

ABSTRAK

TINJAUAN YURIDIS EKSISTENSI DAN PERMASALAHAN *CYBER NOTARY* DI INDONESIA

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Di Indonesia COVID-19 mendorong perkembangan konsep *cyber notary*. *Cyber notary* di Indonesia memiliki Pasal 15 ayat (3) UUJN-P sebagai dasar hukumnya. Namun, hingga saat ini penerapan konsep *cyber notary* di Indonesia masih menghadapi persoalan yuridis mengenai eksistensinya, akibat belum adanya pengaturan yang komprehensif. Kondisi ini menimbulkan permasalahan dalam penelitian mengenai eksistensi yuridis *cyber notary* dalam Peraturan Perundang-Undangan di Indonesia saat ini dan bentuk-bentuk permasalahan yang muncul dalam penerapan *cyber notary*.

Penelitian ini menggunakan jenis penelitian normatif dengan tipe penelitian hukum deskriptif. Pendekatan masalah penelitian adalah pendekatan perundang-undangan dan konseptual. Sumber data penelitian yaitu data sekunder. Metode pengumpulan data dilakukan melalui studi pustaka. Metode pengolahan data yaitu pemeriksaan data, klasifikasi data, rekonstruksi data, sistematis data. Data tersebut dianalisis secara kualitatif.

Hasil dan pembahasan menunjukkan bahwa secara yuridis eksistensi *cyber notary* di Indonesia hingga saat ini belum ada penerapannya terlebih setelah Keputusan Presiden Nomor 12 Tahun 2020 dicabut, sehingga *cyber notary* belum memiliki eksistensi hukum yang jelas dan nyata, melainkan masih terbatas berada pada tataran konseptual normatif dalam Penjelasan Pasal 15 ayat (3) UUJN-P tanpa mekanisme teknis yang jelas. Serta menunjukkan bentuk-bentuk permasalahan dalam penerapan konsep *cyber notary*, antara lain ketidakselarasan antar regulasi, persoalan keotentikan akta elektronik, dan permasalahan sosial. Dengan demikian, diperlukan pembaruan dan penyelarasan regulasi yang komprehensif untuk menjamin kepastian hukum dan mendukung implementasi *cyber notary* di Indonesia yang disertai dengan peningkatan kesiapan Notaris dan infrastruktur yang memadai.

Kata Kunci: *Cyber notary*, Eksistensi, Kenotariatan, Permasalahan.

ABSTRACT

A LEGAL REVIEW OF THE EXISTENCE AND PROBLEMS OF CYBER NOTARY IN INDONESIA

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In Indonesia, the COVID-19 pandemic has driven the development of the cyber notary concept. In Indonesia, cyber notary has Article 15 paragraph (3) of the Law on Notary Position (UUJN-P) as its legal basis. However, to date, the implementation of the cyber notary concept in Indonesia still faces juridical issues concerning its existence due to the absence of comprehensive regulation. This condition gives rise to research problems regarding the juridical existence of cyber notary within the current Indonesian statutory regulations and the forms of problems that arise in the implementation of cyber notary.

This research employs normative legal research with a descriptive legal research type. The research approaches used are the statutory approach and the conceptual approach. The data source of this research is secondary data, collected through library research. Data processing methods include data examination, data classification, data reconstruction, and data systematization. The data are analyzed qualitatively.

The results and discussion demonstrate that, from a juridical perspective, the existence of cyber notary in Indonesia has not yet been implemented in practice, particularly following the revocation of Presidential Decree Number 12 of 2020. As a result, cyber notary does not yet possess clear and concrete legal standing and remains confined to a normative conceptual level as stipulated in the elucidation of Article 15 paragraph (3) of the Amended Notary Law (UUJN-P), without clear technical mechanisms. Furthermore, the findings identify several challenges in the implementation of the cyber notary concept, including regulatory disharmony, issues concerning the authenticity of electronic deeds, and social constraints. Therefore, comprehensive regulatory reform and harmonization are necessary to ensure legal certainty and to support the implementation of cyber notary in Indonesia.

Keywords: *Cyber notary, Juridical existence, Legal issues, Notarial law.*