

Tanggung jawab notaris merangkap PPAT terkait penggelapan sertifikat dalam kasus putusan Pengadilan Negeri Yogyakarta Nomor 26/PID.B/2014/PN.YK tanggal 17 April 2014 = Responsibilities of notaries concurrently as land deed officials in relation with land certificate embezzlement yogyakarta district court ruling Nomor 26/PID.B/2014/PN.YK tanggal 17 April 2014

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Abstrak

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Dalam menjalankan tugas dan jabatan Notaris dan/atau Pejabat Pembuat Akta Tanah (PPAT), masih dijumpai beberapa kendala yang pada kondisi tertentu berpeluang memicu terjadinya perbuatan melawan hukum baik dalam lingkup perdata, administrasi ataupun pidana. Penulisan ini membahas mengenai tanggung jawab dan akibat hukum terhadap pelanggaran pelaksanaan jabatan yang dilakukan oleh Notaris dan/atau PPAT terkait penggelapan sertifikat. Metode dalam penulisan ini bersifat yuridis normatif dengan menggunakan data sekunder, diantaranya peraturan pemerintah, perundang-undangan dan buku. Dari hasil penulisan ini disimpulkan bahwa jasa yang diberikan oleh Notaris dan/atau PPAT terikat dengan persoalan kepercayaan, oleh karena itu Notaris dan/atau PPAT harus bertindak jujur dan bertanggung jawab dalam memberikan pelayanan jasanya. Terkait dengan Putusan Pengadilan Negeri Yogyakarta Nomor 26/Pid.B/2014/Pn.Yk Tanggal 17 April 2014, Notaris dan/atau PPAT HJ. Carlina Liestiyani dinyatakan telah melakukan tindak pidana penggelapan sebagaimana tertuang dalam Pasal 372 Kitab Undang-Undang Hukum Pidana. Sehubungan dengan hal tersebut, maka tanggung jawab Notaris dan/atau PPAT HJ. Carlina Liestiyani dapat berupa tanggung jawab secara hukum dan secara moral.

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ABSTRACT

In carrying out its duties, Notaries and/or Land Deed Officials (PPAT) still encounters constraints on certain circumstances that are more likely to trigger unlawful act both in the scope of civil, administrative or criminal. This legal writing discusses responsibilities and legal consequences of violations committed by Notaries and/or Land Deed Officials (PPAT) in relation with land certificate embezzlement. Secondary data was used in this Juridical Normative research such as government regulations, laws and regulations, and also legal books. Based on the findings of this legal writing, it can be concluded that a Notary and/or Land Deed Official (PPAT) are public officials that have the power entrusted in them to conduct legal services for the public. Therefore, Notaries and or Land Deed Officials have to perform their duties with honesty and responsibility in providing its services. In relation with the case of Yogyakarta District Court Ruling Number 26/Pid.B/2014/Pn.Yk dated April 17, 2014, Notary and/or Land Deed Official Ms.

Hj. Carlina Liestiyani was alleged to have committed the crime of embezzlement as stated in Article 372 Code of Criminal Law. In regard with this, Notary and/or Land Deed Official Ms. Hj. Carlina Liestiyani's responsibilities are legally and morally., In carrying out its duties, Notaries and/or Land Deed Officials (PPAT) still encounters constraints on certain circumstances that are more likely to trigger unlawful act both in the scope of civil, administrative or criminal. This legal writing discusses responsibilities and legal consequences of violations committed by Notaries and/or Land Deed Officials (PPAT) in relation with land certificate embezzlement. Secondary data was used in this Juridical Normative research such as government regulations, laws and regulations, and also legal books. Based on the findings of this legal writing, it can be concluded that a Notary and/or Land Deed Official (PPAT) are public officials that have the power entrusted in them to conduct legal services for the public. Therefore, Notaries and or Land Deed Officials have to perform their duties with honesty and responsibility in providing its services. In relation with the case of Yogyakarta District Court Ruling Number 26/Pid.B/2014/Pn.Yk dated April 17, 2014, Notary and/or Land Deed Official Ms. Hj. Carlina Liestiyani was alleged to have committed the crime of embezzlement as stated in Article 372 Code of Criminal Law. In regard with this, Notary and/or Land Deed Official Ms. Hj. Carlina Liestiyani's responsibilities are legally and morally.]