ABSTRAK

Covernote merupakan surat keterangan yang biasa diterbitkan oleh Notaris/PPAT atas permintaan pihak perbankan dalam proses pengajuan kredit, khususnya ketika dokumen jaminan belum lengkap. Meskipun menjadi praktik umum, penerbitan *covernote* tidak diatur secara eksplisit dalam peraturan perundang-undangan, sehingga menimbulkan pertanyaan mengenai kedudukan hukumnya dan bentuk pertanggungjawaban hukum Notaris/PPAT atas dokumen tersebut.

Penelitian ini mengangkat dua rumusan masalah: (1) bagaimana kedudukan hukum surat *covernote* yang dikeluarkan oleh Notaris/PPAT; dan (2) bagaimana tanggung jawab hukum Notaris/PPAT atas penerbitan *covernote*. Tujuannya adalah untuk mmenganalisis kedudukan hukum surat *covernote* serta menganalisis tanggung jawab hukum Notaris/PPAT dalm menjalankan jbatannya atas surat *covernote* yang dikeluarkan.

Metode penelitian yang digunakan adalah yuridis empiris dengan pendekatan deskriptif-analitis. Data diperoleh melalui studi kepustakaan dan studi lapangan dengan melakukan wawancara ke beberapa Notaris/PPAT. Data kemudian dianalisis secara kualitatif dan kemudian dilakukan penarikan kesimpulan secara induktif.

Hasil penelitian menunjukkan bahwa *covernote* tidak termasuk dalam produk hukum Notaris dan bukan akta autentik. Kedudukannya hanya sebagai surat keterangan biasa yang tunduk pada ketentuan Pasal 1320 KUH Perdata. Notaris/PPAT tetap memikul tanggung jawab hukum atas isinya. Apabila isi *covernote* mengandung informasi yang tidak benar, Notaris dapat dimintai pertanggungjawaban secara pidana (Pasal 263 KUHP), perdata (Pasal 1365 KUHPerdata), dan administratif (Pasal 85 UUJN).

Saran yang diberikan yaitu diperlukan pengaturan yang tegas dalam peraturan perundang-undangan mengenai *covernote* guna memberikan kepastian hukum serta menghindari terjadinya multitafsir dalam pelaksanaannya. Selain itu, penting bagi Notaris/PPAT dalam menjalankan jabatannya harus berlandaskan pada prinsip kehati-hatian, agar tidak menimbulkan akibat hukum yang merugikan pihak lain.

Kata Kunci : *Covernote*, Notaris/PPAT, Tanggung Jawab Hukum

ABSTRACT

A covernote is a certificate commonly issued by a Notary/PPAT at the request of a bank during the credit application process, particularly when the required collateral documents are not yet complete. Although it has become a common practice, the issuance of covernotes is not explicitly regulated in prevailing laws and regulations, which raises questions regarding their legal status and the legal responsibilities of the Notary/PPAT issuing the document.

This research addresses two main issues: (1) what is the legal status of a covernote issued by a Notary/PPAT; and (2) what are the legal responsibilities of the Notary/PPAT in carrying out their duties related to the issuance of a covernote. The purpose of this study is to analyze the legal position of the covernote and to examine the legal responsibilities of the Notary/PPAT in the context of their professional duties.

This research employs a juridical-empirical method with a descriptive-analytical approach. Data were collected through literature review and field studies, including interviews with several Notaries/PPATs. The data were then analyzed qualitatively, and conclusions were drawn inductively.

The results of the study show that a covernote is not categorized as an official notarial deed and does not constitute an authentic deed. It is merely a certificate governed under the general provisions of agreements as stated in Article 1320 KUH Perdata Nevertheless, Notaries/PPATs remain legally responsible for the content of the covernote. If it contains false or misleading information, the Notary may be held liable under criminal law (Article 263 of KUH Pidana), civil law (Article 1365 of KUH Perdata), and administrative law (Article 85 of the UUJN).

The recommendation provided is that a clear and explicit regulation regarding covernotes is necessary within the statutory legal framework to ensure legal certainty and to avoid multiple interpretations in its implementation. In addition, it is essential for Notary/PPAT to perform their duties based on the principle of prudence, in order to prevent any legal consequences that may harm other parties.

Keywords: Covernote, Notary/PPAT, Legal Responsibility