

ABSTRAK

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ANALISIS TINDAKAN PUBLIKASI NOTARIS DALAM MEMBERIKAN PENYULUHAN HUKUM MELALUI MEDIA SOSIAL DITINJAU DARI UNDANG-UNDANG JABATAN NOTARIS DAN KODE ETIK NOTARIS

(ix + 154 halaman, 7 gambar)

Pasal 28 C ayat (1) Undang-Undang Dasar 1945 mengamanatkan setiap orang mempunyai hak untuk memanfaatkan teknologi. Pasal 15 ayat (2) huruf E Undang-Undang Jabatan Notaris Tahun 2014 memberikan kewenangan Notaris untuk memberikan penyuluhan hukum terkait pembuatan akta. Perkembangannya terdapat Notaris yang memanfaatkan media sosial untuk memberikan penyuluhan hukum dengan mencantumkan nama dan jabatannya. Pencantuman nama dan jabatan disinyalir merupakan pelanggaran Pasal 4 ayat (3) Kode etik Notaris yang berisi Notaris dilarang melakukan publikasi atau promosi dengan mencantumkan nama dan jabatan, baik sendiri maupun bersama-sama dengan menggunakan sarana media cetak dan media elektronik dalam bentuk: iklan, ucapan selamat, ucapan terimakasih, ucapan belasungkawa, kegiatan pemasaran, kegiatan sponsor baik keagamaan, sosial maupun olahraga. Berdasarkan latar belakang tersebut, muncul permasalahan bagaimana akibat hukum tindakan publikasi Notaris dalam memberikan penyuluhan hukum dimedia sosial dan bagaimana peran pengawasan Majelis Pengawas Notaris terhadap tindakan publikasi dimedia sosial. Penelitian ini menggunakan metode penelitian hukum normatif empiris dengan mengkaji peraturan yang terkait dengan fakta hukum dimasyarakat. Berdasarkan penelitian tersebut dapat disimpulkan bahwa akibat hukum tindakan Notaris tersebut telah melanggar Pasal 4 ayat (3) Kode Etik Notaris dan dapat dijatuhi sanksi pada Pasal 16 ayat (11) dan Pasal 9 Undang-Undang Jabatan Notaris Tahun 2014, dan Pasal 6 Kode Etik Notaris. Peran pengawasan Majelis Pengawas Notaris khususnya Majelis Pengawas Daerah dalam melakukan Pengawasan bersifat pasif yaitu berdasarkan laporan dan aduan dari masyarakat terhadap pelanggaran Notaris.

Referensi: 67 (1985-2018)

Kata kunci: Publikasi dan Promosi, Penyuluhan Hukum, Media Sosial, Pengawasan.

ABSTRACT

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ANALYSIS OF NOTARY PUBLICATION ACTION IN PROVIDING LEGAL TREATMENT THROUGH SOCIAL MEDIA REVIEWED FROM NOTARY POSITION REGULATIONS AND NOTARY CODE ETHICS

(ix + 154 pages, 7 pictures)

Article 28 C paragraph (1) of the 1945 Constitution mandates that everyone has the right to use technology. Article 15 paragraph (2) letter E of the Notary Position Regulations provides the Notary's authority to provide legal counseling related to the deed making. In its development there is a Notary who uses social media to provide legal counsel by including his name and position. Inclusion of names and positions allegedly constitutes a violation of article 4 paragraph (3) Notary code ethics containing a Notary is prohibited from publishing or promotion by including names and record, both alone and together using print media and electronic media in the form of: advertising, speech congratulation, thank you, condolences, marketing activities, sponsorship activities both religious, social and sports. Based on this background, a problem arises as to how the legal consequences of the act of publications of a Notary public in providing legal counseling on social media and how the supervisory role of the Notary Supervisory Board on the act of publication on social media. This study uses empirical normative legal research methods by examining regulations related to legal facts in the community. Based on this research, it can be concluded that the legal consequences of the Notary act have violated article 4 paragraph (4) of the Notary ethics code and can be sanctioned in article 16 paragraph (1), article 9 of the Notary Position Regulations and article 6 of the Notary ethics code. The role of supervision of the Notary supervisory council, especially the regional supervisory council in conducting supervision is passive, that is based on reports and complaints from the public regarding Notary violations.

Reference: 67 (1985-2018)

Keyword: Publication and promotion, Legal education, social media, supervision.