

IMPLEMENTATION OF SUPERVISION AND DEVELOPMENT OF THE NOTARY CODE OF CONDUCT BY THE REGIONAL HONORITY BOARD IN THE REGENCY OF WEST PASAMAN

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Abstract: *Violations of the code of ethics that occurred in West Pasaman were caused by the notary's actions that were not in accordance with the Notary Position Act and the Notary Code of Ethics, while the violations of the code of ethics in West Pasaman were self-promotion through social media, writing of a notary's nameplate that not in accordance with applicable regulations, not active in the organization, siding with one of the clients and making flower arrangements with the words "Notary". In this case, it is necessary to have supervision and guidance carried out by the Regional Honorary Council and the imposition of sanctions in accordance with the applicable regulations in accordance with the Regulation of the Central Honorary Council of the Indonesian Notary Association (DKP-ANI) Number 3 of 2017 concerning Procedures for Examination of Alleged Violations. carried out by Association Members and Other Persons (who are currently carrying out Notary positions) and the Regulation of the Honorary Council of the Indonesian Notary Association (DKP-ANI) Number 4 of 2017 concerning the Imposition of Sanctions for Violations of the Code of Ethics in Articles 3 and 4 of the Notary Code of Ethics.*

Key Words: *Notary, Code of Ethics, Violation, Regional Honorary Council*

1. INTRODUCTION:

With the obligations and prohibitions, the Notary in action must comply with the things that have been determined by the association in holding the position as a Notary. The Honorary Council plays a very important role in efforts to enforce the provisions of the Notary Code of Ethics. There needs to be an evaluation and improvement of every enforcement of the Code of Ethics, so that things that are factors that support the occurrence of violations can be minimized or even eliminated.

2. THEORITICAL FRAMEWORK:

- Theory of Authority: According to Miriam Budiardjo, power is the ability of a person or group of human beings to influence the behavior of another person or group in such a way that the behavior is in accordance with the wishes and goals of the person or country.[1]
- Law Enforcement Theory: According to Soerjono Soekanto, law enforcement is an activity to harmonize the relationship of values that are spelled out in solid rules and attitudes of action as a series of final stage value elaborations [2].
- Morality theory: The assessment of a moral action must be based on the measure of the autonomy of the individual who implements it (maxim), without considering the context of the action and its purpose.

3. LITERATURE REVIEW:

A notary has the authority to make an authentic deed regarding all actions, agreements and stipulations required by laws and regulations and/or desired by the interested parties to be stated in an authentic deed, guaranteeing the certainty of the date of making the deed, storing the deed, providing grosse, copies and quotations of the deed. , all of this as long as the making of the deed is not assigned or excluded to other officials or other people stipulated by law. The Honorary Council is an association tool consisting of several members who are selected from ordinary members and notary officers, who are highly dedicated and loyal to the association, have good personality, are wise and wise, so that they can become role models for members and are appointed by the congress for a long term of office. the same as the

term of office. The Notary Code of Ethics contains material elements regarding obligations, prohibitions, exceptions and sanctions that will be imposed if it is proven that a Notary violates the Code of Ethics.

4. METHOD: The method used in this study is an empirical juridical approach, namely an approach based on field research methods, namely examining applicable legal provisions and what is happening in people's lives.[3]

5. DISCUSSION:

The purpose and objective of the supervision of Notaries in carrying out their positions is to provide direction and guidance for Notaries in carrying out their professions as public officials in order to improve professionalism and quality of work so as to provide guarantees of legal certainty and protection for the public who use Notary services. Based on the above, it can be seen that the Notary in carrying out his position must be in accordance with the code of ethics of the association that has been determined by the association, thus in holding his position the Notary is supervised by a body, namely the Regional Honorary Council. For the sake of supervision and implementation of this Code of Ethics, this Honorary Council was formed whose task is to examine and make decisions on alleged violations of the provisions of this Code of Ethics that are internal or have no direct connection with the interests of the community.[4] The organizational device that regulates or manages legal enforcement issues for the Notary profession that carries out the said task is the Regional Honorary Council.

6. ANALYSIS:

A. Implementation of Supervision and Guidance of the Notary Code of Ethics by the Regional Honorary Council in the West Pasaman Regency Region.

The implementation of supervision and development of the Notary Code of Ethics in West Pasaman has not been carried out optimally, due to violations of the Notary Code of Ethics committed by Notaries X, Y, Z. and the Pasaman Raya Regional Honorary Council has not carried out maximum supervision of coaching, coaching is only carried out during the Notary Code of Ethics session which was carried out in the last two years, while the supervision is also not carried out optimally. In the case of a violation of the Code of Ethics regarding the installation of a nameplate with the inscription "Notary" and writing a wreath that includes the words "Notary also has no supervision and guidance" there has been no supervision and guidance in West Pasaman.

B. Enforcement of sanctions for violations of the Notary Code of Ethics by the Regional Honorary Council in the West Pasaman Regency Region.

Based on the authority given by the association regulations to the Honorary Council, the Regional Honorary Council is tasked with enforcing the Code of Ethics, this is in accordance with the law enforcement theory which is basically the Regional Honorary Council to enforce the law against Notaries who commit violations, thus with the enforcement of the law. the Notary who commits a violation is carried out supervision and guidance so that the Notary who is under the guidance and supervision has morality in accordance with the obligations that must be carried out by the Notary, this is in accordance with the theory of morality.

7. CONCLUSION: From the discussion as explained earlier, several conclusions can be drawn, including:

- Implementation of supervision and development of the Notary Code of Ethics by the Regional Honorary Council in the West Pasaman district has not run optimally due to cases of violations, including self-promotion through social media, writing of Notary signboards that are not in accordance with applicable regulations, not being active in the organization, taking sides with one of the clients and making a bouquet of flowers with the words "Notary".
- The enforcement of sanctions for violations of the Notary Code of Ethics by the Regional Honorary Council in the West Pasaman district, the enforcement of sanctions is with a warning, in this case a Notary who violates self-promotion through social media, writing a Notary's nameplate that does not comply with applicable rules, is not active in the organization, taking sides with one of the clients and making a wreath with the words "Notary is given a sanction in the form of a warning by the Notary Regional Honorary Council.

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