

REKONSTRUKSI HUKUM MEKANISME PENGAWASAN NOTARIS DALAM MENCEGAH PEMALSUAN DOKUMEN SEBAGAI DASAR PEMBUATAN AKTA AUTENTIK DI INDONESIA

Legal Reconstruction of the Notary Supervision Mechanism in Preventing Document Forgery as a Basis for Making Authentic Deeds in Indonesia

Kartika^{1*}

Zainal Arifin Hoesein²

^{*1&2} Universitas Borobudur,
Indonesia

*email:
25730921@borobudur.ac.id

Lisensi:CC-BY 

Abstrak

Penelitian ini bertujuan untuk menganalisis kerangka hukum yang mengatur mekanisme pengawasan notaris dalam mencegah pemalsuan dokumen sebagai dasar pembuatan akta autentik di Indonesia, mengidentifikasi kelemahan hukum dalam sistem pengawasan yang berlaku saat ini, serta merumuskan kerangka pembaruan hukum yang mampu menjamin kepastian hukum. Penelitian ini menggunakan metode yuridis normatif dengan pendekatan peraturan perundang-undangan dan pendekatan konseptual. Hasil penelitian menunjukkan bahwa pengawasan terhadap notaris telah diatur dalam Undang-Undang Nomor 2 Tahun 2014 tentang Jabatan Notaris melalui Majelis Pengawas dan Majelis Kehormatan Notaris, namun belum mampu secara efektif mencegah penggunaan dokumen palsu dalam pembuatan akta autentik. Kelemahan tersebut meliputi belum adanya pengaturan mengenai *legal due diligence*, belum jelasnya kewajiban verifikasi dokumen, belum tersedianya standar nasional pemeriksaan keaslian dokumen, terbatasnya akses notaris terhadap basis data pemerintah, serta sistem pengawasan yang masih bersifat represif. Rekonstruksi hukum yang diusulkan meliputi penguatan kewajiban verifikasi identitas dan dokumen, pengaturan mengenai *legal due diligence* notaris, integrasi sistem kenotariatan dengan basis data nasional, pengembangan sistem verifikasi elektronik, penerapan *early warning system*, serta pembentukan model pengawasan *cyber notary*. Rekonstruksi tersebut diharapkan dapat memperkuat kepastian hukum, perlindungan hukum, dan efektivitas pengawasan notaris dalam menghadapi perkembangan teknologi digital serta meningkatnya kasus pemalsuan dokumen.

Kata Kunci:

Rekonstruksi Hukum
Pengawasan Notaris Pemalsuan
Dokumen
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Keywords:

Legal Reconstruction
Notary Supervision
Document Forgery
Authentic Deeds

Abstract

This study aims to analyze the legal framework governing the notary supervision mechanism in preventing document forgery as the basis for the preparation of authentic deeds in Indonesia, identify legal weaknesses in the current supervision system, and formulate a legal framework capable of ensuring legal certainty. The study employs a normative legal methodology using both a statutory and a conceptual approach. The findings reveal that notary supervision is regulated under Law No. 2 of 2014 on the Office of the Notary through the Supervisory Board and the Notary Honorary Board; however, it has not yet been able to effectively prevent the use of forged documents in the preparation of authentic deeds. These weaknesses include a lack of regulations regarding legal due diligence, unclear obligations regarding document verification, the absence of national standards for document authenticity checks, limited notary access to government databases, and a supervisory system that remains repressive in nature. The proposed legal reforms include strengthening identity and document verification requirements, regulating notary legal due diligence, integrating the notary system with the national database, developing an electronic verification system, implementing an early warning system, and establishing a cyber notary supervision model. These reforms are expected to strengthen legal certainty, legal protection, and the effectiveness of notary supervision in the face of digital technology advancements and the increasing number of document forgery cases.

INTRODUCTION

Indonesia, as a country based on law, as stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, requires that all state administration activities and legal relations in society be conducted based on laws that guarantee justice, benefit, and legal certainty (Arliman, 2020). Legal certainty is one of the main objectives of law, which is a prerequisite for realizing the protection of citizens' rights in every legal relationship. In the Indonesian civil law system, legal certainty is highly dependent on the existence of written evidence that has perfect evidentiary power. Article 1866 of the Civil Code places written evidence as the main evidence in civil cases (Julaeha, 2026). while Article 1868 of the Civil Code states that an authentic deed is a deed made in a form determined by law by or before a public official authorized to do so. The evidentiary power of an authentic deed is further emphasized in Article 1870 of the Civil Code, which states that an authentic deed provides perfect proof for the parties and their heirs regarding what is contained therein (Komang Ayuk Septianingsih, I. Nyoman Putu Budiarta, 2020). The strategic position of authentic deeds makes the notary public, as a public official, central to maintaining legal certainty, public order, and legal protection for all legal actions taken by citizens.

The notary's role as a public official is legally based on Law Number 30 of 2004 concerning the Office of Notaries, as amended by Law Number 2 of 2014. Article 1, number 1 of the Notary Law states that a notary is a public official authorized to draw up authentic deeds and has other powers as stipulated in the law (Borman, 2019). Historically, the notarial institution developed from the Continental European legal tradition, which positions notaries as guardians of public trust in civil legal relations. This position gave rise to the concept of the *nobile officium*, which views the notary profession as a noble position, serving the public as a legal service while guaranteeing the legality and authenticity of various legal acts. The authority held by a notary public, as stipulated in Article 15 of the Notary Law, ensures that the deeds they produce have high evidentiary value, thus ensuring the public places significant trust in every legal product they produce. This public trust is a key factor in maintaining the legitimacy of notarial institutions. Doubts about the validity of notarial deeds not only impact the parties involved but can also disrupt the stability of economic transactions, investments, civil relations, and public trust in the legal system as a whole (Anand, 2018).

Current developments in notarial practice demonstrate the increasing use of forged documents as the basis for authentic deeds. This forgery is carried out through various methods, ranging from the use of false identities, falsified ID cards, falsified land title certificates, falsified powers of attorney, falsified corporate documents, and even the manipulation of electronic documents used in various legal transactions. This situation is becoming increasingly complex with the development of information technology, which allows for document forgery with a very high degree of similarity (Valentina, 2022). Advances in digital technology have even given rise to the use of artificial intelligence, deepfakes, and various forms of electronic data manipulation that are difficult to detect with the naked eye. This situation poses an increasingly significant risk of cyber fraud in notarial practice, particularly when notaries are faced with documents that appear formally valid but substantively contain elements of forgery. Consequently, authentic deeds derived from forged documents have the potential to become the subject of legal disputes, be annulled by court rulings, cause losses to third parties acting in good faith, and erode public trust in the notarial profession and the prevailing system of evidence (Ardita Aprillia Julaija, Joni Emirzon, 2022).

This issue is problematized by the fact that the Notary Law does not yet provide clear regulations regarding the limits of a notary's responsibility in verifying documents submitted by parties. Notarial practice has historically been based on the principle of formal truth, namely, formal truth derived from statements and documents submitted by the parties. Notaries are essentially not granted investigative authority, unlike law enforcement officials, to investigate the

material authenticity of a document. However, in law enforcement practice, notaries are often held accountable when forged documents are discovered to have been used in the preparation of deeds. This phenomenon has led to the criminalization of notaries acting in good faith, whether as witnesses, suspects, or defendants in criminal cases related to document forgery. This situation indicates a lack of clarity regarding the extent of a notary's verification obligations, whether limited to formal document examination or encompassing substantial examination of the document's validity. This ambiguity creates legal uncertainty that ultimately harms notaries and the public as users of notarial services (Ardita Aprillia Julaija, Joni Emirzon, 2022).

The notary oversight system established under the Notary Public Act through the Regional Supervisory Council, the District Supervisory Council, the Central Supervisory Council, and the Notary Honorary Council still faces various limitations in preventing the use of forged documents. The current oversight model tends to be repressive and reactive, as it is primarily implemented after violations occur or public reports are filed. Supervisory mechanisms have not been optimally directed toward early prevention of the potential use of forged documents before deeds are executed. This weakness is exacerbated by the absence of mandatory national document verification standards that all notaries must apply, as well as the lack of integration between the supervisory system and government-managed databases; such as the national population registry, land registry, and corporate registry. Notaries' limited access to official government data means that the process of verifying document authenticity remains heavily reliant on the physical documents presented by the parties. Furthermore, technology-based oversight has not developed sufficiently due to the lack of an electronic audit system, digital monitoring, or an early detection system for indications of the use of forged documents in the process of drafting authentic deeds (Larasati, 2023).

The existing weaknesses in legal substance, structure, and culture highlight an urgent need to reform the legal oversight mechanism for notaries in Indonesia to prevent document forgery, which threatens the integrity of authentic deeds. This necessity arises from the absence of clear norms surrounding notarial due diligence obligations, the lack of defined standards for document verification, and the failure to integrate the notarial oversight system with advancements in digital technology. Experiences from countries such as the Netherlands, France, and Germany demonstrate that notarial oversight can be enhanced through the adoption of electronic identity verification systems, mandatory risk-based document inspections, national data integration, and stringent anti-money laundering compliance standards. These conditions are relevant for adoption in the Indonesian legal system, while still taking into account the characteristics of national law and the values of Pancasila. The necessary legal reconstruction should be directed at strengthening document verification obligations, establishing a national database integration system, implementing technology-based digital oversight, developing an early warning system for counterfeit documents, strengthening the authority of the Supervisory Board, and explicitly regulating notarial due diligence in legislation. These efforts are important to achieve legal certainty, public protection, and balanced protection of the notary profession in facing the increasingly complex challenges of document forgery in the digital era.

METHOD

This study employs a normative juridical research method that focuses on the study of legal norms governing the notary supervision mechanism in preventing document forgery as a basis for making authentic deeds in Indonesia. Normative juridical research was chosen because the problems studied are related to the absence of norms, unclear norms, and weaknesses in legal regulations regarding the obligation to verify documents and the notary supervision mechanism in the Indonesian positive legal system. The approaches used include a statutory approach and a conceptual

approach. The statutory approach is carried out by examining various relevant laws and regulations, including the 1945 Constitution of the Republic of Indonesia, the Civil Code, Law Number 30 of 2004 concerning the Position of Notary as amended by Law Number 2 of 2014, Law Number 11 of 2008 concerning Information and Electronic Transactions as last amended by Law Number 1 of 2024, and various other regulations related to notary supervision and document validity. The conceptual approach is used to examine various relevant legal doctrines, theories, and principles, such as the theory of the rule of law, the theory of legal certainty, the theory of legal protection, the theory of authority, the theory of legal responsibility, as well as the concepts of officium nobile, due diligence, and preventive legal protection as a basis for analyzing the weaknesses of the applicable regulations and formulating a legal reconstruction of the notary supervision mechanism that is more effective, adaptive, and oriented towards preventing document forgery to realize legal certainty and legal protection for the public and notaries.

RESULT AND DISCUSSION

1. Legal Regulations and Supervision Mechanisms for Notaries in Preventing Document Forgery as a Basis for Making Authentic Deeds in Indonesia

The concept of notary supervision within the Indonesian legal system is an inseparable part of the state's efforts to ensure legal certainty for every authentic deed made by a notary as a public official. That supervision is rooted in the principle of the rule of law as stipulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, which requires that every exercise of public authority be conducted based on the law and be accountable. The position of a notary as a public official is granted by the state through Law Number 30 of 2004 concerning the Notary Position, as amended by Law Number 2 of 2014. Article 1, paragraph 1 of the Notary Position Law states that a notary is a public official authorized to create authentic deeds and has other authorities as stipulated by law. That position indicates that a notary is not merely an ordinary legal profession, but a state legal organ that performs part of the public functions in the field of civil legal services. The consequence of that status is the need for an effective supervision system to ensure that every execution of the notary's duties remains within the corridors of law, professional ethics, and the principle of prudence. Supervision of notaries is essentially a legal instrument aimed at maintaining the quality of legal services, preventing the abuse of authority, and protecting the public from potential losses due to deeds made based on invalid documents or containing elements of forgery (Ardita Aprillia Julaija, Joni Emirzon, 2022).

The authority of a notary in making authentic deeds is expressly regulated in Article 15, paragraph (1) of the Notary Law, which states that a notary is authorized to make authentic deeds regarding all acts, agreements, and determinations required by statutory regulations or desired by the parties to be stated in an authentic deed. This authority places the notary in a central position in ensuring legal certainty within various civil legal relationships. The legal validity of a notarial deed is based on Article 1868 of the Civil Code, which characterizes an authentic deed as a document executed by or before a competent public official in the form prescribed by law. Article 1870 of the Civil Code further provides perfect evidentiary force for authentic deeds for the parties and their heirs. This legal construction indicates that the validity and evidentiary value of an authentic deed are closely linked to the manner in which it is prepared, including the verification of the parties' identities and the authenticity of the supporting documents used in its preparation. The strategic position of a notary as a creator of perfect evidence means that any error or negligence in the document examination process may have wide-ranging legal consequences, both for the parties and for third parties who obtain rights based on the deed (Lesmana, 2019).

The mechanism for supervising notaries in the Indonesian legal system is carried out through a supervisory structure regulated in Chapter XI of the Notary Position Law. Article 67 paragraph (1) of the Notary Position Law states that the supervision of notaries is conducted by the Minister of Law through the establishment of the Notary Supervisory Council. This supervisory structure consists of the Regional Supervisory Council, the Provincial Supervisory Council, and the Central Supervisory Council as regulated in Article 68 of the Notary Position Law. The Regional Supervisory Council has the function of examining alleged violations of notary duties at the district or city level, while the Provincial Supervisory Council is authorized to provide guidance and conduct examinations at the provincial level. The Central Supervisory Council has a strategic function in providing guidance and supervision at the national level. In addition, the Notary Position Law also recognizes the Notary Honorary Council, regulated in Articles 66 and 66A, as the institution authorized to approve or reject the summoning of notaries by investigators, public prosecutors, or judges in judicial proceedings. The existence of the Notary Honorary Council is intended to maintain a balance between the interests of law enforcement and the protection of the independence of the notary's office as the holder of professional secrets. The supervisory structure normatively indicates that the state has established a sufficiently comprehensive institutional instrument to oversee the execution of the notary's duties (Monalisa Marbun, Wira Franciska, 2024).

Notarial practice treats identity and document verification as a crucial part of the process of drafting authentic deeds, even though the regulations governing this have not yet been detailed in the Notary Public Act. Article 16(1)(a) of the Notary Public Act requires notaries to act with integrity, honesty, diligence, independence, impartiality, and to safeguard the interests of the parties involved in legal transactions. The term "diligence" imposes a legal obligation on notaries to conduct a meticulous examination of the identities of the parties and the documents serving as the basis for the deed's creation. The role of documents in the notarial process is fundamental because these documents serve as the source of data incorporated into authentic deeds. The relationship between the authenticity of documents and the validity of deeds is inseparable, as documents containing elements of forgery can render the deed the subject of a dispute or even cause it to lose its probative value. Although notaries fundamentally adhere to the principle of formal truth, that is, formal truth based on documents and statements provided by the parties, the duty of care still requires notaries to conduct a rational examination of any indications of inconsistency or irregularities found in those documents. This understanding indicates that the protection of a deed's validity does not depend solely on the parties but also on the quality of the notary's oversight and the application of the duty of care (Zulfikar, 2024).

The provisions regarding document forgery in Indonesian positive law provide a strong normative basis for efforts to prevent the use of counterfeit documents in notarial practice. Article 263 of the Criminal Code stipulates that anyone who creates a false document or falsifies a document that could give rise to rights, obligations, debt relief, or serve as evidence is subject to criminal penalties. This requirement is reinforced by Article 264 of the Criminal Code, which imposes a more severe criminal penalty if the forgery is committed against authentic deeds or certain documents with special evidentiary value. The benefit of counterfeit electronic documents can also be prosecuted under Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions, specifically provisions governing the manipulation of electronic information and electronic documents. The existence of these various regulations demonstrates that Indonesian law has substantially protected the authenticity of documents. The issue at hand stems from the inadequate integration between the notary supervision system and the document forgery prevention systems employed by various state agencies. Consequently, the risk of utilizing false documents persists, despite the existence of several criminal law measures designed to prosecute offenders (Mahendra, 2025).

The legal framework governing the supervision of notaries demonstrates vertical synchronization among the 1945 Constitution of the Republic of Indonesia, the Civil Code, the Criminal Code, the Notary Public Act, and various implementing regulations governing the supervision and oversight of notaries. Horizontal synchronization is also evident through the interconnection of notarial regulations with regulations on civil administration, land affairs, corporations, and electronic transactions. The principle of legal certainty requires that every deed produced by a notary have a clear legal basis and be trustworthy to the public. The principle of prudence requires notaries to carefully examine the identities of the parties and the supporting documents submitted. The principle of professionalism obligates notaries to perform their duties based on competence, integrity, and the professional code of ethics. The principle of legal protection requires a balance between protecting the public as users of notary services and protecting notaries in the performance of their official duties (Rindiana Larasati, 2026).

2. Legal Weaknesses of Notary Supervision Mechanisms in Preventing Document Forgery as a Basis for Making Authentic Deeds in Indonesia

The weakness of the notary supervision mechanism in preventing document forgery as the basis for making authentic deeds basically stems from the weakness of the legal substance contained in Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Notary Office. The regulation regarding the obligation of notaries to act in a trustworthy, honest, thorough, independent, impartial manner, and to protect the interests of the parties as stipulated in Article 16, paragraph (1) letter a of the Notary Office Law has not been accompanied by clear regulations regarding the standards of caution that must be applied in verifying the authenticity of documents submitted by the parties. The Notary Office Law also does not explicitly regulate the obligation of due diligence as a procedure for in-depth examination of the identity, legal capacity, and authenticity of documents used in making deeds. This lack of norms creates legal uncertainty regarding the limits of notary responsibility when it is later discovered that there are fake documents that form the basis for the birth of authentic deeds. This situation demonstrates that the notarial legal system remains oriented toward the concept of formal truth, without being balanced by adequate legal instruments to ensure document validity more comprehensively. Consequently, legal protection for both the public and notaries is suboptimal due to the lack of clear normative parameters regarding mandatory verification measures in notarial practice.

The unclear limits of notaries' document verification obligations further increase the potential for document forgery during the authentic deed creation process. The Notary Law does not clarify the extent to which notaries must examine documents submitted by parties, whether limited to examining the formal aspects of the document or including examining the substance and material validity of the document. The absence of national standards for document authenticity examinations causes each notary to apply different examination standards based on their individual experience and subjective judgment. This situation has the potential to create inconsistent quality of notarial services and opens up opportunities for malicious parties to exploit existing legal loopholes. This problem is further complicated when notaries are faced with documents that appear to be authentic but have actually been manipulated or obtained through unlawful means. The ambiguity of these norms indicates weaknesses in the legal substance, which fails to provide definitive guidelines regarding the professional standards that notaries must meet to prevent the use of forged documents as the basis for authentic deeds.

The weakness of the legal structure is also evident in notaries' limited access to various official government databases. Although notaries are responsible for verifying the identity of parties and the documents used in the creation of deeds, they do not, in reality, have direct access to the population administration system managed by the Ministry of Home Affairs, the land system managed by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency,

or the various corporate administration systems under the authority of relevant ministries and institutions. These limitations mean that the verification process remains heavily reliant on physical documents presented by the parties, with no mechanism for direct confirmation with the issuing agency. Insufficient coordination between notaries and government agencies issuing documents often delays the validation process, making it less timely and effective. This situation indicates that the established oversight system is not supported by an institutional structure capable of fostering inter-agency synergy to prevent the use of forged documents. In fact, developments in information technology have enabled the creation of a data integration system that can be used to improve the accuracy and security of the document verification process in notarial practice.

Another weakness lies in the repressive and reactive nature of notarial supervision. Supervision conducted by the Regional Supervisory Board, the Central Supervisory Board, and the Central Supervisory Board, as stipulated in Articles 67 to 81 of the Notary Law, is generally carried out after an alleged violation has occurred or after a public report has been received. As a preventive measure against the use of fake documents prior to the drafting of a deed, this monitoring mechanism has not been able to operate at its best. An early warning system or early detection mechanism that can identify early signs of document forgery is absent from the current system. Thus, supervisory action is only implemented when a disagreement emerges or the parties suffer a loss. This supervisory model, which focuses on post-event action, is inconsistent with modern legal requirements, which prioritize prevention as the primary instrument for preventing legal violations. The absence of an early prevention system indicates that the notarial supervisory structure remains unable to anticipate the various forms of document crime that are dynamically developing in society.

Developments in digital technology also present new challenges that the current notarial supervisory system has not been able to fully address. The digitalization of government administration and electronic transactions has given rise to various forms of electronic documents with legal force, as stipulated in Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions. This development has also been accompanied by an increased risk of digital identity forgery, electronic document manipulation, the use of deepfakes, and various forms of cyberfraud, which are increasingly difficult to detect through conventional audits. The notary oversight system is not yet supported by digital monitoring technology, electronic audits, or electronic verification tools integrated with government databases. These limitations severely limit notaries' ability to identify manipulated electronic documents. This situation highlights the gap between technological developments and the ability of notary regulations to provide legal protection against the ever-growing threat of digital-based document forgery.

Analysis based on Lawrence M. Friedman's legal system theory indicates that the weaknesses of notary oversight mechanisms lie not only in the legal substance but also in the legal structure and legal culture. From a legal substance perspective, there remains a gap in norms regarding due diligence, document verification standards, and preventive oversight mechanisms against document forgery. From a legal structure perspective, inter-institutional coordination is suboptimal, access to official state databases remains limited, and the oversight system has not fully utilized digital technology. From a legal culture perspective, there is still a low level of legal awareness among some members of the public who use forged documents to obtain certain benefits, as well as a tendency to view notaries as the party responsible for the validity of all documents submitted by the parties. This situation often leads to the criminalization of notaries who are unaware of document forgery because they act based on data provided by the parties. This phenomenon creates a disharmony between the need for legal protection for the public as users of notary services and

the need for legal protection for notaries as public officials carrying out their duties based on the authority granted by law.

3. Legal Reconstruction of the Notary Supervision Mechanism in Preventing Document Forgery as a Basis for Making Authentic Deeds Based on Legal Certainty

The legal reconstruction of the notary oversight mechanism for preventing document forgery as the basis for creating authentic deeds must be based on a philosophical foundation derived from Pancasila and the principles of the rule of law, as stipulated in Article I paragraph (3) of the 1945 Constitution of the Republic of Indonesia. The values of justice, legal certainty, and legal benefit require that every authentic deed resulting from the notarial process be truly based on valid identities and documents, thereby providing legal protection for all interested parties. The role of a notary as a public official is not only to create deeds but also to safeguard public trust in the civil evidence system. This situation necessitates a legal reconstruction that strengthens the notary's preventive function without altering the essence of the notary's position as a public official who operates based on the principles of prudence and formal truth. Legal reconstruction must be directed toward establishing a supervisory system that no longer focuses solely on taking action after a violation has occurred but also on detecting and preventing the use of forged documents before the deed is created. This approach aligns with the goal of a rule of law state, which prioritizes preventing legal harm over resolving disputes after the harm has occurred.

The legal basis for legal reconstruction stems from the lack of norms and unclear regulations in Law Number 2 of 2014 concerning the Notary Position regarding the obligation to verify documents and the implementation of legal due diligence by notaries. Article 16, paragraph (1), letter a of the Notary Position Law only regulates the obligation of notaries to act carefully without providing operational parameters regarding the form of examination that must be carried out on the parties' documents. Consequently, the Notary Position Law must be amended to include provisions that specifically mandate notaries to perform legal due diligence on the identities of the parties, population documents, land documents, corporate documents, and electronic documents that serve as the foundation for making deeds. New provisions that govern basic requirements for document verification, the requirement to record the verification's outcomes, and signs of prudence that notaries must adhere to can help actualize this reconstruction. These regulations also serve as limits on the notary's legal responsibility so that notaries who have carried out verification procedures according to the standards determined by law cannot be held responsible for document falsification carried out by the parties. This model will strengthen legal certainty for both the public and notaries as public officials.

The sociological basis for legal reconstruction is based on the increasing number of document forgery cases exploiting advances in information technology and the digitalization of public services. Digital identity forgery, electronic document manipulation, the use of deepfakes, and various forms of cyberfraud demonstrate that conventional oversight systems are no longer adequate to address the complexity of modern document crime. This situation demands the establishment of a technology-based oversight system integrated with various official state data sources. A concrete action that can be taken is to establish a national electronic verification system that allows notaries to directly verify Population Identification Numbers, population data, marital status, land data, legal entity data, and various other official documents through a single government-managed service portal. The system must be connected to the Directorate General of Population and Civil Registration, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, the Directorate General of General Legal Administration, the Directorate General of Taxes, and other relevant agencies. The integration will reduce reliance on physical documents and minimize the potential for the use of forged documents in notarial practice.

The experiences of several countries demonstrate that effective notarial supervision relies not only on disciplinary mechanisms but also utilizes technology and integrated verification systems. The Netherlands, through its supervision system involving the Royal Notarial Service (Koninklijke Notariële Beroepsorganisatie), has implemented strict identity verification standards and ongoing professional oversight. France has developed an administrative supervision model integrated with digital government systems, enabling notaries to conduct more accurate data audits. Germany has even implemented mandatory identity verification and anti-money laundering compliance principles, requiring notaries to conduct in-depth verification of the parties and documents used in certain legal transactions. Best practices from these countries can be adopted in the Indonesian legal system through the establishment of national document verification standards, mandatory reporting of high-risk transactions, and the development of an electronic audit system for the performance of notarial duties. Adopting these practices is not intended to change the characteristics of Indonesian notaries, but rather to strengthen their preventive oversight function in line with the needs of modern society.

Legal reconstruction should also be directed at developing a cyber notary supervision model capable of integrating supervision, verification, and development functions within a single national digital system. A concrete action that can be taken is to develop an information technology-based notary oversight platform that enables Regional Supervisory Councils, District Supervisory Councils, and the Central Supervisory Council to monitor the performance of notaries in real time. This system can be equipped with features such as electronic audits, automatic document verification, digital reporting, and a risk analysis system capable of identifying transaction patterns that may involve the use of forged documents. The development of an early warning system is also necessary, utilizing artificial intelligence technology to detect data discrepancies, identity duplication, the use of revoked or canceled documents, and indications of electronic document manipulation. The authority of the Supervisory Council needs to be expanded not only as an institution that investigates violations but also as an institution with access to the digital oversight system to take preventive actions before deeds are issued. These changes will shift the oversight paradigm from a repressive model toward a more effective preventive model.

The ideal model for legal reconstruction of the notary oversight mechanism to prevent document forgery based on legal certainty is realized through the reformulation of the Notary Law, which encompasses five main aspects: regulating legal due diligence obligations, establishing national standards for document verification, integrating the notary system with the national database, developing cyber notary supervision, and strengthening the Supervisory Board's authority in preventive oversight. This reform needs to be explicitly incorporated into the Notary Law by adding norms governing electronic identity verification procedures, mandatory risk-based document inspections, the use of a national electronic verification system, legal protection for notaries who have properly implemented verification standards, and sanctions against parties who intentionally use forged documents in the deed-making process. This legal reconstruction will create a balance between the interests of protecting the public, legal certainty for the parties, and the protection of the notary profession as a public official. A monitoring system integrated with digital technology will ultimately strengthen public trust in authentic deeds while ensuring that every deed produced is truly born from a legal process that is transparent, accountable, and free from the use of forged documents.

CONCLUSION

Based on the research results, it can be concluded that the notary supervision mechanism in preventing document forgery as the basis for making authentic deeds in Indonesia has been normatively regulated through Law

Number 2 of 2014 concerning the Notary Office, specifically through the supervisory authority implemented by the Regional Supervisory Council, the Regional Supervisory Council, the Central Supervisory Council, and the Notary Honorary Council. These regulations are, in principle, aimed at ensuring the implementation of the notary office in a professional, accountable manner, and in accordance with applicable legal provisions. However, the existing supervisory mechanism has not been able to optimally prevent the use of forged documents in the process of making authentic deeds. These weaknesses are evident in the continued lack of norms regarding legal due diligence obligations, the unclear limits of the obligation to verify documents by notaries, the absence of national standards for document authenticity examinations, limited notary access to government databases, and a supervisory pattern that is still repressive and oriented towards taking action after a violation occurs. Analysis based on Lawrence M. Friedman's legal system theory shows that these weaknesses encompass aspects of legal substance, legal structure, and legal culture, which collectively render the notary oversight mechanism incapable of providing effective legal protection against the increasingly complex threat of document forgery, particularly in the digital era characterized by the development of electronic documents, digital identities, and various forms of cybercrime.

Efforts to achieve legal certainty in preventing document forgery as a basis for making authentic deeds require comprehensive legal reconstruction through changes to the Notary Law and strengthening the digital technology-based monitoring system. This reconstruction needs to be realized by strictly regulating notaries' legal due diligence obligations, establishing national standards for identity and document verification, establishing an electronic verification system integrated with population data, land data, legal entity data, and various other state administrative databases, and developing a cyber notary supervision model that allows for preventive, real-time, and risk-based oversight. The Supervisory Board's authority also needs to be expanded to carry out its preventative function by implementing an early warning system for indications of the use of forged documents before the deed is issued. The government, notary organizations, and supervisory agencies need to strengthen institutional coordination, increase human resource capacity, and develop digital infrastructure that supports rapid and accurate document verification. These steps are expected to create a balance between legal protection for the public as users of notary services and legal protection for notaries as public officials, thus realizing a modern, accountable notary system capable of ensuring legal certainty amidst ever-evolving technological developments and societal dynamics.

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