



Notary legal protection against violations of the code of ethics in carrying out the professione

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Abstract: The existence of an act, agreement, stipulation from a Notarial Deed which has full evidentiary force aims to avoid disputes but actually causes the Notary to receive a written warning sanction by the Notary Regional Supervisory Council of the Special Capital Region of Jakarta Province which arises due to disputes between the parties facing it. Qualitative normative juridical research methods Constitution of 1945, Law Number 5 of 1986 concerning State Administrative Courts, Law Number 13 of 1999 concerning Human Rights (HAM), Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning Notary Positions, Civil Code and decision Number 190/G/2020/PTUN.JKT, decision Number 99/B/2021/PT.TUN.JKT, and decision Number 13K/TUN/2022. Notaries implement a code of ethics and legal protection for alleged violations of the Notary's code of ethics Drs. Gunawan Tedjo, S.H., M.H. because he did not provide a copy of Deed Number 50 Sale and Purchase of Receivables and Notarial Deed Number Cessie by not disseminating the contents of the Deed to the parties who had no interest in the Deed. In order to obtain legal protection for not being able to freely carry out the Notary profession and the decline in public trust in Drs. Gunawan Tedjo, S.H., M.H. as a person whose interests are harmed by filing a lawsuit with the competent court, the State Administrative Decree Number: 05/PTS/Mj.PWN.Prov.DKIJakarta /IX/2020 becomes null and void.

Keywords: Code of Ethics; Legal protection; Notary Public; Violation of the Code of Ethics

1. Introduction

Regulations regarding Notaries were previously contained in the Reglement op Het Notarisin Nederlands Indie (stbl.1860:3) in 2004 with the promulgation of Law Number 30 of 2004 concerning the Position of Notary. Next there is Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries. With the changes to these regulations, various problems arise for Notaries in exercising their authority which have an impact on the appointment, dismissal, rights, obligations and prohibitions of Notaries (Rahman, 2022).

The Indonesian rule of law provides guarantees of certainty, order and legal protection for citizens. To make this guarantee a reality requires authentic written evidence of actions, agreements, determination of legal events carried out by a Notary (Latifah, 2021).

In exercising authority, a Notary is obliged to carry out his/her position on legal acts with trust and truth in a Deed made by the Notary so that it is in accordance with the wishes of the parties who have an interest (Ibrahim & Sudiro, 2022). The provisions of Article 1 Number 1 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004. The Position of a Notary explains that a Notary is an Official who generally has the authority to make authentic Deeds as well as other authorities regulated in this law.

Authentic deeds are based on the provisions of statutory regulations which are

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made by the authority of the official or public employee at the place where the deed is made, there is no element of partiality in the deed that is made, it is given confidence that the State is carrying out its part of the State's administrative role so that its validity is certain (Moertiono, 2021). An authentic deed has the power of proof that is binding and perfect and complete, meaning that there is no need for other evidence, both externally, formally and materially, it can be proven through the deed (Gaol, 2019).

Notaries as public officials receive authority by attribution of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 for the Position of Notaries and the Ministry of Law and Human Rights. Based on the provisions of Article 1868 of the Civil Code, authentic deeds consist of a general deed made by a notary and a partij deed made before a notary. The deed made by the Notary appointed by statutory regulations contains testimony from the Notary seeing and experiencing events, for example the Minutes of the Shareholders' Meeting and the Deed of Registration of Budel. Meanwhile, the Deed made before a Notary contains a statement that the parties have carried out an act in the form of an agreement by the interested parties so that the Notary states in a Deed (Wijaya et al., 2023).

The rights and obligations of a Notary Public are things that are mandatory for Notaries and if they are not carried out they will receive sanctions (Mauli et al., 2023). Notaries are obliged to maintain compliance and compliance with statutory regulations regarding the Notary's Position, the Code of Ethics of the Indonesian Notary Association (INI), the Civil Code (KUHPperdata). If the Notary makes a Deed, it causes a dispute, so that the Deed requires further accountability action, where the Deed is a result of the Notary's mistake in taking sides as a party or the party's mistake in not providing documents that are not true (Andriana & Irawan, 2022).

Based on the provisions of Article 16 Paragraph 1 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004, the Position of a Notary explains that a Notary in carrying out his position is obliged to carry out actions that are trustworthy, honest, independent, impartial, and safeguard the interests of the form of a legal act. Then Article 3 Number 4 in the Notary Code of Ethics provides an explanation that Notaries are obliged to behave with honesty, independence, impartiality, trustworthiness, thoroughness, responsibility based on statutory regulations and the Notary's oath of office.

Notarial Obligations are obligations that must be carried out by the Notary and if they are found to have committed a violation, sanctions will be taken against the Notary. Based on the provisions of Article 16 Paragraph 11 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004, the Notary Position outlines sanctions against Notaries who commit violations in the form of written warnings, temporary dismissal, honorable or dishonorable dismissal.

The making of a Notarial Deed is based on the wishes of the person concerned, the contents of which are legal acts which are then authenticated into the Deed, thus having legal certainty, the proof of which has binding force, a definite date, time and place of manufacture. Authentic legal acts by a Notary into a Deed must be stored and arranged according to the Notary's protocol. From the minutes of the Deed, the Notary has the responsibility to store it properly and correctly because it is confidential. The work of a Notary contains risks because they have to properly safeguard the civil rights of the pub-

lic or parties appearing before them. Due to this, related regulations are needed to protect Notaries against the various risks posed (K. Y. T. Putra et al., 2021).

The rights and obligations of a Notary who has sworn an oath to maintain the confidentiality of the Deed made and various information obtained in making the Deed (Azis, 2018) in accordance with the provisions of Article 4 Paragraph 1 and the provisions of Article 16 Paragraph 1 letter f of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004. The position of Notary describes Notary.

When making an act, agreement or stipulation in the form of a Notarial Deed, the aim is to avoid disputes. However, the presence of a Notarial Deed still occurs which causes the Notary to receive sanctions as a result of the Notarial Deed being made. A Notarial Deed has full evidentiary power so that it can cause disputes between the parties facing it (Amalia & Abdullah, 2021).

Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries as a guideline for Notaries in carrying out their positions. The Indonesian Notary Association (INI) is an organization of Notaries in Indonesia within the Legal Entity Association. The work of a Notary in his duties contains things that pose risks because he has to properly safeguard the civil rights of the public or parties appearing before him. Due to this, related regulations are needed to protect Notaries against the various risks posed. Notaries should also have rights and interests in exercising authority based on the provisions of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries.

There are comparisons from previous research including 1). Legal Analysis Regarding Enforcement of Violations of the Notary's Code of Ethics in the City of Semarang regarding enforcement of violations of the Notary's code of ethics in the City of Semarang and obstacles and solutions to the Notary's Honorary Council in the City of Semarang in enforcing violations of the Notary's code of ethics (Zuliana, 2022). 2). Implementation of the Notary's code of ethics in carrying out the Notary's profession and position as a public official in the City of Magelang relates to the implementation of the Notary's code of ethics in carrying out the Notary's profession and position as a public official in the City of Semarang as well as the implementation of Notaries in carrying out their profession and position as a public official in the City of Magelang (Putro, 2021). 3). The application of ethical sanctions by the Regional Honorary Council of the Medan Branch of the Indonesian Notary Association for Notaries who violate the code of ethics is related to the rules governing the code of ethics of Notaries who carry out the profession of Notary and the duties of the Regional Honorary Council of the Indonesian Notary Association, Medan Branch in maintaining the dignity of the Notary's code of ethics and the application of sanctions. ethics of the Regional Honorary Council of the Medan Branch of the Notary Association which violates the code of ethics (Sikumbang, 2018).

If the case of Drs. Gunawan Tedjo, S.H., M.H., compared with previous research that in previous research the cases that occurred were found to have violated the Notary's code of ethics while Drs. Gunawan Tedjo, S.H., M.H. emphasized the legal consequences of alleged violations of the Notary's code of ethics which resulted in the inability to freely carry out the profession as a Notary and the decline in public trust in the profession Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff). So the steps taken by Drs. Gunawan Tedjo,

S.H., M.H. (Plaintiff) because he is a person whose interests have been harmed by the State Administrative Decree by submitting a written lawsuit to the competent Court Number: 190/G/2020/PTUN.JKT.

Regarding the case study experienced by Drs. Gunawan Tedjo, S.H., M.H. Nor have any similar cases been found because of what happened to Drs. Gunawan Tedjo, S.H., M.H. relating to maintaining the confidentiality of authentic deeds according to the code of ethics, it turns out that the Notary Regional Supervisory Council of the Special Capital Region of Jakarta Province is considered to have violated the code of ethics.

In this research, we discuss Notaries, namely Drs. Gunawan Tedjo, S.H., M.H. did not provide a copy of the Deed to PT. Karya Citra Nusantara with Director Widodo Setiadi is authorized or represented by Yevgeni Yesyurun Law Office. Yevgeni Yesyurun Law Office is a disinterested party while the person representing the Deed is Dr. Juniferts Girsang, S.H., M.H is not Yevgeni Yesyurun Law Office. Due to this, Drs. Gunawan Tedjo, S.H., M.H. received a written warning Number: 05/PTS/Mj.PWN.Prov.DKIJakarta/IX/2020 from the Notary Regional Supervisory Council of the Province of the Special Capital Region of Jakarta. Thus, this issue discusses Notaries in implementing the Notary's code of ethics and the legal protection of Notaries against alleged violations of the Notary's code of ethics. The purpose of this problem is to find out and then analyze the Notary's implementation of the code of ethics and the form of legal protection for the Notary for alleged violations of the code of ethics.

The hope is that in implementing the Notary's code of ethics and legal protection for Notaries there will be no errors in giving written warnings to Notaries who are truly carrying out their authority duties in accordance with the Notary's code of ethics. Especially in Notaries carrying out their profession based on the code of ethics and legal protection of Notaries as Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Reported) Decision Number: 05/PTS/Mj.PWN.Prov.DKIJakarta/IX/2020 from the Notary Regional Supervisory Council of the Special Capital Region of Jakarta Province (Defendant). That the Notary exercises authority based on the Notary's code of ethics to maintain the confidentiality of authentic deeds from parties other than the presenter or parties who are not interested.

2. Materials and Methods

Research is a person's attempt to obtain new or existing facts systematically (Syahrums, 2022). The use of research methods uses normative juridical qualitatively which is based on legal norms from statutory regulations, court decisions, and norms in the development of society (Hikmawati, 2021). Data sources use secondary data on primary and secondary legal materials including the 1945 Constitution, Law Number 13 of 1999 concerning Human Rights (HAM), Law Number 5 of 1986 concerning State Administrative Courts, Laws Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary, Article 1868 of the Civil Code, and tertiary literature and statutory regulations, books, journals in accordance with the issue being discussed (Ulhaq et al., 2023).

Data source with secondary data collected from several sources for further analysis (Fadlurohman & Mufidi, 2022) and evaluated qualitatively in reducing data, presenting data and drawing conclusions so as to obtain definite results (Lutfia & Indartuti, 2022).

Descriptive analysis in this research also aims to provide data carefully and analyzed to get answers to problems (Afianto & Dharma, 2021). The research was used in a statutory regulations approach and a case approach regarding Decision Number : 05/PTS/Mj.PWN.Prov.DKIJakarta /IX/2020, decision Number : 190/G/2020/PTUN.JKT, decision Number : 99/B/2021 /PT.TUN.JKT, and decision Number : 13K/TUN/2022 then the data that has been obtained is for comparison (Ichsan et al., 2022) with Notary Law protection against violations of the code of ethics in carrying out the Notary profession. From the qualitative data analysis, a systematic explanation of the discussion topics, objectives, concepts was carried out and conclusions were given regarding the Notary's implementation of the Notary's code of ethics and Notary's legal protection against alleged violations of the Notary's code of ethics (Zulkifli et al., 2020).

The analysis process is carried out by referring to normative legal research which is qualitative because it is based on a logical order in order to provide correct evidence so that valid and reliable data will be achieved which will successfully present conclusions on the truth accurately (Disemadi, 2022).

3. Results and Discussion

3.1 Notaries Implement the Notary's Code of Ethics

A notary is a public official whose appointment is carried out by an official who has the authority and rights and obligations regarding civil matters as a representative of the State (Asufie & Impron, 2021) provide general services to the community in making authentic deeds (Hutagalung, 2020). Deeds made by a Notary must be kept in the Deed minutes based on the volume of a collection of documents based on the Deed number. Then to be distributed to the parties is a copy of the Deed from the minutes of the Deed. So the minutes of the Deed contain the signatures of the parties and witnesses as well as the Notary, while the copy of the Deed only contains the Notary's signature (Mahaputera, 2021).

Evidence is present because there is an agreement between the interested parties to bind the legal act to be referred to as an agreement into an Authentic Deed through a Notary (Arsy et al., 2021). The Notary's code of ethics is an ethical code of morality issued by the Indonesian Notary Association (INI) whose implementation must be carried out obediently and obediently by all members of the Notary Association in carrying out their duties (Ayuningtyas, 2020).

With a code of ethics, Notaries act as social controllers so that people have confidence, trust and their interests are guaranteed and reduce problems so that Notaries carry out their work responsibly to those created (Fauziah et al., 2020).

Notaries have the authority regulated by statutory regulations. The preparation of the Notary's code of ethics was carried out by the Indonesian Notary Association (INI), a group of organizations of all Notaries which is binding and Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries which provides rules for sanctions against Notaries committing any form of violation (Prasetyawati & Prananingtyas, 2022). Thus, the Notary carries out the duties of the position he holds based on the provisions of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries and the code of ethics. If there is no code of ethics, then the public will not believe in the professionalism and dignity of Notaries (Ramadhan & Permadi, 2019).

The Notary's code of ethics (KEN) contains obligations, prohibitions, dispensations and penalties for knowing when a Notary violates the code of ethics. Then discuss enforcing the code of ethics and temporary dismissal as part of the Indonesian Notary Association (Ramadhan & Permadi, 2019).

Provisions of Article 67 Paragraph 1 of Law Number 30 of 2004 concerning the Position of Notaries. The authority of the Institution that supervises Notaries is the Ministry of Law and Human Rights (HAM) forming the Regional Supervisory Council (MPD),

Regional Supervisory Council (MPW), and Supervisory Council Center (MPP) (Prasetyawati & Prananingtyas, 2022).

Regarding the above matters, if related to Decision Number : 190/G/2020/PTUN.JKT, Decision Number : 99/B/2021/PTTUN.JKT, and Decision Number : 13 K/TUN/2020 as follows :

Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Respondent) in carrying out the authority to issue Deed Number 50 dated 26 November 2019 concerning the Sale and Purchase of Receivables and Notarial Deed Number 51 dated 26 November 2019 concerning Cessies is in accordance with the provisions of statutory regulations. Based on reports from PT. Karya Citra Nusantara Widodo Setiadi as Director (Reportant/Defendant) on July 28 2020. So on September 14 2020 the Notary Regional Supervisory Council for the Special Capital Region of Jakarta Province (Defendant Intervention II) issued Decision Number: 05/PTS/Mj.PWN.Prov.DKIJakarta /IX/2020, regarding giving sanctions in the form of a written warning to Drs . Gunawan Tedjo, S.H., M.H. (Plaintiff/Respondent) on 14 September 2020 causing harm to the rights and interests of Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Respondent).

The written warning sanction given by the Notary Regional Supervisory Council of the Province of the Special Capital Region of Jakarta (Defendant Intervention II) against Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Respondent) for reasons of not being provided with a copy of Deed Number 50 dated 26 November 2019 concerning Sale and Purchase of Receivables and Notarial Deed Number 51 dated 26 November 2019 concerning Cessies to PT. Karya Citra Nusantara Widodo Setiadi as Director (Reportant/Defendant) represented by Yevgeni Yesyurun Law Office.

Regarding the Power of Attorney between Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention) and PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervention) and the truth of the Approval of Legal Services Fees (Confirmation) in the form of legal service fees (Lawyer Fee) and a success fee of USD 1,000,000. Then there is no name Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervening) as attorney in the cassation decision can be submitted :

Before giving power of attorney to Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention) it turns out that on January 28 2019 PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervention) had made a Power of Attorney to Yevgeni Lie Yesurun, S.H., M.H. which specifically submits a Petition for Cassation. A few days later, precisely on February 15 2019, PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervention) also gave power of attorney to Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention) to represent, accompany and defend all legal interests of the principal in connection with the occurrence of PT legal issues. KCN with PT. KBN. Implicitly there is a division of cooperation tasks between the two where Yevgeni Lie Yesurun, S.H., M.H. and Dr. Juniferts Girsang, S.H., M.H.

The Legal Services Fee Approval (Confirmation) contains 10 (ten) types of scope of work given to Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention) including taking other actions for the client's legal interests related to news or media issues, carrying out a comprehensive legal review of all juridical aspects related to the case, carrying out juridical observations and evaluations to fulfill the adequacy of the juridical requirements in the case and other tasks Letter Number 4051/JGP/II/2019 dated 19 February 2019 concerning Confirmation Legal Services Fee Approval Letter from PT Karya Citra Nusantara to Law Office Juniver Girsang & Partners. Due to the division of duties, PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervention) should know that the task of submitting a cassation request has been authorized to Yevgeni Lie Yesurun, S.H., M.H. previously, so Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention) carried out work other than filing a cassation petition, and based on the evidence the Supreme Court granted PT Karya Citra Nusantara's cassation against the management of Marunda Port enough to provide instructions that could convince the Court that Dr. Juniver Girsang,

S.H., M.H. (Plaintiff II Intervention) has carried out his duties in accordance with his authority.

The cassation decision does not include the name of Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention). Therefore, with no name Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention) in the cassation decision is not a reason for PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervention) to deny the Approval of Legal Services Fees (Confirmation).

Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Respondent) did not provide a copy of Deed Number 50 dated 26 November 2019 concerning Sale and Purchase of Receivables and Notarial Deed Number 51 dated 26 November 2019 concerning Cessie because it was based on violations of office related to Notary duties by not disseminating the contents of the deed that had been made against parties who have no interest in the deed.

3.2 Notary Legal Protection Against Alleged Violations of the Notary's Code of Ethics

Violation of the Notary's code of ethics is an act committed by a member of the Indonesian Notary Association Organization (INI) or a person carrying out the position of Notary who violates the code of ethics. Based on the provisions of Article 6 Paragraph 1 and Paragraph 2 of the Notary's code of ethics, the authority to supervise the implementation of the Notary's code of ethics is carried out by the Honorary Council at regional, regional and central levels. The notary violates the code of ethics, so the Honorary Council collaborates with the Supervisory Council to examine the violation and impose sanctions for the violation (Bombing, 2015).

The function of law is to provide regulations for the relationship between the state or society and its citizens and relations between fellow citizens so that life in society is carried out in an orderly and smooth manner. So that legal protection is a form of effort for the parties to receive protection in accordance with their obligations (Risky Amelia, 2022).

Legal protection is divided into 2 (two), namely preventive and repressive legal protection. Preventive legal protection means that the community is given protection in the form of the opportunity to raise objections to decisions issued by the government, while repressive legal protection is a form of resolution of disputes that arise. So that legal protection causes certainty, order, justice, and benefits to society (T. A. Putra et al., 2022). Repressive protection in protecting after a dispute occurs so that they do not receive unfair treatment by law enforcement officials (Yetniwati et al., 2021).

Legal protection for Notaries is a manifestation of creating justice in implementing the professional code of ethics by not sharing copies of Deed Number 50 dated 26 November 2019 concerning the Sale and Purchase of Receivables and Notarial Deed Number 51 dated 26 November 2019 concerning Cessies apart from the parties or other people. Notaries have an obligation to maintain the confidentiality of the deed they make.

Notary responsibilities arise because there are statutory regulations that impose obligations on legal subjects and the establishment of sanctions. Legal protection is important because it provides security and comfort in activities. As Jeremy Bentham argued, the greatest happiness principle is that the law has a purpose for the benefit of each individual or society so that happiness can be realized. Then legal protection as a step to avoid forms of injustice as a form of justice and legal protection as a constitutional right in the guarantee of the Constitution in the provisions of Article 28 letter d Paragraph 1 and the provisions of Article 29 G Paragraph 1 of the 1945 Constitution of the Republic of Indonesia as well as the provisions of Article 3 Paragraph 2 and 3 Law Number 13 of 1999 concerning Human Rights (HAM) (Yetniwati et al., 2021).

There was a dispute between Drs. Gunawan Tedjo, S.H., M.H. Notary work and Dr. Juniferts Girsang, S.H., M.H. Advocate or Lawyer work with the Notary Regional Supervisory Council of the Province of the Special Capital Region of Jakarta and PT. Citra Karya Nusantara was represented by Director Widodo Setiada and authorized Yevgeni

Lie Yesyurun, S.H., M.H. regarding the object of the dispute, Decision of the DKI Jakarta Provincial Notary Supervisory Council Number 05/PTS/Mj.PWN.Prov.DKI Jakarta/IX/2020 dated 14 September 2020 regarding the sanction of a written warning to Drs. Gunawan Tedjo, S.H., M.H.

Drs. Gunawan Tedjo, S.H., M.H. Notary work and Dr. Juniferts Girsang, S.H., M.H. The work of an Advocate or Lawyer is Plaintiff and Plaintiff II Intervention. Meanwhile, the Notary Regional Supervisory Council of the Province of the Special Capital Region of Jakarta and PT. Citra Karya Nusantara was represented by Director Widodo Setiadi and provided power of attorney to Yevgeni Lie Yesyurun, S.H., M.H who was the Defendant and Defendant II Intervention.

The object of the lawsuit has legal consequences for Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff) in the form of a written warning sanction from Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Reported) dated 14 September 2020 Decision Number: 05/PTS/Mj.PWN.Prov.DKI Jakarta/IX/2020 resulting in him being unable to freely carry out his profession as a Notary and causing a decline in public trust in the profession of Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff).

Based on the provisions of the State Administrative Courts Law, Article 53 paragraph (2), the reasons that can be used in the lawsuit filed by Drs. Gunawan Tedjo, S.H., M.H. (Reported Party or Plaintiff) uses 2 (two) reasons why the State Administrative decision is contrary to applicable laws and regulations, and is contrary to the general principles of good governance.

The authority of the Notary Regional Supervisory Council for the Special Capital Region of Jakarta (MPWN/Defendant) in issuing disputed objects originates from attribution authority, so the responsibility for authority lies with the official delegated to Article 12 paragraph (2) of Law Number 30 of 2014. In the case Based on the orders of the Law, the Minister of Law and Human Rights has appointed the DKI Jakarta Provincial Notary Regional Supervisory Council (Defendant) to carry out the supervisory function of Notaries. So everything related to the duties and functions of the DKI Jakarta Provincial Notary Supervisory Council (Defendant) including publishing the object of dispute is the responsibility of the DKI Jakarta Provincial Notary Supervisory Council (Defendant). So it is right for Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff) and Dr. Junifers Girsang, S.H., M.H. (Plaintiff II Intervention) seated the DKI Jakarta Provincial Notary Supervisory Council (Defendant).

Report of PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervenor/Reporting) to the Supervisory Council stating that PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervention/Reporting) was a related party during the process of making the two a quo Deeds. Referring to the Elucidation of Article 43 paragraph (4) of the Notary Position Law, it states that the interested party is the person present or the party represented by the person present. In this case the face is Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention) and Burtje Maramis so they cannot be blamed if Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Reported) did not confirm with PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervention) first because he was not part of the interested parties. Regarding the documents submitted in the form of a Power of Attorney, Approval of Legal Services Fees (Confirmation), and Cassation Decision as well as an explanation before Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervening) regarding the matters that form the basis of the receivables including the PKPU decision and the Homologation decision are sufficient grounds for the Notary to make the 2 (two) deeds in question.

In substance, the court did not have sufficient reasons for the Provincial Notary Supervisory Council for the Special Capital Region of Jakarta (Defendant) to declare that Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff) violated and/or ignored Article 16 paragraph (1) letter a of Law Number 2 of 2014 concerning Notary Positions which only based on the report material of PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II

Intervention/Reporter) without mapping out the problem in detail complete to get complete information. So that the Notary Regional Supervisory Council of the Special Capital Region of Jakarta (Defendant) in issuing the object of the dispute did not give sufficient consideration (onvoldoende gemotiveerd/insufficient judgement), such a decision could harm the sense of justice in society.

The court concluded that the Provincial Notary Supervisory Council for the Special Capital Region of Jakarta (Defendant) in issuing the object of the dispute was substantially flawed. So that the State Administrative Court stated that the objections of the Provincial Notary Supervisory Council for the Special Capital Region of Jakarta (Defendant) and PT Citra Karya Nusantara Director Widodo Setiadi (Defendant II Intervention/Reporting) were declared unacceptable. Then in the main case : : Granted the lawsuit of Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Respondent) and Dr. Juniver Girsang, S.H., M.H. (Plaintiff II Intervention) in its entirety; Declaring null and void the Decision of the DKI Jakarta Provincial Notary Supervisory Council Number : 05/PTS/Mj.PWN.Prov.DKIJakarta/IX/2020 dated 14 September 2020 regarding Providing Written Reprimand Sanctions to the Reported Party (Drs. Gunawan Tedjo, S.H., M.H.); Require the Notary Regional Supervisory Council of the Province of the Special Capital Region of Jakarta (Defendant) to revoke the Decision of the Notary Regional Supervisory Council of the Special Capital Region of Jakarta Province Number : 05/PTS/Mj.PWN.Prov.DKIJakarta/IX/2020, Dated 14 September 2020 regarding Providing Written warning sanctions for the reported party (Drs. Gunawan Tedjo, S.H., M.H.).

Because in Decision Number 190/G/2020/PTUN.JKT Regional Supervisory Council of Notaries for the Province of the Special Capital Region of Jakarta (Defendant) and PT. Citra Karya Nusantara (Intervention Defendant II) lost. So an appeal was filed at the State Administrative High Court by the Notary Regional Supervisory Council of the Special Capital Region of Jakarta Province (Defendant/Appellant) and PT. Citra Karya Nusantara (Intervention Defendant II/Appellant) with Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Appellee) and Dr. Juniferts Girsang, S.H., M.H. (Intervention Plaintiff II/Co-Appellee) with number 99/B/2021/PT.TUN.JKT on May 18 2021. Then a decision was issued stating that it accepted the appeal request from the Notary Regional Supervisory Council of the Province of the Special Capital Region of Jakarta (Defendant/Appellant) and PT. Citra Karya Nusantara (Intervention Defendant II/Appellant) and strengthens the Decision of the Jakarta State Administrative Court Number 190/G/2020/PTUN-JKT dated March 4 2021 which is being appealed.

In Decision Number 99/B/2021/PT.TUN.JKT PT. Citra Karya Nusantara and the Notary Regional Supervisory Council of the Special Capital Region of Jakarta Province lost. So filed a cassation by PT. Citra Karya Nusantara (Petitioner for Cassation I) and the Notary Regional Supervisory Council of the Province of the Special Capital Region of Jakarta (Petitioner for Cassation II) with Drs. Gunawan Tedjo, S.H., M.H. (Cassation Respondent I) and Dr. Juniferts Girsang, S.H., M.H. (Respondent for Cassation II) with number 13K/TUN/2022.

Based on the Memorandum of Cassation dated 13 September 2021, the Petitioner for Cassation I and the Petitioner for Cassation II asked to annul the Decision of the Jakarta State Administrative High Court Number 99/B/2021/PT.TUN.JKT dated 4 August 2021 which upheld the Decision of the Jakarta State Administrative Court Number Cassation was requested and stated that the Jakarta State Administrative Court had no absolute authority to try the a quo case. Then a decision was issued stating that it rejected the cassation request from the Cassation Petitioner I PT. Karya Citra Nusantara and the Petitioner II of the Cassation II Regional Supervisory Council for Notaries in the Special Capital Region of Jakarta Province.

Notaries are guided by legislation regarding Notary Positions, the Code of Ethics, the Civil Code (KUHPerdara) because without this, their professionalism and public trust are not considered. So that the Notary is responsible for his duties in maintaining a copy

of Deed Number 50 dated 26 November 2019 concerning Sale and Purchase of Receivables and Notarial Deed Number 51 dated 26 November 2019 concerning Cessies in accordance with the provisions of laws and regulations regarding exposure to unauthorized parties. In order to obtain legal protection which results in not being able to freely carry out the profession as a Notary and causing a decline in public trust in the profession of Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff). So, the steps taken by Drs. Gunawan Tedjo, S.H., M.H. are right. (Plaintiff) because he is a person whose interests have been harmed by the State Administrative Decree by submitting a written lawsuit to the competent court. So that State Administrative Decree Number: 05/PTS/Mj.PWN.Prov.DKIJakarta/IX/2020 becomes void or invalid.

4. Conclusions

Notaries are guided by legislation regarding Notary Positions, the Code of Ethics, the Civil Code (KUHPerdata) because without this, their professionalism and public trust are not considered. The rights and obligations of a Notary who has sworn an oath to maintain the confidentiality of the Deed made and various information obtained in making the Deed in accordance with the provisions of Article 4 Paragraph 1 and the provisions of Article 16 Paragraph 1 letter f of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004. The position of Notary describes Notary. So Notary Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff) is responsible for his duty to maintain a copy of Deed Number 50 dated 26 November 2019 concerning the Sale and Purchase of Receivables and Notarial Deed Number 51 dated 26 November 2019 concerning Cessie in accordance with the provisions of the statutory regulations regarding Dr. Juniferts Girsang, S.H., M.H. to non-interested parties PT. Karya Citra Nusantara Widodo Setiadi as Director (Reportant/Defendant Intervention II) represented by Yevgeni Yesyurun Law Office.

Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff) received a written warning sanction from Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff/Respondent) Decision Number : 05/PTS/Mj.PWN.Prov. DKIJakarta/IX/2020 from the Provincial Notary Supervisory Council for the Special Capital Region of Jakarta (Defendant). As an effort to protect the law which results in not being able to freely carry out the profession as a Notary and causing a decline in public trust in the profession of Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff). So the steps taken by Drs. Gunawan Tedjo, S.H., M.H. (Plaintiff) because he is a person whose interests have been harmed by the State Administrative Decree by submitting a written lawsuit to the competent Court Number : 190/G/2020/PTUN.JKT so that State Administrative Decree Number : 05/PTS/Mj.PWN.Prov. DKIJakarta/IX/2020 becomes void or invalid.

From Decision Number: 190/G/2020/PTUN.JKT which cancels Decision Number : 05/PTS/Mj.PWN.Prov.DKIJakarta/IX/2020 causing the Regional Supervisor of Notaries for the Special Capital Region of Jakarta (MPWN/Defendant) and PT . Karya Citra Nusantara Widodo Setiadi as Director (Reportant/Defendant Intervention II) filed a lawsuit at appeal level Number : 99/B/2021/PT.TUN.JKT and cassation Number : 13 K/TUN/2022 but the result was still Decision Number: 05/PTS /Mj.PWN.Prov.DKIJakarta/IX/2020 cancelled.

The Notary who reported to the Regional Supervisory Council regarding violations of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries was committed because the Notary did not provide a copy. However, the Regional Notary Management Council immediately imposed a written warning sanction and ignored the Notary's request to present an observer for the deed for questioning so that the information obtained was balanced. The Regional Management Council immediately imposed a written witness so that this sanction was considered to be very detrimental to the Notary so that the Notary was not free to carry out his profession as a Notary and resulted in a decline in public trust in the Notarial profession he was carrying out. In order to increase compliance, you must comply with the code of ethics regulations and Law Number 2 of 2014 concerning Amendments to Law Number 30 of

2004 concerning the Position of Notaries because as a basis, Notaries are guided by the authority of their duties and by complying, the Notary will not encounter problems.

By complying with the regulations on the Notary's code of ethics and Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary, the Notary will avoid allegations of violating the Notary's code of ethics because there is still a legal vacuum, so the state must also pay attention in legal protection for Notaries.

The implication for the Notary profession is that the work of a Notary contains things that pose risks because they have to properly safeguard the civil rights of the public or parties appearing. Due to this, related regulations are needed to protect Notaries against the various risks posed. Notaries should also have rights and interests in exercising authority based on the provisions of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries.

Contributions to academic literature regarding the role of Notary responsibilities can contribute to thinking about legal developments in the field of civil law in carrying out agreements or engagement law regarding the duties of Notaries to avoid misuse of Notary reporting as a tool for personal interests or business competition as well as Notaries and provide information to the public regarding the role of responsibilities. Notary responsibilities and existing procedures to protect various public interests.

Research limitations refer to Decision Number: 05/PTS/Mj.PWN.Prov.DKIJakarta/IX/2020, Decision Number: 190/G/2020/PTUN.JKT, Decision Number 99/B/2021/PT.TUN.JKT and Decision Number: 13 K/TUN/2022. Apart from that, it is based on the regulations of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries and the Notary's code of ethics. It is hoped that in future research there will be implementing regulations from Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries so that it can become an idea in future research because the existence of these regulations can provide certainty, justice and usefulness, especially in carrying out Notaries. Notary's code of ethics and legal protection. Of course, if other decisions are found, such as in this case, this could also be a consideration for other researchers.

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