

ABSTRAK

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URGENSI PENGATURAN YANG MEWAJIBKAN NOTARIS MELAKUKAN PENCARIAN KEBENARAN MATERIIL SEBAGAI KONSEKUENSI AKTA YANG BERKEKUATAN PEMBUKTIAN SEMPURNA

(xii + 178 halaman; 0 gambar; 0 tabel, 2 lampiran)

Pasal 15 ayat (1) UUJN telah menjamin kepastian hukum profesi Notaris terkait batasan kewenangannya yang berorientasi pada kebenaran formil. Dalam praktiknya, jika terdapat kepalsuan dari penghadap maka Notaris berpotensi disalahkan karena tidak mencari kebenaran materiil. Tentunya hal ini menghilangkan kepastian hukum terhadap profesi Notaris. Dengan demikian, maka rumusan masalah yang digunakan adalah bagaimana urgensi dan konsekuensi dari adanya pengaturan yang mew

ABSTRACT

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THE URGENCY OF REGULATING A MANDATORY OBLIGATION FOR NOTARIES TO SEARCH MATERIAL TRUTH AS A CONSEQUENCE OF DEEDS HOLDING FULL EVIDENTIARY FORCE

(xii + 178 pages; 0 picture; 0 table, 2 attachments)

Article 15 paragraph (1) of the Notary Law (UUJN) guarantees legal certainty for the notarial profession by delineating the scope of authority limited to formal truth. In practice, when a falsification is committed by the appearers, the notary may be held liable for not searching the material truth. This situation undermines the legal certainty afforded to the notarial profession. Accordingly, the legal issues to be addressed is: what is the urgency and what are the consequences of regulating a mandatory obligation for notaries to search material truth? The objective of this research is to conduct a legal discovery intended to resolve the legal uncertainty surrounding the notary's role in searching material truth. This study adopts a normative-empirical legal research method categorized as a judicial case study, with data obtained through literature review and interviews with notarial and police professionals. The collected data is analyzed using a legal case approach and legal harmonization methods. The findings indicate a clear urgency for regulating a notary's