Lex Publica
Jurnal Ilmu Hukum Asosiasi Pimpinan Perguruan Tinggi Hukum Indonesia
e-ISSN: 2579-8855
p-ISSN: 2354-9181
https://journal.appthi.org/index.php/lexpublica

Supervision of the Notary Supervisory Board on the Use of First Copies as a Substitute for Minutes of Deeds

Agung Iriantoro[1*], Rizka Novilawati[1], Paul Atagamen Aidonojie[2] and Leonid Juryi Galchynsky[3]

[1]Universitas Pancasila, Jakarta, Indonesia
[2]Edo University Iyamho, Edo, Nigeria
[3]Igor Sikorsky Kyiv Polytechnic Institute, Kyiv, Ukraina

**Corresponding author: agungiriantoro62@gmail.com*

Abstract. The notary public is a government official who bears a significant responsibility in the drafting and safekeeping of the original draft of an authentic deed. However, in practice, there are still notaries facing the loss or damage of such original drafts, which potentially undermines the integrity of legal evidence and the trust of the parties involved. This study employs a normative legal research method, utilizing an analytical approach with primary and secondary legal materials, focusing on statutory regulations. The research findings demonstrate that the Supervisory Council of Notaries carries a substantial responsibility in overseeing the issuance of replacement minutes to ensure that this process does not raise any legal uncertainties and continues to safeguard the document's security. The comprehensive supervision by Supervisory Council of Notaries involves validating the authenticity of the copied document, assessing procedural propriety, issuing recommendations, and making administrative decisions. Furthermore, the status of the first copy used as a basis for issuing an authentic replacement minute holds an equivalent legal standing to the original minuta, contingent upon compliance with formal requirements stipulated in Article 1888 of the Civil Code (BW) and under stringent supervision by Supervisory Council of Notaries.

Keywords: *Authentic Deed, Notary Supervisory Council, Minutes of Deed, Substitute Evidence, Notarial Protocol.*

Abstrak. *Notaris adalah pejabat pemerintah yang memikul tanggung jawab signifikan dalam penyusunan dan penyimpanan draf asli akta otentik. Namun, dalam praktiknya, masih ada notaris yang menghadapi kehilangan atau kerusakan draf asli tersebut, yang berpotensi merusak integritas bukti hukum dan kepercayaan pihak-pihak yang terlibat. Studi ini menggunakan metode penelitian hukum normatif, memanfaatkan pendekatan analitis dengan bahan hukum primer dan sekunder, yang berfokus pada peraturan perundang-undangan. Temuan penelitian menunjukkan bahwa Dewan Pengawas Notaris memikul tanggung jawab yang besar dalam mengawasi penerbitan risalah pengganti untuk memastikan bahwa proses ini tidak menimbulkan ketidakpastian hukum dan terus menjaga keamanan dokumen. Pengawasan komprehensif oleh Dewan Pengawas Notaris meliputi validasi keaslian dokumen yang disalin, penilaian kepatutan prosedural, pemberian rekomendasi, dan pengambilan keputusan administratif. Selanjutnya, status salinan pertama yang digunakan sebagai dasar penerbitan risalah pengganti yang otentik memiliki kedudukan hukum yang setara dengan risalah asli, dengan syarat memenuhi persyaratan formal*

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yang diatur dalam Pasal 1888 Kitab Undang-Undang Hukum Perdata (BW) dan di bawah pengawasan ketat oleh Dewan Pengawas Notaris.

Kata kunci: *Akta Otentik, Dewan Pengawas Notaris, Berita Acara Akta, Bukti Pengganti, Protokol Notaris.*

1. Introduction

A notary is a public official, namely a person who meets certain requirements and has the authority to carry out public functions, particularly in the field of civil law by creating authentic evidence[1]. According to Article 1868 of the Civil Code, an authentic deed is a deed drawn up in a form prescribed by law or before a public official authorized by law at the place where it was drawn up. This deed possesses perfect evidentiary value regarding its contents, making it a strong and legally recognized form of proof.[2] Consequently, authentic deeds function as the highest form of written evidence within the Indonesian legal system and are essential for ensuring legal certainty in civil transactions.

An authentic deed, particularly in the form of minutes of the deed, constitutes an integral part of the Notarial Protocol, which is categorized as a state archive. These minutes serve as the primary reference for issuing official copies (grosse, salinan, kutipan), thereby ensuring the continuity of legal administration and evidentiary reliability.[3] The minutes of the deed contain a complete and original record of agreements or legal acts conducted before the notary, and therefore must be stored securely and maintained with due diligence. The obligation of notaries to safeguard such documents is explicitly regulated under Article 52 of the Notary Law (*Undang Undang Jabatan Notaris*/UUJN), which emphasizes the responsibility of notaries to preserve the authenticity, confidentiality, and integrity of notarial protocols.[4]

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[1] Marcelina Siti Nabila and Pieter E. Latumeten, "Penerapan Sanksi Administratif Terhadap Notaris Yang Melakukan Pelanggaran Terhadap Jabatannya (Studi Putusan Pengadilan Tata Usaha Negara No. 235/G/2019/PTUN. KT)," *UNES Law Review* 6, no. 2 (2023): 5275. See also, Nurul Amriaty, "Penegakan hukum atas kewenangan Majelis Pengawas Wilayah Notaris yang memberikan teguran tertulis kepada notaris (Studi kasus putusan Nomor 190/G/2020/PTUN.JKT)," *Jurnal Suara Hukum* 4, no.1 (2022): 63.

[2] Hatta Isnaini and Wahyu Utomo, "The existence of the notary and notarial deeds within private procedural law in the industrial revolution era 4.0," *International Journal of Innovation, Creativity and Change* 10, no. 3 (2019): 130. See also, Irfan Iryadi et al., "The role of jurisprudence as form of legal prescriptions: A case study of notaries in indonesia," *WSEAS Transactions on Environment and Development* 17, no. 2 (2021): 76.

[3] Erwin Asmadi, "Legal Action Against of Notary Supervisory Board Decision," *Nomoi Law Review* 1, no. 1 (2020): 11. See also, Fitriasari, Resa Eka Nur, "Peran Jabatan Notaris Dalam Penyimpanan Protokol Notaris Yang Disimpan Dalam Bentuk Elektronik Arsip," *Jurnal Hukum Dan Kenotariatan* 6, no. 2 (2022): 10523; Jimmy Tanal and Subianta Mandala, "A Comparative Review of Notarial Protocol Law Regarding the Storage of Minutes of Deeds Relating to Changes in the Legal Form of Limited Liability Companies from Time to Time," *Jurnal Greenation Sosial dan Politik* 3, no. 4 (2025): 732.

[4]Argi Putra Finalo and Trie Rahmi Gettari, "Legal Protection for notaries by the notary honorary council as a witness in the case of identity forgery by the parties making the Deed," *Ekasakti Journal of Law and Justice* 2, no. 2 (2024): 130. See also, Yohana Tamara Sopyana Br

However, in practice, the preservation of minutes of deeds is not without challenges. Cases of damaged, lost, or destroyed notarial protocols frequently arise due to factors such as natural disasters, negligence, or inadequate storage systems. For instance, the damage to 22 protocol books at a notary office in Jakarta in 2024 due to termite infestation illustrates the vulnerability of physical archives.[5] The loss or destruction of minutes of deeds raises serious legal concerns, as it may undermine the evidentiary strength of the deed and create uncertainty regarding the validity of the legal acts contained therein.[6] In such circumstances, the use of the first copy (*salinan pertama*) as substitute evidence becomes a practical necessity, although its legal standing remains subject to interpretation.

The substitution of minutes of deeds with first copies raises important legal questions regarding evidentiary hierarchy and authenticity. While copies are derived from the original minutes, their probative value may differ, especially when the original document is no longer available for verification. This issue is further complicated by the absence of explicit regulatory provisions governing the use of first copies as substitutes for lost or damaged minutes. As a result, the legal certainty of such copies often depends on supporting evidence, such as witness statements, police reports of loss, and notarial declarations.[7]

Marpaung and Aju Putrijanti, "Analisis Yuridis tentang Pelanggaran Notaris terhadap Kode Etik Terkait Pemalsuan Akta Otentik," *Notarius* 19, no. 1 (2026): 19; E. Natasari et al., "Professional and moral responsibilities of notaries in supporting development in Medan City," In *IOP Conference Series: Earth and Environmental Science* 452, no. 1 (2020): 012070; J Andy Hartanto, "The notary's responsibility toward the authenticity of credit bank guarantees in Indonesia," *Banks and Bank Systems,* 14, no. 2 (2019): 165.

[5] Irene Mariane, "The Binding Force of a Deed Not Read By A Notary," *Jurnal Hukum Sehasen* 10, no. 2 (2024): 678. See also, Umi Maskanah and Dian Melinda Oktavia, "The Power of Authentication of Notary Deed in Justice in Indonesia," *International Journal of Latin Notary* 1, no. 1 (2020): 6; Mauliawati, "Notary Investigation in Making Copies of CV's Deed Establishment Which Different Numbers in Minuta," *Sultan Agung Notary Law Review (SANLaR)* 3, no. 3 (2021); Julius Achmad Kotyi and Gunawan Djajaputra, "The Position of the Deed and the Responsibility of the Notary for Deeds Read Outside the Working Area of the Notary in Realizing Legal Certainty and Justice," *Interdiciplinary Journal and Hummanity (INJURITY)* 2, no. 12 (2023): 1050; Zakiah Noer and Abdul Basid, "Notary's Responsibility For Deeds Signed Without The Presence Of Witneseses," *Jurnal Hukum Sehasen* 10, no. 1 (2024): 256.

[6] Zahwa Maulidina Afwija et al., "Strengthening Accountability in Indonesian Notarial Practice: the Legal Gap on Liability for Backdated Deeds," *Indonesia Private Law Review* 6, no. 1 (2025): 60. See also, Sulaiman Sulaiman et al., "Reconstructing Notarial Liability in Sale and Purchase Binding Agreements in Indonesia," *Sriwijaya Law Review* (2026): 91.

[7] Margo Hadi Pura and Maharani Nurdin, "The Duty and authority of regional notary supervisory board regarding reports from the public on alleged violations of the code of Conducts," *Al-Adl: Jurnal Hukum* 14, no. 2 (2022): 422. See also, Gede Bagus Andika Putra et al., "The Substitute Notary's Responsibility for the Deed He Made," *Journal of Political and Legal Sovereignty* 2, no. 2 (2024): 218; Jamil, "Pemalsuan akta autentik sebagai aspek pidana notaris" *Bestuur 8,* no. 2 (2019): 50; Sulaiman et al., "Reconstructing Notarial Liability," 92.

In this context, the Notary Supervisory Board (*Majelis Pengawas Notaris*/MPN) plays a strategic and indispensable role. The MPN is tasked with supervising, guiding, and ensuring that notaries perform their duties in accordance with statutory regulations and ethical standards. Its authority is structured across three levels, Regional Supervisory Board (MPD), Regional Supervisory Board (MPW), and Central Supervisory Board (MPP), as stipulated in Regulation of the Minister of Law and Human Rights Number 24 of 2020. The MPN's supervisory function encompasses both preventive and repressive measures, including monitoring compliance, addressing violations, and ensuring the proper issuance of notarial documents.[8]

Specifically, in cases involving the use of first copies as substitutes for minutes of deeds, the MPN's role becomes crucial in validating procedures and safeguarding legal certainty.[9] The Board is expected to assess whether the issuance of such copies complies with procedural requirements, including the presence of supporting documents and adherence to the precautionary principle. However, empirical findings indicate that supervision in this area is not uniformly implemented across regions, leading to inconsistencies in practice and legal interpretation.[10] This lack of standardization may weaken the effectiveness of oversight and create disparities in legal outcomes.

From an administrative law perspective, the supervision exercised by the MPN represents a mechanism of accountability and control aimed at ensuring that notarial practices align with principles of legality, professionalism, and public interest. Preventive supervision includes training, guidance, and dissemination of ethical standards, while repressive supervision involves the imposition of sanctions for violations.[11] Nonetheless, challenges such as limited institutional capacity, lack

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[8] Rastra Ananda et al., "The Role of The Notary Regional Supervisory Board in Responding to Violations of Notary Duties and Positions," *Indonesia Private Law Review* 3, no. 2 (2022): 99. See also, Tommy Leonard et al., "Review of violations of the notary code of ethics in the city of Medan from the perspective of supervision of the regional supervisory board of notaries," *Jurnal Suara Hukum* 5, no. 2 (2023): 178.

[9] Othman Ballan, "Tanggung jawab notaris terhadap rusaknya minuta akta yang disimpan oleh notaris," *Wacana Paramarta Jurnal Ilmu Hukum* 21, no. 1 (2022): 58. See also, Halim Abdul, "Tanggung Jawab Notaris Dalam Menjaga Minuta Akta," *Fenomena* 20, no. 2 (2022): 185; Fitriasari, "Peran Jabatan Notaris," 1074.

[10] Nur Maryanto, "Law Enforcement Analysis against Notaries Who Do Negligence in Depositing Minutes of Deed," *Sultan Agung Notary Law Review* 3, no. 3 (2021): 1087. See also, Ananda et al., "The Role of The Notary," 100; Yunita Rahmawati and Yulies Tiena Masriani, "Pertanggung Jawaban Hukum Notaris Yang Ikut Serta Dalam Pemalsuan Dokumen Dalam Pembuatan Akta Otentik," *Notary Law Research* 2, no. 2 (2021): 60.

[11] Livia Suha Putri and Habib Adjie, "Pemeriksaan Minuta Akta Notaris Untuk Kepentingan Penyidikan Dikaitkan Kewajiban Notaris Merahasiakan Akta," *UNES Law Review* 7, no. 1 (2024): 319. See also, Moses Nathanael et al., "Legal Consequences of Authentic Deed with False Identity Against Notary," *Journal of Law, Politic and Humanities* 4, no. 6 (2024): 25767.

of cooperation from notaries, and regulatory ambiguity continue to hinder effective enforcement.[12]

Furthermore, the rapid development of digital technology introduces additional complexity. While electronic notarization and digital archives offer potential solutions to the problem of document loss, the current legal framework does not fully recognize electronic authentic deeds, thereby limiting their evidentiary value.[13] This gap underscores the urgency of legal reform to accommodate technological advancements and enhance the resilience of notarial systems.

In addition, there are many studies on notarial practices in Indonesia, but there is still a significant research gap regarding the supervision of first copies of deeds as a replacement for damaged or lost minutes.[14] Existing studies largely emphasize the general role of the Notary Supervisory Council (MPN) in ensuring compliance, ethical conduct, and accountability through complaint handling, preventive measures, and sanctions.[15] However, they do not address procedural standards for replacing minutes of deeds, particularly in cases of physical loss or destruction.

Similarly, research on authentic deeds highlights their strong evidentiary value and the notary's duty to maintain and safeguard protocols,[16] yet fails to examine how legal certainty is preserved when original minutes are unavailable, including the status of first copies as substitute evidence.

Studies on digitalization and cyber notary practices identify regulatory gaps,[17] but focus on electronic deeds rather than archival damage in conventional systems. Moreover, while supervisory challenges such as weak enforcement and institutional

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[12] Ananda et al., "The Role of The Notary," 101. See also, Leonard et al., "Review of violations of the notary," 179.

[13] Tiya Nuraini and Amad Sudiro, "The Authority of the Notary Supervisory Council regarding Unlawful Actions Related to the Notary's Code of Ethics in Making Authentic Deeds," *Journal of Law, Politic and Humanities* 5, no. 1 (2024): 333. See also, Carissa Amanda Siswanto et al., "Legal Recognition of Electronic Notarial Acts: A Comparative Study of Indonesia and Rwanda," *Indonesia Private Law Review* 6, no. 2 (2025): 148; Ika Yuli Agustin and Ghansham Anand, "Proposing Notaries' Deed Digitalization in Indonesia: A Legal Perspective," *Lentera Hukum* 8 (2021): 49.

[14] Rohmat Esa Hasan., "Tanggung Jawab Pemegang Protokol Notaris Dalam Mengeluarkan Salinan Minuta Akta Yang Terdegradasi," *Officium Notarium* 4, no. 2 (2024): 270.

[15] Ananda et al., "The Role of The Notary," 103.

[16] Isnaini, and Utomo., "The existence of the notary," 132. See also, E. Natasari et al., "Professional and moral," 012070. See also, Hartanto, "The notary's responsibility," 166; Jamil, "Pemalsuan akta autentik," 58.

[17] Fina Nazran et al., "Legal protection of notaries in document validation through technology-based systems: a comparative legal review of Indonesia, the United States, the Netherlands, and Australia," *Journal of Ecohumanism* 3, no. 7 (2024): 4976. See also, Siswanto et al., "Legal Recognition of Electronic," 149. See also, Agustin, and Anand, "Proposing Notaries' Deed," 49.

limitations are acknowledged,[18] there is no analysis of standardized procedures across MPN levels. Ethical and liability studies[19] also overlook this intersection.

Based on the foregoing discussion, this study is guided by the following research questions:

1. What is the form of responsibility of the Notary Supervisory Board in supervising the use of first copies as substitute evidence for minutes of deeds?
2. What is the legal status and evidentiary value of first copies used as substitutes for minutes of deeds that are lost or damaged?
3. How effective is the supervisory mechanism of the Notary Supervisory Board in ensuring legal certainty and uniformity in the use of substitute deed copies?

2. Research Methods

The research conducted by the author constitutes normative legal research, which focuses on examining legal norms, principles, and doctrines as stipulated in statutory regulations and legal literature. This type of research is chosen because the issues discussed are closely related to the interpretation and application of legal norms governing notarial practice, particularly concerning the issuance of copies of deeds as substitute evidence for damaged or lost minutes of deeds. Normative legal research emphasizes a systematic analysis of written law, aiming to provide prescriptive conclusions regarding legal issues.[20]

In conducting this research, the author employs a statute approach and an analytical approach. The statute approach is utilized to examine and analyze various laws and regulations that are relevant to the research topic. These include, among others, provisions contained in the Civil Code, the Law on Notary Position (UUJN), and other implementing regulations related to the duties, authorities, and responsibilities of notaries as well as the role of the Notary Supervisory Board. Through this approach, the author seeks to identify the legal framework governing the protection, storage, and replacement of minutes of deeds, as well as the mechanisms for issuing copies of deeds.

[18] Muhammad Zaki and Saidin Saidin, "Legal Protection and Law Assistance to Notaries as a Public Official in Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 8, no. 2 (2024): 822. See also, Ananda et al., "The Role of The Notary," 102.

[19] Afifi Lubis et al., "Strengthening the Integrity of the Notary Position from the Perspective of Islamic Ethics," *PETITA* 10 (2025): 449. See also, Afwija et al., "Strengthening Accountability in Indonesian," 62. See also, Sulaiman et al., "Reconstructing Notarial Liability," 92.

[20] I Made Pasek Diantha, *Metodologi penelitian hukum normatif dalam justifikasi teori hukum* (Jakarta: Prenada Media Grup, 2016), 5. See also, Johnny Ibrahim, *Teori dan Metodologi Penelitian Hukum Normatif* (Jakarta: Banyumedia, Cetakan Keempat, 2008), 321.

The legal materials used in this research consist of primary legal materials and secondary legal materials. Primary legal materials include binding legal sources such as statutory regulations and official legal documents. Secondary legal materials comprise supporting sources such as textbooks, scholarly articles, legal journals, and previous research that are relevant to the topic under study. These materials are used to enrich the analysis and provide doctrinal perspectives. This research is descriptive in nature, aiming to systematically describe and explain the legal issues being studied. The data collected are presented in a narrative form, allowing for a comprehensive and coherent explanation. Furthermore, the analysis is conducted using qualitative descriptive methods, which involve interpreting and analyzing legal materials to answer the formulated research questions.

3. Results and Discussion

3.1. Responsibilities of the Notary Supervisory Board in Supervising Copies of Deeds Issued as Substitute Evidence for Deed Minutes

The Notary Supervisory Council (*Majelis Pengawas Notaris*/MPN) is an institutional body established by the Minister of Law and Human Rights pursuant to Article 67 of the Law on Notary Position (UUJN). Structurally, the MPN consists of representatives from government, notary professional organizations, and academia, reflecting a hybrid supervisory model that integrates state control and professional self-regulation.[21] The MPN operates through a hierarchical system comprising the Regional Supervisory Council (MPD), the Provincial Supervisory Council (MPW), and the Central Supervisory Council (MPP).[22] At the operational level, members of the MPD are appointed by the Head of the Regional Office on behalf of the Minister, as stipulated in Article 16 paragraph (1) of Minister of Law and Human Rights Regulation Number 24 of 2020. This layered structure forms the institutional basis for supervising notarial conduct, including in exceptional circumstances involving the substitution of deed minutes.[23]

[21] Leonard et al., "Review of violations of the notary," 180. See also, Ananda et al., "The Role of The Notary," 105.

[22] Anriz N. Halim and Felicitas Sri Marniati, "Pertanggungjawaban Notaris Terkait Salinan Akta Yang Tidak Sesuai Dengan Minuta Akta Yang Dirubah Oleh Karyawan Notaris," *Jurnal Studi Interdisipliner Perspektif* 23, no. 1 (2023): 21. See also, Dewi Oktavia, "Tanggung Jawab Pemegang Protokol Notaris Terhadap Akta Yang Batal Demi Hukum," *Recital Review* 3, no. 1 (2021): 151; Fitriasari, "Peran Jabatan Notaris," 1075.

[23] Arief Budiono et al., "Legal Protection for Notaries in Making Authentic Deeds in Indonesia," *Journal of Judicial Review* 25, no. 1 (2023): 112. See also, Guntur Ilman Putra et al., "Enhancing the Jurisdiction of the Regional Notary Supervisory Council of West Nusa Tenggara Province in the Advancement and Oversight of Notaries," *JILPR Journal Indonesia Law and Policy Review* 5, no. 2 (2024): 311.

Article 70 of the UUJN provides that the MPN, particularly the MPD, is entrusted with extensive supervisory and regulatory powers. These include conducting hearings to examine alleged violations of statutory provisions and the Notary Code of Ethics, as well as deciding on such violations. This quasi-judicial function is central to maintaining professional accountability and preventing abuses of authority.[24] In addition, the MPD is authorized to conduct periodic inspections of notary protocols, at least once a year or whenever deemed necessary. These inspections are critical in ensuring that notarial documents, especially authentic deeds, are properly maintained, preserved, and secured, given their status as instruments of perfect evidentiary value in civil law.[25]

The administrative authority of the MPD further extends to granting leave permits for notaries for up to six months, thereby ensuring continuity of legal services. The MPD also determines the appointment of substitute notaries based on recommendations from the notary concerned, ensuring that substitution mechanisms comply with legal and ethical standards.[26] Another significant function is determining the storage location of notarial protocols that have reached the age of 25 years, which is essential for safeguarding long-term legal archives. These responsibilities demonstrate that supervision is not limited to enforcement but also encompasses administrative governance of the notarial system.

In certain situations, such as when a notary assumes a state office, the MPD is authorized to appoint another notary to temporarily manage the protocols of the concerned notary, as regulated under Article 11 paragraph (4) of the UUJN.[27] This mechanism ensures continuity and security of notarial archives. Furthermore, the MPD functions as the primary body for receiving and processing public complaints related to alleged violations by notaries. This complaint-handling function reflects the participatory dimension of supervision, where public oversight contributes to professional accountability.[28] All findings and supervisory activities must be formally documented and reported to the MPW, forming part of a hierarchical accountability system within the MPN.

Beyond its formal authority, the MPN also performs preventive supervision through routine guidance, education, and recommendations aimed at improving notarial practice. Preventive measures, such as training and dissemination of ethical

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[24] Salsabil Shabrina and Aju Putrijanti, "Online Legal Counselling As Business Strategy: Exploring The Mediating Role Of Notarial Code Of Ethics," *Corporate Law and Governance Review* 4, no. 2 (2022): 69. See also, Leonard et al., "Review of violations of the notary," 179.

[25] Isnaini, and Utomo., "The existence of the notary," 132. See also, Nathanael et al., "Legal Consequences of Authentic, 25769; Hartanto, "The notary's responsibility," 166.

[26] Nur Maryanto, "Law Enforcement Analysis against Notaries Who Do Negligence in Depositing Minutes of Deed," *Sultan Agung Notary Law Review* 3, no. 3 (2021): 1087.

[27] Lentra Nugraha, "Pembuatan Salinan Akta Berdasarkan Protokol Notaris Werda Yang Telah Diserahkan Pada Notaris Pemegang Protokol," *Lex Renaissance* 5, no. 2 (2020): 421.

[28] Ananda et al., "The Role of The Notary," 106.

standards, are crucial in ensuring that notaries adhere to legal obligations and avoid misconduct.[29] This function aligns with the broader goal of protecting the interests of the parties appearing before notaries, as well as maintaining public trust in authentic deeds as reliable legal instruments.[30] Coordination with the Ministry of Law and Human Rights and professional organizations is also required to ensure consistency in supervisory practices and policy implementation.

The importance of these supervisory functions becomes particularly evident in exceptional cases involving the loss or destruction of deed minutes. In such cases, the first copy of the deed held by the appearers may serve as substitute evidence. However, this substitution raises critical issues concerning authenticity, evidentiary value, and legal certainty. The MPN, particularly the MPD, plays a decisive role in verifying the validity of such first copies. This involves cross-checking the contents of the copy against the notary's repertorium, deed register, and supporting statements from the parties. Such verification is essential to ensure that the substitute document retains the characteristics of an authentic deed and does not degrade into a private document lacking evidentiary strength.[31]

In addition to verifying authenticity, the MPN must assess procedural compliance. Notaries are required to report the loss or damage of deed minutes in accordance with applicable legal provisions. This includes preparing a formal report of loss, notifying law enforcement authorities such as the Indonesian National Police, and issuing an official statement.[32] These procedural requirements serve as safeguards against misuse and reinforce the principle of accountability in notarial practice.[33] Failure to comply with these obligations may expose notaries to legal liability, including administrative, civil, and criminal sanctions.[34]

The supervisory process is further structured through the hierarchical roles of the MPN. The MPD functions as the initial examiner, conducting investigations and gathering relevant evidence. The MPW is responsible for reviewing findings and issuing recommendations or approvals, while the MPP holds the authority to

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[29] E. Natasari et al., "Professional and moral," 012070. See also, Leonard et al., "Review of violations of the notary," 187.

[30] Ananda et al., "The Role of The Notary," 102.

[31] Hartanto, "The notary's responsibility," 166.

[32] Imam Santosa and Saefudin, "Kedudukan Dan Tugas Majelis Pengawas Notaris Daerah Kabupaten/Kota Terhadap Kinerja Notaris", Seminar Nasional & Konsorium Universitas 17 Agustus 1945 se- Indonesia VI tahun 2024. See also, Marpaung, and Putrijanti, "Analisis Yuridis tentang, 20.

[33]Halim, and Marniati, "Pertanggungjawaban Notaris Terkait, 22. See also, Oktavia, "Tanggung Jawab Pemegang, 152.

[34] Ilham Zain Fadila et al., "The Obligation of Notary to report suspicious financial transactions based on the value of the transaction," *Jurisdictie: Jurnal Hukum dan Syariah* 11, no. 2 (2020): 203. See also, Jamil, "Pemalsuan akta autentik," 54. Afwija et al., "Strengthening Accountability in Indonesian," 64.

make final decisions in cases involving serious violations. This multi-tiered system ensures checks and balances in the supervisory process and enhances the legitimacy of decisions taken against notaries.[35] It also reflects a layered accountability mechanism designed to ensure fairness and consistency in enforcement.

From a regulatory perspective, the MPN plays a crucial role in preventing notaries from exceeding their authority, particularly in the issuance of substitute copies of deeds. Without proper supervision, there is a risk that such copies may be misused or issued without sufficient legal basis, thereby undermining their evidentiary value. The MPN therefore ensures that the use of first copies as substitute evidence complies with standardized procedures as implied within the UUJN framework. This is essential for preserving the legal integrity of authentic deeds and protecting the credibility of the notarial institution.

Ethically, the MPN is responsible for upholding the dignity and honor of the notarial profession. Notaries are bound by a code of ethics that emphasizes integrity, impartiality, and professionalism.[36] Any abuse of authority, including the improper issuance of substitute deed copies, constitutes a violation of both ethical and legal standards. The MPN is therefore mandated to take firm action against such violations. Sanctions may range from written warnings and temporary suspension to dismissal, depending on the severity of the misconduct. Administrative sanctions are governed by Regulation of the Minister of Law and Human Rights Number 61 of 2016, while more serious violations may give rise to civil or criminal liability.[37]

The effectiveness of these supervisory mechanisms, however, is not without challenges. Empirical studies indicate issues such as inconsistent enforcement of sanctions, limited cooperation from notaries during investigations, and institutional capacity constraints.[38] These challenges may hinder the MPN's ability to effectively supervise complex cases, including those involving the substitution of deed minutes. In addition, the evolving legal landscape, particularly with the emergence of digital technologies, introduces new complexities. The absence of clear regulations on electronic authentic deeds and cyber notary practices creates legal uncertainty, further complicating supervisory functions.[39]

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[35] Zaki, and Saidin, "Legal Protection and Law," 823.

[36] Anugerah Yunus et al., "Pertanggungjawaban Notaris Atas Penempatan Keterangan Palsu Dalam Akta Otentik," *Jurnal Analisis* 3, no. 2 (2014). See also, Fitriasari, "Peran Jabatan Notaris, 1077; Lubis et al., "Strengthening the Integrity," 449.

[37] Afwija et al., "Strengthening Accountability in Indonesian," 65. See also, Sulaiman et al., "Reconstructing Notarial Liability," 92.

[38] Ananda et al., "The Role of The Notary," 101.

[39] Nazran et al., "Legal protection of notaries," 4977. too, Siswanto et al., "Legal Recognition of Electronic," 149; Agustin, and Anand, "Proposing Notaries' Deed," 49; Puteri Chintamani Oktavianti, "Hambatan Regulasi Dan Teknis Terkait Implementasi Cyber Notary Di Indonesia," *Jurnal Pembangunan Hukum Indonesia* 6, no. 2 (2024): 245; Ranti Fauza Mayana et al.,

Furthermore, the responsibility of notaries in safeguarding data and maintaining confidentiality adds another dimension to supervision. In the absence of comprehensive data protection regulations, notaries must adhere to general principles of data security, while the MPN must ensure compliance through oversight mechanisms.[40] This is particularly relevant in cases involving substitute documents, where the risk of misuse or unauthorized duplication may arise.

In carrying out its functions, the MPN also contributes to the professional development of notaries. Through collaboration with the Indonesian Notary Association, the MPN facilitates training programs, seminars, and continuous education initiatives aimed at enhancing notarial competence.[41] This includes adapting to emerging legal needs, such as the growing demand for notarial services in Islamic economic transactions, which remain underregulated within the current legal framework.[42] These developmental functions complement the MPN's supervisory role by promoting a culture of compliance and professionalism.

3.1. The Position or Status of a Copy of a Deed Issued as Substitute Evidence for a Lost or Damaged Minute of Deed

The minutes of a deed (minuta akta) constitute the original notarial document containing the authentic signatures of the appearers, witnesses, and the notary. As part of the notarial protocol, these minutes serve as the primary source of evidentiary strength and legal authenticity for all derivative documents, including copies.[43] In Indonesian notarial law, the existence of the minutes is fundamental because it guarantees the formal, material, and external validity of the deed, thereby ensuring legal certainty and protection for the parties involved.[44] Consequently, the loss or damage of the minutes raises significant legal concerns, particularly regarding the continuity of evidentiary value.

"Implementation of IP-Based Financing in Indonesia: Notaries Point of View," *Journal of Intellectual Property Rights* 29, no. 3 (2024): 174.

[40] Ayu Galuh Anggraini and Edmon Makarim, "Responsibility of Notary on Personal Data Protection on Its Cloud Computing-Based Electronic Office System," In *Challenges of Law and Governance in Indonesia in the Disruptive Era II*, (New York: Nova Science Publishers, 2021): 225.

[41] E. Natasari et al., "Professional and moral," 012070.

[42] Holly Muridi Zham-Zham and Thea Yori Mataheru, "Kewenangan notaris dalam penerapan dan pengembangan hukum ekonomi Islam di Indonesia," *Jurnal Hukum Bisnis Bonum Commune* 3, no. 2 (2020): 141.

[43] Habib Adjie, *Memahami: Majelis Pengawas Notaris (MPN) dan Majelis Kehormatan Notaris (MKN)* (Surabaya: Refika Aditama, 2017), 38. See also, Neky Kuntjoro, "Efektivitas Pengawasan Majelis Pengawas Daerah (MPD) Kota Yogyakarta Terhadap Perilaku Notaris di Kota Yogyakarta menurut Kode Etik Notaris," *Lex Renaissance* 1, no. 2 (2016): 5; Isnaini, and Utomo., "The existence of the notary," 132; Finalo, and Gettari, "Legal Protection For Notaries, 132; Hartanto, "The notary's responsibility," 166.

[44] Putra et al., "Enhancing the Jurisdiction" 311. See also, Iryadi et al., "The role of jurisprudence," 76; E. Natasari et al., "Professional and moral," 012070.

Normatively, Article 1 paragraph (9) of the Law on Notary Position (UUJN) defines a copy of a deed as a verbatim reproduction of the entire content of the deed, accompanied by a closing statement affirming that it is issued as a true copy. This formulation reflects a strict requirement of conformity, whereby the copy must fully correspond to the minutes without any alteration, addition, or omission, except for limited technical elements such as signatures, initials, or renvoi. This principle underscores that the legal validity of a deed copy is derivative and dependent upon the authenticity of the minutes as its source.[45] Therefore, under normal circumstances, a copy cannot exist independently as primary evidence.

However, Indonesian civil law provides a conditional exception through Article 1888 of the Civil Code (Burgerlijk Wetboek), which allows a first copy (grosse or original copy held by the parties) to function as substitute evidence when the minutes are lost or damaged. This provision reflects a pragmatic adaptation of evidentiary law, balancing the need for legal certainty with the reality of document loss. Nevertheless, such substitution is not automatic; it is subject to strict evidentiary and procedural requirements to prevent misuse or manipulation.[46]

First, the existence of the initial copy held by the parties must be established as the primary reference for reconstructing the contents of the deed. Second, corroborating evidence is required, including witness testimony confirming the prior existence and validity of the minutes. Third, a formal report of loss must be prepared by the notary, accompanied by an official certificate of loss issued by law enforcement authorities. These requirements collectively function as safeguards to ensure that the substituted document retains a level of reliability comparable to the original minutes.[47]

The verification and validation of such substitute evidence fall under the authority of the Notary Supervisory Council (Majelis Pengawas Notaris/MPN), particularly the Regional Supervisory Council (MPD). In this context, the MPD plays a decisive role in assessing both the authenticity of the copy and the legitimacy of the circumstances leading to the loss or damage of the minutes. This includes examining the notary's protocol, reportorium, and other administrative records, as well as conducting clarification processes involving the parties concerned. The MPD must ensure that the procedural steps taken by the notary comply with statutory obligations, including timely reporting and proper documentation.[48]

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[45] Isnaini, and Utomo., "The existence of the notary," 132.

[46] Afwija et al., "Strengthening Accountability in Indonesian," 65. See also, Jamil, "Pemalsuan akta autentik," 53.

[47] E. Natasari et al., "Professional and moral," 012070. See also, Sulaiman et al., "Reconstructing Notarial Liability," 92.

[48] Leonard et al., "Review of violations of the notary," 186. See also, Ananda et al., "The Role of The Notary," 110.

Once the verification process is completed and the requirements are satisfied, the MPD may recognize the first copy as having evidentiary force equivalent to the minutes.[49] This recognition does not transform the nature of the document into a new authentic deed; rather, it restores its functional evidentiary value within a controlled legal framework. In this sense, the substituted copy operates as a continuation of the original evidentiary chain, rather than as an independent legal instrument.[50]

From a doctrinal perspective, this mechanism reflects the principle of legal certainty (rechtszekerheid) and the protection of legitimate expectations. The law acknowledges that parties should not lose their legal rights solely due to circumstances beyond their control, such as accidental damage, natural disasters, or administrative negligence. By allowing the use of a first copy under strict supervision, the legal system ensures that the substantive legal relationship embodied in the deed remains enforceable.[51]

At the same time, the requirement of institutional verification by the MPN illustrates the importance of maintaining legal rigor. Without such oversight, the substitution mechanism could create opportunities for fraud, falsification, or abuse of authority. Empirical findings indicate that irregularities in notarial practice, including document manipulation and procedural violations, remain a concern, with documented cases of violations reflecting inconsistencies in compliance and enforcement.[52] Therefore, the involvement of the supervisory body is essential to preserve the integrity of the evidentiary system.

The position of a deed copy as substitute evidence must also be understood within the broader framework of notarial responsibility. Notaries, as public officials, are entrusted with the duty to safeguard the minutes and ensure the accuracy and authenticity of all documents they produce. Failure to fulfill these obligations may result in administrative, civil, or even criminal liability, particularly in cases involving negligence or intentional misconduct.[53] This reinforces the principle that the substitution mechanism is not intended to absolve notaries of responsibility, but rather to mitigate the legal consequences for the parties.

Furthermore, contemporary developments introduce additional complexity to the evidentiary status of notarial documents. The emergence of digital technologies and the concept of cyber notary challenge the traditional reliance on physical

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[49] Kuntjoro, "Efektivitas Pengawasan Majelis, 5.

[50] Hartanto, "The notary's responsibility," 166.

[51] I Gusti Agung Ika Laksmi Mahadewi et al., "Notary in Indonesia: How are state fundamental values reflected in law and professional ethics?" *Udayana Journal of Law and Culture* 6, no. 2 (2022): 205. See also, Iryadi et al., "The role of jurisprudence," 76.

[52] Ananda et al., "The Role of The Notary," 109.

[53] Afwija et al., "Strengthening Accountability in Indonesian," 65. See also, Jamil, "Pemalsuan akta autentik," 52.

minutes. However, the current Indonesian legal framework does not yet fully recognize electronic authentic deeds, creating a gap between normative regulation and technological practice.[54] In this context, the reliance on physical copies as substitute evidence remains dominant, but it also highlights the need for future legal reforms to address issues of digital preservation and authentication.

In addition, issues of data protection and document security further complicate the management of notarial protocols. Notaries are increasingly required to handle sensitive personal data, yet specific regulatory frameworks for data protection remain underdeveloped. This places additional responsibility on notaries to ensure the confidentiality and integrity of both physical and electronic records.[55] The loss of minutes, therefore, is not merely a procedural issue but also a matter of data governance and professional accountability.

The role of the MPN in this context extends beyond mere verification. It encompasses preventive supervision, capacity building, and enforcement of ethical standards to ensure that notaries adhere to best practices in document management and legal compliance. Through training programs, socialization efforts, and the imposition of sanctions, the MPN seeks to minimize the occurrence of document loss and enhance the overall reliability of notarial services.[56] This integrated approach reflects a broader regulatory objective of maintaining public trust in authentic deeds as instruments of legal certainty.

Moreover, the evidentiary recognition of a substitute copy must be viewed in light of the hierarchical structure of proof in civil law. Authentic deeds occupy the highest level of evidentiary value, and any deviation from the original form requires strong justification and procedural safeguards. The substitution of minutes with a first copy represents an exception to this hierarchy, justified by necessity but constrained by strict legal controls. This ensures that the exceptional nature of the mechanism does not undermine the general principle of authenticity.[57] In practice, the effectiveness of this mechanism depends on the consistency of its implementation. Challenges such as limited institutional capacity, lack of cooperation from notaries, and uneven enforcement of sanctions may affect the reliability of the verification process.

3) How effective is the supervisory mechanism of the Notary Supervisory Board in ensuring legal certainty and uniformity in the use of substitute deed copies?

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[54] Karman Karman et al., "Problems of the electronic signature technology adoption in Indonesia." In *AIP Conference Proceedings* (September 9, 2024), 3056. See also, Agustin, and Anand, "Proposing Notaries' Deed," 49; Siswanto et al., "Legal Recognition of Electronic," 150.

[55] Anggraini, and Makarim, "Responsibility of Notary on Personal," 225.

[56] Leonard et al., "Review of violations of the notary," 184. See also, E. Natasari et al., "Professional and moral," 012070.

[57] Isnaini, and Utomo., "The existence of the notary," 132.

The effectiveness of the supervisory mechanism of the Notary Supervisory Council (*Majelis Pengawas Notaris*/MPN) in Indonesia must be assessed through its capacity to ensure legal certainty and uniformity, particularly in the use of substitute deed copies (*salinan akta pengganti*). This issue is crucial because authentic deeds occupy the highest evidentiary status in Indonesian civil law, and any inconsistency in their form or issuance may undermine public trust and legal predictability. While the MPN has a comprehensive supervisory mandate, its practical effectiveness reveals a combination of strengths and persistent structural limitations.

At a normative level, the MPN is institutionally designed to ensure that notaries comply with the legal framework established under Law No. 2 of 2014 concerning the Position of Notary. This includes oversight of how authentic deeds are drafted, stored, and reproduced. Authentic deeds themselves must satisfy formal, material, and physical requirements, and any substitute copy must accurately reflect the original minuta deed to maintain its evidentiary value. In this regard, the supervisory function of the MPN is directly linked to safeguarding legal certainty, as even minor deviations in copies can lead to disputes regarding authenticity or enforceability.

However, empirical findings suggest that the effectiveness of this supervisory system is uneven. For example, documented violations between 2016 and 2020 in Banten Province show at least 40 cases of notarial misconduct, including administrative irregularities that potentially affect document authenticity.[58] Similarly, in Medan, 54 complaints were recorded between 2018 and 2021, indicating that oversight mechanisms are actively used but also highlighting recurring compliance issues. These figures demonstrate that while the MPN is functionally operational, its ability to ensure uniform application of rules, particularly in technical matters such as substitute deed copies, remains limited.

One of the key strengths of the MPN lies in its dual supervisory approach, combining preventive and repressive mechanisms. Preventive supervision includes training, dissemination of ethical standards, and guidance through professional associations, which aim to standardize notarial practices.[59] Repressive supervision involves the imposition of administrative sanctions for violations, ranging from warnings to suspension.[60] In theory, this dual approach should ensure both compliance and consistency in how notaries issue substitute deed copies.

[58] Ananda et al., "The Role of The Notary," 111.

[59] E. Natasari et al., "Professional and moral," 012070. See also, Leonard et al., "Review of violations of the notary," 183.

[60] Ananda et al., "The Role of The Notary," 112.

Table 1. Supervisory Mechanisms and Their Role in Legal Certainty and Uniformity.

Mechanism	Description	Relevance to Legal Certainty & Uniformity	Reference
Supervision and Monitoring	Preventive and corrective oversight, including protocol review and complaint handling	Ensures consistency in deed drafting and copying procedures	Leonard et al., 2023[61]
Legal and Administrative Sanctions	Penalties for violations such as forgery or procedural non-compliance	Deters deviations in issuing substitute deed copies	Jamil, 2019; Fadila et al., 2020[62]
Notary Honorary Council Oversight	Approval for judicial access to notary protocols	Protects integrity of original and copied deeds	Zaki & Saidin, 2024[63]
Training and Capacity Building	Continuous education for notaries	Promotes uniform understanding of technical procedures	Natasari et al., 2020[64]
Technological Adaptation	Development of e-notary and digital systems	Potential to standardize copy issuance processes	Siswanto et al., 2025; Agustin & Anand, 2021[65]

Despite these mechanisms, several structural challenges reduce their effectiveness. One major issue is inconsistent enforcement of sanctions, which weakens deterrence. Studies show that notaries sometimes fail to cooperate fully during examinations, and supervisory boards face heavy workloads, limiting their ability to conduct thorough investigations. This directly affects uniformity, as inconsistent disciplinary outcomes may lead to varying interpretations of procedural rules, including those governing substitute deed copies.

Another challenge concerns regulatory ambiguity, particularly in areas where the law does not explicitly regulate technical aspects of substitute copies. While the law clearly defines authentic deeds, it provides limited guidance on the procedural standardization of copies beyond general requirements of accuracy and conformity. This gap allows for variations in practice, which can undermine legal certainty. For instance, discrepancies in formatting, certification language, or authentication methods may create doubts about the validity of a substitute copy, especially in litigation contexts.[66]

[61] Leonard et al., "Review of violations of the notary," 182.

[62] Jamil, "Pemalsuan akta autentik," 59. See also, Fadila et al., "The Obligation of Notary," 203.

[63] Zaki, and Saidin, "Legal Protection and Law," 829.

[64] Natasari et al., "Professional and moral," 012072.

[65] Siswanto et al., "Legal Recognition of Electronic," 156. See also, Agustin, and Anand, "Proposing Notaries' Deed," 55.

[66] Ghansham Anand et al., "Integrating Sharia Certification in the Notary Profession: A Comparative Legal Analysis, Challenges, and Opportunities in Southeast Asian Countries," *Syariah:*

Technological developments further complicate the situation. The emergence of digital notarization and the concept of a cyber notary introduce new forms of document reproduction that are not fully regulated under existing laws.[67] While digital systems could enhance uniformity through standardized templates and automated verification, the absence of clear legal recognition creates uncertainty. As a result, supervisory bodies struggle to enforce consistent standards across both traditional and emerging practices.

The issue of data protection also intersects with the effectiveness of supervision. Notaries are responsible for safeguarding sensitive client data, including information contained in deeds and their copies. However, Indonesia lacks a comprehensive and specific regulatory framework for personal data protection in notarial practice.[68] This increases the risk of inconsistencies in how data is managed and reproduced in substitute copies, potentially affecting both confidentiality and authenticity.

Moreover, the effectiveness of the MPN is influenced by its institutional capacity and stakeholder engagement. While the council collaborates with the Indonesian Notary Association to provide training and guidance, the level of participation among notaries varies. Limited engagement reduces the impact of preventive measures and contributes to uneven compliance.[69] In addition, the need for approval from the Notary Honorary Council before accessing notarial protocols, while important for protecting notaries, can slow down enforcement processes and reduce responsiveness.[70]

From the perspective of legal certainty, the MPN has been relatively successful in maintaining the general integrity of authentic deeds. The existence of a structured supervisory system, combined with legal accountability mechanisms, including civil, administrative, and criminal liability, creates a strong normative framework.[71] Notaries are aware that deviations from procedural standards, including inaccuracies in substitute copies, can result in serious legal consequences,

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Jurnal Hukum dan Pemikiran 24, no. 2 (2024): 272. See also, Iryadi et al., "The role of jurisprudence," 76.

[67] Devi Alincia and Tundjung H. Sitabuana, "Urgency of Law Amendment as Foundation of The Implementation of Cyber Notary," *LAW REFORM* 17, no. 2 (2021): 215. See also, Siswanto et al., "Legal Recognition of Electronic," 151; Agustin, and Anand, "Proposing Notaries' Deed," 49.

[68] Anggraini, and Makarim, "Responsibility of Notary on Personal," 225.

[69] Natasari et al., "Professional and moral," 012070. See also, Hartanto, "The notary's responsibility," 166.

[70] Zaki, and Saidin, "Legal Protection and Law," 824.

[71] Halimi Halimi, "Notary responsibility for third party losses due to the issuance of the deed of binding of land purchase agreement," *Trunojoyo Law Review* 5, no. 2 (2023): 100. See also, Sulaiman et al., "Reconstructing Notarial Liability," 92; Afwija et al., "Strengthening Accountability in Indonesian," 65.

including criminal liability under Articles 263 and 264 of the Indonesian Criminal Code.[72]

However, when evaluated in terms of uniformity, the effectiveness is less convincing. Variations in practice persist due to differences in interpretation, uneven enforcement, and limited standardization guidelines. This is particularly problematic for substitute deed copies, which require strict conformity with the original document to maintain their evidentiary status. Without detailed technical standards and consistent supervision, uniformity remains difficult to achieve.

To enhance effectiveness, several reforms are necessary. First, legal reforms should provide clearer and more detailed regulations on the issuance of substitute deed copies, including standardized formats and procedures. Second, institutional strengthening of the MPN is essential, particularly in terms of resources and workload management, to enable more consistent supervision. Third, the integration of digital systems, such as blockchain-based notarial records, could significantly improve both accuracy and uniformity by ensuring that all copies are generated from a single verified source.[73] Finally, increased emphasis on continuous professional training and ethical development can help align notarial practices across regions.[74]

In conclusion, the supervisory mechanism of the Notary Supervisory Council in Indonesia plays a vital role in ensuring legal certainty in the use of authentic deeds and their substitute copies. Its structured framework, combining preventive and repressive measures, provides a solid foundation for oversight. However, its effectiveness in achieving uniformity is constrained by inconsistent enforcement, regulatory gaps, and emerging technological challenges. Addressing these issues through legal reform, institutional strengthening, and technological innovation is essential to ensure that substitute deed copies maintain their integrity, reliability, and uniform application across Indonesia's legal system.[75]

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[72] Jamil, "Pemalsuan akta autentik," 59.

[73] Panca O. Hadi Putra et al., "A framework for integrated e-notary services based on blockchain for civil law notaries: The case of Indonesia," *International Journal on Informatics Visualization* 9, no.1 (2025): 154. See also, Dwi Suryahartati et al., "Legal tradition and digital innovation: Assessing the position of e-notary products in civil disputes," *Jurnal Litigasi* 26, no. 1 (2025): 410.

[74] Lubis et al., "Strengthening the Integrity" 449.

[75] I. Komang Yogi Triana Putra, "Perlindungan Hukum Notaris Terkait Hilang Dan Rusaknya Minuta Akta Akibat Keadaan Memaksa," *De Lega Lata: Jurnal Ilmu Hukum* 6, no. 2 (2021): 285. See also, Anida Riska Fitriana and Aniek Tyaswati Wiji Lestari, "Tanggung Jawab Notaris Terhadap Penyimpanan Minuta Akta Apabila Terjadi Keadaan Overmacht," *Notary Law Research* 4, no. 2 (2023): 53.

4. Conclussion

The National Notary Public (MPN) has a significant responsibility to oversee the publication of the first copy of the deed as a substitute for minutes of service and to ensure the document's security. The MPN's comprehensive oversight includes validating the copy's authenticity, assessing procedural propriety, issuing recommendations, and making administrative decisions. Furthermore, this oversight serves as a preventive and repressive control to avoid the authority assigned by the Notary Public. The absence of oversight has the potential to degrade the quality of notarial legal documents and threaten legal certainty for interested parties. Therefore, strengthening the MPN institution and standardizing procedures for issuing substitute minutes of service are crucial strategic steps in maintaining the professionalism of Notaries and public trust in notarial documents. The first copy used as the basis for a valid substitute for minutes of service has the same legal standing as the original, provided it meets the formal requirements stipulated in Article 1888 of the Civil Code and undergoes strict MPN oversight. A legal analysis of the status of the first copy as a substitute for minutes of service under Article 1888 of the Civil Code confirms the continued principle of deed authenticity, the integration of legal regulations, and the clear purpose of legal protection.

In conclusion, the effectiveness of the MPN's supervisory mechanism lies in its ability to ensure consistency, accountability, and legal certainty in notarial practice. The recognition of the first copy as legally equivalent to the original deed reflects a pragmatic legal adaptation, but it also necessitates stricter safeguards to prevent misuse and procedural deviations. Without uniform standards and rigorous monitoring, disparities in implementation may arise, potentially undermining the reliability of authentic deeds. Therefore, harmonizing technical guidelines, enhancing institutional capacity, and reinforcing ethical compliance among notaries are essential measures. Ultimately, a robust supervisory framework not only preserves the evidentiary value of notarial deeds but also strengthens the integrity of the legal system and protects the rights of all parties involved.

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