

**ANALISIS YURIDIS TERHADAP PEMBUATAN AKTA NOTARIS
MELALUI MEDIA ELEKTRONIK DALAM PERSPEKTIF HUKUM
DI INDONESIA**

ABSTRAK/ABSTRACT

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Perkembangan teknologi informasi mendorong kebutuhan pelayanan kenotariatan yang lebih cepat, efisien, dan adaptif, termasuk kemungkinan pembuatan akta notaris melalui media elektronik. Secara normatif, akta autentik masih tunduk pada Pasal 1868 KUH Perdata dan Pasal 1 angka 7 Undang-Undang Jabatan Notaris yang mensyaratkan akta dibuat oleh atau di hadapan notaris, dibacakan, ditandatangani, dan disimpan sesuai bentuk yang ditentukan undang-undang. Di sisi lain, UU ITE dan PP No. 71 Tahun 2019 telah mengakui dokumen elektronik dan tanda tangan elektronik sebagai alat bukti hukum yang sah, namun belum secara khusus mengatur akta notaris elektronik. Penelitian ini dianalisis dengan menggunakan teori kepastian hukum, teori pembuktian, dan teori tanggung jawab hukum. Hasil analisis menunjukkan bahwa belum adanya pengaturan tegas mengenai penghadapan elektronik, pembacaan daring, tanda tangan elektronik tersertifikasi, minuta elektronik, dan protokol elektronik menimbulkan persoalan terhadap keautentikan, kekuatan pembuktian, serta tanggung jawab notaris. Oleh karena itu, diperlukan pembaruan pengaturan yang jelas agar digitalisasi kenotariatan tetap menjamin keautentikan akta dan perlindungan para pihak.

Kata Kunci: Akta Notaris Elektronik; *Cyber Notary*; Akta Autentik

The development of information technology has increased the need for notarial services that are faster, more efficient, and adaptive, including the possibility of making notarial deeds through electronic media. Normatively, authentic deeds remain subject to Article 1868 of the Indonesian Civil Code and Article 1 point 7 of the Notary Law, which require deeds to be made by or before a notary, read aloud, signed, and stored in the form prescribed by law. Meanwhile, the Electronic Information and Transactions Law and Government Regulation No. 71 of 2019 have recognized electronic documents

and electronic signatures as valid legal evidence, but they have not specifically regulated electronic notarial deeds. This research is analyzed using the theory of legal certainty, the theory of evidence, and the theory of legal responsibility. The results of the analysis show that the absence of explicit regulation concerning electronic appearance, online deed reading, certified electronic signatures, electronic minutes of deed, and electronic protocols raises issues regarding authenticity, evidentiary strength, and notarial responsibility. Therefore, clear regulatory reform is required so that the digitalization of notarial practice continues to guarantee deed authenticity and the protection of the parties.

Keywords: *Electronic Notarial Deed; Cyber Notary; Authentic Deed*