

## THE ROLE AND LEGAL STANDING OF CODE OF ETHICS IN THE LAW ENFORCEMENT SYSTEM IN NOTARY PROFESSION

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**ABSTRACT:** *Violations related to notary code of ethics are performances or actions carried out by members of the Indonesian Association of Notaries and other people who admit and carry out the notary that violate the provisions of the code of ethics and/or organizational discipline. The method used in this study is to use the juridical method empirical, with descriptive analytical research specifications. The research results can be seen that: 1). The responsibility of a notary in the event of occurring a violation of the code of ethics which is a guide, guidance or moral guidelines or decency for a particular profession or is a list of obligations in carrying out a profession compiled by members of the profession itself and binding them in practicing it is organizationally valid when a notary public violates the professional code of ethics as guidelines made by professional organizations; 2) The legal consequences if a code of ethics violation by a Notary Public is as follows: a) If it is based on propriety, moral and religious aspects and according to conscience, it should not be done by a notary who bears and holds an honorable position especially as a mandate holder; b) Violations committed by a notary of professional ethics that have been recorded or regulations that have been prepared in writing and are binding and must be obeyed by all members of the professional group to be obeyed and may be subject to sanctions for those who violate the provisions; c) Notaries who violate the code of ethics as determined in the legislation, the settlement is based on the provisions themselves, so that legal certainty to the notary profession is more guaranteed.*

**KEYWORDS** - *Code of Ethics; Violation; Responsibilities of a Notary Public*

### I. INTRODUCTION

Essentially, morals are closely related to ethics, which has 2 (two) meanings. First, as a collection of evaluations of human actions. Second, it is ethical: it is used to differentiate human actions regarding ethical values and norms that are moral and must be supported by high moral integrity. The quality of law is largely determined by its moral quality, therefore the law must be measured by moral norms. On the contrary, morale requires law that can increase the social impact of morality. Moral norms are benchmarks to determine the merits of human actions in terms of good and bad as a human being. The legal profession of the Notary is in dire need of inseparable morals and laws in order to carry out his professional duties professionally without blemish from the public. Therefore, the legal profession undergoes changes and developments that are tangible in the process of learning, socializing and humanizing the profession.

The legal profession includes the police, prosecutors, judges, advocates, notaries and others, all of whom carry out legal activities and become objects that are judged by the public about the pros and cons of law enforcement efforts, even though the community's legal awareness factor is also crucial in the effort. The following are some code of ethics for the legal profession, which if obeyed and enforced can be a preventive effort for the involvement of law enforcement officers in crime cases and the judicial mafia circle. In the police code of ethics, one of them states that each member of the National Police must "keep away from despicable acts and attitudes, and spearhead every action to overcome the difficulties of the surrounding community". In addition, every Police person is also expected to "be able to control himself from acts of abuse of authority".

While in the Adhyaksa corps, among them prosecutors are prohibited from accepting or asking for gifts and may not use position and power for personal and other parties' interests, including in fabricating legal facts in handling cases. In the code of ethics the judges also regulate several prohibitions, such as the prohibition of collusion with anyone related to the case that will and is being handled. Then it is also forbidden to accept gifts or promises from litigants. Advocates are professions that provide legal services, both in court and outside the court, whose performance also influences how the quality of law enforcement. Advocate's code of ethics, especially in relations with clients, including advocates/legal counsel is not justified in giving information that can mislead the client or guarantee the case of his client will win.

Likewise with the Notary, as one of the legal profession also has a professional code of ethics in carrying out his profession, because the notary also participates in national development, especially in the field of law. The code of ethics stipulates that notaries in carrying out their duties are aware of their obligations, work independently, honestly, impartially and with a full sense of responsibility. (Indriani, 2019: 5) The Notary Profession is based on moral values, so that the work must be based on obligations, that is, there is a good Will in itself, not depending on the goals or results achieved. The moral attitude supporting the notary professional ethics is to act on the basis of determination, the awareness of the obligation to uphold professional ethics, create idealism in practicing the profession, which is not working for profit, serving others. So the relationship between ethics and morals is that ethics is a critical reflection on the problem of morality, and helps in seeking orientation towards existing norms and values.

Notary performance has been regulated in Reglement op Het Notaris Ambt in Indonesia / Regulation of Office of Notary in Indonesia (Staatsblad 1860 Number 3 of 1860) as amended by Law Number 30 of 2004 concerning Office of Notary (hereinafter referred to as Law of Office of Notary), complete with sanctions. The first part regulates the Notary in carrying out his position and working area. (Harapan, 2017: 27) The second is about the requirements for appointment of a Notary and the appointment that must be fulfilled. If this provision is not fulfilled, the deed made before the Notary Public will be invalid. Third, regulate the form of deed, minuta, copy and repertorium. Fourth, regarding the supervision of the Notaries and their deeds. Fifth, regulate the procedures for storing and taking over minuta and repertorium in the event that the Notary dies, stops or moves. In connection with this matter, if the Notary Public is proven to have violated the provisions contained in the Law of Office of Notary, the Notary will be subject to sanctions according to the type of violation that has been carried out according to the Law of Office of Notary. Until the entry into force of the Law on Office of Notary No. 30/2004, (Indriani, 2017: 10) in Indonesia there are still a number of Notary organizations, one of which has a Code of Ethics and is recognized by the government as the Indonesian Notary Association (INA), a Notary profession organization that has a code of ethics established and endorsed by INA Congress. The INA congress was first held in Surabaya in 1972 and then changed and reorganized at the XIII Congress held in 1981 in Bandung. Code of Ethics are norms or regulations regarding ethics both written and unwritten.

The Notary Ethics Code consists of 5 Articles, which among others concern the personality of the Notary, the Notary in carrying out his duties, the Notary with the client, the Notary with his fellow colleagues and the last about supervision. Notary as a public official in carrying out his duties is imbued with Pancasila, aware and obedient to the law and has a good personality and upholds the dignity and honor of the Notary (Article 1 Notary Code of Ethics). Furthermore, according to the provisions of Article 2 of the Notary Code of Ethics explains that "

"Notaries in carrying out their duties are aware of their obligations to work alone, honestly and impartially, with a full sense of responsibility, do not hold branch offices, nor do they use intermediaries and use promotional mass media. Providing services to the people who need their services as well as possible to provide legal counseling and provide services to disadvantaged people for free ". Article 3 of the Notary's Code of Ethics states that Notaries are reluctant to fellow Notaries to respect respect away from unfair competition and the Notary Public must guard the Notary Corps. The ethical responsibility of the Notary is related to moral norms which are a measure for the Notary to determine the right or wrong or badness of the actions taken in carrying out his profession. This responsibility covers 3 (three) things. First, when the action is carried out in a state of mind ability to function normally. Second, in the case of a notary committing a violation of free will. Third, the

existence of intentions with malicious intentions carried out by a notary public and consequently incurring losses.

## II. RESEARCH PROBLEMS

What is the responsibility of a notary in the event of occurring a violation of the code of ethics and legal consequences if occurred a violation of the code of ethics by the notary?

## III. RESEARCH METHODS

Method, is the process of principles and procedures for solving a problem, whereas research in human knowledge, research methods can be interpreted as a process of principles and procedures for solving problems encountered in conducting research. (Soekanto is a careful examination, diligent and thorough of a symptom to add, 1985: 6). Furthermore, research is a basic tool in the development of science and technology, which aims to reveal the truth systematically, methodologically and consistently. Through the research process it is necessary to carry out an analysis and construction of the data that has been collected and processed (1985: 1). In research to obtain answers about the truth of a problem, a research activity is needed in order to find scientific data as evidence in order to find scientific truth.

## III. DISCUSSION OF PROBLEMS.

### Notary and Code of Ethics Violations.

Notary is a legal profession and as such the notary profession is a noble profession (*nobile officium*). Referred to as the *nobile officium* because the notary profession is very closely related to humanity. Deed made by a notary public can be the legal basis for the status of property, rights and obligations of a person. Mistakes in notarial deeds can result in the deprivation of a person's rights or the imposition of someone on an obligation. (Anshori, 2009: 7). The term profession is a term that is absorbed from the foreign language profession. Profession in Black's Law Dictionary is defined as: (1) A vocation requiring advanced education and training; (Gernar: 560). (2) Collectively, the members of such a vocation Whereas the professional term is a noun which is defined as: A person who belongs to a profession or whose occupation requires a high level of training and proficiency.

The definition obtained in Indonesian literature is not much different from the definition of the Black's Law Dictionary. Profession is defined as a field of work which is based on specific expertise (vocational, vocational, etc.) education. Professionals are defined as those concerned with the profession; requires special intelligence to run it; requires payment to do it (opposed to amateurs). The elements of professionalism are: (Kohar, 1985: 100) 1) A job that requires expertise; 2) For this reason, special training is required; 3) Obtain income from it. Can be stated regarding the limitations of professional criteria which include: 1) Knowledge; 2) Expertise or skill; 3) Serve the interests of many people; 4) Not prioritizing financial interests; 5) The existence of professional organizations or associations; 6) community recognition; and 7) Code of ethics.

Thus the profession implies a job with special expertise that demands broad knowledge and responsibility, is dedicated to the interests of many people, has an organization or professional association and is recognized by the public and has a code of ethics. Based on the historical side, it can be said that a profession originated from the Roman Empire. Roman citizens at that time were classified as the ruling class, namely free citizens and non-free groups such as slaves or bondman. At that time only slaves were working while the residents belonging to the ruling class did not work, even felt ashamed and humiliated when working, this is because what is referred to as working is merely physical. (Indriani, 2018: 7) But there are jobs that are intellectual, which require high skills and need to be done, among others, legal work, medicine, arts and so on. Because the slave class is low-educated, the fields of work can only be carried out by the free group or the ruling class. The work carried out by the ruling class is called the liberalist opera and the liberalist artes. Liberalism means free people as opposed to slaves who are not free (slaves). As the ruling class, which carries

out liberalist operes or liberal artes, of course they are not willing to receive mercers, but as a rescued party, they certainly want to provide compensation to those who have helped them, so they give honorarium (honorarium rewards) . The circumstances of this Roman era, although with some changes turned out to be because the tradition persisted into modern times. So the principles of that profession existed in Roman era. But the term profession itself only arose in England and was later brought to the United States. After World War II it spread to Continental Europe and after that throughout the world including Asia. (**Nature, 2004: 21**)

The existence of a profession related to a particular occupation. According to the job classification, the profession is a job in a special sense, namely a particular field of work, prioritizing physical and intellectual abilities, are permanent with the aim of earning income. A profession is a permanent job in a certain field based on special expertise that is carried out responsibly with the aim of earning income. An absolute professional needs an intellectual foundation. Professionals are occupations in certain fields that are related to specific areas of expertise and are obtained from an educational level. The excavation of a skill for a professional does not stop when the professional has become, because in the professional view of a profession is a process that is increasing and not stagnant. While the meaning of specificity or specialization of a profession is to require expertise that is focused and concentrated in the field in which it is engaged. Therefore a person who is called a professional is a person who carries out his work in a totality manner and does not do other professional double work.

Special skills and skills are obtained from education and training. The education and training are officially adopted by the official education and training institutions as well as obtaining special certificates or diplomas that signify their education. This means that the expertise or special skills are standardized qualitatively. The purpose of the existence of expertise and special skills is related to the responsibility for the work of a professional. Permanent means that the work does not change while continuing means it lasts for a long period of time until retirement or the end of the profession. Notary work takes precedence over service rather than rewards (income). This means prioritizing what needs to be done, not how much payment is received. Client satisfaction takes precedence. The service is needed because of professional expertise, not amateurs. A professional always works well, correctly and fairly. Good means thorough, not from work, not reckless. True means recognized by the profession concerned. Fair means not violating the rights of other parties. Whereas the rewards naturally will be fulfilled if the client feels satisfied with the service he received.

Professional accountability is accountability to oneself and to the community. Being responsible to yourself means that a professional works because of moral, intellectual, and professional integrity as part of his life. When a professional provides services he always maintains the lofty ideals of the profession in accordance with the demands of his conscience obligations, not because of mere hobbies. Being responsible to the community means being willing to provide the best possible service in accordance with his profession, without distinguishing between high paid services, more low or no pay and produce quality services, which have a positive impact on society. The services provided are not solely motivated by profit seeking but are also devotion to fellow human beings. More than that, a professional at the peak of his responsibility must be returned to the essence of the power of the Creator. This means that professional responsibility is not just about horizontal relationships between human beings, but rather accountability to God Almighty. Being responsible also means being brave to take risks that arise as a result of that service. Negligence in carrying out the profession has a harmful or detrimental effect on yourself, others, and sin on God.

Professionals grouped in an organization are usually professional organizations according to the field of expertise of the branch of science being mastered. The professional group is a moral community that has shared ideals and values. Professional groups have their own powers and special responsibilities. As a profession this group has a reference called the professional code of ethics. Abdulkadir Muhammad concluded that legal professionals, including notaries, were qualified professionals who mastered Indonesian law, were able to analyze legal problems in society, were able to use law as a means to solve concrete problems wisely, based on legal principles, mastered the scientific basis for develop legal science and law, recognize and be sensitive to issues of justice and social problems (**Abdulkadir, 1997: 58**). Based on the notary definition contained in UUN (Law of Office of Notary), the notary in assuming his position and carrying out his duties /

work based on the appointment by the State in this case the Government. This means that the notary profession is a position and is part of the executive so that an academic person has the capacity to become a notary, but no appointment is made by the government so that a person cannot become a notary public. This distinguishes the notary profession from other professions. Therefore, the term notary profession is used as a notary because in essence the notary is an official appointed by the government even though he does not get a salary as a civil servant.

In understanding notary as a profession, Liliana Tedjosaputro presents the philosophy, nature of the profession and professionalism integrally. According to him the requirements of balance, harmony and harmony in accordance with Pancasila are things that must be considered. These three things must be operationalized in understanding the gradations of various interests in people's lives, which include individual interests, public interests (general), state interests, and the interests of professional organizations. In carrying out his professional duties, a notary must have solid moral integrity. In this case, all moral considerations must underlie the implementation of professional duties. Even though they will get high service fees, something that is contrary to good morals must be avoided. The notary must be honest, not only with his client, but also with himself. The notary must know the limits of his ability, not make promises just to please his client or to keep the client willing to use his services. All of that is a separate measure of the intellectual honesty of a notary public. The notary must be aware of the limits of his authority. The notary must abide by the applicable legal provisions about how far he can go and what he can and what he cannot do.

It is contrary to professional behavior if a notary is domiciled and resides not in his position as a notary public. Or install a board and have an office in their place of residence, but where they live elsewhere. A notary is also prohibited from carrying out his position outside the area of his office. If the provisions are violated, the deed concerned will lose its authentic power. Professionals grouped in an organization are usually professional organizations according to the field of expertise of the branch of science being mastered. The professional group is a moral community that has shared ideals and values. Professional groups have their own powers and special responsibilities. As a profession this group has a reference called the professional code of ethics. Abdulkadir Muhammad concluded that legal professionals, including notaries, were qualified professionals who mastered Indonesian law, were able to analyze legal problems in society, were able to use law as a means to solve concrete problems wisely, based on legal principles, mastered the scientific basis for develop legal science and law, recognize and be sensitive to issues of justice and social problems (**Abdulkadir, 1997: 58**)

Based on the notary definition contained in UUJN, the notary in assuming his position and carrying out his duties / work based on the appointment by the State in this case the Government. This means that the notary profession is a position and is part of the executive so that an academic person has the capacity to become a notary, but no appointment is made by the government so that a person cannot become a notary public. This distinguishes the notary profession from other professions. Therefore, the term notary profession is used as a notary because in essence the notary is an official appointed by the government even though he does not get a salary as a civil servant. In understanding notary as a profession, Liliana Tedjosaputro presents the philosophy, nature of the profession and professionalism integrally. According to him the requirements of balance, harmony and harmony in accordance with Pancasila are things that must be considered. These three things must be operationalized in understanding the gradations of various interests in people's lives, which include individual interests, public interests (general), state interests, and the interests of professional organizations. In carrying out his professional duties, a notary must have solid moral integrity. In this case, all moral considerations must underlie the implementation of professional duties. Even though they will get high service fees, something that is contrary to good morals must be avoided. The notary must be honest, not only with his client, but also with himself. The notary must know the limits of his ability, not make promises just to please his client or to keep the client willing to use his services. All of that is a separate measure of the intellectual honesty of a notary public. The notary must be aware of the limits of his authority. The notary must abide by the applicable legal provisions about how far he can go and what he can and what he cannot do.

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is also prohibited from carrying out his position outside the area of his office. If the provisions are violated, the deed concerned will lose its authentic power. The relationship between the notary profession with the community and the state has been regulated in UUJN along with other laws and regulations. While the relationship between the notary profession and notary professional organizations is regulated through a notary code of ethics. The existence of a notary code of ethics is a logical consequence of a job referred to as a profession. There is even an opinion that the notary as a public official who is given the trust must hold fast not only to the laws and regulations but also to the professional code of ethics, because without the code of ethics, the dignity of his profession will be lost.

The relationship between the notary code of ethics with UUJN gives meaning to the notary profession itself. UUJN and notary code of ethics require that notaries in carrying out their duties as public officials, in addition to being subject to UUJN, they must also obey the professional code of ethics and be responsible for the community they serve, professional organizations (Indonesian Notary Association or INA) and the state. With this relationship, notaries who ignore the nobility of the dignity of their positions can be subject to moral sanctions, be reprimanded or fired from their professional membership, they can also be dismissed from their positions as notaries. Associated with sanctions as a form of enforcement of a notary code of ethics for violations of the code of ethics is defined as a punishment intended as a means, effort and means of forcing compliance and discipline of a notary. Sanctions in the notary code of ethics are contained in Article 6 which states that witnesses charged against members who violate the code of ethics can be in the form of reprimands, warnings, suspension (suspension) from membership of the association, onzetting (dismissal) of membership of the association and dismissal with no respect from membership of the association.

In connection with violations of the code of ethics that results in the summon of the notary concerned, the criteria for summons to the Notary by the Investigator, can be fulfilled or not can only be decided after the Supervisory Board deliberates to determine whether the summons by the investigator is relevant or not. As an example of a summons to the Notary holder of the protocol, to explain the deed he did not make, according to the author it is very absurd, so the Supervisory Board should not have given permission to call the Notary in question. With the formation of the Supervisory Board (starting from the regional level up to the central level), it is expected that the Notary will be more professional in carrying out his duties. This is because the existence of the Supervisory Council both at the regional and central levels is a supervisor as well as a protector and protect the Notary so that they continue to carry out their duties in accordance with applicable legal provisions. This is reflected in each of his decisions in the session which states that "the Supervisory Board allows the summons of the Notary by the investigator as long as in his position as a Notary relating to the deed he made".

Wawan Setiawan said there were at least three categories of violations with consequences that had to be borne as a result of the actions he had committed, namely as follows: First, the Notary in carrying out his position no longer heeded professional ethics. If based on propriety, moral and religious aspects and according to conscience, it should not be carried out by a notary who bears and holds an honorable position, especially as a mandate holder. If there has occurred a violation and there are still remaining noble values possessed by a notary then the punishment that is served and is felt is a sense of uneasiness, because it is filled with feelings of guilt. If feelings of unease always include him, then the notary will not get the happiness of life, except if the notary is included in the class of people who feel the same pleasure between committing crime with good deeds. So a notary who violates professional ethics, the punishment is in the form of inner suffering and the punishment suffered is very closely related to his position and profession. The notary becomes a class of people who are no longer trusted by the community and naturally he will be dropped and vanished the trust that is in him. Notaries who lose their trust or no longer gain trust from the community, are not notaries in essence and have no other choice but to stop and put their position and profession as a notary public. **(Iqbal, Susanto & Sutoro, 2020: 6)** Thus humans who carry out positions and professions as notaries are only qualified and well-behaved human beings, this is as a translation of the practice of practical and scientific charity; Second, violation of the code of ethics, which means violations committed by a notary of professional ethics that have been recorded or regulations that have been prepared in writing and are binding and must be obeyed by all members of the professional group to be obeyed and may be subject to sanctions for those who violate the provisions. Based on

consideration of a sense of justice, it would be felt unfair, if actions and punishments were only imposed on members of professional organizations, while those who carried out the same profession, because they were not members of the organization were free from sanctions, even if they committed violations or crimes. In this regard the professional organization of the Indonesian Notary Association has compiled written rules of the results of the agreement and the pledge as a rule in the form of rules of the Articles of Association, Rules of Association and the Notary Code of Ethics. Third, violations of the code of ethics contained in the legislation. Notaries who violate the code of ethics as determined in the legislation, the settlement is based on the provisions themselves, so that legal certainty to the notary profession is more guaranteed. Notaries who violate ethics, propriety or moral resolution are not only according to the code of ethics alone but can also be based on statutory regulations. Everything that must not be done by a notary clearly and expressly regulated in the form of legislation.

Rules contained in a code of ethics are sometimes not heeded by notaries. The abandonment of the notary code of ethics is certainly due to negative influences both as individuals in society and in work relationships in professional organizations. Internally, that is, within the individual notary himself may be due to his human nature, for example the nature of consumerism or the salary value obtained in carrying out the profession as a notary. While external factors may be due to the cultural environment surrounding the notary public. The following is stated about the fundamental reasons why notaries tend to ignore and even violate the notary code of ethics. According to Abdulkadir Muhammad there are four fundamental reasons why professionals, including notaries, ignore the code of ethics. The reasons include: influence family characteristics; influence of position; influence of consumerism; and because of weak faith. While I Gede A.B. Wiranata listed eight factors that influenced the decline in the morality of the legal profession which included: abuse of the profession; profession becomes a business activity; lack of awareness and social care; justice system continuity; influence of position; consumerism lifestyle; factors of faith and the influence of family characteristics (**Winarta, 2005: 261**) One of the characteristics of family is to give the same treatment and respect for family members and this is considered fair. Treat people not other families anymore. This affects the behavior of legal professionals related to the professional code of ethics, which should provide the same treatment to clients. A professional notary should distinguish between family and professional matters. Family relations may be discarded while in the office but family relations can still be fostered outside the office.

The influence of position is also often a factor that causes notaries to apply without endorsing a professional code of ethics. Notaries as state officials who serve the public should treat all people in the same position. However, because of the influence of the position attached to a person sometimes the notary acts more special to a client compared to other clients. This may be human, but indirectly it has made a difference between one human and another. This treatment is an unfair treatment and therefore notaries as professionals violate ethics. Life that is completely materialistic can negatively affect the actions of a notary public. The demands of consumerism that are part of materialistic life can originate from oneself or family. (**Iqbal, Susanto, 2019: 227**) If a notary has been seized by a materialistic and consumptive character, the notary often takes steps that violate the code of ethics to fulfill his life satisfaction. He considered the profession as a field to earn money and ignore the service function inherent in a profession. It can be stated here simply as an example of the number of notaries who pick up balls for clients in order to get as many clients as possible or suggest noting any agreements that actually do not have to use the deed for the best-selling practice of the notary they are involved in.

A person who devotes himself to a noble profession such as a notary must understand that the profession is different from business activities. Economic law cannot be applied in a noble profession. Business focuses on its main goal which is to gain profit, while the ideals of a profession are based on the spirit of willingness to provide services to the community. In a business activity, quantitative values are concerned while in the profession sought is not quantitative values but qualitative values. (**Iqbal, Susanto & Sutoro, 2019: 375**) Notary Ethics Code which is based on the Law of Office of Notary, so that there are clear sanctions in the event of occurring a violation of the Code of Ethics in the form of: 1) Reprimand; 2) Warning; 3) Suspension of membership of the Society; 4) Onzetting (dismissal) of membership of the Society; 5) Disrespectful termination

of Association membership. Imposing sanctions in the form of verbal reprimands is more intended for the guidance process to the Notary, so that the Notary concerned does not repeat violations of the code of ethics in the future. In cases of violation of the Code of Ethics the Semarang City Notary Council does not necessarily provide sanctions in the form of a written warning of suspension or an irreverent termination of Association membership.

The implementation of sanctions for violations of the code of ethics by the Notary in carrying out his position by the Notary Regional Honorary Council, according to the author has weaknesses, because it does not affect the status of the Notary in carrying out his office duties. (Wibowo, Damanik, Harapan, & Nurhidayati, 2015: 69) The highest sanction for an offense is the dishonorable dismissal of the association. This sanction does not affect the Notary, because by being dismissed from the association, he does not have the rights and obligations of the Indonesian Notary Association (INA), but the Notary can continue to practice, because his Notary practice permit is not revoked. This is different from other professions, such as doctors, if a Doctor violates the Professional Code of Ethics, his practice permit will be considered, even if the violation is too severe, it is possible to revoke his license to practice. If such conditions can be applied to a Notary, the Code of Ethics will function well and truly be a "boundary" for the Notary to behave professionally, so that the existence of the Code of Ethics is no longer ambivalent but clear and exists, has the power to overshadow the Notary. To overcome this, according to the author, every violation of the Code of Ethics committed by a notary must be given strict sanctions by the Regional Honorary Council and there must be a good monitoring mechanism for the implementation of the sanctions. For violations, the code of ethics, which can also be categorized as a violation of the position of a notary, the Notary Regional Honorary Board should forward the cases to the Notary Regional Supervisory Council.

#### IV. CONCLUSION

The responsibility of a notary in the event of occurring a violation of the code of ethics is when the notary public violates the code of ethics of the profession as a guideline made by a professional organization that applies to all members of the Indonesian Association of Notary Organizations and others who assume and carry out the position of notary both in the implementation of their position and in everyday life. If it is based on propriety, morality and equality and according to conscience, it should not be carried out by a notary who bears and holds an honorable position especially as a mandate holder. If there has been a violation and there are still remaining noble values possessed by a notary then the punishment that is served and is felt is a sense of uneasiness, because it is filled with feelings of guilt. Violations committed by notaries against professional ethics that have been recorded or regulations that have been prepared in writing and are binding and must be obeyed by all members of the professional group to be obeyed and may be subject to sanctions for those who violate these provisions. Notary who violates the code of ethics as.

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