

## **Abstrak**

Pejabat Pembuat Akta Tanah (PPAT) mempunyai wewenang membuat akta otentik, PPAT dalam menjalankan tugas dan jabatannya berpedoman pada Peraturan Pemerintah Nomor 24 Tahun 2016 Tentang Peraturan Jabatan Pejabat Pembuat Akta Tanah, PPAT bertanggungjawab atas akta yang dibuatnya. Berdasarkan latar belakang tersebut maka penelitian ini penulis beri judul: Pertanggungjawaban Pidana Terhadap Pemalsuan Akta Otentik Yang Dilakukan Oleh Notaris (Studi Putusan Pengadilan Negeri Semarang Nomor 676/Pid.B/2016/Pn.Smg). Permasalahan penelitian ini adalah: 1) Bagaimana pertanggung jawaban pidana terhadap notaris yang melakukan tindak pidana pemalsuan Akta Otentik dalam Putusan Pengadilan Negeri Semarang Nomor 676/Pid.B/2016/PN.Smg? ; 2) Bagaimana Pertimbangan hakim terhadap keterlibatan para klien (Masripah dan Rudolf Mardo) dalam pemalsuan Akta Otentik dalam Putusan Pengadilan Negeri Semarang Nomor 676/Pid.B/2016/PN.Smg. ?

Metode yang digunakan dalam penelitian ini adalah yuridis normatif, spesifikasi bersifat deskriptif analitis, Sumber data sekunder, metode pengumpulan data studi kepustakaan, data kemudian dianalisis secara kualitatif.

Hasil Penelitian diketahui bahwa 1) Pertanggungjawaban PPAT dalam Putusan Pengadilan Negeri Semarang Nomor: 676/Pid.B/2016/PN. Smg. PPAT terbukti secara sah dan meyakinkan bersalah melakukan tindak pidana “Pemalsuan Akta Otentik Secara Bersamasama, maka PPAT dikenakan pasal 264 ayat (1) KUHP jo. pasal 55 ayat (1) ke-1 KUHP. 2) Pertimbangan hakim terhadap keterlibatan para klien (Masripah dan Rudolf Mardo) dalam pemalsuan Akta Otentik dalam Putusan Pengadilan Negeri Semarang Nomor 676/Pid.B/2016/PN.Smg. Setelah mempertimbangkan keterangan para saksi dan bukti surat, perbuatan Terdakwa Sugiharto, S.H., Sp. N., Bin Djasman selaku notaris dan PPAT terbukti telah memenuhi unsur-unsur sebagaimana dakwaan primer yakni pasal 264 ayat (1) KUHP jo. pasal 55 ayat (1) ke-1 KUHP, dan sesuai dengan ketentuan pasal 197 ayat (1) huruf h KUHP, semua unsur-unsur pasal Surat Dakwaan Primair Penuntut Umum telah cukup terpenuhi dan terbukti, dan selama pemeriksaan dipersidangan tidak ditemukan adanya alasan pembenar dan pemaaf yang dapat menghapuskan kesalahan Terdakwa, maka Terdakwa haruslah dipersalahkan atas dakwaan tersebut dan dijatuhi pidana yang setimpal dengan perbuatannya.

**Kata Kunci: Pemalsuan, Okta Otentik, Notaris**

## **Abstract**

*Land Deed Making Officials (PPAT) have the authority to make authentic deeds, PPAT in carrying out his duties and positions is guided by Government Regulation Number 24 of 2016 concerning Position Regulations for Land Deed Making Officials, PPAT is responsible for the deeds he makes. Based on this background, the author entitled this research: Criminal Liability for Forgery of Authentic Deeds Committed by Notaries (Study of Semarang District Court Decision Number 676/Pid.B/2016/Pn.Smg). The problems of this research are: 1) What is the criminal liability of a notary who commits the criminal act of forgery of an Authentic Deed in the Semarang District Court Decision Number 676/Pid.B/2016/PN.Smg? ; 2) How did the judge consider the involvement of the clients (Masripah and Rudolf Mardo) in falsifying the Authentic Deed in the Semarang District Court Decision Number 676/Pid.B/2016/PN.Smg. ?*

*The method used in this research is normative juridical, specifications are analytical descriptive, secondary data sources, library study data collection methods, the data is then analyzed qualitatively.*

*The research results show that 1) PPAT's accountability in the Semarang District Court Decision Number: 676/Pid.B/2016/PN.Smg. PPAT has been legally and convincingly proven guilty of committing the criminal act of "Collaborative Forgery of Authentic Deeds", so PPAT is subject to article 264 paragraph (1) of the Criminal Code jo. article 55 paragraph (1) 1st of the Criminal Code. 2) The judge's consideration of the involvement of the clients (Masripah and Rudolf Mardo) in falsifying the Authentic Deed in the Semarang District Court Decision Number 676/Pid.B/2016/PN.Smg. After considering the statements of witnesses and documentary evidence, the actions of the Defendant Sugiharto, S.H., Sp. N., Bin Djasman as notary and PPAT were proven to have fulfilled the elements of the primary indictment, namely article 264 paragraph (1) of the Criminal Code jo. article 55 paragraph (1) 1 of the Criminal Code, and in accordance with the provisions of article 197 paragraph (1) letter h of the Criminal Code, all elements of the articles of the Primary Public Prosecutor's Indictment have been sufficiently fulfilled and proven, and during the examination at the trial no justification was found. and forgiveness that can erase the Defendant's mistakes, then the Defendant must be blamed for the charges and sentenced to a crime commensurate with his actions.*

**Keywords: Forgery, Okta Authentic, Notary**