

**PERAN DAN TANGGUNG JAWAB NOTARIS ATAS AKTA  
PERNYATAAN KEPUTUSAN RAPAT MENGENAI PERUBAHAN  
ANGGARAN DASAR YAYASAN**

Oleh :

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**INTISARI**

Tujuan penelitian ini yaitu untuk mengetahui dan menganalisis Peran dan Tanggung Jawab Notaris atas Akta Pernyataan Keputusan Rapat Mengenai Perubahan Anggaran Dasar Yayasan yang terindikasi adanya kesalahan serta kekuatan hukum atas Akta Pernyataan Keputusan Rapat tersebut yang dibuat dihadapan Notaris.

Penelitian ini merupakan penelitian Normatif Empiris yang menggunakan studi pustaka yang merujuk pada teori-teori maupun peraturan perundang undangan yang mengatur mengenai perjanjian secara umum. Penelitian ini terdiri dari bahan hukum primer, bahan hukum sekunder, dan bahan hukum tersier. Data sekunder diperoleh dengan jalan penelitian kepustakaan dimana mengkaji dari bahan hukum primer, bahan hukum sekunder, dan bahan hukum tersier. Data yang sudah terkumpul dianalisa dengan metode kualitatif. Penelitian ini bersifat deskriptif. Pendekatan yang digunakan adalah pendekatan konseptual dan pendekatan peraturan perundang undangan. Data primer dan data sekunder yang di peroleh dianalisis dengan menggunakan analisis kualitatif dan di sajikan secara deskriptif yaitu dengan menggambarkan fakta-fakta tentang masalah yang diselidik pada saat penelitian dilakukan.

Berdasarkan penelitian dapat ditarik kesimpulan sebagai berikut, tanggung jawab dan kewajiban Notaris tidak hanya sebatas membuat dan menandatangani akta, namun dalam menuangkan informasi kedalam akta, Notaris harus memperhatikan asas kecermatan, asas proporsionalitas dan asas profesionalitas hal ini penting untuk menghindari kesalahan dalam pembuatan akta yang nantinya dapat membuat Notaris ikut bertanggung jawab terhadap akta tersebut. Notaris bukan hanya bertanggung jawab terhadap diri sendiri namun juga harus bertanggungjawab kepada pihak lain yang dirugikan. Kesalahan materil dalam akta berakibat terdehradasinya suatu akta. Namun berdasarkan putusan hakim Nomor: 95/Pdt.G/2015/PN Skh, hakim tetap menyatakan akta tersebut sah dengan pertimbangan yayasan tersebut masih menjalankan ketentuan syariat islam meski sudah tidak tercantum dalam akta perubahan anggaran dasar.

**Kata Kunci :** Peran Tanggung Jawab Notaris, Perubahan Anggaran Dasar, Yayasan

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## **THE ROLE AND RESPONSIBILITY OF NOTARY FOR THE DEED OF STATEMENT OF MEETING RESOLUTION CONCERNING AMENDMENT TO THE ARTICLES OF ASSOCIATION OF THE FOUNDATION**

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### **Abstract**

The purpose of this research is to know and analyze the role and responsibility of Notary on the Deed of Statement of Meeting Resolutions concerning Amendments to the Articles of Association of the Foundation indicated errors and the legal force of the Deed of Statement of Meeting Resolutions made before the Notary.

This research is a Normative Empiric research which uses literature study which refers to the theories and laws and regulations governing agreements in general. This research consists of primary legal materials, secondary legal materials, and tertiary legal materials. Secondary data is obtained by means of library research which examines primary legal materials, secondary legal materials, and tertiary legal materials. The collected data were analyzed using qualitative methods. This research is descriptive. The approach used is a conceptual approach and a statutory approach. Primary data and secondary data obtained were analyzed using qualitative analysis and presented descriptively by describing the facts about the problem being investigated at the time the research was carried out.

Based on the research, the following conclusions can be drawn, Notary's responsibilities and obligations are not only limited to making and signing a deed, but in pouring information into the deed, Notary must pay attention to the principle of carefulness, the principle of proportionality and the principle of professionalism it is important to avoid errors in the making of the deed that can later make the Notary responsible for the deed. Notary is not only responsible for themselves but also must be responsible to other parties who are harmed. Material errors in the deed will result in the deeds of a deed. However, based on the judge's decision Number: 95 / Pdt.G / 2015 / PN Skh, the judge still declared the deed valid with the consideration that the foundation was still implementing the provisions of Islamic law even though it was not listed in the deed of amendment to the articles of association.

**Keywords:** Role of Notary Responsibilities, Amendments to Articles of Association, Foundation

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