

ABSTRAK

Perkembangan digital mendorong transformasi layanan hukum, termasuk dalam praktik kenotariatan melalui konsep *cyber notary*. Akan tetapi, penerapan *cyber notary* dalam pembuatan akta otentik di Indonesia masih menimbulkan perdebatan hukum karena belum ada pengaturan yang komprehensif dan harmonis. Penelitian ini bertujuan untuk menganalisis implikasi hukum penerapan *cyber notary* dalam pembuatan akta otentik di Indonesia, serta merumuskan model pengaturan yang ideal dengan studi perbandingan terhadap sistem kenotariatan digital di Jerman. Jenis penelitian yang digunakan adalah penelitian yuridis normatif, yaitu penelitian yang dilakukan dengan pendekatan perundang-undangan, pendekatan komparatif, pendekatan konseptual, dengan tambahan wawancara kepada beberapa Notaris dan Kemenkum Prov. Jateng sebagai data pendukung. Hasil penelitian menunjukkan bahwa pengaturan *cyber notary* di Indonesia masih terbatas pada kewenangan notaris dalam mensertifikasi transaksi yang dilakukan secara elektronik sebagaimana dalam Penjelasan Pasal 15 ayat (3) UUJN-P. Ketentuan formil dalam UUJN masih mensyaratkan kehadiran fisik, pembacaan langsung, dan penandatanganan tertulis, sehingga apabila konsep *cyber notary* diterapkan dalam pembuatan akta otentik dapat menimbulkan degradasi kekuatan pembuktian. Sebaliknya, Jerman telah mengembangkan sistem kenotariatan digital dengan dasar hukum dan mekanisme teknis yang jelas tanpa menghilangkan keotentikan akta. Penelitian ini menyimpulkan bahwa Indonesia memerlukan pengaturan eksplisit mengenai mekanisme *cyber notary* melalui revisi UUJN untuk menjamin keadilan, kepastian, dan kemanfaatan. Di samping itu, perlu adanya harmonisasi regulasi lainnya yang terkait untuk mengakomodasi verifikasi identitas digital, penyimpanan protokol elektronik, dan prinsip kehati-hatian, otentisitas, serta akuntabilitas. Saran lainnya mencakup kerjasama INI dan Pemerintah dalam mendukung penerapan *cyber notary* di Indonesia.

Kata Kunci: *Cyber Notary*, Akta Otentik, Perbandingan Indonesia-Jerman, Digitalisasi kenotariatan, Kepastian Hukum

ABSTRACT

Digital developments are driving the transformation of legal services, including in notarial practice through the concept of cyber notary. However, the application of cyber notary in the creation of authentic deeds in Indonesia still raises legal debates due to the lack of comprehensive and harmonious regulations. This study aims to analyze the legal implications of implementing cyber notary in the creation of authentic deeds in Indonesia and to formulate an ideal regulatory model through a comparative study of the digital notary system in Germany. The type of research used in this study is normative legal research, which is research conducted using a legislative approach, a comparative approach, and a conceptual approach, with additional interviews with several notaries and the Ministry of Law and Human Rights of Central Java Province as supporting data. The results of the study show that the regulation of cyber notary in Indonesia is still limited to the authority of notaries in certifying transactions conducted electronically as stated in the Explanation of Article 15 paragraph (3) of the UUJN-P. The formal provisions in the UUJN still require physical presence, direct reading, and written signatures, so that if the concept of cyber notary is applied in the creation of authentic deeds. This has the potential to undermine the strength of evidence. In contrast, Germany has developed a digital notary system with a clear legal basis and technical mechanisms without compromising the authenticity of deeds. This study concludes that Indonesia needs explicit regulations on cyber notary mechanisms through a revision of the UUJN to ensure fairness, certainty, and benefits. In addition, harmonization of other related regulations is needed to accommodate digital identity verification, electronic protocol storage, and the principles of prudence, authenticity, and accountability. Other suggestions also include cooperation between INI and the government in supporting the implementation of cyber notary in Indonesia.

Keywords: *Cyber Notary, Authentic Deeds, Indonesia-Germany Comparison, Notarial Digitalization, Legal Certainty*