

**KEWENANGAN DAN TANGGUNG GUGAT  
NOTARIS PEMEGANG PROTOKOL TERHADAP AKTA YANG  
DISIMPANNYA**

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**ABSTRAK**

Protokol notaris harus tetap disimpan walaupun notaris mengambil cuti, notaris pindah daerah kerja, notaris yang sudah pensiun dan bahkan notaris yang telah meninggal dunia agar terjaga kerahasiaan aktanya dan apabila sewaktu-waktu dibutuhkan, minuta akta mudah ditemukan oleh pemegang protokolnya. UUJN maupun aturan turunannya tidak mengatur secara rinci dan khusus mengenai sistem peralihan protokol notaris dan perlindungan yang harus diberikan kepada pemegang protokol ketika terjadinya suatu masalah terhadap protokol yang disimpannya, sehingga menjadikan proses pelaksanaan alih-kewenangan atas protokol notaris ini menimbulkan kebingungan bagi notaris pemegang protokol tersebut. Metode yang digunakan adalah penelitian yuridis normatif dengan pendekatan perundang-undangan dan pendekatan konseptual. Hasil penelitian menunjukkan bahwa Notaris pemegang protokol notaris tidak berwenang untuk melakukan pembetulan atas kesalahan dalam minuta akta yang dibuat oleh Notaris pemberi protokol notaris sebagaimana diatur dalam ketentuan Pasal 51 ayat (1) *jo.* Pasal 65 UUJN, sedangkan bentuk perlindungan hukum kepada Notaris pemegang protokol apabila terjadi gugatan terhadap akta yang disimpannya berupa jaminan dari Majelis Kehormatan Daerah (MKD), bantuan hukum dan advokasi berupa persetujuan pemeriksaan dari Majelis Kehormatan Notaris (MKN).

**Kata Kunci:** Kewenangan, Notaris Pemegang Protokol, Protokol Notaris, Tanggung Gugat.

***AUTHORITY AND RESPONSIBILITY OF THE NOTARY PUBLIC AS THE  
PROTOCOL HOLDER FOR THE DEEDS HE KEEPS***

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**ABSTRACT**

*Notarial protocols must continue to be preserved even when a notary takes leave, transfers to another jurisdiction, retires, or has passed away, in order to maintain the confidentiality of the deeds and to ensure that the minutes of deeds can be easily located by the holder of the protocol whenever they are needed. However, neither the Law on the Position of Notary (Undang-Undang Jabatan Notaris/UUJN) nor its implementing regulations provide detailed and specific provisions regarding the system of transfer of notarial protocols and the legal protection that must be afforded to the protocol holder when problems arise concerning the protocols under their custody. This regulatory gap has resulted in uncertainty and confusion in the implementation of the transfer of authority over notarial protocols for notaries who serve as protocol holders. The research employs a normative juridical method, using statutory and conceptual approaches. The results of the study indicate that a notary who holds a notarial protocol does not have the authority to correct errors in the minutes of deeds made by the notary who transferred the protocol, as stipulated in Article 51 paragraph (1) in conjunction with Article 65 of the UUJN. Furthermore, the forms of legal protection available to a notary holding a protocol in the event of a lawsuit concerning a deed under their custody include guarantees from the Regional Honorary Council (Majelis Kehormatan Daerah/MKD), as well as legal assistance and advocacy in the form of approval for examination granted by the Notary Honorary Council (Majelis Kehormatan Notaris/MKN).*

***Keywords:*** *Authority, Notary as Protocol Holder, Notarial Protocol, Legal Liability.*