

ABSTRAK

Penyimpanan minuta akta sebagai bagian dari protokol notaris merupakan kewajiban hukum yang diatur dalam Pasal 16 ayat (1) huruf b Undang-Undang Nomor 2 Tahun 2014 tentang Jabatan Notaris (UUJN). Seiring perkembangan teknologi informasi dan munculnya konsep *cyber notary*, penyimpanan akta secara elektronik menjadi solusi yang semakin relevan dan dibutuhkan. Namun dalam pelaksanaannya, UUJN tidak mengatur mekanisme maupun standar penyimpanan akta secara elektronik, sehingga menimbulkan kekosongan hukum yang berdampak pada ketidakpastian bagi notaris maupun para pihak dalam akta. Penelitian ini menggunakan metode yuridis empiris dengan spesifikasi penelitian preskriptif dan pengumpulan data primer melalui wawancara terhadap tiga notaris aktif di Kabupaten Jepara, yang kemudian dianalisis secara kualitatif dan disandingkan dengan data sekunder berupa peraturan perundang-undangan yang berlaku.

Hasil penelitian menunjukkan bahwa ketiga narasumber sepakat mengenai urgensi pengaturan penyimpanan akta secara elektronik meskipun praktik di lapangan bervariasi, mulai dari penyimpanan sepenuhnya konvensional hingga kombinasi dengan media elektronik komersial yang belum memenuhi standar kearsipan negara. Secara normatif notaris wajib menyimpan minuta akta berdasarkan UUJN, namun ketiadaan standar teknis, prosedur yang baku, dan mekanisme pengawasan terhadap penyimpanan elektronik menyebabkan kewajiban tersebut tidak dapat dilaksanakan secara seragam dan terukur. Perlindungan hukum bagi para pihak dalam akta juga belum memadai baik dari sisi preventif maupun represif, UUJN belum mengakui penyimpanan elektronik secara normatif, kewajiban notaris sebagai pengendali data pribadi berdasarkan UU No. 27 Tahun 2022 belum diharmonisasikan dengan UUJN, dan tanggung jawab hukum notaris dalam konteks penyimpanan elektronik belum dirumuskan secara jelas. Penelitian ini merekomendasikan revisi UUJN yang secara eksplisit mengakui dan mengatur penyimpanan protokol notaris secara elektronik, harmonisasi normatif antara UUJN, UU ITE, UU Kearsipan, dan UU Perlindungan Data Pribadi, serta pembangunan sistem penyimpanan terpusat yang tersertifikasi di bawah koordinasi Kemenkumham, ANRI, dan BSSN.

Kata Kunci: Notaris, Penyimpanan Akta Elektronik, *Cyber Notary*, Tanggung Jawab Notaris, Kepastian Hukum

ABSTRACT

The storage of original deeds (*minuta akta*) as part of the notarial protocol is a legal obligation regulated under Article 16 paragraph (1) point b of Law Number 2 of 2014 on Notary Position (UUJN). As information technology advances and the concept of *cyber notary* emerges, electronic deed storage has become an increasingly relevant and necessary solution. However, in practice, the UUJN does not regulate the mechanisms or standards for electronic deed storage, creating a legal vacuum that results in uncertainty for both notaries and the parties to the deed. This study employs an empirical juridical method with a prescriptive research specification and primary data collected through interviews with three informants, Whom are active notaries in Jepara Regency, which were then analyzed qualitatively and compared with secondary data in the form of applicable laws and regulations.

The results of the study indicate that all three informants agree on the urgency of regulating electronic deed storage, despite variations in current practice ranging from fully conventional storage to combinations with commercial electronic media that do not yet meet national archival standards. Normatively, notaries are obligated to store original deeds pursuant to the UUJN, yet the absence of technical standards, standardized procedures, and supervisory mechanisms for electronic storage causes this obligation to be carried out inconsistently and without measurable benchmarks. Legal protection for the parties to the deed is also inadequate both preventively and repressively — the UUJN does not yet normatively recognize electronic storage, notaries' obligations as personal data controllers under Law Number 27 of 2022 on Personal Data Protection have not been harmonized with the UUJN, and notarial legal liability in the context of electronic storage has not been clearly formulated. This study recommends the revision of the UUJN to explicitly recognize and regulate electronic notarial protocol storage, normative harmonization among the UUJN, the Electronic Information and Transactions Law, the Archives Law, and the Personal Data Protection Law, as well as the establishment of a certified centralized storage system under the coordination of the Ministry of Law and Human Rights, the National Archives of Indonesia (ANRI), and the National Cyber and Crypto Agency (BSSN).

Keywords: Notary, Electronic Deed Storage, *Cyber Notary*, Notarial Responsibility, Legal Certainty