

PELAKSANAAN PENGAWASAN MAJELIS PENGAWAS DAERAH DALAM
PENGAWASAN NOTARIS TERHADAP MANAJEMEN KANTOR
NOTARIS DI KOTA YOGYAKARTA
INTISARI

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Penelitian ini bertujuan untuk mengetahui dan menganalisis tentang pelaksanaan pengawasan Majelis Pengawas Daerah (MPD) terhadap manajemen kantor Notaris di Kota Yogyakarta, faktor-faktor penghambat dalam pelaksanaan pengawasan MPD dan upaya untuk mengatasi faktor-faktor penghambat yang dihadapi MPD dalam pengawasan Notaris di Kota Yogyakarta.

Jenis penelitian ini adalah penelitian empiris yaitu penelitian hukum yang utamanya meneliti data primer. Data primer adalah data yang diperoleh secara langsung dari sumber informasi atau dari mereka yang mengalami peristiwa (hukum) yang ditanyakan. Data primer penelitian ini diperoleh dari beberapa Notaris, perwakilan Majelis Pengawas Daerah dan perwakilan Majelis Pengawas Wilayah di Kota Yogyakarta. Penarikan Sampel yang dipilih yaitu *non-probability sampling*. Teknik pengambilan sampel dengan *purposive sampling* yaitu diambil 9 orang Notaris, 4 orang MPD, sehingga responden berjumlah 13 Orang dan 4 Orang MPW sebagai narasumber

Hasil Penelitian (1) Manajemen kantor Notaris meliputi protokol Notaris, bundel minuta akta, buku daftar akta, klapper, register surat-surat dibawah tangan, buku daftar wasiat, buku daftar badan hukum dan badan usaha, penjilidan minuta akta, penyimpanan semua akta Notaris, keadaan dan sarana kantor Notaris. Pelaksanaan pengawasan yang dilakukan MPD dengan pemeriksaan dan uji petik akta terdapat pelanggaran Notaris pada protokol Notaris, isi minuta akta, jumlah minuta akta, penjilidan minuta akta yang tidak sesuai, hal tersebut dikarenakan pengawasan yang dilakukan MPD terhadap protokol Notaris yang dibuat Notaris 1 tahun sebelum tahun pengawasan sehingga pengawasan Notaris belum dapat dilaksanakan secara optimal. (2) Faktor penghambat yang dihadapi MPD dalam pengawasan Notaris adalah keterbatasan waktu, kurang maksimalnya kinerja tim pemeriksa dari unsur Organisasi Notaris, jumlah Notaris, sanksi dan keterbatasan dana. (3) Upaya yang dilakukan untuk mengatasi faktor penghambat yang dihadapi MPD dilakukan dengan evaluasi kinerja MPD meliputi pembagian lokasi, penerapan sanksi, keterbatasan dana dan evaluasi terhadap Notaris.

Kata Kunci: Majelis Pengawas Daerah, Pengawasan Notaris, Manajemen Kantor Notaris

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THE INSPECTION PERFORMED BY THE LOCAL INSPECTION COUNCIL ON THE MANAGEMENT OF NOTARY OFFICE IN YOGYAKARTA MUNICIPALITY

ABSTRACT

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This study aims at finding out and to analyzing the inspection performed by the Local Inspection Assembly (MPD) on the management of notary office in Yogyakarta Municipality, the constraints faced in the inspection performed by MPD, and the efforts to solve the constraints faced by MPD in the inspection on the management of notary public in Yogyakarta Municipality.

The study was conducted using an empirical approach with primary data. The data were directly collected from informant or those undergoing the (legal) events in question. The informant include several notaries public as well as the representatives of MPD and of the Regional Inspection Council (MPW) in Yogyakarta Municipality. Withdrawal sample that chosen namely non probability of sampling. Technique the sample collection with purposive sampling that is taken 9 people notary, 4 MPD, so that respondents 13 people and 4 officers MPW as speaker.

The results of the study show that (1) the management of notary office included the protocols of notary public, a bundle of deed minutes, a book of deed list, clapper, the register of unofficial deeds, a book of will list, a book of legal entity and business entity list, the bindery of deed minutes, the storage of all notary deeds, the facilities of notary office. The inspection performed by MPD on the management of notary office through a pick test indicates violations carried out by the notary public, including the violations in the protocols of notary public, the contents of deed minutes, the number of deed minutes, and the inappropriate bindery of deed minutes. It occurred because the inspection was performed by MPD on the notary protocols made by the notary public one year before the inspection, so that the inspection of notary public could not be performed in optimally. (2) The constraints faced by MPD in the inspection performed on notary public were the limitation of time, the less maximum inspection team performance of elements of notary organization, the number of notaries public, sanctions, and the limitation of fund. (3) The effort to solve the constraints faced by MPD was to the performance evaluation of MPD, including the division of location, the application of sanction, the limitation of fund, and the evaluation of notary public.

Keywords: Local Inspection Council, Notary Inspection, Notary Office Management

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