

## EXAMINATION OF AUTHENTICITY OF SIGNATURES IN NOTARY DEEDS THROUGH FORENSIC LABORATORS ON DEMAND FOR INVESTIGATORS REVIEWED FROM NOTARY LAW

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**Abstract:** Examination of authenticity of signatures in Notary Deeds through forensic laborators on demand for investigators reviewed from Notary Law Act. For inspection of authenticity of the authors' signing requires the original document in this case Minuta Deed of Notary which is used as a comparison document, but Law Number 2 Year 2014 Changes to Law Number 30 Year 2004 concerning Notary Position (UUJN-P) only gives a photocopy of Minuta Action with the approval of the Assistance of the Humanity of the Notary Region, then against the problem each of the agencies has difficulty resolving the problem.

**Key Words:** examination, authenticity of signature, notary deed, investigator, forensic laboratory.

### 1. INTRODUCTION:

With a party who denies the validity of the signature in the Notary deed, the authenticity of the signature made on the deed must be proven, so that in this case the investigator submits an application to the Regional Notary Honorary Council (MKNW) to be given approval related to taking the minutes of the Notary deed or Original deed. Investigators examine documentary evidence assisted by the Forensic Laboratory, as mandated in Article 79, Regulation of the Chief of Police of the Republic of Indonesia Number 10 of 2009 concerning Procedures for Requesting Criminalistic Technical Examination of Case Scenes and Laboratory Criminalistics of Evidence to the French Laboratory of the Indonesian National Police.

### 2. THEORITICAL FRAMEWORK:

- Authority Theory  
Juridically, the notion of authority is the ability granted by laws and regulations to cause legal consequences.[1]
- Legal Certainty Theory  
According to Sudikno Mertokusumo, legal certainty is a guarantee that the law is implemented, that those entitled according to law can obtain their rights and that decisions can be implemented.[2]

### 3. LITERATURE REVIEW:

Authority is a legal action that is given to a position based on the applicable laws and regulations and regulates the position in question.[3]

According to R. Subekti and Tjitrosudibio, that *saidacta* is the plural form of the word *act* which comes from the Latin language that has the meaning of deeds.[4]

Supervision of Notaries is always carried out by the judiciary and government institutions that the purpose of supervision is that notaries when carrying out their duties fulfill all the requirements relating to the implementation of the duties of a Notary's office. Investigation according to the Criminal Procedure Code as stated in Article 1 point 2 is defined as a series of investigator actions in terms of and according to the method stipulated in the Criminal Procedure Code to seek and collect evidence with which evidence makes a crime clear. what happened and to find the suspect

### 4. METHOD:

The method used in this study is a normative juridical approach, namely an approach based on the main legal material by examining theories, concepts, legal principles and laws and regulations related to this research[5].

## 5. DISCUSSION:

At the investigation stage, the role of the Forensic Laboratory has the authority to seek and collect information and evidence as a sufficient start to carry out examinations of signatures that are suspected of being forged and examined with the disciplines they have. For inspection, original documents are needed which are also accompanied by valid comparison documents, but this will cause problems because it involves a notarial deed which is an authentic deed.

## 6. ANALYSIS:

### • **The Significance of the Authenticity of the Signature in the Notary Deed and the Mechanism for Testing Its Authenticity**

The affixing of the applicant's signature under the writing or deed drawn up before a notary is very important. It is said to be an important thing because the existence of the signature of the appearer is absolute and must exist, where a letter or writing containing a clear and clear statement or agreement but not signed, when viewed from the point of view of evidentiary law, is not perfect as a letter or deed so that it is not valid to be used as a written proof agreement.

### • **Politics of Notary Law in Granting Notary Deed Minuta**

We can see the political conditions of notary law in the amendments to the Notary Office Law, especially the arrangements for the Notary Honorary Council, where there are still overlapping articles. If the professional ethics system runs well, of course the need to criminalize the Notary profession can be minimized. The politics of notary law in Indonesia can be seen from the history of the birth of the Notary profession itself, starting from the colonial era, the transitional period of independence, until the promulgation of the Notary Position Law and its latest amendments. This is an effort to maintain the existence of a Notary in carrying out his position.

## 7. CONCLUSION :

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

- The signature is the most important part as the identity and sign of approval from the parties.
- Legal politics is developing very rapidly in the notary world, where the requirement to become a Notary is to have a Master of Notary degree.

## REFERENCES:

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