

Notaris yang merangkap jabatan sebagai anggota Dewan Perwakilan Rakyat Republik Indonesia = Notary who doubled as members of the house of representatives

Siddiq Aulia Ernesia, author

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Abstrak

Seorang notaris yang menjadi anggota Dewan Perwakilan Rakyat, wajib cuti atau berhenti. Tujuan penelitian mengetahui status hukum dan pertanggung jawaban atas akta-akta yang dibuat sebelum notaris menjadi anggota Dewan Perwakilan Rakyat Sifat penelitian yuridis normative, yang dilakukan di perpustakaan dan di lapangan dengan alat pengumpulan bahan hukum studi dokumen dan wawancara notaris di Jakarta. Berdasarkan analisis kualitatif diketahui terdapat 2 (dua) peraturan yang mengatur notaris menjadi anggota Dewan Perwakilan Rakyat, Pertama menurut pasal 17 huruf d juncto pasal 11 UUJN, notaris diwajibkan mengajukan cuti, kedua menurut Pasal 50 ayat (1) huruf l, notaris diwajibkan berhenti. Berdasarkan asas *lex specialist derogate legi generali*, dan asas umum dalam pasal 1 ayat (2) Kitab Undang-Undang Hukum Perdata, maka seorang notaris yang menjadi anggota Dewan Perwakilan Rakyat wajib cuti dan menunjuk notaris pengganti selama menjadi anggota Dewan Perwakilan Rakyat, Notaris bertanggung jawab atas akta-akta yang dibuat sebelum menjadi anggota Dewan Perwakilan Rakyat.

.....A notary is a member of the House of Representatives, shall leave or quit. Know the legal status of the research objectives and liability for the deeds before a notary made a member of the House of Representatives. Normative juridical nature of the research, conducted in the library and in the field with a collection of legal materials and interview study documents a notary in Jakarta. Based on qualitative analysis known to have two (2) regulations governing notaries become member House of Representatives, first according to article 17 in conjunction with Article 11 paragraph d UUJN, notaries are required to ask leave of absence, both in accordance with Article 50 paragraph (1) letter l, notaries are required to stop. Based on the principle of *lex specialist derogate legi generali*, and the general principle in Article 1 paragraph (2) of the Civil Law Act, then a notary public who become members of the House of Representatives shall leave, for a member of Parliament, appoint a substitute notary notary, and notary responsible for the deed made before a member of the House of Representatives.