

# 8. Turnitin Jurnal Internasional

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## LIMITATION PERIOD RESPONSIBILITIES OF THE NOTARY BASED ON JUSTICE VALUES

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### ABSTRACT

Notary, Substitute Notary, and Temporary Notary Officer shall remain liable to the deeds they make, even if they are no longer as Notaries, Notaries of Replacement, and Temporary Notary Officer. Article 65 of Law of the Republic of Indonesia Number 2 Year 2014 concerning Amendment to Law Number 30 Year 2004 Concerns on the Position of Notary. The responsibility of a Notary will not end with the transfer of protocol to the Notary's protocol storage. The purpose of this study was to assess and analyze the Limitations of the Responsibility Period of Notaries and Limitations on the Period of Responsibility of Notary Justice Based on the Value of Justice. The Result of the Research found that the Limitation of Period of Responsibility of Public Notary based on justice values is done through the reconstruction of values and legal norms in Article 65 of Law of the Republic of Indonesia Number 2 Year 2014 Concerning Amendment to Law Number 30 Year 2004. It concerns on the Notary's Office. It is reconstructed by giving time limitation for Notary, substitute Notary, and public Notary. The limitation is as follows: "Article 65 restriction on the term of Notary's responsibility for each Deed he made by Notary is 15 (fifteen) years and/or up to retirement, whereas for Substitute Notary and temporary public Notary up to the expiry of the Notary Substitute and the temporary public Notary".

**Keywords:** limitation, responsibility of the notary, Justice Values.

### A. Introduction

A responsibility is given as a trust for those who receive it<sup>1</sup>. Notaries in carrying out their duties of office are charged to be well responsible. In Article 1 paragraph (1) of Law of the Republic of Indonesia Number 2 Year 2014 Concerning Amendment to Law Number 30 Year 2004 Concerning Notary Public: "Notary is a public official authorized to make authentic deed and has other authority as referred to in law this or under any other law".

<sup>1</sup>five criteria of strong moral values underlie the people responsible for the following:

(a) Honesty. Honesty is the main foundation. Without honesty the legal professional denies his professional mission, that he becomes hypocritical, cunning, deceitful.

Two attitudes that exist in honesty, namely:

(1) open attitude. This concerns the client's service, willingness to serve technically or otherwise;

(2) reasonable attitude. It deals with acts that are not excessive, not authoritarian, not pretentious, not rude, not oppressive, and not blackmail.

(b) Authentic. Authentic means to live and show itself in accordance with its authenticity, real personality. Authentic personal professionals include:

(1) not misuse authority;

(2) does not commit degrading acts (disgraceful acts);

(3) prioritizing the client object;

(4) the courage to take the initiative and to do it on its own, not merely awaiting orders from superiors;

(5) do not isolate themselves from the association.

(c) Take responsibility. In carrying out its duties, legal professionals shall be responsible answer, meaning:

(1) willingness to do as well as possible any task that is included in the scope of his profession;

(2) action proportionally, without distinction of mercenary and case-just (prodeo);

(d) Moral Independence. Moral self-sufficiency can not be used properly or it is not easy to see the morality that takes place around it, as well as to rank itself. Mandiri morally can not be excluded by opinion, not covered by consideration of profit and loss (pamrih), adjust to religious values of decency.

(e) Morale of Courage. Moral courage is a faithfulness to the caution of conscience that expresses a willingness to the opposite of conflict. The courage includes: (1) rejection of corruption heap, collusion, bribery, extortion; (2) rejecting a peace offer on the spot over a speeding ticket for a traffic person; (3) reject any form of manual way to use unauthorized words. Supriadi, *Etika & Tanggung Jawab Profesi Hukum di Indonesia Sinar, Grafika*, Jakarta, 2010, page.19-20.

Notary as an official who performs the duty of the state especially in the field of civil law can provide services to the community as good as possible and can act quickly and accurately. Although a Notary has no authority to investigate the validity of any document whatsoever given/submitted by the client. A Notary must uphold the Law of Notary Public, other laws/state regulations and ethics in carrying out his/her position. Notary also in carrying out his profession must act honestly, thoroughly and fairly in the impartial sense of one party, and not harming the other party and authorized and responsible for the deed he made. These provisions can be seen in Article 15 of the UUJN of amendment, namely: (1) Notary public is authorized to make an authentic deed of all the deeds of the treaty, and the provisions required by legislation and/or desired by the interested parties to be stated in authentic deed, date of making of deed, saving deed, giving grosse, copy and quotation of deed, all of which during the making of the deeds are not also assigned or exempted to other official or other person as stipulated by law.<sup>2</sup>

2. In addition to the authority referred to in paragraph (1), Notary also authorized:
  - a. To validate the signature and specify the date of the letter under the hand by enrolling in a special book;
  - b. To record letters by hand by registering in a special book;
  - c. To make copies of the original from the letters under the hand of a copy which contains descriptions as written and illustrated in the corresponding letter;
  - d. To certify a photocopy match with the original letter;
  - e. To provide legal counseling in relation to the making of the deed;
  - f. To make deed related to land; or
  - g. To make an auction deed
3. In addition to the authority referred to in paragraph (1) and paragraph (2), Notary has other authority regulated in the legislations.

A Notary before making the deeds shall examine what the Request of the Parties that want to be made deeds, ie whether the Notary is entitled or authorized to make deeds that is requested, and whether the parties are entitled to ask to make the deeds in question, whether the Notary is authorized to make deeds at the request of the parties to the Notary.<sup>3</sup>

## B. Research Methods

In this research the paradigm used was constructivism. The concept of the constructionist was introduced by the Interpretative Sociologist Peter L. Berger and Thomas Luckman. In the concept of communication studies, Social Construction Theory can be called to be between the Theory of Social Facts and Social Definition<sup>4</sup>. The data source consists of primary data, namely data obtained from legal practice or empirical law, and secondary data ie data obtained from the review and analysis of literature studies and documentary studies. All the data were used to obtain primary legal materials and secondary materials and tertiary legal materials according to the study dissertation research.<sup>5</sup>

Analytical technique used in this research was qualitative descriptive analysis with inductive method: the discussion was done by using the theoretical basis or literature review and all data collected and then arranged systematically, then drawn conclusions through abstraction, so that clarity is obtained to the problem to be discussed.<sup>6</sup>

The data in this research were analyzed simultaneously with the process of data collection, constantly, until then obtained result stating the existence of conformity between legal norms or law rules and legal facts with problem raised in this research. If the final conclusion was considered still lack of compatibility and relevance it will be done data collection in the field again until then obtained the final results of a comprehensive and accountable research, in accordance with the problems discussed in this dissertation research.<sup>7</sup>

## C. Research Result And Discussion

### 1. Implementation Restricted Limitation Of Liability Notaris Duties

Notary is a public official authorized to make authentic deeds and other authorities as referred to in this Act or under any other law referred to in article 1 paragraph (1) of UUJN amendment.

<sup>2</sup>Law of the Republic of Indonesia Number 2 Year 2014 About Amendment to Law Number 30 Year 2004 Concerning Position of Notary.

<sup>3</sup>The definition of authority is to include the authority of the person, namely for the interest of whom the deed is made or desired by the interested person. Authority of the Act, which is authorized to make an authentic deed of all acts, agreements and provisions in question and authorized to the time and authority to its place, namely in the place of position and territory of the position of Notary and Notary to guarantee the certainty of the time of the speakers listed in the deed. Habib Adjie, *Meneropong hasanah Notaris dan PPAT Indonesia*, Citra Aditya Bakti, Bandung, 2009, page.1.

<sup>4</sup>*Ibid*, Hal.125.

<sup>5</sup>Abdul Kadir Muhammad, *Hukum dan Penelitian Hukum*, Citra Aditya Bakti, Bandung, 2004, page.202.

<sup>6</sup>Chaedar Alwasilah, *Pokoknya Kualitatif*, PT.Dunia Pustaka Jaya, 2008, page.159.

<sup>7</sup>Matthew B.Miles and A.Michael Huberman, *Analisis Data Kualitatif: Buku Sumber Tentang Metode-Metode Baru*, UII Press, Jakarta, 1992, page.43.

An authentic deed is a written evidence and has perfect proof power as it is made in accordance with the form prescribed by the Act. In this case the provisions of article 1868 of the Civil Code must be met because if not met, then the deed will become a deed under the hand (illegal) There are three elements contained in the theory of liability, which cover :theory, responsibility, and law.<sup>8</sup>

In Indonesian, the word responsibility means obligatory bear everything (if anything happens to be prosecuted, blamed, held, and so on). Bear is defined as being willing to bear the cost (take care, maintain), guarantee, declare a state of willingness to perform obligations.<sup>9</sup>

Understanding the responsibilities in detail put forward by Algra, et al, they stated that responsibility or *verantwoordelijkheid* are: "The obligation to assume accountability and bear that loss suffered (if prosecuted), both in law and in the administration field."<sup>10</sup>

There are two types of responsibility in this definition: legal responsibility; and administrative responsibility. Legal responsibility is the type of responsibility charged to a legal subject or a perpetrator committing a criminal act. Responsibility is a very important, it is not just inside world of law, but covers all aspects of life. For example, responsibility between man and the Creator, or an employee's responsibilities to his boss, the responsibility of the citizens to his country and many more forms of responsibility in this social life.

Form of Responsibility of Notary of each Deed he made:

- a. Form of administrative responsibility.  
If a Notary has committed violations against Articles set forth in the UUJN and UUJN of Amendment in respect of his duties and authorities as a public official. Sanctions which may be granted to a Notary in connection with such offenses are: Written warning; Temporary suspension; Dismissal with respect; or Disappointment with disrespect.
- b. Forms of civil responsibility.  
According to the provisions of Article 1365 BW that any unlawful act, committed by a person and bring harm to another person, shall be obligated to a person who by his error incurs the loss to indemnify him. Similarly, a Notary may be liable for civil liability in respect of a breach or mistake of the deeds it has made, if the offense or error has caused any harm to the client or any other party with the Court's proven and decided by the Court. In such case the Notary is required to be liable for losses suffered by the parties by paying the loss, interest and penalty resulting from an error made by a Notary.
- c. Forms of criminal responsibility.  
Criminal liability may be imposed where a Notary has committed a legal act prohibited by law or performs duties and responsibilities of a Notary in violation of the provisions of the provisions set forth in the UUJN or other regulations, the errors of committing an offense both because of intentional or negligent incur losses to others.

In the context of individuals as citizens in general. A Notary in carrying out his office makes an authentic deed related to civility has the authority of atribut namely the authority attached to the position and given by law. If a Notary performs a deviation of a deed made so as to cause a criminal case it must be criminally accountable for what has been done. Criminal liability is born with the continued denunciation (*verwijbaarheid*) which is objective against the act expressed as a criminal offense under applicable criminal law, and subjectively to the offender who is eligible to be penalized for his actions.<sup>11</sup>

Notary as a public official authorized to make an authentic deed may be held responsible for his / her deeds in connection with his / her work in making the deed. The scope of liability of a Notary shall include the material truth of the deeds it has made.3. Regarding the responsibilities of Notary Public Officer in relation to material truth, Nico distinguishes it into 4 matters, among which are the civil notary's responsibility to the material truth against the deed he made. 2. The responsibility of a notary criminal to the material truth in the deed he made. 3. Responsibility of Notary pursuant to Regulation of Notary Position to the material truth in the deed which made, and 4. Responsibility of Notary in carrying out his duties of office based on the code of ethics of Notary. The ability of a person to be responsible for all his actions is based on normal conditions, in the sense of a person healthy mind so as to distinguish between good and bad deeds. However, mind is not enough to underlie someone to be responsible, the factor of the will also have an effect. Thus the mind and will of a person to be able to responsible for his actions are two related mutual factors.<sup>12</sup>

<sup>8</sup>Salim HS dan Erlies Septiana Nurbani, *Penerapan Teori Hukum Pada Penelitian Disertasi Dan Tesis*, Raja Grafindo Persada, Jakarta, 2014, page.207.

<sup>9</sup>Departemen Pendidikan dan Kebudayaan, *Kamus Besar Bahasa Indonesia*, Balai Pustaka, Jakarta, 1989), page.899.

<sup>10</sup>N.E.Algra, dkk., *Kamus Istilah Hukum Fockema andreae Belanda Indonesia*, Binacipta. Jakarta, 1983, Page.68.

<sup>11</sup>Dwidja Priyatno, *Kebijakan Legislasi tentang Sistem Pertanggungjawaban Pidana Korporasi di Indonesia*, CV.Utomo, Bandung: 2004, page. 30.

<sup>12</sup>Nico, *Tanggung Jawab Notaris Selaku Pejabat Umum*, Studies of Business Law, Yogyakarta, 2003, page. 63.

The civil notary's liability to the material truth of the deed made can be seen from the construction of the unlawful acts committed by the Notary.<sup>13</sup>

Andi Zainal Abidin said that most laws formulate terms of error negatively. The Criminal Code worldwide generally not set about the ability of the responsible; who arranged is the opposite that is not responsible ability.<sup>14</sup>

In relation to the responsibilities of a Notary as general officials, it can be seen in Article 1 paragraph (1) UUJN changes mentioned that the Notary is the one general official who authorized to make an authentic deed and have authority as referred in this Act or by virtue of other laws.<sup>38</sup>

Accordingly, a Public Notary Officer is responsible for the deed, and a Notary must also uphold the Professional Code of Ethics.

<sup>8</sup> Notary is a public official authorized to make authentic deeds and other powers as meant in this law or under any other Law. This is stipulated in Article 1 paragraph (1) UUJN.

## 2. Limitation Period Responsibilities Of The Notary Based On Justice Values

As an Indonesian citizen who is subject to Pancasila and the 1945 Constitution, in carrying out its duties, a Notary cannot be separated from the values contained in the 1945 Constitution and Pancasila.

Here we can see that it is not just responsibility for what the Notary works but before a Notary performs his duty according to UUJN, he has been in his oath or promise to be obedient and loyal to the Republic of Indonesia, Pancasila and the 1945 Constitution.

This is a consequence of the responsibility of both personal responsibility as a citizen even more his responsibility as a general official. In addition, the Notary is also responsible for ensuring guarantee legal certainty and legal order and law protection for people who need a written authentic deed as a written proof of a treaty or stipulation-determination or about a legal event.

By taking an active role in providing legal services with responsibility, the Notary has performed his responsibilities to the Unitary State of the Republic of Indonesia. From some concepts of justice, it can be said that man commanded by God to be fair and to uphold justice in this life. Although justice itself is meaningless equality in all things, just according to a person is not necessarily just according to others. So a fair measure should be viewed proportionately.<sup>5</sup>

Pancasila itself as a source of law in Indonesia contains about the just word on the two saints. This is to say how justice is so great, it is very important to be enforced in the life of the state and socially. One of the functions of the law is to protect the interests of man life, for that man is obliged to obey and implement the law for laws to achieve a safe, peaceful, peaceful life.

In upholding the laws there are at least three related mutual elements and must be considered, namely; The existence of legal certainty; The existence of expediency; Justice.

Legal certainty is necessary for the realization of order in society. Utilization is meant that any applicable law is truly beneficial to a society, not vice versa. It can cause unrest within the community. So the three elements mentioned above belong to each other in law enforcement, though difficult to realize the laws that meet these three elements.

A regulation imposed on the public is expected in accordance with what is desired by the society itself, so society will carry out the law well, and vice versa. If the law is not in accordance with the wishes of the society then the existence of the law becomes futile. This is because the law is applied in the community and to be upheld by the community itself. In other words, society is the place where the law works.

In connection with what has been described above, it is clear that law is enforced in society and must be obeyed by the community. The law exists within society and is created and intended for humans. Since the law is for man, then the law must be able to create a sense of justice and provide prosperity for the community. The existence of the law must bring happiness for society, not the other way around the law only brings suffering to society.

When we look closer, it can be seen by humans as the subject of law always has the same desire before the law to get justice and happiness before the law. With the slogan "law for man" and not vice versa, it should exist to serve the needs of man or society with all its dynamics, and not be created only for a group of people with certain political interests, but indeed the law is dynamic following the change of society rapidly changing with the times. It can be concluded that human beings who have good faith and

<sup>13</sup> Abdul Ghofur, *Lembaga Kenotariatan Indonesia: Perspektif Hukum dan Etika*, UII Press, Yogyakarta, 2009, page.34.

<sup>14</sup> Hanafi Amrani S dan Mahrus Ali, *Sistem Pertanggung jawaban Pidana Perkembangan dan Penerapan*, Radja Grafindo Persada, Jakarta, 2015, page.31.

morals in a society's life will be able to create good law as well, because as good as any such law if the human is not good will cause destruction, whereas the purpose of law is to create justice of order, certainty, benefit and prosperity for as many as human beings.

As a person authorized by law to make authentic evidence of Notary, to pour what is the will of the parties or conveyor to be contained in the deed according to the procedures set forth in Article 38 of the UUJN of amendment. The will of the parties / agents shall not all be stated in the deed, but the Notary will use a good Indonesian language to accommodate the wishes of the parties / constituents without changing or deviating from the intent and purpose of the parties.

In addition, the Notary is also authorized to provide legal counseling in relation to the making of the deed as set forth in Article 15 paragraph (2) letter (e) of the UUJN of Amendment. Legal counseling provided by a Notary in connection with the deed of the deed indicates the active role of Notary in assisting government to provide legal services to the public especially in the field of civilization, although the Notary may refuse to make a deed if there are elements that are contrary to the law, public order and morals.

As a general official has a duty, exercising authority, obligation, Notary also has a responsibility that is not light because at the same time Notary must also hold firm ethics profession very closely related to the implementation of its duties.

Notaries in performing their duties must be careful in listening to the discourse given by the parties / constituents so as to determine what deeds should be made by paying attention to the fulfillment of formal conditions and administrative requirements before the deed is signed.

Notaries as public officials must always follow and actively to add insight into the development of law, because it can not be denied changes that occur in society faster than the rule of law. So that the existence of Notary as an official making the written evidence in the form of an authentic deed which is the strongest and most fulfilled evidence can bring legal certainty for the community.

In accordance with the human life expectancy that everyone who works both with government agencies and private, all hoping there is time to quit the routine of his work or the responsibilities of his work due to the age factor.

It is no different from a Notary, as a public official authorized to make an authentic deed and has taken his oath to comply with Pancasila as the basis of the State, the 1945 Constitution, the Law of Notary Publication, other Laws and Notary's Code of Ethics.

Notary at the time stipulated UUJN there is a period of retirement at the age of 65 years and can be extended up to 67 years by looking at the provisions in Article 8 paragraph (1) and (2) UUJN.

With respect to the above retirement age limit, the responsibilities of Notary, Notary Substitute, and Notary Acting Official against the deeds he has made are indefinitely. Upon ceasing to become a Notary, no one shall not be liable to his or her deeds, any provisions Article 65 UUJN This amendment is interpreted that Notary, Notary Substitute, and a Notary Public Officer, shall be liable to the deed has been made during the concerned carry out his post until retirement and after pensionpun still asked for coverage answer if there is a lawsuit.

Not a single article in the UUJN regulates the deadline for the responsibility of a Notary, a Notary Replacement Officer and a Notary Public Officer to the Acts which he has made. In other words, the notary's responsibility, notary replacement and temporary official of Notary remain inherent even though the Protocol has been transferred, or submitted to another Notary as the holder of the Protocol even if the Notary concerned has retired or the responsibility of a Notary, Notary Substitute and Notary Officer attached to the end his life or death.

In relation to the foregoing, the provisions on expiry is important to be input and become a reference in giving the time limit of expiration of the liability As a person authorized by the Act to produce authentic evidence of Notaries, pours what is the will of the parties or the conveyor to be contained in the deed according to the ordinance which has been set forth in Article 38 of the UUJN of Amendment. The will of the parties / agents shall not all be stated in the deed, but the Notary will use good Indonesian for accommodate the wishes of the parties / confronting without changing or deviating from the intent and purpose of the parties.

In addition, the Notary is also authorized to provide legal counseling in respect of the deed making as set forth in Article 15 paragraph (2) letter (e) UUJN of amendment. Legal counseling provided by a Notary in connection with the deed of the deed indicates the active role of Notary in assisting government to provide legal services to the public especially in the field of civil, although the Notary can refuse to make the deed if there are elements contrary to law, public order and morality.

As general officials have duties, exercising authority, obligations, Notaries also have a responsibility that is not light because at the same time the Notary must also uphold the professional ethics that is closely related to the implementation of its duties.

Notaries in carrying out their duties must be careful in listening to the discourse given by the parties so can determine what deed should be made by paying attention to the fulfillment of formal conditions and administrative requirements before the deed is signed.

Notaries as public officials must always follow and actively to add insight into the development of law, because it can not denied changes that occur in society faster than the rule of law. So the existence of Notary as officials who make tools written evidence in the form of authentic deed which is the strongest and most fulfilled evidence can bring legal certainty for the society.

In accordance with the human life expectancy that everyone who works both with government agencies and private, all hope there is time to quit his work routine or work responsibilities due to age.

13 It is no different from a Notary, as a public official authorized to make an authentic deed and has taken his oath to comply with Pancasila as the basis of the State, the 1945 Constitution, the Law of Notary Publication, Other Laws and the Code Notary Public.

Notary at the time specified UUJN there is a retirement at the age of 65 years and can be extended up to 67 years with see the provisions in Article 8 paragraph (1) and (2) UUJN. With respect to the above retirement age limit, the responsibility of Notary, Notary Substitute, and Notary Acting Officer to the deeds it has been made indefinitely. After being no longer a Notary neither is nor liable to his or her deeds, provisions Article 65 UUJN This amendment is interpreted that Notary, Notary Substitute, and a Notary Public Officer, shall be liable to the deed it has been made during which the person performs his office until with retirement and after retirement is still asked for coverage answer if there is a lawsuit. Not a single article in the UUJN regulates the deadline responsibilities of Notary Public, Notary of Successor and Notary Public Officer against the deeds he has made.

In other words, the notary's responsibility, notary replacement and temporary official of Notary remain inherent even though the Protocol has been transferred, or submitted to another Notary as the holder of the Protocol even if the Notary concerned has retired or the responsibility of a Notary, Notary Substitute and Notary Officer attached to the end his life or death. In relation to the foregoing, the provisions on expiry is important to be input and become a reference in giving the time limit of the expiration of the Notary's responsibility to his deeds in order to create justice for the Notary in Indonesia.

7 The regulation of expiration which has been described in the previous Chapter, namely in Article 1946, 1967, and 1967 of the Civil Code and contained in Article 78 paragraph (1) of the Criminal Code Article 79 of the Criminal Code, expired based on civil law is 30 (thirty) years while the expiration of the criminal law is 12 (twelve) years, should be the basis for determining the termination of the responsibility of the Notary.

This situation is felt unfair because the name of the responsibility of a position should be determined the time limit in order to create a sense justice. Moreover, in Article 1870 Civil Code has determined as follows; "An authentic deed gives between the parties and their heirs or those who are entitled to them, a perfect proof of what is contained therein", because the law has so regulated there is no reason to hold accountable to a notary already full of duties / pensions in respect of the deeds he or she made or before him as general official.

From what researchers have observed then the reconstruction of the term of responsibility of Notary based on the value of justice is as follows: that the responsibility of Notary, Notary Substitute, and Notary Official is without time, and this is felt unfairly because article 65 UUJN Changes that the responsibility of Notary, Notary of Substitute, and Official Temporary Notary is without time, which can be interpreted until the death of a new responsibility ends, and it is perceived unfair because article 65 UUJN changes interpreted Notary, Notary Substitute, and Official Temporary Notary, shall be responsible for the deeds he has made during his respective conduct of office until retirement and after retirement are still required to remain responsible. However, not a single article in the UUJN regulates the deadline for the responsibility of a Notary, a Notary Replacement Officer and a Notary Public Officer to the Acts which he has made.

In other words, the notary's responsibility, the notary replacement and the Notary's temporary officers remain attached even if the protocol has moved, or has been transferred to another Notary or after they have not served again.

Based on the above description then the legal reconstruction is as follows: Article 65 of the Law of the Republic of Indonesia Number 2 Year 2014 Concerning Amendment to Law of the Republic of Indonesia Number 30 Year 2004 Concerning Position of Notary:

**Table**  
**Reconstruction of Legal Norms**

Before	Reconstruction	Weakness	After Reconstruction
Article 65 of the Act Position of Notary of ChangeNotary, Notary Substitute, and a Notary Public Officer is responsible for each Deed, even though the Notary Protocolhas been transferred or transferred to the depository of the Notary Protocol		-Responsibility of Notary lifetime or not there is a time limit the responsibility of Notary against those deeds he made. -Not in accordance with principle of retirement or has not met the limit hope of human life.	Article 65 of the Undang-InviteNotary Changes, deadlines the responsibility of Notary against those deeds made before and / or by Notary become 15 (fifteen) years and / or until the retirement limit as a Notary.

#### D. Conclusion

Limitation period responsibility of a Notary under the provisions of Article 65 of the UUJN is not clearly made so that throughout the life of the Notary has reached the age of 65 years or 67 years, or pension either at his own request or for certain reasons even to the end of life Notary remains responsible for the deeds made before and/or by a Notary still inherent, including to the substitute Notary, and Official Temporary Notary. It can be interpreted that with no time limit on responsibility, it will cause some problems, among others, about the authenticity of the deed itself. Authentic deeds is a perfect proof, not to be interpreted otherwise, because it must be read as is there in the deed , and what if the Notary, Substitute Notary, and Official Temporary Notary have been full of duties or pensions, and the Act then there is a lawsuit against the deed he made. How is the competent authority to present former or emirateus Notary, Notary replacement, and Temporary Notary Official who is old, who may be with difficult health condition, place of domicile at that moment somewhere, and there are many other factors that if this article is not reconstructed will result in the violation of the freedom of the personal rights of a Notary. The regulation of expiration shall be taken into consideration to determine the expiration of the notary's responsibility to the deed made before it. Therefore, Article 65 of the Law of the Republic of Indonesia Number 2 Year 2014 concerning Amendment to Law of the Republic of Indonesia Number 30 Year 2004 Concerning Position of Notary, where its reconstruction is as follows: "Article 65 limitation of the time period of the Notary's responsibility for each Deed the making of Notary 15 (fifteen) years and/or up to the pension, to the Substitute Notary and the Official Temporary Notary until the expiry of the Notary of the Substitute and Official Temporary Notary ".

#### REFERENCES

- 34  
Supriadi.2010.*Etika & Tanggung Jawab Profesi Hukum di Indonesia* Sinar.Grafika. Jakarta.
- 25  
Habib Adjie.2009.*Meneropong hasanah Notaris dan PPAT Indonesia*.Citra Aditya Bakti, Bandung.
- Abdul Kadir Muhammad.2004.*Hukum dan Penelitian Hukum*.Citra Aditya Bakti.Bandung.
- Chaedar Alwasilah.2008.*Pokoknya Kualitatif*.PT.Dunia Pustaka Jaya.
- Mattew B.Miles and A.Michael Huberman.1992.*Analisis Data Kualitatif: Buku Sumber Tentang Metode-Metode Baru*.UII Press.Jakarta.
- Salim HS dan Erlies Septiana Nurbani 2014.*Penerapan Teori Hukum Pada Penelitian Disertasi Dan Tesis*.Raja Grafindo Persada, Jakarta.
- 6  
Departemen Pendidikan dan Kependidikan.1989.*Kamus Besar Bahasa Indonesia*.Balai Pustaka.Jakarta.
- N.E.Algra.dkk.1983.*Kamus Istilah Hukum Fockema andreae Belanda Indonesia*.Bina Cipta, Jakarta.
- Hanafi Amrani S dan Mahrus Ali.2015.*Sistem Pertanggung jawaban Pidana Perkembangan dan Penerapan*.Radja Grafindo Persada.Jakarta.
- Dwidja Priyatno.2004.*Kebijakan Legislasi tentang Sistem Pertanggungjawaban Pidana Korporasi di Indonesia*.CV.Utomo, Bandung.
- 6  
Nico, 2003,*Tanggung Jawab Notaris Selaku Pejabat Umum*, Studies of Business Law, Yogyakarta.
- Abdul Ghofur, 2009,*Lembaga Kenotariatan Indonesia: Perspektif Hukum dan Etika*, UII Press,Yogyakarta.
- Undang-Undang Nomor 2 Tahun 2014 Tentang Perubahan atas Undang-Undang Nomor 30 Tahun 2004 Tentang Jabatan Notaris



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