

Pengalihan pekerjaan dalam kewenangan notaris/ppat tanpa sepengetahuan klien yang telah membayar honor secara lunas (studi kasus putusan pengadilan tinggi dki jakarta nomor 336/pdt/2018/pt.dki) = Transfer of work in the authority of notary/ppat without knowledge of clients which have paid honors payment (study on the decision of the high judices of dki jakarta number 336/pdt/ 2018/pt.dki)

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Abstrak

Tesis ini membahas tentang pengalihan pekerjaan dalam kewenangan Notaris/PPAT tanpa sepengetahuan klien yang telah membayar lunas hingga menyebabkan kerugian. Pengalihan pekerjaan antar Notaris/PPAT dapat berakibat sebagai perbuatan melawan hukum. Permasalahan yang dibahas dalam tesis ini adalah perkara dalam Putusan Pengadilan Tinggi DKI Jakarta Nomor 366/PDT/2018/PT.DKI mengenai pengalihan pekerjaan dalam rangka pembuatan akta otentik sebagai perbuatan melawan hukum dan tanggung jawab Notaris/PPAT atas pengalihan kewajibannya yang menimbulkan kerugian terhadap klien. Penelitian ini menggunakan metode yuridis normatif dengan tipe penelitian deskriptif analitis dan dianalisa dengan metode kualitatif. Hasil dari penelitian ini menunjukkan bahwa, pengalihan pekerjaan Notaris/PPAT tanpa sepengetahuan klien yang menimbulkan kerugian merupakan perbuatan melawan hukum. Kemudian tanggung jawab Notaris/PPAT terhadap hal tersebut meliputi tanggung jawab secara perdata, pidana, dan administratif.

.....This thesis examines the transfer of work within the authority of the Notary/PPAT, which includes the authority and responsibilities of the Notary/PPAT, acts against the law, as well as the transfer of work without the knowledge of the client. The notary is obliged to act honestly, thoroughly, independently, impartially, and safeguard the interests of the parties involved in legal.. But in reality, there are still many found in practice, notary cases that violate these obligations. The problem discussed in this thesis is the case in DKI Jakarta High Court Decision Number 366/PDT/2018/PT.DKI regarding how the transfer of work in the context of making authentic deeds as an act against the law and how is the responsibility of the Notary / PPAT for the transfer of obligations that cause losses towards clients. This study uses a normative juridical method. The results of this study indicate that, the transfer of work of a Notary/PPAT without the knowledge of the client causing losses is against the law. Then the responsibility of the Notary/PPAT on this matter covers civil, criminal and administrative responsibilities.