

Analisis status kelembagaan majelis pengawas notaris terhadap produk hukum yang dapat digugat pada pengadilan tata usaha negara, studi kasus putusan Nomor 43/G/2011/PTUN-JKT tanggal 28 April 2011 dan putusan nomor: 25/g/2009/ptun.sby tanggal 3 September 2009 =  
Analysis of the notary supervisory council decision as decision can be sued by state administrative court case studies decision No 43/G/2011/PTUN/JKT and decision No 25/G/PTUN/SBY

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Abstrak

Dari penelitian yang dilakukan secara yuridis normatif diperoleh kesimpulan bahwa terhadap putusan yang dikeluarkan oleh majelis Pengawas Pusat Notaris mengenai adanya pelanggaran kode etik dan penjatuhan sanksi didalamnya. Apabila putusan dalam tingka Majelis Pengawas Wilayah, hal itu dapat di banding ke Majelis Pengawas Pusat berdasarkan Undang Undang Jabatan Notaris. Apabila putusan dikeluarkan oleh Majelis Pengawas Pusat, Undang Undang Jabatan Notaris tidak mengatur upaya hukum yang dapat dilakukan. Namun dalam kajian yang dilakukan terhadap 2 (dua) putusan Pengadilan Tata Usaha Negara serta wawancara yang dilakukan kepada anggota Majelis Pengawas Pusat Notaris, maka yang seharusnya diajukan gugatan ke pengadilan Tata Usaha Negara adalah putusan penjatuhan sanksi yang bersifat final, yaitu putusan dari Menteri Hukum dan Hak Asasi Manusia sebagaimana rekomendasi dari putusan Majelis Pengawas Pusat Notaris. Hal ini karena telah terpenuhi unsur final di dalamnya sehingga masuk kedalam objek Tata Usaha Negara

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This research, conducted in normative juridical way, concludes that the verdict issued by the Central Notary Supervisory Council regarding the violation of code of ethics and the application of sanctions in it. If the verdict is conducted in the level of Region Notary Supervisory Council, it can appeal to the Central Notary Supervisory Council as contained in Notary Law. If the verdict issued by the Central Notary Supervisory Council, then basically the Notary Law does not regulate what legal effort option that can be done. But in a study conducted on two (2) the decision of the State Administrative Court as well as interviews to member of the Central Notary Supervisory Council. In this case the decision of the Minister law and Human Rights as well as the recommendations of the verdict by Central Notary Supervisory Council. This is because it has fulfilled the final element in it that goes into object of State Administration.