

Legal Implications of the Use of Tiktok Social Media as a Means of Promotion and Publication for Notaries, Reviewed from the Perspective of the Notaries' Code of Ethics

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Abstract. *The Notary Code of Ethics is a moral rule that maintains the professionalism of the Notary's position, in which all Notaries are required to comply with the Notary Code of Ethics. In carrying out the notary's position, there are several violations committed by notaries through the use of social media such as TikTok in the form of promotion or publication of positions to attract clients to use their services. This study aims to analyze the legal implications of the use of TikTok social media as a means of promotion and publication for a notary in terms of the notary's code of ethics and to analyze the form of accountability for notaries who are proven to have violated the code of ethics in using TikTok social media. The research method used is normative legal research using the Theory of Legal Consequences and the Theory of Legal Responsibility. The approach method used in this study is the statute approach which is intended as the initial basis for conducting analysis by examining all laws and regulations related to the problem being studied. Types and sources of data used in this study This law uses secondary data, namely data obtained from document or literature studies consisting of primary, secondary, and tertiary legal materials and/or non-legal materials. The analysis in this study is prescriptive, intended to provide arguments based on the research results that have been conducted. The results of the study show that the legal implications of the use of TikTok social media by notaries create a contradiction between the right to freedom of use of social media and the prohibition for notaries as public officials, where in Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries and the Code of Ethics for Notaries dated November 24, 2025 expressly prohibits the practice of promotion and publication through social media or other electronic media. The form of accountability for notaries who are proven to have violated the code of ethics in the use of TikTok social media in accordance with the provisions of the UUJN and the Notary Code of Ethics such as reprimands, warnings, temporary suspension from association membership, and honorable or dishonorable dismissal from association membership.*

Keywords: *Notary Code of Ethics; Promotion; TikTok.*

1. Introduction

TikTok is one of the most widely used social media platforms today. It originated in China as an application called Douyin which was released in September 2016 by the company ByteDance which was founded by [Zhang Yiming](#). ByteDance then released its international version in September 2017, and in November 2017, the company acquired a similar social media app, Musical.ly, and merged it with TikTok in 2018.

Using TikTok for promotion and publication for notaries has both positive and negative implications. Negatively, notaries violate the code of ethics by prohibiting self-promotion and publication, which can result in administrative sanctions ranging from written warnings to temporary dismissal. This is because it is expressly prohibited in the Notary Code of Ethics. However, on the positive side, using TikTok for legal counseling and education is considered beneficial to the public, as long as it is not intended to directly promote or publicize themselves or their offices.

Article 1 paragraph (1) of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary (hereinafter abbreviated as UUJN) states that "A Notary is a public official who is authorized to make authentic deeds and has other authorities as referred to in this Law or based on other laws." The authority held by a notary is attributive authority, namely the authority granted by UUJN, so that all matters regarding the technical implementation of the duties of a notary's position have been written in UUJN starting from the procedures for implementing the position of notary, the authority and obligations of a Notary in carrying out his main duties, which are then accompanied by the application of sanctions if the Notary violates the provisions of UUJN.

Notaries in carrying out their duties are regulated in the UUJN and the Notary Code of Ethics. Therefore, in carrying out their duties, notaries must submit to and comply with the UUJN and the Notary Code of Ethics. In addition, before carrying out their duties, a notary must take an oath/promise before the Minister or appointed official as stated in Article 4 paragraph (2) of the UUJN which reads:

"I swear/promise:

that I will obey and be loyal to the Republic of Indonesia, Pancasila and the 1945 Constitution of the Republic of Indonesia, the Law on the Position of Notary and other laws and regulations.

that I will carry out my office with integrity, honesty, thoroughness, independence and impartiality.

that I will maintain my attitude and behavior and will carry out my obligations in accordance with the professional code of ethics, honor, dignity and my responsibilities as a Notary.

that I will keep confidential the contents of the deed and information obtained in the course of carrying out my position.

"That in order to be appointed to this position, either directly or indirectly, under any name or pretext, I have never and will not give or promise anything to anyone."

The Notary Code of Ethics is a set of moral principles established by the Indonesian Notaries Association (INI), which must be adhered to by all members of the association and others holding office. A notary is obligated to carry out their duties in accordance with the ethics agreed upon in the form of a code of ethics. The code of ethics serves as a preventative measure to prevent members of the profession from engaging in unethical behavior.

In carrying out his profession, a notary must have the following elements:¹

1. Have strong integrity;
2. Must be honest with clients and with yourself (intellectual honesty);
3. Be aware of the limits of your authority;
4. Not solely based on monetary considerations;
5. Have expertise supported by high levels of knowledge and experience

Notaries and other people (as long as they are carrying out their duties as Notaries) are prohibited from:

"conducting publications or self-promotion, either alone or together by including one's name and position, using print and/or electronic media in the form of:

- a. advertising;
- b. congratulations;
- c. condolences;
- d. thanks;
- e. marketing activities

f. sponsorship activities, both in the social, religious and sports fields.

A notary must act and behave in accordance with the Notary Law and the Code of Ethics. While carrying out their duties, notaries are bound by the notary code of ethics, which serves as a moral standard for notaries. This code of ethics has been determined by the Indonesian Notary Association, which was the result of the Indonesian Notary Association congress, and must be adhered to by all its members.² The Code of Ethics for a notary is something that must be known and understood by every notary, because the Code of Ethics is a mandatory course for students in the Notary Study Program throughout Indonesia. This provides students with the necessary skills to carry out their duties and authorities as notaries and comply with laws and regulations and the Notary Code of Ethics. The benefits are as follows:

1. Maintain and preserve the image of the authority of the Notary institution.
2. Uphold the dignity and honor of the position of Notary.³

Discussing the Notary Code of Ethics means discussing the obligations and prohibitions contained within the code, particularly regarding the prohibition on notaries promoting themselves as a notary. In this increasingly open era, is the prohibition on notaries promoting themselves still relevant, especially with the increasing use of social media today?

Violations of the notary's code of ethics through media promotion generally occur because the notary publicizes himself directly, for example through social media such as TikTok or other media, which violates the prohibition on self-promotion as regulated in the Notary's Code of Ethics. This violation can take the form of advertisements, congratulations, or other marketing activities that include the name and position of the notary. The writer wants to discuss the problems that arise in the promotion of electronic media such as TikTok for the promotion of notaries according to the notary code of ethics.

2. Research Methods

Research methods as follows: First type of research The method that will be used in writing this thesis is normative legal research, namely legal research in the sense of researching rules or norms. Both of them The approach used in this research is a statutory approach, where this statutory approach is intended as the initial basis for conducting analysis by examining all laws and regulations related to the

²Amendments to the Notary Code of Ethics, Extraordinary Congress of the Indonesian Notaries Association, Jakarta, November 24, 2025

³Prof. Dr. H. Salim, SH, MS, 2022, "Introduction to the Notary Code of Ethics", Reka Cipta, Bandung p. 7

problem being studied. The three types and sources of data used in this research are : This law will use secondary data, namely data obtained from document or literature studies consisting of primary legal materials, secondary legal materials, tertiary legal materials, and/or non-legal materials. The four data collection methods where the analysis in this study is prescriptive, prescriptive analysis aims to provide arguments for the results of the research that has been conducted.

3. Results and Discussion

3.1. Legal Implications of Using TikTok Social Media as a Means of Promotion and Publication for Notaries Reviewed from the Notary Code of Ethics.

The development of digital technology has revolutionized the practice of the legal profession, including the position of notary as an officium nobile (noble office) in the Indonesian legal system. According to Law Number 2 of 2014 concerning the Position of Notary (UUJN), notaries are public officials with the authority to issue authentic deeds and are obligated to provide legal education to the public. However, the presence of social media in the digital era has given rise to a paradox: on the one hand, digital platforms enable notaries to reach a wider public for legal education, but on the other hand, their unwise use can actually constitute an ethical violation, particularly when exploited for self-promotion.⁴

As public officials who perform part of the state's function of authenticating legal events, notaries hold a unique position. Notaries serve not only as providers of legal services but also as holders of public trust. Therefore, every action of a notary, both in the physical and digital public sphere, must reflect integrity, prudence, and adherence to legal norms and professional ethics.

As public officials, notaries must comply with the Notary Law (UUJN), the Indonesian Notaries Association (INI), and the Notary Code of Ethics established by INI. The Notary Code of Ethics stipulates that notaries:

- a. It is prohibited to have more than 1 (one) office, either a branch office or a representative office;
- b. It is prohibited to install name boards and/or writing that reads "Notary/Notary Office" outside the office environment;
- c. It is prohibited to publish or promote oneself by creating advertising content or testimonials from clients about the excellence of Notary services openly,

⁴NS Hartoyo, Enforcement of the Code of Ethics for Notaries' Instagram Social Media Accounts (Thesis, University of Indonesia, 2022), p. 12, <http://lib.ui.ac.id/detail?id=20528634>

- either alone or together, by including one's name and position, using print media and/or social media that can lower the dignity of the Notary's position;
- d. It is prohibited to collaborate with individual service bureaus or business entities which essentially act as intermediaries to find or obtain clients in making notarial deeds;
 - e. It is prohibited to sign a deed whose preparation process has been prepared by another party;
 - f. It is prohibited to send minutes to clients for signature;
 - g. It is prohibited to set an honorarium that is lower than the minimum honorarium rate in each Regency/City that has been determined by the Regency/City Regional Management;
 - h. It is prohibited to make deeds that exceed reasonable limits, the amount of which is determined by the Honorary Council;
 - i. It is prohibited to be involved in business transactions that have the potential to exploit the position as a Notary in business activities that could give rise to a conflict between the Notary's personal interests and his professional obligations;
 - j. It is prohibited to work and carry out functions as an advocate or other legal profession that is prohibited from holding concurrent positions with a Notary;
 - k. It is prohibited to list the position of Notary as a member and activities of a political party;
 - l. It is prohibited to distribute and/or upload photos of the Notary's office by oneself or other Notary colleagues to Social Media;
 - m. It is prohibited to distribute and/or upload deeds made by yourself or by other Notary colleagues to social media which could reveal official secrets;
 - n. It is prohibited to distribute and/or upload photos or writings about the atmosphere/conditions at the time of making/signing deeds or other activities related to the implementation of one's own official duties or those of other Notary colleagues, both in the office and outside the office, to Social Media;
 - o. It is prohibited to disseminate photos, videos or comments that are inappropriate, controversial, political or contrary to professional ethical values that could demean the honor and dignity of the notary position;

- p. It is prohibited to commit violations of obligations and prohibitions, either verbally or in writing, using print media and/or social media.

Based on UUJN article 15 paragraph (2) letter e which states that "Notaries are authorized to provide legal counseling in connection with the making of deeds.", a Notary can provide legal counseling through TikTok social media but must still comply with legal principles including what has been outlined in UUJN and also the Notary's code of ethics where the limitations are very clear only regarding authentic deeds made by Notary officials. The legal counseling carried out must not involve self-promotion and publication, namely by not:

1. Selling notary services by offering himself, including setting his own rates.
2. Do not include the job attributes of yourself or others.
3. The material is in the form of general counseling regarding understanding legal norms and statutory regulations (for example: valid conditions for gifts, or procedures for making a will).

As officials who hold a public role, notaries are obliged to comply with all applicable regulations, especially those contained in the Law on Notary Public Positions (UUJN) and the Notary Code of Ethics. These two instruments serve as normative references in the implementation of the functions of the position and the behavior of notaries in their daily lives. Violation of these provisions will result in the imposition of legal sanctions. Article 4 paragraph (3) of the Notary Code of Ethics states that notaries and other parties who carry out notary positions are prohibited from conducting publications or promotions, either individually or jointly, by including their names and positions using print and/or electronic media.

Violating this prohibition is not merely an ethical violation, but also a violation of the oath of office as stipulated in Article 4 of the UUJN, which requires notaries to uphold the dignity and honor of the profession. In practice, violations of this norm frequently occur. Many notaries utilize digital platforms to over-expose themselves, share content with promotional and publicity overtones, or even openly list information about the services they provide. This phenomenon undoubtedly raises serious issues in the realm of professional ethics.

On the one hand, social media is a personal right for every individual, including notaries, to express themselves. However, on the other hand, when such expression has the potential to lead to job promotions and undermine the principles of equality and fairness among notaries, regulations must be in place to limit and monitor this.

As a concrete example, there are several notaries who promote their positions through TikTok media, one of which is on the TikTok account B.Mr. I on November

2, 2025, in this live streaming account Mr. I acts as a party promoting RTP Notary in providing legal services which RTP Notary openly participates in the live, in this live openly provides the name and address of the office and the services provided.

These practices violate the principle of *nobile officium* because they equate the position of notary with a commercial profession that relies on marketing to attract clients.⁵ This contradicts the basic principle of the *ex officio* nature of the notary office, which is based on state appointment, not personal promotion. As one notary expert put it, notaries are not merchants who need to advertise their services, but rather public officials who rely on integrity to build their authority.⁶

The use of social media, particularly TikTok, as a promotional and publicity tool by notaries raises legal issues, as the notary's position is a public office subject to ethical norms and laws. Notaries' use of TikTok can be categorized as follows:

1. Legal educational content in the form of providing legal counseling without including job titles.
2. Promotional content and publication of notary services, if the content displays positions and offices containing service offers, discounts and invitations to use services.
3. Excessive personal branding that showcases lifestyle, client testimonials, or claims of superiority.

3.2. Forms of Accountability for Notaries Proven to Have Violated the Code of Ethics in Using TikTok Social Media

Accountability is defined as the obligation to bear all consequences of an action, so that if a violation occurs, the relevant party can be held accountable, deemed guilty, or subject to legal action. This theory asserts that obligations arise based on provisions stipulated in laws and regulations. Therefore, this theory views responsibility as liability, namely a concept related to a person's legal obligations for an action, where an individual can be subject to sanctions if their actions violate the law.

In carrying out their duties, a Notary as a public official has the potential to commit violations, so this needs to be prevented because it can have a negative impact on the Notary profession. Therefore, supervision of Notaries is important to minimize the possibility of violations of the code of ethics, whether committed intentionally

⁵I. Lubis & DI Lubis, 2024, *Supervision and Enforcement of the Notary Code of Ethics*, Legal Publisher, Jakarta, p. 53.

⁶H. Adjie, 2017, *Civil and Administrative Sanctions Against Notaries as Public Officials*, PT Refika Aditama, Bandung, p. 47.

or unintentionally. To this end, the Indonesian Notaries Association established an Honorary Council that plays a role in enforcing the code of ethics and maintaining the dignity and honor of Notaries, which consists of the Central Honorary Council at the national level, the Regional Honorary Council at the provincial level, and the Regional Honorary Council at the district or city level.

This act of job promotion violates the provisions contained in Article 1365 of the Civil Code, which explains that an act that is contrary to the law that causes harm to another person and therefore requires the perpetrator to compensate for the loss. The violation of the Notary's code of ethics that was committed was in the form of a notary's job promotion through the media of flower arrangements that include the notary's name, even accompanied by his title. These flower arrangements are usually used to convey congratulations at various events such as condolences, weddings, celebrations in private and government institutions, thanks, and marketing activities. Promotions are carried out through social media by displaying personal identity and the area of residence as a notary, accompanied by providing information services through an email address or telephone number that can be accessed.

There are several types of responsibility theories divided into several types. According to Abdulkadir Muhammad, responsibility theories are divided into several types, namely:

- 1) Responsibility for unlawful acts committed intentionally, namely when a person consciously commits an act that harms another person or is aware that his actions have the potential to cause harm.
- 2) Responsibility due to negligence, namely a form of responsibility based on the existence of an error, which in its application is related to moral and legal aspects and the two often overlap.
- 3) Absolute responsibility is a form of responsibility for an unlawful act without regard to whether or not there is an element of error, whether the act is done intentionally or unintentionally.

Legal liability for Notaries who violate the Code of Ethics is regulated in Article 6 paragraph (1) of the Notary Code of Ethics. This provision confirms that members who are proven to have committed violations can be subject to sanctions in the form of reprimands, warnings, temporary suspension from membership, honorable dismissal, or dishonorable dismissal from membership of the professional organization.

In relation to violations of the code of ethics by Notaries, legal liability may arise if the Notary's actions, such as conducting job promotions, cause losses either directly or indirectly to other parties, including the public and colleagues. For

colleagues, job promotions carried out can create unhealthy competition among fellow Notaries. This violates the principles of equality and togetherness in the profession, and harms solidarity and trust between members of the organization. Colleagues who carry out their duties with Legal Liability for Violations of the Code of Ethics Through Promotion by Notaries upholding the code of ethics will feel disadvantaged, because excessive promotional actions carried out by some Notaries have the potential to unfairly gain public trust, not because of the quality of performance.

Based on the above, the form of accountability for notaries who are proven to have violated the code of ethics on TikTok social media is that the imposition of sanctions is in accordance with the provisions of the UUJN and the Code of Ethics. include administrative sanctions (reprimands, warnings, and even dismissal) by the Notary Honorary Council/Supervisory Board. Based on Article 15 of the Notary Code of Ethics, notaries can be subject to sanctions in the form of reprimands, warnings, temporary suspension, and even honorable or dishonorable dismissal. These violations are investigated by the Regional Supervisory Board (MPD) and the Regional/Central Honorary Council. The Honorary Council monitors and follows up on violations by summoning the notary in question. Notaries are required to remove the violating content and correct their behavior on social media to avoid degrading the dignity of their position. Limitations on the Use of Social Media are Notaries are permitted to provide legal education or counseling on TikTok, but are not permitted to list their position, highlight themselves, or excessively promote their deed-making services.

From a liability theory perspective, notaries are liable for violating the code of ethics. This is because, in carrying out their duties, notaries are bound by ethical and professional standards. Violation of these standards creates liability to both the individual organization and the public. A notary's use of TikTok as a means of promotion and publication falls under the category of professional legal acts, which can result in legal consequences if they violate the code of ethics. Therefore, notaries are required to be accountable for their actions ethically, administratively, and civilly.

4. Conclusion

The legal implications of the use of TikTok social media by notaries create a contradiction between the right to freedom of use of social media and the prohibition for notaries as public officials granted by the state, where in Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary and the Code of Ethics for the Position of Notary dated November 24, 2025 expressly prohibits the practice of promotion and publication through social media and other electronic media because it is contrary to the values of integrity, professionalism, and dignity of notaries as public officials. This

research is a response to technological advances, with many notaries clearly listing their titles in TikTok content. This practice appears to be commonplace, and there are no clear sanctions that can be implemented due to limitations in terms of both the number of members of the supervisory board and the honorary council, as well as structured digital monitoring for notaries who violate regulations regarding promotion and publication. Sanctions against notaries who promote themselves through social media are the responsibility of the Supervisory Board and the Honorary Council of the Indonesian Notaries Association, which have the authority to conduct inspections, issue reprimands, and even dishonorably dismiss notaries.

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