



# The Role of Notaries in the Auction Process: A Comparative Analysis between Indonesia and Malaysia

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**Abstract:** This study aims to analyse and compare the role of notaries in the auction process between Indonesia and Malaysia using a normative-comparative legal approach. The main issue of this study stems from the differences in institutional structure and legal basis governing the authority of notaries in the auction system in both countries. In Indonesia, the role of notaries is based on Law Number 2 of 2014 concerning the Position of Notaries, the Vendu Reglement (Staatsblad 1908:189), Minister of Finance Regulation No. 213/PMK.06/2020, and Minister of Finance Regulation No. 86/PMK.06/2024 concerning Auction Minutes. In Malaysia, auctions are conducted based on the National Land Code (Revised 2020) and Court Regulations 2012, which are carried out digitally through the e-Lelong system under the supervision of the High Court of Malaya. This study uses a normative-comparative legal approach (doctrinal and comparative legal research) with qualitative-descriptive analysis methods. The data used consists of secondary legal materials in the form of legislation, legal doctrine, and relevant academic literature. The analysis was conducted with reference to the theory of legal effectiveness (Fuller, 1969), the theory of legal certainty (Radbruch, 2006), and the theory of comparative legal functionalism (Zweigert & Kötz, 1998). The results of the study show that the Indonesian legal system is still centred on notaries, emphasising formal legitimacy and the authenticity of deeds, while Malaysia has implemented a judicial auction system model that integrates digitalisation and efficiency of legal processes through e-Lelong. The role of notaries in Indonesia is functional but limited, as the substantive authority to conduct auctions remains in the hands of auction officials, whereas in Malaysia, the function of notaries is almost non-existent as the entire process is under the control of the courts. Theoretically, this study reinforces the view that the effectiveness of the law is not determined solely by legal officials, but rather by the clarity of norms, institutional consistency, and the ability of the system to adapt to legal technology. In practical terms, this study recommends two things: (1) the need to harmonise regulations between the Notary Law and the Minister of Finance Regulation on Auctions to clarify the limits of legal officials' authority, and (2) the acceleration of national auction digitalisation, such as the e-Lelong system in Malaysia. Thus, Indonesia can realise a more efficient and transparent auction system that is in line with the principles of legal certainty, justice, and legal benefits.

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## 1. Introduction

Auctions are a public sales mechanism that plays an important role in facilitating the circulation of assets, ranging from seized goods to credit collateral, while also serving as an efficient economic recovery tool for creditors and the state (Nonet & Selznick, 2001; Purnayasa, 2018). However, the institutional structure and legal actors involved in the implementation of auctions differ between jurisdictions. In Indonesia, notaries hold a strategic position because their authority to draw up authentic deeds often intersects with the authority of auction officials as stipulated in the Vendu Reglement (Staatsblad, 1908), PMK 213/PMK.06/2020, and PMK 86/PMK.06/2024 concerning Auction Minutes, which will come into effect on 1 January 2025 (Ministry of Finance of the Republic of

Indonesia, 2020, 2024). In addition, Law No. 2 of 2014 confirms the position of notaries as public officials who draw up authentic deeds that provide legal certainty and protection for the parties (Republic of Indonesia, 2014; Marzuki, 2017; Karunia, Husni, & Sudiarto, 2017). Thus, the configuration of notary authority in the Indonesian auction system not only has technical-procedural dimensions but also reflects legal policy choices regarding how the state guarantees the certainty and legitimacy of the process of transferring rights through auctions.

On the other hand, the Malaysian legal system places the implementation of auctions within the framework of the National Land Act (Revised 2020) and the Court Regulations 2012, which are supported by the e-Lelong digital system under the supervision of the Malayan High Court (Government of Malaysia, 2020; Malaysian Judiciary, 2012, 2023). The e-Lelong system enables online auctions with a high level of transparency and efficiency, while reducing the risk of price manipulation and unfair practices that often occur in conventional auctions (Shaari, Sulaiman, Alias, & Lestari, 2024; Christopher & Lee Ong, 2018). This digitalisation reflects a significant transformation in technology-based auction governance in the ASEAN region and is in line with the global trend of digital justice systems (Mason, 2019; Susskind, 2020). In the context of developing legal digitalisation in ASEAN, Malaysia's experience is an important reference for assessing the extent to which the traditional functions of public officials—including notaries—can be replaced, transferred, or integrated into the judicial architecture and electronic platforms.

Recent research in Indonesia highlights two main issues. First, there is a normative tension between the authority of notaries to compile auction minutes based on Article 15 paragraph (2) letter g of the Notary Law and regulations in the PMK which emphasise that auction minutes are the exclusive authority of auction officials (Al Qindy, 2021; Pramapta, 2023). This ambiguity has led to variations in practice in the field, where some notaries can only draft minutes if they also have the status of Class II Auction Officials (Mildasari & Musyafah, 2024). This debate highlights the importance of regulatory harmonisation to prevent overlapping authority and ensure legal certainty, as emphasised by the theory of the hierarchy of norms and the principle of *lex superior derogat legi inferiori* (Radbruch, 2006; Fuller, 1969). However, studies that explicitly compare how the role of notaries is positioned in the auction systems of Indonesia and Malaysia—especially in the context of the transition to legal digitalisation—are still relatively limited, leaving a research gap in both theory and institutional design.

On the other hand, studies in Malaysia emphasise the aspects of efficiency, accountability, and legal reliability in the digital auction system. The e-Lelong system has been proven to accelerate participant registration, increase the transparency of the bidding process, and expedite dispute resolution through integrated electronic recording (Shaari et al., 2024; Judiciary of Malaysia, 2023). Unlike Indonesia, the role of notaries does not appear in Malaysian legal discourse because the auction system is under the authority of the courts and land authorities, not public officials who draw up deeds such as notaries (Ahmad, 2019; Hussain & Hassan, 2022). Therefore, analysis in the Malaysian context does not focus on the role of notaries, but rather on the effectiveness of the judicial model and the digitisation of the judicial system. A comparison of these two models is academically important because it allows for the testing of theories of legal effectiveness, legal certainty, and comparative functionalism in the concrete context of judicial

digitisation in regions that have relatively similar *civil law* traditions and colonial legacies but have adopted different institutional designs.

Based on these conditions, this study aims to: (1) analyse and compare the role of notaries in the implementation of auction processes in Indonesia and Malaysia through a study of the legal structure, authority, and relationship between notaries and auction officials; and (2) evaluate the consistency and legal certainty produced by both systems, including their implications for creditors, debtors, auction winners, and the general public. The hypothesis of this study is that in Indonesia, the authority of notaries in the auction process is still controversial due to overlapping norms between the Notary Law and auction regulations; while in Malaysia, the effectiveness of auction implementation is determined more by the regulatory architecture of the judiciary and the success of digitisation through e-Lelong, rather than the role of notaries (Shaari et al., 2024; Mildasari & Musyafah, 2024). Academically, this comparison describes and examines how two similarly structured legal systems respond to the challenges of digitalisation through different configurations of public official authority; while in practical terms, the research results provide an argumentative basis for the formulation of auction regulation harmonisation policies and digitalisation designs in Indonesia that are in line with the development of best practices in the ASEAN region.

The main contributions of this research include: (i) providing a comparative framework for understanding the differences in the authority of notaries and auction officials in various jurisdictions; (ii) recommendations for regulatory harmonisation to eliminate ambiguities in authority; and (iii) an explanation of the practical implications for the legal certainty of auction deeds and the legal protection of the parties. In the regional context, this research also provides an analytical basis for the development of an auction digitisation model that is compatible with the legal integration agenda in ASEAN, while demonstrating that the regulation of the role of notaries in the auction ecosystem cannot be separated from broader strategies regarding the modernisation and digitisation of the judicial system. Thus, it is hoped that this research will reinforce the view that clarity of norms, authority structures, and consistency of the legal system are fundamental factors in realising effective and valid auction mechanisms in Indonesia and Malaysia.

## 2. Materials and Methods

This study uses a normative-comparative legal approach (doctrinal and comparative legal research) that focuses on the analysis of written legal norms and a comparison of the Indonesian and Malaysian legal systems. This approach was chosen because the main issue under study relates to differences in the regulation and implementation of notarial authority in the auction process, where each jurisdiction has a different legal basis and institutional character. Normative legal research analyses the law in its written form (in abstracto), as codified in legislation, doctrine, and jurisprudence, without involving empirical data collection in the field (Marzuki, 2017; Sulaiman, 2022).

Meanwhile, a comparative approach is used to compare the legal systems of Indonesia and Malaysia in order to gain a deeper understanding of the differences in the structure, philosophy, and effectiveness of legal norms. According to (Zweigert and Kötz, 1998), the comparative approach not only assesses differences in legal texts, but also

analyses the social function of the law behind them. In this context, this study aims to analyse how the role of notaries in the auction process in both countries functions to achieve the legal objectives of certainty, justice, and benefit (Fuller, 1969; Radbruch, 2006).

The data sources used in this study are entirely secondary, namely documented legal materials. The data is divided into three categories, namely primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations that directly regulate the implementation of auctions and the authority of notaries, such as Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary (Republic of Indonesia, 2014), *Vendu Reglement* (Staatsblad 1908:189) on Public Auctions (Auctions), Regulation of the Minister of Finance of the Republic of Indonesia Number 213/PMK.06/2020 concerning Guidelines for the Implementation of Auctions, and Regulation of the Minister of Finance Number 86/PMK.06/2024 concerning Auction Minutes. For Malaysia, the legal basis used is the National Land Code (Revised 2020), Court Rules 2012 (Rule 31A: e-Auction System), and e-Auction System Guidelines published by the Malaysian Judiciary (Government of Malaysia, 2020; Malaysian Judiciary, 2023).

Secondary legal materials consist of scientific literature such as journals, books, and research results relevant to this topic, including (Mildasari and Musyafah, 2024) on the authority of notaries as Class II Auction Officers, (Al Qindy, 2021) on the inconsistency of notary regulations regarding auction minutes, (Pramapta, 2023) on the legal interpretation of Article 15 paragraph (2) letter g of the Notary Position Law, and Shaari et al. (2024) discussing the auction process for immovable property in Malaysia in the context of digitalisation. Tertiary legal materials in the form of legal dictionaries, legal encyclopaedias, and regulation directories were used to clarify legal terminology and the systematics of norms (Suryani, 2020).

The data collection technique in this study was conducted through library research. This study covered three main stages, namely: (1) inventory of legal materials, (2) classification of legal materials, and (3) systematic review of the substance of norms.

The inventory stage was carried out by identifying all regulations, literature, and academic sources relevant to the research theme. The classification stage was carried out by grouping legal materials based on hierarchy and topic relevance, namely notaries, auctions ( ), auctioneers, auction law, and comparative legal systems. The final stage is a systematic review, which is an in-depth analysis of the content of the norms to identify legal principles, the structure of authority, and the relationship between legal provisions in both countries (Soekanto & Mamudji, 2019).

All legal materials were obtained from official sources such as the Legal Documentation and Information Network (JDIH) of the Ministry of Finance of the Republic of Indonesia, the Supreme Court of Malaysia, and the Malaysian Judiciary, as well as leading academic databases such as Google Scholar, Scopus, and Mendeley Reference Manager.

The collected data were analysed using qualitative-descriptive methods with a comparative legal analysis approach. Qualitative analysis was conducted to interpret the data systematically and in depth, while comparative legal methods were used to identify similarities and differences between the Indonesian and Malaysian legal systems in terms of normative aspects and practical consequences (Bryman, 2016).

The analysis consisted of four main steps. First, normative legal analysis, which examined the legal norms governing the authority of notaries and auctioneers in both countries, both in terms of substance and regulatory hierarchy. Second, a functional comparative analysis, which compares the role of notaries in the implementation of auctions based on legal functions and institutional effectiveness in each jurisdiction (Zweigert & Kötz, 1998). Third, systematic and teleological interpretation, to understand legal norms based on their objectives and the general legal principles underlying the legal systems of both countries (Fuller, 1969; Radbruch, 2006). Fourth, deductive reasoning, which involves gathering general findings based on the results of comparative analysis to formulate theoretical conclusions and policy recommendations regarding the harmonisation of the role of notaries in the auction process.

This study is based on three complementary legal theoretical frameworks. First, Lon L. Fuller's Theory of Legal Effectiveness (1969), which assesses that the validity of law is determined by the clarity of norms, consistency of application, and the ability of law to achieve its social objectives. Second, Gustav Radbruch's (2006) Theory of Legal Certainty, which emphasises that law must provide certainty, justice, and proportional benefits. Third, Zweigert and Kötz's (1998) Functional Comparative Law Theory, which is used to explain that different legal systems can perform similar social functions, even though they have different normative structures.

By combining these three theories, this study assesses the extent to which the effectiveness and certainty of law in the auction systems in Indonesia and Malaysia are influenced by the position and authority of notaries ( ). This approach provides a solid analytical foundation for explaining institutional differences and comprehensively assessing the effectiveness of legal norms (Silverman, 2020).

### 3. Results and Discussion

#### 3.1 Summary of the Auction System in Indonesia and Malaysia

The auction system in Indonesia is a legal mechanism regulated to ensure an open and transparent sales process and provide certainty for all parties. The history of auctions in Indonesia began with *the Vendu Reglement* (Staatsblad 1908:189), which remains the main legal basis to this day. As developments progressed, this regulation was updated with *Minister of Finance Regulation No. 213/PMK.06/2020* concerning Guidelines for the Implementation of Auctions and *Minister of Finance Regulation No. 86/PMK.06/2024* concerning Auction Minutes (Ministry of Finance of the Republic of Indonesia, 2024). This system places the Auction Officer as the main authority in the implementation of auctions, while the Notary plays a role in formal legality through the creation of valid supporting deeds.

In Malaysia, the implementation of auctions is regulated in *the National Land Act (Revised 2020)* and *Court Rules 2012 (Rule 31A)*. This system has been modernised through the *e-Lelong* digital platform managed by *the High Court of Malaya* (Judicial Authority of Malaysia, 2023). Through this system, the process of participant registration, price bidding, and minute issuance is conducted online and directly supervised by the court. The fundamental difference between the two systems lies in the institutional model: Indone-

sia adopts an administrative auction model, while Malaysia implements a digital-based judicial auction system (Shaari, Sulaiman, Alias, & Lestari, 2024).

### 3.2 *The Role of Notaries in the Auction Process in Indonesia*

In the Indonesian legal system, notaries are public officials authorised to draw up authentic deeds as stipulated in *Law No. 2 of 2014 on the Position of Notaries*. The role of notaries in the auction process is not central, but rather functional, namely to ensure the validity of legal documents before and after the auction, such as deeds of sale and purchase, credit agreements, and deeds of guarantee (Mildasari & Musyafah, 2024).

Problems arise when notaries are faced with the practice of compiling auction minutes. Some experts argue that this authority is exclusive to Auction Officers, as stipulated in *PMK Number 213/PMK.06/2020* and *PMK Number 86/PMK.06/2024* (Al Qindy, 2021). However, if a notary also serves as a Class II Auction Officer, they can legally draft auction minutes. This creates a normative dilemma between *the provisions of the Notary Position Law* and *the Minister of Auction Regulation*.

Legal analysis shows that based on the principle of *lex specialis derogat legi generali*, provisions in the PMK that specifically regulate auction officials must take precedence over general laws (Pramapta, 2023). As a result, even though notaries have general authority in drafting deeds, auction records remain the authority of auction officials. Purnayasa (2018) emphasises that notarial deeds drawn up without following formal procedures may lose their probative value as authentic deeds ( ). Therefore, in the context of auction implementation, notaries function as guardians of the legality of documents, not as the main executors of the auction itself.

### 3.3 *The Position of Notaries in the Malaysian Auction System*

Unlike Indonesia, the Malaysian legal system does not recognise the institution of notaries in the same form. Authentic deeds in Malaysia are drawn up by solicitors, advocates, or commissioners of oaths acting under the supervision of the court. In the context of auctions, the entire process is regulated judicially under *the National Land Act (Revised 2020)* and *Court Rules 2012*, and is implemented through the *e-Lelong* digital system (Malaysian Court, 2023).

The *e-Lelong* system is a legal innovation that strengthens transparency and efficiency in the implementation of auctions. Research by Shaari et al. (2024) shows that the application of this system reduces the potential for collusion, increases public accessibility, and speeds up the resolution of disputes because all stages are recorded digitally. In this framework, the formal legal functions performed by notaries in Indonesia are carried out by courts and land officials in Malaysia. Therefore, the role of notaries in the Malaysian legal system is insignificant, as the auction system is integrated into the judicial mechanism and information technology that guarantees the validity of electronic auction records.

### 3.4 *Comparative Analysis of the Role of Notaries: Indonesia and Malaysia*

A comparison between the Indonesian and Malaysian legal systems reveals fundamental differences in the structure of authority, legal basis, and functions of notaries. Indonesia places notaries as part of the legal administration system that supports auction

officials in producing authentic documents, while Malaysia eliminates the role of notaries by replacing them with court authorities and digital platforms.

**Table 1.** Comparison of Auction Implementation Aspects in Indonesia and Malaysia

Aspect of Comparison	Indonesia	Malaysia
Legal Basis	Law No. 2/2014, Auction Regulations, PMK 213/2020, PMK 86/2024	National Land Code (Revised 2020), Court Regulations 2012, Electronic Auction Guidelines
Main Implementing Agency	Auction Officer (Class I/II)	Malaysian Supreme Court
Role of Notaries	Public official who drafts authentic deeds; may act if also serving as Auction Officer	No specific function; their authority is replaced by the court
System Model	<i>Executive Auction</i> (administrative-based)	<i>Judicial Auction</i> (judicial and digitalisation-based)
Legal Instruments	Auction Records (physical and electronic)	Electronic Auction Certificate (digital)
Regulatory Focus	Formal certainty of documents and authority of officials	Efficiency, transparency, and speed of legal processes

From this comparison, it can be concluded that the Indonesian system still focuses on legal officials (notaries and auction officials), while the Malaysian system emphasises the reliability of the legal system and technology. The Malaysian approach is more prominent in terms of effectiveness and efficiency, in line with Fuller's *Theory of Legal Effectiveness* (1969), while the Indonesian system is stronger in ensuring formal legitimacy based on authentic deeds.

### 3.5 Discussion

Theoretically, the findings of this study reinforce Gustav Radbruch's (2006) view that ideal law must balance certainty, justice, and utility. In the Indonesian context, the plurality of overlapping norms between *the Notary Law* and *the Minister of Finance Regulation on Auctions* shows that legal certainty has not been fully achieved. This leads to potential inconsistencies in practice, especially when auctioneers and notaries have different interpretations of their authority. In Malaysia, although the role of notaries does not exist institutionally, legal efficiency and certainty can be achieved through the digitisation of the legal system, such as *e-Lelong*, which integrates the principles of transparency and procedural justice into a single platform (Shaari et al., 2024).

In practical terms, the results of this analysis confirm two key recommendations. First, there is a need to harmonise the regulations between *the Notary Law* and *the Minister of Finance Regulation on Auctions* so that the limits of the authority of legal officials are clearer and more consistent. Second, Indonesia needs to accelerate the digitisation of national auctions, emulating Malaysia's success in implementing *e-Lelong*. Thus, notaries can continue to play an important role in ensuring document validity and legal protection, while the technical auction process is carried out digitally to improve efficiency, accountability, and public trust in the legal system.

Based on the results of a comparative analysis, it can be concluded that the role of notaries in the auction process in Indonesia is functional but limited, as substantive au-

thority remains in the hands of auction officers. Meanwhile, in Malaysia, the role of notaries is almost non-existent, as the auction system is fully implemented by the courts and supported by digital infrastructure. However, both systems have similar objectives, namely to create an effective and transparent auction mechanism and to guarantee legal protection for all parties.

The application of the theories of Legal Effectiveness (Fuller, 1969), Legal Certainty (Radbruch, 2006), and Comparative Legal Functionalism (Zweigert & Kötz, 1998) shows that the effectiveness of auction implementation is not determined by the existence of notaries alone, but by the synergy between the clarity of legal norms, institutional capacity, and the adaptation of legal technology. Therefore, the best model for Indonesia is to strengthen the position of notaries as guarantors of formal legality while encouraging the modernisation of a digital-based auction system, as in Malaysia.

#### 4. Conclusion

The results of this study indicate that the implementation of auctions in Indonesia and Malaysia has fundamental differences in legal structure and the role of notaries, even though both are based on the same objective, namely to create a mechanism for the transfer of rights that is fair, transparent, and legally certain. Indonesia places auctions as part of the state administration system with an executive auction system model under the authority of the Ministry of Finance. Within this framework, auction officials are the main figures who carry out the auction process, while notaries act as public officials who draw up authentic deeds to ensure the validity of legal documents before and after the auction. The role of notaries in this context is functional but limited, as the substantive authority to compile auction reports rests entirely with the Auction Official as stipulated in Minister of Finance Regulation No. 213/PMK.06/2020 and Minister of Finance Regulation No. 86/PMK.06/2024. These findings confirm that, normatively, auction administration law in Indonesia still makes a clear distinction between the executory function of auctions and the function of formalising deeds, but has not yet provided a fully coherent design regarding the meeting point and boundaries of the two functions.

On the other hand, the Malaysian legal system shows a different institutional configuration. Auctions are regulated by the National Land Act (Revised 2020) and Court Regulations 2012, and are conducted through the e-Lelong digital system under the supervision of the High Court of Malaya. In this system, the notary function is almost non-existent as all aspects of administrative and legal verification are carried out electronically and are under judicial control. This difference in paradigm shows that Indonesia is still oriented towards formal validity through legal officials (notaries and auctioneers), while Malaysia has shifted to legal efficiency based on digital systems and technology. By comparing the two models, this study provides a normative mirror for Indonesia to assess whether the configuration of notary authority in auction administration law is still relevant, needs to be repositioned, or should instead be integrated with a stronger digital architecture.

From this comparison, it can be concluded that the effectiveness of auction implementation is not only determined by the existence of notaries as public officials, but also by the synergy between clarity of norms, consistency of regulations, and institutional

capacity of the law. Based on the theory of legal effectiveness (Fuller, 1969) and legal certainty (Radbruch, 2006), the success of law is measured not only by compliance with procedures, but also by the ability of the law to achieve its objectives fairly and efficiently. In this context, the Malaysian system has proven to be more efficient and adaptable to technology, while Indonesia still needs to strengthen the harmonisation of norms and digital transformation to achieve a balance between legal certainty, fairness, and utility. In particular, the application of the Fuller and Radbruch frameworks in this study shows that the harmonisation of auction administration law and notarial authority in Indonesia must be evaluated through three dimensions simultaneously, namely the clarity of the division of authority, the consistency of the hierarchy and types of regulations (laws and PMK), and the overall capacity of the institutional design to realise justice and utility for the parties.

Theoretically, the results of this study enrich the study of comparative legal functionalism (Zweigert & Kötz, 1998) by showing that differences in legal structures do not always mean differences in social functions. Both Indonesia and Malaysia seek to achieve the same legal objectives in different ways: Indonesia through a personification approach, while Malaysia through a systemic and digital approach. Malaysia's approach proves that the digitisation of law can replace some of the traditional functions of public officials, while Indonesia continues to uphold the principle of formal validity through the authority of notaries. The main theoretical contribution of this study to the discussion of the harmonisation of auction administration law and notarial authority in Indonesia is: (1) to formulate that harmonisation is not sufficiently understood as merely an adjustment of the normative text between the Notarial Act Notary Position Law and the PMK on auctions, but must be placed within a comparative functionalism framework that tests whether the functions of notaries and auction officials have been appropriately allocated within the overall system; (2) offering a reconceptualisation of the position of notaries as 'guardians of legality' that is explicitly separated from the executive function of auctions, so that conflicts of authority can be resolved through the differentiation of substantive and formal roles; and (3) demonstrates, through comparison with the Malaysian judicial-digital model, that ideal harmonisation is not simply a matter of expanding or narrowing the authority of notaries, but rather placing that authority consistently within an auction administration legal architecture that is capable of adapting to technology. Thus, this study provides a theoretical basis for formulating a harmonisation design that combines the principles of the hierarchy of norms, *lex specialis*, and functional considerations into a single analytical framework.

In practical terms, this study recommends two strategic steps for Indonesia. First, the government needs to harmonise the regulations between the Notary Law and the Minister of Finance Regulation on Auctions so that the boundaries of authority between notaries and auction officials are clearer, avoiding overlap and strengthening legal certainty in practice. Ideally, this harmonisation should be carried out by using the results of the function mapping in this study as a reference, so that changes to the norms are not merely editorial in nature, but also reflect a rational division of tasks between auction officials and notaries within the framework of state administration. Second, Indonesia needs to accelerate the digitisation of the national auction system by developing an electronic

platform that is integrated with the digital notary system (e-Notaris) and the Lelang.go.id portal, as has been implemented in Malaysia through e-Lelong. This digitisation is not intended to eliminate the role of notaries, but rather to strengthen their function as guardians of document validity and as part of the transformation of public legal services to be more efficient and transparent. Thus, the practical recommendations of this study are directly related to its theoretical contribution: the repositioning of notarial authority in the design of auction digitisation in line with the principles of effectiveness and legal certainty.

For notary professional organisations, such as the Indonesian Notary Association (INI), the results of this study emphasise the importance of improving competence and updating knowledge in the field of digital law and electronic auctions. Notaries need to understand the dynamics of new regulations in order to adapt to developments in legal technology and maintain the credibility of the profession amid digital transformation. Strengthening this capacity is also a prerequisite for the theoretical concept of harmonising authority to be effectively implemented in practice.

For legal academics and researchers, this study opens up opportunities for further research on the implementation of PMK No. 86/PMK.06/2024 and its effectiveness in practice, as well as empirical studies on legal officials' perceptions of the digital auction system. The cross-jurisdictional approach can also be expanded by comparing the experiences of other ASEAN countries such as Singapore and Thailand to enrich the discourse on regional legal integration. This follow-up research agenda is important to test and refine the harmonisation model theoretically offered in this study, so that it does not stop at the normative-descriptive level.

Finally, this study emphasises that effective law does not only depend on the existence of formal officials, but also on the ability of the legal system to adapt to the times. Therefore, the future of the auction system in Indonesia will be largely determined by the willingness to transform towards a more open, transparent, and technology-based legal governance, while maintaining the values of justice, certainty, and legal benefits as the moral foundation of notarial practice and national legislation. Within this framework, the harmonisation of auction administration law and notarial authority is not merely a technical agenda, but part of a broader project to place notaries, auction officials, and digital technology within a legal ecosystem that reinforces rather than contradicts each other.

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