

# **PEMBACAAN AKTA NOTARIS SEBAGAI UPAYA KEPASTIAN HUKUM BAGI PENGGUNA JASA NOTARIS**

TESIS



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## READING OF THE NOTARIAL DEED AS AN ATTEMPT OF LEGAL CERTAINTY FOR SERVICE USERS NOTARY

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### ABSTRACT

Authentic deed according to provision 1868 Law Book of Civil Law (Civil Code) is a deed in the form prescribed by law, made by or before authorized employees in a place where the deed made. Notary is an official public authority to make an authentic deed and has other authorities as referred to constitution or under other legislation. This paper discusses: how is the process of reading the notary deed in terms of a deed that is not read to the parties and what the legal consequences as a notary deed and the deed should not be read. In respect of the authentic deed made by a notary, one of a notary's obligations in running his position is reading the deed before the parties, it is stated in provision 16 paragraph (1) letter m UUJN that a notary must read the deed before the parties attended by at least two (2) witnesses, or four (4) particular witnesses for making testament deed under the hand, and signed by the parties, witnesses and the notary at the moment. This is a descriptive research, with juridical empirical approach to the problem. Sources of the data were primary and secondary data. Techniques of data collection were document study and semistructured interview. The data obtained were processed by editing techniques, and analyzed qualitatively. The deed is not read by the notary **remains an authentic deed** if the deed had been qualified - in terms of provision 38 of Notary Law, stated that a deed proved authentic if it has met the regulations set by the laws. Not reading a deed by a notary without exception, based on provisions 16 paragraph (7) UUJN, causes the deed only has power as a private deed. Reading of the deed is not mandatory if parties willed, but Minuta of Deed must be initialed by the parties, witnesses and the notary.

Keywords: *The reading of the deed, the Notary, Legal Certainty efforts, User Services*