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LEGAL RATIO OF INSTITUTIONAL ARRANGEMENTS CYBER NOTARY IN INDONESIA**Jauharoh Arini***, Doctoral Candidate**Suharningsih**, Professor**Sugiri Bambang, Endrawati Lucky**, Associate Professors

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*E-mail: arinijauharoh@gmail.com**ABSTRACT**

In the digital age, the boundaries that can hinder movement and trade and capital flows can be eliminated and bring the world closer to reach without restrictions, the use of technology is encouraged for the economic benefit of society with fast and rapid business practices. Legal relations do not have to use face-to-face, transactions and legal relations are simply done using internet means through computer technology and communication technology, so that territorial boundaries can be eliminated and facilitate human life innovation. The problem that will arise in the future is whether then the notary is ready to anticipate the changes in the Times that occur, this change makes the notary profession a flexible notary in accordance with the demands of changing times, the notary profession in this case needs to examine the possibility of recognition of the creation and authentication of electronic deeds through a cyber notary mechanism. However, the application of cyber notary in Indonesia is a matter of debate, because then cyber notary contrary to the general concept held by the notary so far, namely the principle of "tabellionis officium fideliter exercebo". This study is a legal research using normative juridical approach, the data used are primary data and secondary data analyzed using quantitative analysis. The results of the research are the first concept of cyber notary is a system used by notaries in the face of the era of globalization and digital systems, then the Notary as a profession in the field of law must be accommodating to the development of globalization and the Industrial Revolution 4.0 which requires the use of digital systems. Second. legal vacuum and the existence of overlapping arrangements in law no. 2 of 2014 on the position of Notary with law no. 19 year 2016 Information and Electronic Transactions (ITE) thus causing the application of Cyber Notary in Indonesia to be problematic, consequently, as long as the rule of law on Cyber Notary is not changed it will cause legal paradox in the application of Cyber Notary.

KEY WORDS

Cyber notary, notary, digital system, institution.

The use of the internet and the digital world is a hallmark of the industrial revolution 4.0; the industrial revolution 4.0 is marked by the use of digital technology in human life. The use of digital technology can be found in every human life such as digital computer technology, digital games, digitizing the use of currency (e-money), the use of digital media (e-media), to the rapid development of digital-based films [1]. The use of digital means makes changes in society from the aspect of information and communication technology that cannot be avoided; digital technology plays an important role and contributes to the economic, social and cultural development of the community. In the future, digital technology will be able to influence future social conditions, such as medical services, education and education above government, and other aspects of life [2].

The advancement of the digitalization era encourages changes in social aspects to legal aspects in order to offset the consequences of the progress of today's digitalization era. In the social aspect as well as the legal aspect in this digitalization era, it must be able to balance it. This is intended so that the function of digitization becomes very efficient as the purpose of the creation of digitization. In the world of law in Indonesia, the State of Indonesia has one of the legal professions, namely a notary. A notary is a public official who is authorized to make an authentic deed and has other authorities as referred to in this law or



based on other laws [3]. In connection with the world of digitalization in this era, the problem that will arise in the future is whether the notary profession is then ready to anticipate the changing times that occur, can this change make the notary profession a flexible notary in accordance with the demands of changing times. The Notary profession in this case needs to examine the possibility of recognizing the creation and authentication of electronic deeds through a cyber notary mechanism, where the notary must be able to position himself as a profession to support and facilitate electronic transactions and become a notary service provider.

The application of a cyber notary is a concept of changing the notary's work system from a conventional system to a digital system; this is the main characteristic of a cyber notary which requires technology migration for notaries to an electronic system. With the existence of a cyber notary, notary services will shift towards digital and electronic-based work systems and services, notaries to take a role in the development of technology and information because of the position of a notary who will later become a trusted third party like in a conventional system but this is done in a digital system. The concept of Cyber Notary according to the Information Security Committee of the American Bar Association as a professional notary work concept which can also be equated with the concept of "Public Notary", namely where the notary in carrying out its functions involves aspects of the internet and cyberspace also involves electronic documents as opposed to physical documents. The concept of cyber notary will be a new concept for notary work in the world, where notaries will be placed as institutions that can be trusted and are responsible for conducting every digital transaction, where notaries in carrying out their work in the cyber notary system carry out all their work activities using advanced technology [4]. With the existence of a cyber notary, there is a demand for notaries to be able and able to use the concept of a cyber notary in Indonesia in order to create fast, precise and efficient notary services, by implementing a cyber notary it will be able to support the rate of economic growth [5].

The implementation of the concept of cyber notary began to be enforced in Law Number 11 of 2008 concerning Information and Electronic Transactions and became an issue that was raised related to the legality and authority of a cyber notary related to the legality of digital deeds and digital signatures, then the concept of cyber notary was also vague. adopted in Law Number 2 of 2014 concerning the position of a Notary in the elucidation of Article 15 paragraph (3) what is meant by other authorities regulated in laws and regulations include the authority to certify transactions conducted electronically by cyber notary, make deeds, pledge waqf and airplane mortgage. The interpretation of the explanation of this article is the authority of the notary to certify the deeds carried out by cyber notary.

However, in legal reality, the cyber notary's authority is contrary to the legal reality in Law Number 2 of 2014 concerning the position of a notary. This contradiction raises juridical problems where there is no single article that explicitly states the existence of a cyber notary enforcement mechanism and gives authority to certain institutions as cyber notary service providers in Indonesia. Then the juridical problems regarding Article 1 paragraph (1) of Law Number 2 of 2014 concerning the position of a Notary concerning a notary as a public official who is authorized to make authentic deeds and has other authorities as referred to in this law or based on other regulations. As well as juridical problems regarding legal conflicts with Article 16 paragraph (1) of Law Number 2 of 2014 concerning the position of a Notary which states that in carrying out his position a Notary is obliged to read the deed before an appearer in the presence of at least 2 (two) witnesses or 4 (four) witnesses. four) special witnesses for making a will under the hand and signed at the same time by the appearers, witnesses, and notaries. From this understanding requires a physical meeting between a notary and the parties directly in making an authentic deed. Notaries must work in accordance with the formal truth which is the responsibility of the position they hold in accordance with the provisions of Article 16 paragraph (1) of Law Number 2 of 2014 concerning Notary Positions [6].

Law Number 2 of 2014 concerning the Position of a Notary is a community need related to a notary institution that functions to answer the needs of the community in carrying



out legal relations between parties who require written evidence in the existence of a legal dispute in the community, the written evidence of course is used as a strong evidence in court proceedings, therefore the notary institution is expected to be the institution that ratifies and issues authentic deeds [7]. However, then the values contained in Law Number 2 of 2014 concerning the Position of Notary are no longer relevant to the development of technology and information today which tends to be a digital system.

Responding to the demands of the dynamics mentioned above, this is the main criticism of the Law on Notary Positions, where this shows that legal regulations in the field of notary positions are indeed not perfect and still require criticism [8], especially in its application to face the digital era. In Indonesia, the application of cyber has encountered obstacles in the form of legal gaps in the regulation of cyber notary in Law Number 2 of 2014 concerning the Position of Notary in the form of a void in legal norms regarding the application of the concept of cyber notary.

In the future, if the concept of a cyber notary and a cyber notary institution in Indonesia can be legalized and implemented, a notary in Indonesia has a role in the power and electronic transactions where the electronic deed and transaction will have the power and validity of the evidence that has been perceived by the rule of law and perception. the digital deed community has no legal force, because it does not have legal force like an authentic deed. Due to the development of digital technology, the notary not only has the authority only limited to conventional transactions but also other jobs in the scope of electronic transactions [9].

The formulation related to the concept of a cyber notary and the institution authorized to organize a cyber notary in Indonesia notary practice of its work process ensures the security of the perpetrators of transactions and electronic documents through a cyber notary institution that provides a mechanism for conducting secure transactions and documents, this cyber notary institution will provide its role in terms of certificate authority services by issuing a digital certificate or deed. This cyber notary institution that will ratify a digital document in accordance with the security of the content and according to the wishes of the parties involved in the document, the cyber notary institution is here to provide security guarantees in exchanging transaction information and electronic documents, so that it will provide legal certainty and legal protection for the parties involved in digital transactions through internet media, so that it will build the trust of the parties involved in the digital transactions. In addition, cyber notary institutions will provide legal certainty and reduce risks due to digital transactions and also avoid fraudulent and irresponsible actions by the parties in the authentication process in electronic transactions [10].

The development of dynamics in the current role of digitalization, responding to the existence of legal arrangements for notaries that are not regulated on the role of cyber notaries in Indonesia specifically and their institutions, where these institutions are functioned as a means to provide security guarantees in exchanging transaction information and electronic documents and also provide legal certainty and legal protection for parties involved in digital transactions through internet media.

METHODS OF RESEARCH

The type of research used is normative law, namely research on legal principles contained in statutory regulations. The nature of this research is analytical prescriptive by grouping legal materials and information based on categories, namely related to the focus of research on the formulation of cyber notary institutions in Indonesia within the framework of legal certainty for notaries, for further interpretation of the overall analysis of the aspects that are the main problems of research carried out in a comprehensive manner. Inductively so that later it will get a complete picture. This study combines three approaches, namely the statutory approach, conceptual approach, and comparative law approach. Approach by analyzing statutory data is done by collecting then analyzing and concluding contextualization with the main problem. On the other hand, the conceptual approach is carried out by collecting the opinions of legal experts to answer the existing problems. Then,



the comparative law approach is carried out by means of a comparative study, namely comparing the Indonesian legal system with the legal systems of other relevant countries in order to answer the legal issues raised in this study. This type of legal material uses 3 (three) primary legal materials, secondary legal materials, and tertiary legal materials. The legal sources used in this research are primary legal materials and secondary legal materials. The analysis of legal materials used is prescriptive qualitative, namely to provide arguments for the results of research that has been carried out.

RESULTS AND DISCUSSION

After Indonesia's independence, the existence of a Notary in Indonesia was recognized based on the provisions of Article II of the Transitional Rules (AP) of the 1945 Constitution, namely that all existing statutory regulations are still valid as long as a new one has not been enacted according to this constitution. Since 1948 the authority to appoint a Notary has been carried out by the Minister of Justice based on Government Regulation Number 60 of 1948 concerning Employment, Composition, Leaders and Duties of the Ministry of Justice.

In Article 1 of this Regulation of the Position of a Notary, what is meant by a Notary is a public official who is the only one authorized to make an authentic deed regarding an act, agreement and stipulation required by a general regulation or desired by the interested party to stated in an authentic deed, guaranteeing the certainty of the date, keeping it and providing grosse, copies and quotations thereof; all as long as the deed is made by a general regulation is not assigned or excluded to other officials or people [11].

To ensure certainty, order and legal protection for every citizen, the government enacted Law Number 30 of 2004 concerning the Position of Notary Public on October 6, 2004 which was promulgated in the State Gazette of the Republic of Indonesia of 2004 Number 117, Supplement to the State Gazette of the Republic of Indonesia Number 4432 In the provisions of Article 1 point (1) of Law Number 30 of 2004 concerning the Position of a Notary, what is meant by a Notary is a public official who is authorized to make authentic deeds and other authorities as referred to in this Law. With the existence of the UUJN, there has been a comprehensive renewal and re-arrangement in one law governing the position of a Notary so that a legal unification can be created that applies to all residents throughout the territory of the Republic of Indonesia.

Since the enactment of Law Number 30 of 2004 concerning the Position of Notary, which is the new legal basis and also as material for developing Indonesian Notary Law, Indonesian Notary Law can only advance and develop from and by Indonesian Notaries themselves. Several provisions in Law Number 30 of 2004 concerning the Position of a Notary are no longer in accordance with legal developments and the needs of the community, so the government established Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of a Notary which was ratified and promulgated in the State Gazette of the Republic of Indonesia of 2014 Number 3, Supplement to the State Gazette of the Republic of Indonesia Number 5491, in Jakarta on January 15, 2014.

Notaries are public officials who carry out the profession in providing legal services to the public. The term public official is a translation of the term *Openbare Ambttenaren* contained in Article 1 of the Notary Position Regulations and Article 1868 of *Burgerlijk Wetboek (BW)*. Article 1868 *Burgerlijk Wetboek (BW)* states: "Eene authentieke acte is de zoodanige welke in de wettelijken vorm is verleden, door of ten overstaan van openbare ambttenaren die daartoe bevoegd zijn ter plaatse alwaar zulks is geschied (An authentic deed is a deed drawn up in a form determined by law, made by or before a public official authorized to do so at the place where the deed was made)". According to the legal dictionary, one of the meanings of *Ambttenaren* is Official. So what is meant by *Openbare Ambttenaren* is an official who has duties related to the interests of the community, so that *Openbare Ambttenaren* is defined as an official who is given the task of making authentic deeds that serve the interests of the community, and such qualifications are given to a Notary.



The existence of a notary institution in Indonesia is required by the rule of law with a view to serving the public who need authentic written evidence regarding legal circumstances, events or actions. Notary is a job with special expertise and requires extensive knowledge, as well as a heavy responsibility to serve the public interest and the core of the task of a notary is to regulate in writing and authentically legal relations between the parties who require the services of a notary. In addition to being subject to Law Number 2 of 2014 concerning Notary Positions, Notaries must also comply with the Notary Code of Ethics. A Notary Code of Ethics is a moral code determined by the Indonesian Notary Association based on a decision of the Association Congress and/or determined by and regulated in the laws and regulations governing this matter and which applies to and must be obeyed by each and all members of the Association and all members of the Association, people who carry out their duties as a Notary, including Temporary Notary Officials, Substitute Notaries when carrying out their positions.

According to Soegondo Notodisoerjo, the characteristics as a public official owned by a Notary are because a Notary is an official appointed and dismissed by the government and given the authority and obligation to serve the public in several issues because of participating in implementing the power of government positions. It is because of this distinctive character of a Notary that distinguishes a Notary from other public officials [12], therefore Notaries must act professionally in carrying out their positions in accordance with applicable legal provisions to provide good service to the community.

In accordance with the development of society, the function and role of the Notary as a public official, especially regarding the creation of authentic deeds requires the Notary to be able to use the implementation and development of information and communication technology in order to make the Notary's work faster, more precise and efficient. Today the development of information and communication technology is unavoidable, this emphasizes that information and communication technology plays an important role and contributes to economic, social and cultural development. Even the development of information technology and telecommunications will greatly affect future social conditions, such as medical services, education, government administration, and other aspects of life.

Cyber Notary in Indonesia. The concept of cyber notary is a blend of various disciplines between robotics, Mathematics, Electrical and psychology. The presence of cybernetic systems cannot be separated from the influence of the Industrial Revolution 4.0 which promotes the existence of artificial intelligence (artificial intelligence), using computer systems as the basis of technology, genetic engineering, and other innovations that will impact the economic system, industry, government systems, legal systems and political systems country.

The concept of cyber notary is a system used by notaries in facing the era of globalization and digital systems, the Notary as a profession in the field of law must be accommodating to the development of globalization and the Industrial Revolution 4.0 which requires the use of digital systems. The concept of cyber Norway first appeared in 1989 in The Trade Electronics Data Interchange System Legal Workshop in Brussels, at this meeting it became known as the term cyber notary which was introduced by the French delegation who gave an explanation: the term electronic is relatively new term in commerce and first appears to have been counted by the French delegation to the TEDIS (Trade Electronics Data Interchange System) legal workshop at the European Union's 1989 EDI conference in Brussels, where the concept of such an activity was introduced. This conference proposed that various industry associations and related peak bodies could act as an "electronic notary" to provide and independent record of electronic transactions between parties, i.e. when company A electronically transmits trade documents to company B, and vice versa.

It is intended that the need for an independent third party in recording transactions between one party and another party based on electronic data, the emphasis on cyber notary is on the emphasis of the notarization process of a signature on electronic documents through a specific method that affects the output in the form of notary deeds produced that are processed digitally. The definition of cyber notary is not an inherent and binding thing, but it can be said as part of the notary who performs the duties and authority of his job



electronically based on information technology, this concept is also a general concept used in mentioning the notary function that can be applied in transactions or relationships electronically through internet media. Therefore, the general term used is cyber notary or electronic notarization, which is a notary's role as the public key infrastructure of the recipient under an umbrella trust (umbrella trust) where then the cyber notary will perform electronic document authentication, verification of legal certainty and financial responsibility.

Theodore Sedwick Barassi stated that cyber notary is to have a role in describing a combination of a conventional public notary with electronic transaction applications, the role of cyber notary is expected to ensure parties who conduct transactions really have self-awareness without coercion sign electronic documents. Cyber notary is useful to ensure to other parties in other countries when conducting transactions in a country that is completely on its own consciousness and without coercion or threat after signing electronic-based documents. Therefore, cyber notary is likened to a security in electronic transaction traffic through the internet [13].

From the above explanation, it can be concluded that cyber notary is performing the task of authentication in the traffic of electronic transactions carried out by the First party and the second party where the notary becomes a third party among those who perform the authentication function in the case required for the electronic transaction. The requirements required relating to:

- Date certainty;
- Time of transaction;
- Electronic cap;
- Storage protocol;
- Filing;
- Bringing together the legal system in cyber notary.

The authority of cyber notary in Indonesia can be interpreted as a notary who performs the duties or authority of his position based on information technology, which is related to the duties and functions of notaries, especially in deed making. The essence of cyber notary currently has no binding definition. However, it can be interpreted as a notary who performs the duties or authority of his position with information technology-based. Of course, it is not the legality of using a mobile phone or facsimile for communication between a notary and his client. In the provisions of Article 15 Paragraph (3) of the notary office law which states that "what is meant by "other Authority" regulated in the regulation of legislation, among others, the authority to certify transactions conducted electronically (cyber notary), making deeds, Waqf and aircraft mortgages. From the provisions of this article it can be concluded that the notary has other powers, one of which is the authority to certify transactions conducted electronically (cyber notary). This authority gives the role of Notary so that the parties no longer face notary and notary no longer have to meet (face to face) in a certain place, in this case and the parties may be in different places better position or jurisdiction and vice versa also different notarized position and jurisdiction [14].

Legal Ratio of Cyber Notary Regulation in Indonesia. Principles of Law No. 2 of 2014 on the position of Notary is a change of regulation relating to notaries as stipulated in Staatsblad 1860 no. 3 on the regulation of Notary positions, relating to all forms of arrangements related to notary positions in the previous rules cannot be implemented properly and still have many shortcomings related to land, making of auction minutes, the relevance of the notary special substitute, taking the deed of notary in the investigation process, supervisory authority by the Supervisory Board of the notary, institutional supervisory board, personal apprenticeship, dual issue of positions and harmonization with other regulations. Therefore changes to law no. 2 of 2014 on the position of notary to further enforce and strengthen the duties and functions of notaries in serving the public interest so as to ensure protection and legal certainty for the community.

That later in the academic text of law no. 2 of 2014 on the position of Notary is only regulated with regard to the issues of renewal that became the subject of discussion of the legal ratio of law no. 2 of 2014 on the position of Notary, while the subject of discussion is related to:



- The authority of notaries and land deed making is associated with the authority of land deed making officials (PPAT), where there is an overlapping authority between the arrangement of tanag deed making between two public officials shaded by different agencies in the name of Notaries under the Ministry of Law and human rights while PPAT under the National Land Agency;
- Related to the duties and authority of Notaries is associated with the duties and authority of auction officials in making the deed of auction minutes, where the overlap of authority between two general officials under two different institutions, namely notaries under the Ministry of Law and human rights while Lenang officials under the Ministry of Finance;
- There is no comprehensive arrangement relating to internship requirements for notary candidates;
- The rationality of the pension age has not been expressly regulated;
- Arrangements of acting notary that cannot be fully implemented;
- The relevance of the existence of a special substitute notary;
- There is a dual interpretation of the position in terms of notaries who become state officials.

From the basis of the above legis ratio as described in the academic text of law no. 2 of 2014 on the position of Notary shows the absence of formulations related to the provisions of Cyber Notary, this is a legal vacuum in the provisions of law no. 2 of 2014 on the post of Notary. If there is any provision on Cyber Notary it is only related to the interpretation of the provisions of Article 15 Paragraph (3) of law no. 2 of 2014 on the post of notary, but the provisions in law no. 2 of 2014 regarding notary position does not confirm (declare) the application of cyber Notary system in notary position regulation in Indonesia.

This is a legal vacuum where law no. 2 of 2014 on the position of Notary reinforce the implementation of Cyber Notary in Indonesia, this legal vacuum is an irony where the law no. 2 of 2014 on the position of Notary should be the entry point for the implementation of Cyber Notary in Indonesia. Legal vacuum in law no. 2 of 2014 on notary positions that do not regulate the use of information technology as the basis for the application of Cyber Notary, so that the application of Cyber Notary in Article 15 Paragraph (3) of law no. 2 of 2014 on the post of Notary is a vague interpretation of the concept of Cyber Notary itself.

In the context of the provisions of Article 15 Paragraph (3) of law no. 2 of 2014 on the position of Notary related to other authorities specifically on the authority of notaries in certifying transactions conducted electronically there is a blur of meaning or also called "Vague Norm" [15], which then distorts the nature and understanding of Cyber Notary itself as adopted in developed countries. The concept of certifying transactions conducted electronically as the interpretation of Article 15 Paragraph (3) of law no. 2 of 2014 about the position of Notary is not the main concept that is included in the authority of Cyber Notary in making an authentic deed, in Cyber Notary the concept of certifying transactions conducted electronically states that the notary has the authority to be referred to as a party that acts as a certification authority or a trusted third party (third trusted party). By acting as a trusted third party (Third trusted party) notaries can issue products in the form of digital certificates as a form of legalization and formalization of digital deeds, in addition notaries as a trusted third party (third trusted party) must be met in the implementation of the electronic transaction.

As explained above, related to the application of cyber Notary in Indonesia does show a legal vacuum and overlapping arrangements in law no. 2 of 2014 on the position of Notary with in law no. 19 year 2016 Information and Electronic Transactions (ITE) thus causing the application of Cyber Notary in Indonesia to be problematic, consequently, as long as the rule of law on Cyber Notary is not changed it will cause legal paradox in the application of Cyber Notary [16].

As a result, notaries in Indonesia will become notaries who are not flexible and not accommodating to the development of digital society, as a result, notaries in Indonesia will become living monuments of the past that are not relevant to changes in society. For example, where a notary in Indonesia works in an office area determined by the government



where this area is referred to as a region, the determination of this office area authorized by the government is stipulated in Article 18 of law no. 2 of 2014 on the post of Notary, also the rule relates to the article of Article 1868 of the Civil Code which states: “an authentic deed must be made by an authorized public official in the place where the deed is made”.

Of course the provisions of the article will have a conflict with the concept of Cyber Notary where later the notary will carry out its work that electronic transactions under the law including those within and outside the jurisdiction of Indonesia. This provision will clearly clash with the principle of Notaries working in certain authorized office areas. Another limitation on the implementation of cyber notaries is the obligation of a notary to read authentic acts before the notary directly with the provision of at least two witnesses as provided for in Article 16 Paragraph (1) of law no. 2 of 2014 on the position of Notary is also an obstacle to the application of Cyber Notary because in Cyber Notary even though the parties are not present directly but Cyber Notary can guarantee the validity and authenticity of the parties, so that the resulting deed becomes perfect strength and guaranteed authenticity because the Electronic deed must meet the requirements of authenticity as determined by law [17].

Faced with this, notaries in Indonesia must think progressively [18], because in Cyber Notary, notaries are not limited by positive legal norms and are thus open to exploring various forms of legal action that can be established or formulated in the form of digitally authentic deeds. Therefore, notaries must adapt to the development of the digital world as a step to provide the best service and maximum satisfaction for the community in accordance with the development of society and also the professionalism of Notaries [19].

The application of Cyber Notary is a possible challenge that must be faced by notaries in Indonesia; it is driven by human progress, development mobility, modernization and globalization which in its development involve digital technology. It also has an impact on the world of law where the world of law is influenced by technological progress, the development of modern technology today with internet technology as its supporters, life becomes simple and causes life to be very familiar with technology that has become part of an inseparable life [20].

The concept of Cyber Notary is related to the implementation of Notarial authority based on information technology, there are two aspects that are the emphasis on Cyber Notary is related to the authority and use of technology. In its application Cyber Notary is a concept that takes advantage of technological advances for notaries in carrying out their daily duties, such as:

- Digitization of documents;
- Electronic signing of the deed;
- Implementation of the General Meeting of shareholders (GMS) by teleconference.

The benefit of cyber notary is to facilitate transactions between parties who live far apart so that distance is no longer an issue. Shareholders located in the United States, Japan or Singapore, can participate in the GMS by using teleconferencing media with shareholders in Indonesia, witnessed by a notary in Indonesia. The physical presence of the shareholders is not necessary. Shareholders who are abroad can be considered to continue attending the GMs and voting rights are still counted in the attendance quorum.

CONCLUSION

The conclusion of this study is the concept of cyber notary is a system used by notaries in the face of the era of globalization and digital systems, then the Notary as a profession in the field of law must be accommodating to the development of globalization and the Industrial Revolution 4.0 which requires the use of digital systems.

The existence of legal vacuum and overlapping arrangements in law no. 2 of 2014 on the position of Notary with law no. 19 year 2016 Information and Electronic Transactions (ITE) thus causing the application of Cyber Notary in Indonesia to be problematic, consequently, as long as the rule of law on Cyber Notary is not changed it will cause legal paradox in the application of Cyber Notary.



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