

Perjanjian kerjasama antar notaris dalam mengelola kantor notaris
analisis putusan Pengadilan Negeri Luwuk nomor 10/pdt.g/2013/pn.lwk
= Cooperation agreement between notaries in managing notary office
analysis of Luwuk District court decision number 10 pdt g 2013 pn lwk

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Abstrak

Menurut Pasal 20 ayat 1 Undang-Undang Jabatan Notaris, Notaris dapat menjalankan jabatannya dalam bentuk persekutuan perdata, dengan tetap memperhatikan kemandirian dan ketidakberpihakan Notaris. Tetapi hal tersebut sulit untuk dilakukan dikarenakan Notaris menjadi bergantung satu sama lain, sedangkan menurut Pasal 16 ayat 1 huruf a Undang-Undang Jabatan Notaris, dalam melaksanakan jabatannya, Notaris diwajibkan untuk bersikap mandiri. Hasil penelitian mengungkapkan bahwa ada kontradiksi antara ketentuan Pasal 20 ayat 1 tersebut dengan ketentuan Pasal 16 ayat 1 huruf a Undang-Undang Jabatan Notaris yang mewajibkan Notaris untuk bersikap mandiri selama menjalankan jabatannya.

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According to Article 20 Paragraph 1 of Notary Act, Notary are allowed to enter a civil partnership with another Notary, but still minding his or her independence and impartiality. However, it is hard to stay independent because civil partnership between Notaries made them dependent on each other, whereas according to Article 16 Paragraph 1 of Notary Act, a Notary is supposed to be independent. The conclusion of this research is that there rsquo s a contradiction between Article 20 Paragraph 1 and Article 16 Paragraph 1 of Notary Act which stated that a Notary is expected to be independent in doing his her notarial duty.