

Tanggung jawab notaris yang merubah isi minuta akta studi kasus putusan Pengadilan Negeri Pekanbaru tanggal 14 februari 2014 nomor 42 pdt g 2013 pn pbr = Notary responsibility which modifying the contents of such an authentic copy of a notarial deed case study on Pekanbaru district court verdict on 14th of February 2014 number 42 pdt g 2013 pn pbr

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Abstrak

Penelitian ini dilatarbelakangi putusan majelis hakim dalam perkara nomor 42/PDT.G/2013/PN.PBR pada Pengadilan Negeri Pekanbaru, yang putusannya telah membebaskan seorang Notaris dari gugatan perbuatan melawan hukum atas tindakannya yang telah terbukti merubah isi minuta akta sesuai hasil pemeriksaan Majelis Pengawas Wilayah Notaris Provinsi Riau yang dituangkan dalam putusan nomor 02/PTS/MJ/PWN.Prov Riau/XI/2012. Sedangkan faktanya pihak Penggugat telah mengalami kerugian milyaran rupiah atas tindakan Notaris tersebut. Atas pertentangan kedua putusan tersebut dan tindakan Notaris yang merubah isi minuta akta yang menimbulkan kerugian di pihak lain, maka sudah seharusnya diteliti mengenai bagaimana tanggung jawab dari- dan sanksi terhadap Notaris yang merubah isi minuta akta.

Penelitian ini menggunakan pendekatan yuridis normatif dengan spesifikasi penelitian deskriptif analitis. Teknik pengumpulan data yang digunakan berupa studi kepustakaan (library research) untuk mendapatkan bahanbahan atau data-data sekunder berupa bahan hukum primer maupun bahan hukum sekunder yang dianalisis secara kualitatif untuk menjawab rumusan masalah yang diajukan.

.....Background of this research was triggered by the verdict's of Pekanbaru District Court Panel of Judges in case number 42/PDT.G/2013/PN.PBR, whose decided to freed a Notary from a tort lawsuit over its action that have been proven modifying the contents of such an authentic copy of a notarial deed as corresponding to examination results of Regional Supervisory Council of Notaries of Riau Province as outlined in verdict number 02/PTS/MJ/PWN.Prov Riau/XI/2012. Matter of fact, the Plaintiff has suffered from losing billions of rupiah caused by the Notary action. Over the contradiction of these verdict and Notary action modifying the contents of such an authentic copy of a notarial deed alongside causing harm to others, then a research should be conduct in respect of how the responsibilty from- and the sanction to Notary that modifying the contents of such an authentic copy of a notarial deed.

This research is using a normative juridical approach with analytical descriptive reseacrh specification. Data collection techniques is using library research method to obtain materials or secondary data in the form both of primary legal materials and secondary legal materials that were analyzed qualitatively to answer the submitted research question.