

ABSTRAK

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KEDUDUKAN HUKUM BAGI PENGHADAP PENYANDANG DISABILITAS TUNARUNGU DALAM MELAKUKAN PEMBUATAN AKTA NOTARIS

(x + 116 halaman; 4 gambar)

Setiap orang dianggap cakap melakukan suatu perbuatan hukum menurut Pasal 1329 KUHPerdota. Manusia diciptakan Tuhan secara sempurna, namun terdapat beberapa individu yang memiliki ketidaksempurnaan, yakni kekurangan fisik atau disabilitas, salah satunya adalah penyandang disabilitas tunarungu. Penyandang disabilitas tunarungu merupakan disabilitas sensorik, dimana mereka tidak bisa mendengar. Dalam pasal 16 ayat (1) huruf m Undang-Undang Jabatan Notaris mengatakan bahwa Notaris wajib untuk membacakan akta di hadapan para penghadap, sedangkan bagi penghadap penyandang disabilitas tunarungu tidak dapat mendengar hal tersebut. Dalam hal ini, perlu melakukan penelitian mengenai kedudukan hukum seorang penyandang disabilitas tunarungu dan keabsahan suatu akta notaris yang penghadapnya penyandang disabilitas tunarungu. Dalam penelitian ini, pengumpulan data dilakukan dengan pendekatan peraturan Perundang-undangan. Dari hasil penelitian tersebut, dapat disimpulkan bahwa sepanjang penyandang disabilitas tunarungu telah memenuhi syarat usia dewasa dan tidak berada di bawah pengampuan maka dianggap cakap untuk melakukan perbuatan hukum dan dalam Pasal 43 ayat (5) UU tentang Jabatan Notaris, notaris dapat meminta ke penerjemah resmi bahasa isyarat untuk menerjemahkan dan menjelaskan isi akta tersebut.

Referensi : 39 (1985 - 2019)

Kata Kunci : Penyandang Disabilitas, Tunarungu, Notaris, Akta

ABSTRACT

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LEGAL STANDING FOR PERSON WITH DEAF DISABILITY TO MAKE A NOTARY DEED

(x + 116 pages; 4 picture)

Every person is legally competent to do a legal act according to Article 1329 of the Civil Code. Humans are created by God perfectly, but there are some individuals who have imperfections, which is disability, especially deaf people. Deaf people are sensory disability, which mean they have loss of hearing. Article 16 paragraph (1) letter m the Act of Notarial Officer stated that the Notary is obligated to read out the deed in front of the parties, meanwhile, the person with deaf disability can't hear them. In this case, it is necessary to do research the legal position of a person with deaf disability and the validity of a notarial deed in front of the parties with a deaf disability. In this research, data was collected with approached of the regulation. From the result of the research, it can be concluded that as long as the deaf person has met the requirements of the age of maturity and is not under guardianship, they are considered capable of performing legal acts and in Article 43 paragraph (5) the Act of Notarial Officer, the notary can ask the official sign language translantor to translate and explained the deed.

References : 39 (1985 - 2019)

Keywords: Person with Disability, Deaf People, Notary, Deed

