

## **TINJAUAN YURIDIS KEKUATAN MENGIKAT KODE ETIK NOTARIS TERHADAP ANGGOTA LUAR BIASA**

**Oleh**

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### **INTISARI**

Tujuan yang hendak dicapai dalam penelitian adalah untuk mendeskripsikan dan menganalisis langkah Ikatan Notaris Indonesia mewajibkan anggota luar biasa mematuhi kode etik dikaitkan dengan UUJN dan kekuatan hukum surat pernyataan sebagai dasar anggota luar biasa mematuhi Kode Etik Notaris.

Penelitian ini merupakan penelitian hukum normatif. Data yang digunakan adalah berupa data sekunder. Penggalan data dilakukan dengan studi kepustakaan dan wawancara yang dilakukan kepada beberapa narasumber. Setelah data terkumpul, data sekunder tersebut kemudian diolah dan dianalisis. Analisis dilakukan dengan cara kualitatif, dan kesimpulan diuraikan secara deskriptif melalui logika deduktif.

Berdasarkan hasil penelitian, dapat disimpulkan bahwa: pertama, Langkah Ikatan Notaris Indonesia mewajibkan anggota luar biasa mematuhi kode etik notaris sesuai dengan Undang-undang jabatan Notaris tapi tidak seluruhnya. Kesesuaian dapat ditemukan di dalam Pasal 3 Kode etik notaris menyatakan notaris dan orang lain wajib memiliki moral, akhlak serta kepribadian yang baik serta bertindak jujur, mandiri, tidak berpihak, penuh rasa tanggungjawab sama dengan ketentuan Pasal 16 A ayat (1) dan Pasal 16 ayat (1) huruf a UUJN-P. Ketidaksesuaian ketentuan terhadap anggota luar biasa hampir melingkupi keseluruhan ketentuan Kode etik notaris maupun Undang-undang jabatan notaris karena keduanya secara khusus merupakan ketentuan yang mengatur profesi notaris. Tidak seluruh ketentuan kode etik bisa diberlakukan bagi anggota luar biasa karena anggota luar biasa belum menjalankan Jabatan.Kedua, Surat pernyataan tersebut hanya merupakan formal administrasi yang mengikat anggota luar biasa dengan perkumpulan Ikatan Notaris Indonesia. Calon notaris yang sudah menjadi anggota Ikatan Notaris Indonesia sudah terikat dengan seluruh peraturan perkumpulan yang mewajibkan anggota luar biasa untuk mematuhi kode etik notaris karena seluruh anggota perkumpulan diwajibkan untuk mematuhi seluruh peraturan perkumpulan dan kode etik Notaris. Penandatanganan surat ini hanya merupakan pemenuhan syarat untuk diterima sebagai anggota perkumpulan Ikatan Notaris Indonesia.

**Kata Kunci:** Ikatan Notaris Indonesia, Kode Etik, Anggota Luar Biasa

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## **JURIDICAL REVIEW OF THE BINDING POWER OF ETHICS CODE OF NOTARY ON EXTRAORDINARY MEMBERS**

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### **ABSTRACT**

The goal to be achieved in this study is to describe and analyze the measure of Indonesian Notary Association in obligating its extraordinary members to obey code of ethics associated with the Law of Notary (UUJN) and the legal force of statement letter as the basis for extraordinary members in complying the Ethics Code of Notary.

This study is a normative legal research. The data used in this study were secondary data. The collecting of data was performed with library study and interview done toward several informants. After the data were collected, the secondary data were processed and analyzed. The analysis was done qualitatively, and the conclusion was elaborated descriptively through deductive reasoning.

According to the research results, it can be concluded that: first, the measure of Indonesian Notary Association in obligating its extraordinary members has been accordance with the Law of Notary but not entirely. The congruity can be found in Article 3 of Ethics Code of Notary which states that notaries and other individuals must have decent morals, characters, and personalities while always act honestly, independently, impartially, with full of responsibility which compatible with the provision of Article 16 A paragraph (1) and Article 16 paragraph (1) letter a of Law of Notary. The incongruity of provisions on extraordinary members almost encompasses the entire provision of Ethics Code of Notary or the Law of Notary because both of these regulations are specifically stipulating about the profession of Notary. Not all the provision of ethics code can be applied on extraordinary members because extraordinary members have yet to run their profession. Second, the statement letter is only a formal administration that binds extraordinary members with Indonesian Notary Association. Notary candidates who have registered as the member of Indonesian Notary Association are attached to the entire regulations of association that obligate the extraordinary members to be compliant with ethics code of Notary because all member of association are obligate to obey every provision of the association and ethics code of Notary. The signing of this letter only as the fulfilment of requirement to be accepted as the member of Indonesian Notary Association.

**Keywords:** Indonesian Notary Association, Ethics Code, Extraordinary Members

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