

## ABSTRAK

Kode Etik Notaris adalah norma atau peraturan mengenai etika yang ditentukan oleh Ikatan Notaris Indonesia yang selanjutnya akan disebut sebagai perkumpulan yang ditentukan dan diatur dalam peraturan Perundang-undangan. Kode Etik membatasi tindakan Notaris agar tidak sewenang-wenang dalam menjalankan tugasnya serta berfungsi sebagai “kaidah moral”. Salah satu yang telah disepakati dalam Kongres Ikatan Notaris yaitu mengenai batas kewajaran pembuatan akta. Dalam prosedur pembuatan akta otentik terdapat legitimasi yuridis yang membuat akta menjadi otentik. Notaris menjalankan tugas dan jabatan tidak sesuai prosedural akan berpengaruh terhadap otentisitas akta. Berdasarkan latar belakang tersebut, peneliti tertarik melakukan penelitian dengan judul Penerapan **“Penerapan Kode Etik Notaris Terhadap Larangan Pembuatan Akta Melebihi Batas Kewajaran (Pasal 4 Angka 16 Kode Etik Notaris) Di Kabupaten Karawang”** dengan mengangkat permasalahan (1) Bagaimana penerapan Kode Etik Notaris terhadap larangan pembuatan akta melebihi batas kewajaran Di Kabupaten Karawang (2) Bagaimana akibat hukum yang di timbulkan terhadap pembuatan akta yang melebihi batas kewajaran di Kabupaten Karawang.

Metode penelitian ini menggunakan Yuridis Empiris dengan sifat penelitian Deskriptif Analitis. Lokasi penelitian ini berada di Kabupaten Karawang. Data yang diperoleh dianalisis dengan menggunakan teori kepastian hukum dan tanggung jawab.

Hasil penelitian diketahui bahwa terdapat pro dan kontra dikalangan Notaris mengenai pembatasan pembuatan akta dalam per hari, meskipun ada yang beranggapan bahwa peraturan DKP INI dianggap dapat melindungi Notaris itu sendiri dari akta-akta yang dibuatnya sehingga profesionalitas kinerja Notaris tetap dapat dipertahankan. Namun sebagian besar dari Notaris yang penulis wawancarai di kabupaten Karawang tidak setuju terhadap peraturan tersebut. Notaris di Kabupaten Karawang dalam prakteknya tidak sedikit membuat akta melebihi batas kewajar seperti yang telah diatur dalam Kode Etik Notaris dan PDKP INI Nomor 1 Tahun 2017. Sementara akibat hukum Notaris yang melanggar ketentuan Kode Etik Notaris terhadap larangan pembuatan akta melebihi batas kewajaran (Pasal 4 Angka 16 Kode Etik Jabatan Notaris) yaitu dapat dikenakan sanksi internal dan sanksi eksternal. Notaris akan ditindak lanjuti sebagai objek pemeriksaan dan dikenakan sanksi terberat dalam Kode Etik Notaris yaitu memberikan usulan pemecatan Notaris kepada Menteri Hukum Dan Hak Asasi Manusia. Sehingga diharapkan dalam menjalankan tugasnya notaris harus menggunakan prinsip kehati-hatian agar terhindar dari masalah dikemudian hari.

***Kata Kunci : Majelis Pengawas Notaris, Akta, Kode Etik Notaris***

## ABSTRACT

*The Notary Code of Ethics is a norm or regulation concerning the ethics which is determined by the Indonesian Notary Association, hereinafter be referred to as an association determined and regulated in the regulation. The Code of Ethics limits the actions of the Notaries from arbitrariness in carrying out their duties and functions as a “moral code”. The one that has been agreed upon in the Congress of the Indonesian Notary Association is regarding the reasonability limit in making deeds. In the procedure of making authentic deeds, there is a juridical legitimacy that makes the deeds become authentic. Notaries that are not in accordance with the procedures in carrying out their duties and position will affect the authenticity of the deeds. Based on this background, researcher is interested in conducting research with the title “**The Implementation of the Notary Code of Ethics to the Prohibition of Making a Deed Exceeding the Fairness Limit (Article 4 Number 16 Notary Code of Ethics) in Karawang Regency**”. Therefore, a problem that arises is (1) how to implement the Notary Code of Ethics against the prohibition of making deeds exceeding the reasonability limit in Karawang Regency (2) what legal consequences that may appear against the prohibition of making deeds exceeding the reasonability limit in Karawang Regency.*

*The method of approach used in this research is the Juridical Empirical approaching method with the type of Descriptive Analysis research. The research location is in Karawang Regency. The data is analyzed qualitatively using the theory of legal certainty and responsibility.*

*The result of this research revealed that there are pros and cons among Notaries regarding the limitation of deeds making per day even though there are some people who thought that Central Honorary Council Regulation of Indonesian Notary Association can protect the Notaries from the deeds that they make. Therefore, the Notaries’ professional performance will still be maintained. However, most of the Notaries who were interviewed in Karawang Regency did not agree with that regulation. Notaries in Karawang Regency do not make deeds exceeding the reasonability limit as stipulated in the Notary Code of Ethics and Central Honorary Council Regulation of Indonesian Notary Association number 1 year of 2017. Whereas the legal consequences of Notaries that violate the provision of deeds making exceeding the reasonability limit (Article 4 number 16 Notary Code of Ethics) is that they can be subjected to the internal and external sanction. Notaries will be followed up as object of examination and be subjected to the heaviest sanction in the Notary Code of Ethics, which is a proposal to a dismissal to the Minister of Law and Human Human Rights. Therefore, in carrying out their duties, Notaries must subject to the precautionary principle, so that they can avoid the problems in the future.*

**Keywords: Notary Supervisory Board, Deed, Notary Code of Ethics**