct presence of a notary at the GMS when the notarial deed is made.²⁵ If the minutes are made in the form of a notarial deed, then the process begins electronically with the notary making a deed of the results of the GMS

²³Hanif Windarrahman. 2022. Penerapan *Cyber Notary* Sebagai Solusi Dalam Pembuatan Risalah RUPS Elektronik Pada Masa Pandemi. *Jurnal Hukum Tora*. Vol. 8, No. 2, p. 256.

²⁴Junita Faulina, Abdul Halim Barkatullah, Djonni S Gozali, 2022 Kedudukan Akta Notaris Yang Menerapkan Konsep *Cyber Notary* Di Masa Pandemi Covid19 Di Indonesia. *Notary Law Journal*, Vol. 1, No. 3. p.260.

²⁵Cyndiarnis Cahyaning Putri, Abdul Rachmad Budiono, 2019, *Konseptualisasi Dan Peluang Cyber notary* Dalam Hukum, *Jurnal Ilmiah Pendidikan Pancasila Dan Kewarganegaraan*, Vol. 4, No. 1, p.6.

via teleconference and reading it so that it can be seen by all GMS participants. A digital signature is used to sign the deed after being approved by all parties. GMS participants, witnesses, and the notary sign digitally.²⁶

GMS minutes must be prepared, but not authentically. A GMS is made authentically if the agenda is the transfer of rights, whereas if the annual GMS agenda is not required to be made authentically. The chairman of the meeting and at least one shareholder appointed by the GMS participants are required to prepare and sign the minutes of the GMS, including the annual GMS. Authentic GMS minutes do not need to be signed by the chairman of the meeting and at least one shareholder.

The PKR is made no later than 30 days after the GMS decision based on Article 21 paragraph (5) of the UUPT. The making of the E-GMS minutes in the form of a notarial deed based on this PKR will not cause problems because the PKR will be brought by the person appearing before the notary so that at the time of the formation of the notarial deed it can be carried out in accordance with the provisions of Article 16 paragraph (1) letter m of the UUJN, namely reading the deed directly before the person appearing. However, the possibility of its implementation is still constrained by the legal regulations faced by the notary.

Regulations on making deeds using electronic media have not been expressly regulated in the UUJN and the ITE Law in accordance with the needs of the community to keep up with current developments in information technology. Although the laws and regulations have not expressly regulated the making of notarial deeds electronically, it does not rule out the opportunity to use teleconferencing media. Specifically for public companies, there are separate regulations in POJK Number 15/POJK.04/2020 and POJK Number 16/POJK.04/2020. However, it should also be noted that in its implementation there is no legal certainty regarding electronic deeds in general. Therefore, notaries need to apply the principle of caution in making an authentic deed.

3.2. Draft *Ius Constituendum* for Cyber Notary Regulations in the Future

Cyber Notary refers to electronic notarial deeds. Video conferencing and digital signatures are examples. These technologies are undoubtedly modern advances. The problem is, a Notary carries out his duties based on the UUJNP. The preamble to the UUJNP states that a Notary makes an authentic deed to ensure certainty, order, and legal protection. See also Article 1868 of the Civil Code (KUHPerdota). An authentic deed must be based on law, made by an official, and made in the country of origin. Legal certainty for all Indonesian people is needed to make Indonesia a country of law. This law must be enforced by all levels of government, especially law enforcement, to protect the public. Notaries are expected to help realize this. Given the many authorities as state officials appointed by the Minister of Law and Human Rights of the Republic of Indonesia, Notaries are the mainstay of legal certainty for the community. The one ruler

²⁶Ibid. p. 34.

creates an authentic deed that guarantees legal protection. Notaries are heavily involved in legal matters concerning deeds and authentic evidence.²⁷ Notary services are closely related to public services. Especially in business. Speed and flexibility are needed in the business world, as well as legal certainty.

The underlying belief of UUJNP is to provide essential legal certainty in the process of making authentic deeds, which are designed in such a way that they can provide strong evidence in their evidentiary value. For example, documents must be read and the parties who are bound by the deed must be present before a notary to sign the deed made. Along with the development of the times, notaries in Indonesia are expected to be able to follow this progress by adjusting the practice of making authentic deeds to cyber notary standards that have been widely adopted by other developing countries. The publication of the Ease of Doing Business (EODB) report from the World Bank shows that the business world wants policies that support the ease of doing business from countries, because this will improve the country's image as a friendly investment environment.

The implementation of EODB in Indonesia will open up job vacancies for the community, especially the younger generation. Because the younger generation currently understands and knows how to operate the technologies that are developing in society, so that with this implementation it will produce golden generations who are good at running businesses independently with the availability of sophisticated tools and technology. Of course, there needs to be support from the Indonesian government, in providing these tools and technology. When viewed from the perspective of a notary, it is known as a cyber notary which, as explained above, is an electronic tool to be used by the official who makes the deed in making his deed, especially in the business sector, namely E-RUPS. However, in reality, currently Notaries have not been able to carry out cyber notary activities in their entirety because they are constrained by the UUJNP which regulates the obligations of the parties to appear, and at the beginning of the deed the sentence "Present before me" is clearly stated. This sentence makes UUJNP article 16 letter m the prefix to the notarial deed.

Indonesia has a goal in the future, to become a country based on definite law, the meaning of the word definite here is that the laws that regulate it are not vague or empty. Which legal certainty is a guarantee of the rights and obligations of a person who carries out legal actions or deeds. Because the law has a nature that binds everyone in the legal environment.²⁸ So that it is necessary for the awareness of the community and especially law enforcement officers to ensure and place and uphold these legal norms. To create a sense of comfort and provide protection for the community. One of the things that is currently of concern to the community is the profession of a notary or deed-making official where this deed-making official has the

²⁷Tan Thong Kie, 2007, *Study Notariat & Serba Serbi Praktek Notaris*, Ichtar Baru Van Hoeve, Jakarta, p. 627.

²⁸ Sudikno Mertokusumo, 2007, *Penemuan Hukum Sebuah Pengantar*, Liberty, Yogyakarta,, p.160.

function and obligation as an official who is authorized to make an authentic deed that is binding on both parties and has valid evidentiary value in the eyes of the law itself. It can be seen that the profession of a notary as an official who makes the deed is given the advantage as a public official where the position is given by the Minister of Law and Human Rights of the Republic of Indonesia. And the authority of the deed-making official, one of which is to organize.

In the early stages of company formation, notaries help make things easier. They make authentic deeds such as the Deed of Establishment of a Limited Liability Company for entrepreneurs. Indonesia needs cyber notaries for three reasons. First, the government wants Indonesia to rank at least 40th in the EODB, and President Joko Widodo said at the International Congress that notaries must keep up to date with the latest developments. Second, the EODB index indicators include the formation of a Limited Liability Company (PT). As a public official with state authority, a Notary must understand the UUJN and changes in the process of establishing a PT. Third, Article 22 of the UUJN allows notaries to carry out information disclosure by considering three factors, including.

The indicator of “business activities” as a determinant of regional notary needs shows that the notary profession is closely related to the business world. Therefore, notaries must adapt to business trends and the efficiency of deed making time.

Cyber notaries are also related to the management of information and electronic transaction regulations. Notaries manage information and transactions electronically in Indonesia, including signatures using digital media technology, according to the government. Where the ITE Law is about providing digital initials which have the same legal force as manual signatures under certain conditions.

Several countries have implemented electronic notaries or cyber notaries in their national legal systems, primarily to ensure the authenticity of electronic information, especially in the context of the use of initials or digital signatures. The United States and France are two examples of countries that represent different legal traditions, but both have introduced electronic notaries or cyber notaries in their national legal systems.²⁹

While several other countries are considering implementing similar systems, here is a brief overview:

a. United States of America:

The United States has separated the regulation of conventional notaries and electronic notaries since 2017. The US government considers notaries who work electronically to be a legal necessity along with advances in information technology. Deed-making

²⁹Priscillia Virginia Rumengan, *Analisis Akta Notaris Dalam Era Cyber notary Ditinjau Dari Asas Tabellionis Officium Fideliter Exercebo Tabellionis Officium Fideliter Exerc*, Vol. 3, Article, *Indonesian Notary*, p.385-386.

officials or public officials who wish to perform electronic notarial acts must have additional qualifications and adequate electronic system infrastructure.

b. France:

France requires electronic notaries to register wills in the will database of the Association pour le Developpement du Service Notaris. French notaries use electronic notary books to secure electronic signatures and document management.

c. Dutch:

In the Netherlands, notaries are only responsible for legalizing or verifying a person's signature and identity before they can obtain a Digital Certificate from the CSP provider for electronic applications. The Dutch Notary Act allows notaries to make copies or summaries of deeds electronically in accordance with the regulations of the Council of State.

d. German:

Deed making officials based in Germany and the Bundes Notarkammer (BNotK) can issue digital certificates to lawyers, judges and other law enforcement professionals. BNotK can be a direct notary or a cyber sub-notary depending on the application.

5. South Korea:

South Korea has regulations on electronic notary in the UUJNP, where public notaries must meet the requirements set by the Ministry of Justice to perform electronic notarial acts. These requirements include the availability of equipment and electronic systems that are useful for supporting electronic and computerized document certification. All of this shows that various countries are developing or have implemented electronic notary in their legal systems in response to advances in information technology.

Digital identity verification will be increasingly important in the future with the possibility of virtualization of social life (metaverse), where the dynamic nature of virtual actors and avatars makes trust in virtual space difficult. Therefore, there is an urgent need to prove clear and unambiguous digital identity in cyberspace. Socially and culturally, technological developments have significantly changed the way humans work and behave, including in terms of transactions, which have shifted from traditional direct or indirect models to online.³⁰

Cyber Notary must be distinguished from those who use cyber technology. Notaries who use teleconferencing to meet with shareholders who cannot attend the meeting and only attend the meeting through electronic media are called Cyber-User Notaries

³⁰ Emma Nurita, 2012, *Cyber notary, Pemahaman Awal dalam Konsep Pemikiran* , Bandung Rafika Aditama.

(NPC). Powers of attorney and letters of attorney must still be shown to the Notary. However, cyber notaries can certify documents electronically. This includes digital certification and notation systems. To illustrate, we often hear about "online shopping". The use of this term is sometimes inappropriate. For example, when a consumer selects goods through a website or social media, then makes a payment via ATM or mobile banking using their cellphone, this is not actually online shopping. This is more of a traditional form of shopping that utilizes the Internet (online). Conversely, if the site provides a direct payment option with a debit or credit card, then the transaction can be categorized as online shopping. Analogously, in the context of cyber notary, every step in the Notary's action process is carried out digitally in order to be called a cyber notary. A cyber notary uses an electronic and/or digital signature or initials to carry out his/her duties.³¹

With this development, Notaries as legal service providers must have an understanding of information technology in order to manage the legal products produced. There are several areas that can be considered as cyber notaries that require the involvement of a notary, for example:

- a. An electronic Certificate Provider or Certified Authority (CA) is an independent and neutral service provider entity that issues certificates to link cryptographic keys to user identities. The CA's duties also include registering public keys along with user names as certificate subjects.
- b. The E-Commerce Electronic Experts Group (ECEG) defines e-commerce as all trade transactions conducted via facsimile, telex, internet, or telephone. This definition applies only to computer-to-computer transactions over open or closed networks.
- c. UUPT allows General Meetings of Shareholders to be held online via teleconference or video conference, thus enabling cyber notary activities.
- d. The Directorate General of General Legal Administration of the Ministry of Law and Human Rights of the Republic of Indonesia provides an Online Legal Entity Administration System (SABH) to the public.
- e. *Data Sharing*: Information technology can help Notaries in carrying out their duties. In this case, such as, the Population Identity Card which is already in the form of an E-KTP which helps Notaries identify the parties who make the deed.
- f. *Online Correspondence*: Cyber notary can send files to clients more easily. Clients can scan and send administrative files such as KTP, KK, NPWP, Sales and Purchase Agreements, etc. via email.
- g. *Online Consultation*: Notaries can use email, chat, or other social media to consult

³¹ Priscillia Virginia Rumengan, *Analisis Akta Notaris Dalam Era Cyber notary Ditinjau Dari Asas Tabellionis Officium Fideliter Exercebo Tabellionis Officium Fideliter Exerc*, Indonesian Notary. Vol. 3, Article 16. p. 114.

with their clients regarding deeds.

h. Electronic auctions or e-procurement are procedures for obtaining government goods and services that fully utilize advances in information and communication technology.

This revolution makes society rethink its ontological, epistemological, value, and methodological beliefs. For example, a Notary must follow the *Tabellionis Officium Fideliter Exercebo* which requires customary work. The Notary's approach to formal truth must be in accordance with what has been decided. Notaries are required to follow this SOP in carrying out their duties.³²

A pattern battle is ongoing, and if a new pattern wins, the scientific community will accept it, leading to the creation of a new paradigm that is completely different from the previous one.

The manufacturing revolution 4.0 has resembled the relationship between law and humans. Legal information engineers are in high demand in law firms, courts, police, and prosecutors. Ignoring this technological advancement is impossible. Some aspects of legal work are similar to technology, so AI can replace it. AI machines will work together with legal professionals to achieve better, faster, and more accurate results by combining human and machine intelligence.³³

Lawyers in Indonesia who practice civil law must master multiple languages and new technologies to draft agreements, including smart contracts, contract automation, digital signatures, and digital contracts.

Technology in the authority of notaries aims to make notary work more practical and efficient for their clients. We must understand the current legal provisions (*ius constitutum*) and the needs of society (*ius constituendum*) to evaluate the concept of "more practical" and "simpler".

From the discussion above, if the future regulation or *ius constituendum* of notaries based or electronically has been made possible and permitted by legal regulations in Indonesia, it will be a new breakthrough in the provision of services in the field of notary. In principle, there is nothing more important for a notary in terms of the need for signing, to appear in person before a notary to affix or acknowledge the necessary signature, an identity to be verified, while existing technology will facilitate the need for such services.

Looking at some of the laws and discussions above, the introduction of the concept of cyber notary in Indonesia has received a lot of support from the Indonesian government, and the government has facilitated the use of technology with its existence. In the ITE Law, there are agencies that have strategic Informatics systems

³² Habib Adjie, 2011, *Kebatalan dan Pembatalan Akta Notaris*, PT. Refika Aditama, Bandung, p. 13.

³³Widodo Dwi Putro, 2021, "Disrupsi Dan Masa Depan Profesi Hukum".

that must be protected; combining Government Regulations, such as executive orders. The role of notaries is also expected to increase the use of information technology, use and provide services through electronic systems and conduct transactions electronically according to the needs of notaries participating in electronic transactions. In particular, notary offices that understand technology and understand that can become brokers or consultants or even data bank data centers, where the confidentiality of electronic documents is more guaranteed.

Only some notary authorizations can be used with digital signatures. Notaries must be able to provide solutions to create healthy competition and in accordance with positive law or *ius constitutum* in force to support development in Indonesia. Indonesia is sometimes slow in creating new solutions, when the international world talks about cyber notary, it is not too late to realize the concept of cyber notary because it needs to be supported to improve the services of the notary industry.

Currently in Indonesia, the use of cyber notary itself cannot be done comprehensively, especially in the making of E-RUPS which in UUJNP notaries have obligations that in making their deeds must be carried out in accordance with the Law governing their position. However, notaries are expected to be able to follow the development and progress of sophisticated technology and make it easier for someone without direct face-to-face but are able to make transactions anywhere and anytime. Currently, notaries are faced with 2 (two) choices, namely carrying out their duties in accordance with laws and regulations that still use the notary method must work traditionally with the risk that notaries will be left far behind by the current world technological civilization which every year has new breakthroughs, or notaries can make new breakthroughs with their authentic deeds, especially E-RUPS which also has the risk of many falsifications of data or signatures from the parties.

In this situation or condition, notaries are required to be more careful, precise and more cautious in carrying out cyber notary so as not to be easily fooled by the sophistication of technological advances. So if this cyber notary activity is carried out continuously, it is hoped that the Laws governing the Notary Office and other laws that still support that notaries must work traditionally will be able to change according to changes and developments in existing technology. Thus, notaries in Indonesia are able to compete with notaries from other developed countries. With equal competition, it is hoped that Indonesia will be able to attract foreign investors who will invest their capital in Indonesia.

4. Conclusion

The uncertainty of the Laws and Regulations made by the government creates a dilemma for notaries because they are faced with the choice between notaries having to continue working traditionally with the risk of being left far behind by other notaries who have utilized technological advances that will also become more advanced every year, or notaries will choose to work on notarial deeds based on cyber notary but with

minimal limitations, so notaries in carrying out cyber notary must be extra careful and thorough, and careful in matching the data of the parties who will carry out or bind themselves to the notarial deed.

5. References

Journals:

- Aditio, Ilhaam., Yuhelson., & Maryano. (2022). Kepastian Hukum Dalam Pelaksanaan Rapat Umum Pemegang Saham Melalui Video Konferensi Berdasarkan Konsep *Cyber notary* Di Indonesia. *Jurnal Sosial Dan Budaya Syar-I*, 9(5), 1370.
- Adjie, Habib. (2017). Konsep Notaris Mayantara Menghadapi Tantangan Persaingan Global. *Jurnal Hukum Respublica*, 16(2), 205.
- Agustin. Nurlaily. & Seroja, Triana Dewi. (2022). *Technological Advancement in The Society 5.0 Era for Notary in Indonesia: Glory or Obsolere?'*. *Legal Brief*, 11(3), 1589.
- Aritongan, Nehemia. (2021). Digitalisasi di Lembaga Hukum dan Tantangan Profesi Hukum di Masa Depan. Prosiding Seminar Nasional Kewarganegaraan, 3, 87.
- Azizah, Maulida Luthfiyatul., & Muhaimin. (2022). Kajian Yuridis Penandatanganan Akta yang dilakukan Notaris di Luar Kantor berdasarkan Alasan-Alasan Tertentu. *Notary Law Journal*, 1(4), 348.
- Buwana, Dewa Gede Prawira., & Bagiastra, I Nyoman. (2022). Keabsahan Akta Notaris Berbasis Cyber Notary Melalui Teleconference. *Jurnal Kertha Semaya*, 11(1), 212.
- Faulina, Junita., Barkatullah, Abdul Halim., & Gozali, Djoni S. (2022). Kedudukan Akta Notaris Yang Menerapkan Konsep *Cyber Notary* Di Masa Pandemi Covid19 Di Indonesia. *Notary Law Journal*, 1(3), 260.
- Izzat, Ismatul. (2021). Analisis Yuridis Terhadap Pelaksanaan RUPS Secara *Cyber notary* (E-RUPS) Dalam Peraturan Otoritas Jasa Keuangan, *Jurnal Signifikan Humaniora*, 8.
- Koos, Stefan. (2023). *The Digitization of Notarial Tasks - A Comparative Overview and Outlook of 'Cyber Notary' in Indonesia and Germany*. *The Indonesian Journal of Socio – Legal Studies*, 2(2), 2.
- Makarim, Edmon. (2011). Modernisasi Hukum Notaris Masa Depan : Kajian Hukum Terhadap Kemungkinan *Cyber Notary* di Indonesia. *Jurnal Hukum dan Pembangunan*, 41(3), 427.
- Putri, Cyndiarnis Cahyaning., & Budiono, Abdul Rachmad. (2019). Konseptualisasi Dan Peluang *Cyber notary* Dalam Hukum. *Jurnal Ilmiah Pendidikan Pancasila Dan Kewarganegaraan*, 4(1), 34.
- Rizkianti, Wardani. (2016). Akta Otentik Rapat Umum Pemegang Saham (RUPS) Melalui Media Telekonferensi (Mekanisme Pembuatan Dan Kekuatan Pembuktiannya). *Jurnal Yuridis*, 3(1), 6.
- Rumengan, Pricillia Virginia. (2021). Analisis Akta Notaris dalam Era Cyber Noatry Ditinjau dari Asas Tabellionis Officium Fideliter Exercebo. *Indoensia Noatry*, 3, 381.

Sona, Mahfuzatun Ni'mah. (2022). Penerapan Cyber Notary di Indonesia dan Kedudukan Hukum Akta Notaris yang Berbasis Cyber Notary. *Jurnal Officium Notarium*, 2(3), 498.

Windarrahan, Hanif. (2022). Penerapan *Cyber Notary* Sebagai Solusi Dalam Pembuatan Risalah RUPS Elektronik Pada Masa Pandemi. *Jurnal Hukum Tora*. 8(2), 256.

Yunanto, Faza Irfan As Sauri. (2024). Urgensi Pembaharuan *Cyber Notary* Dalam Undang-Undang Jabatan Notaris Berdasarkan Perkembangan Teknologi. *Jurnal Notarius*, 17(1), 402.

Zulfa, Aulia & Najicha, Fatma Ulfatun. (2022). Urgensi Penguatan Identitas Nasional dalam Menghadapi *Society 5.0* di Era Globalisasi. *Jurnal Kalacakra*, 3(2), 65.

Books:

Adjie, Habib. (2011). *Kebatalan dan Pembatalan Akta Notaris*. PT. Refika Aditama.

Amanat, Anisitus. (1996). *Pembahasan Undang-Undang Perseroan Terbatas 1995 dan Penerapannya dalam Akta Notaris*. Rajawali Press.

Harahap, Y. (2016). *Hukum Perseroan Terbatas*. Sinar Grafika.

Ichsan, A. (1986). *Dunia Usaha Indonesia*. Pradnya Paramita.

Kie, Tan Thong. (2007). *Study Notariat & Serba Serbi Praktek Notaris*. Ihtiar Baru Van Hoeve.

Makarim, Edmon. (2020). *Notaris dan Transaksi Elektronik*. PT. Raja Grafindo Persada.

Mertokusumo, Sudikno. (2007). *Penemuan Hukum Sebuah Pengantar*. Liberty.

Nurita, R.A Emma. (2012). *Cyber notary Pemahaman Awal dalam Konsep Pemikiran*. Refika Aditama.

Putro, Widodo Dwi. (2021). *Disrupsi Dan Masa Depan Profesi Hukum*.

Syafrinaldi. (2024). *Hukum Di Era Revolusi Industri*.

Tobing, G.H.S. Lumban. (1999). *Peraturan Jabatan Notaris*. Erlangga.

Internet:

Irfan Fanasafa. (2022). "Kenali Dunia Siber, Waspada! Kejahatan! (Bagian 1)", <https://www.djkn.kemenkeu.go.id/kpknl-purwakarta/baca-artikel/15712/Kenali-Dunia-Siber-Waspada-Kejahatannya-Bagian-I.html> .

Muladi, *Hukum Pidana dan Profesi Jabatan Notaris, 2011*, Makalah disampaikan Pada Acara Diskusi Panel Sehari Mengenai "Penegakan Hukum Berkaitan Dengan Pelaksanaan Tugas Jabatan Notaris", Ikatan Mahasiswa Magister Kenotariatan (IMMK) Fakultas Hukum Universitas Indonesia, Jakarta.

Regulation :

Civil Code.

Financial Services Authority Regulation.

Law No. 2 of 2014 concerning Amendments to Law No. 30 of 2004 concerning the Position of Notary.

Law No. 40 of 2007.

Law of the Republic of Indonesia Number 42 of 1999.