

PERAN MAJELIS PENGAWAS DAERAH KABUPATEN SLEMAN UNTUK MENCEGAH PELANGGARAN TERKAIT PENUNJUKKAN SAKSI INSTRUMENTER DALAM PENGESAHAN AKTA AUTENTIK

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INTISARI

Penelitian ini bertujuan untuk mengetahui dan menganalisis peran Majelis Pengawas Daerah Kabupaten Sleman untuk mencegah pelanggaran terkait penunjukkan saksi instrumenter dalam pengesahan akta autentik dan kendala yang dihadapi Majelis Pengawas Daerah serta upaya yang dilakukan untuk mencegah pelanggaran terkait penunjukkan saksi instrumenter dalam pengesahan akta autentik.

Penelitian ini bersifat normatif empiris dengan data sekunder dan data primer. Data sekunder diperoleh dari penelitian kepustakaan dengan metode dokumentasi dan alat pengumpulan data berupa studi dokumen. Data primer diperoleh langsung dari responden dan narasumber di lapangan melalui wawancara dengan alat pengumpulan data berupa pedoman wawancara. Data dianalisis secara kualitatif.

Hasil penelitian (1) Peran Majelis Pengawas Daerah (MPD) Kabupaten Sleman untuk mencegah pelanggaran terkait penunjukkan saksi instrumenter dalam pengesahan akta autentik adalah dengan melakukan pengawasan preventif dan represif. Pengawasan preventif dilakukan dengan melakukan pemeriksaan secara berkala 1 (satu) tahun sekali, dan memberikan nasihat terkait penunjukkan saksi instrumenter. Pengawasan represif yang dilakukan adalah dengan memberikan pembinaan. (2) Kendala yang dihadapi MPD Kabupaten Sleman antara lain kurangnya keterbukaan Notaris pada saat *uji petik* akta, adanya keterbatasan waktu dalam melakukan pemeriksaan, kendala internal MPD terkait minimnya jumlah anggota, waktu, dan fasilitas kantor. Upaya yang dilakukan adalah MPD menanyakan kepada Notaris terkait saksi yang ditunjuk di dalam suatu akta pada saat melakukan uji petik, menyesuaikan dan meluangkan waktu masing-masing unsur anggota MPD guna melakukan pemeriksaan terhadap Notaris, MPD Kabupaten Sleman membagi teknis pemeriksaannya menjadi 3 (tiga) tim wilayah.

Kata Kunci : Majelis Pengawas Daerah, Notaris, Saksi Instrumenter

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THE ROLE OF REGIONAL SUPERVISORY COUNCIL OF SLEMAN
TO PREVENT THE VIOLATIONS RELATED THE APPOINTMENT
OF INSTRUMENTER WITNESSES IN RATIFICATION OF
AUTHENTIC DEED

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ABSTRACT

The purpose of this research is to know and to analyze the role of regional supervisory council of sleman to prevent the violations related the appointment of instrumenter witnesses in ratification of authentic deed and the obstacles faced by the Regional Supervisory Council and also the efforts to prevent the violations related the appointment of instrumenter witnesses in ratification of authentic deed.

The research is empirical normative with secondary and primary data. The secondary data were obtained from the research literature by using the methods of documentation and data collection instrument such as document study. Meanwhile, the primary data were obtained directly from the respondents and interviewees in the research field through interviews by using data collection instrument such as interview guidelines. The data were analyzed qualitative.

The result of the study (1) The role of Regional Supervisory Council of Sleman to prevent the violations related the appointment of instrumenter witnesses in ratification of authentic deed by preventive and repressive supervision. The preventive supervision is done by regular inspection of 1 (one) year, and give advice that are reminiscent of related to the appointments of instrumenter witnesses. The repressive supervision is done by providing guidance. (2) The obstacles faced by The Regional Supervisory Council of Sleman, such as, the lack of openness of Notary at the time of *picking test* of authentic deed, the limited time in examinations, internal obstacle of The Regional Supervisory Council is related to the minimum number of members, time, and office facilities. The efforts made by The Regional Supervisory Council are by asking the Notary regarding the witnesses appointed in a deed during the *picking test*, adjusting and taking time for each element of The Regional Supervisory Council members to perform the examination of the Notary, The Regional Supervisory Council of Sleman divides the technical examination into 3 (three) teams regional area.

Keywords : Regional Supervisory Council, Notary, Instrumenter Witnesses

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