

Abstract

This thesis is entitled The Authority of the Ministry of Law and Human Rights in the Implementation of the Notary Appointment Test. With legal issues Ratio Decidendi Decision of the Supreme Court Number 50 / PU / 2018 Concerning the Cancellation of the Notary Appointment Test and the legal authority of the Ministry of Law and Human Rights in organizing the Notary Appointment Test. This type of research is a Normative Legal Research using the Invitation and the Conceptual Approach. The results of the study are the Decision of the Decision of the Supreme Court Number 50 / PU / 2018 stating that the Regulation of the Ministry of Law and Human Rights Number 25 of 2017 has regulated something that is not mandated by UUDN. The authority of the Ministry of Law and Human Rights in the holding of the Notary Appointment Test based on the Regulation of the Ministry of Law and Human Rights Number 18 of 2018 still has validity so that it has legal force and is generally valid based on the principles of presumtio iustae causa and contrarius actus. The Minister of Law and Human Rights should immediately revoke the Regulation of the Minister of Law and Human Rights Number 18 of 2018 concerning Amendment to the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 25 of 2017 concerning the Notary Appointment Test.

Keywords: Authority, Ministry of Law and Human Rights, Notary Appointment Test.

Abstrak

Tesis ini berjudul Kewenangan Kementerian Hukum dan Hak Asasi Manusia Dalam Penyelenggaraan Ujian Pengangkatan Notaris. Dengan permasalahan hukum *Ratio Decidendi* Putusan Mahkamah Agung Nomor 50/PU/2018 Tentang Pembatalan Ujian Pengangkatan Notaris dan keabsahan kewenangan Kemenkumham dalam menyelenggarakan Ujian Pengangkatan Notaris. Jenis Penelitian ini adalah Penelitian Hukum Normatif dengan menggunakan Pendekatan Perundang Undangan dan pendekatan Konseptual. Hasil penelitian adalah *Ratio Decidendi* Putusan Mahkamah Agung Nomor 50/PU/2018 menyatakan bahwa Permenkumham Nomor 25 tahun 2017 telah mengatur sesuatu yang tidak diperintahkan UUDN. Kewenangan Kemenkumham Dalam Penyelenggaraan Ujian Pengangkatan Notaris berdasarkan Permenkumham Nomor 18 Tahun 2018 tetaplah memiliki keabsahan sehingga memiliki kekuatan hukum dan berlaku umum dengan berdasarkan pada asas *presumptio iustae causa* dan *contrarius actus*. Hendaknya Menteri Hukum Dan Hak Asasi Manusia hendaknya segera mencabut kembali Peraturan Menteri Hukum Dan Hak Asasi Manusia Nomor 18 Tahun 2018 tentang Perubahan Peraturan Menteri Hukum Dan Hak Asasi Manusia Republik Indonesia Nomor 25 Tahun 2017 tentang Ujian Pengangkatan Notaris.

Kata Kunci : Kewenangan, Kementerian Hukum Dan Ham, Ujian Pengangkatan Notaris.