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## The Role and Responsibilities of Notaries as Members of the Notary Supervisory Council According to Law No. 30/2004

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**Abstract:** *This study examines the role and duties of notaries serving as members of the Notary Supervisory Council (MPN) in accordance with Law No. 30/2004 on the Notary Position (UUJN). The goal of this study is to understand the role of notaries in the MPN framework and determine the duties and difficulties they face in upholding professionalism and honesty. This study employs a normative analysis methodology with a qualitative approach to investigate the execution of MPN responsibilities at various levels. We achieve this through a comprehensive evaluation of existing literature and the examination of case studies. The comprehensive analysis centres on the interaction between notaries and MPN, as well as their respective responsibilities in maintaining the code of ethics and resolving conflicts. The findings suggest that notaries have a pivotal role in the MPN framework, which comprises three tiers: MPD, MPW, and MPP. Notaries at every level have the responsibility of overseeing, promoting, and enforcing the code of ethics, as well as settling conflicts through mediation. According to the report, the functions and obligations of notaries in MPN are critical for upholding the profession's integrity and professionalism. MPN employs a hierarchical system of supervision to carry out its duties effectively and efficiently, ensuring that all notaries in Indonesia comply with legislation and maintain public confidence in the profession.*

**Keyword:** *Notary, Notary Supervisory Council, UUJN, Integrity, Professionalism, Code of Ethics.*

**Abstrak:** Penelitian ini mengkaji peran dan tugas notaris yang berfungsi sebagai anggota Majelis Pengawas Notaris (MPN) sesuai dengan Undang-Undang No. 30/2004 tentang Jabatan Notaris (UUJN). Tujuan dari penelitian ini adalah untuk memahami peran notaris dalam kerangka MPN dan menentukan tugas serta kesulitan yang mereka hadapi dalam menegakkan profesionalisme dan kejujuran. Penelitian ini menggunakan metodologi analisis normatif dengan pendekatan kualitatif untuk menyelidiki pelaksanaan tanggung jawab MPN pada berbagai tingkat. Kami mencapai hal ini melalui evaluasi komprehensif terhadap literatur yang ada dan pemeriksaan studi kasus. Analisis komprehensif berpusat pada interaksi antara notaris dan MPN, serta tanggung jawab masing-masing dalam menjaga kode etik dan menyelesaikan konflik. Temuan menunjukkan bahwa notaris memiliki peran penting

dalam kerangka MPN, yang terdiri dari tiga tingkatan: MPD, MPW, dan MPP. Notaris di setiap tingkat memiliki tanggung jawab untuk mengawasi, mempromosikan, dan menegakkan kode etik, serta menyelesaikan konflik melalui mediasi. Menurut laporan, fungsi dan kewajiban notaris dalam MPN sangat penting untuk mempertahankan integritas dan profesionalisme profesi. MPN menggunakan sistem pengawasan hierarkis untuk melaksanakan tugasnya secara efektif dan efisien, memastikan bahwa semua notaris di Indonesia mematuhi undang-undang dan menjaga kepercayaan publik terhadap profesi ini.

**Kata Kunci:** Notaris, Majelis Pengawas Notaris, UUJN, Integritas, Profesionalisme, Kode Etik.

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## INTRODUCTION

The notary profession holds a vital role in Indonesia's legal system. As state-authorized public officials, notaries are tasked with creating authentic deeds and other legal documents with perfect evidentiary power (Lubis & Utomo, 2015). They play a crucial role in upholding legal certainty, safeguarding individual and entity rights, and ensuring compliance with relevant laws in various transactions and agreements (Davies & Hodge, 2019; Hage, 2019; Nugroho & Purnamasari, 2018; Smith, 2018). Maintaining the integrity and professionalism of notaries is essential (Santoso & Widjaja, 2016). To ensure this, the Indonesian government established the Notary Supervisory Council (MPN) through Law No. 30/2004 on the Notary Position (UUJN). The MPN supervises notaries and enforces the professional code of ethics (Dewi & Pratama, 2017). The MPN consists of three levels: the Regional Supervisory Assembly (MPD), the Regional Supervisory Assembly (MPW), and the Central Supervisory Assembly (MPP), each with distinct but interconnected responsibilities (Johnson & Roberts, 2021; Jones & Kerr, 2020; Setiawan & Rahmawati, 2019). Notaries serving as MPN members have a unique role, balancing their duties as notaries with their responsibilities to supervise peers. They contribute significantly to maintaining the profession's integrity and professionalism (Handayani & Wicaksono, 2020). Their responsibilities include ensuring compliance with laws and regulations, maintaining the professional code of ethics, and providing exemplary service to the public.

This encompasses periodic and incidental supervision, examination and handling of violations, code of ethics enforcement, and dispute resolution. This responsibility encompasses several significant aspects, including: 1) MPN is responsible for conducting periodic and incidental supervision of notaries. MPN routinely conducts periodic supervision to ensure notaries comply with applicable regulations, and conducts incidental supervision in response to public reports or complaints (Santoso & Widjaja, 2016). In addition, MPN is also responsible for providing guidance to notaries in carrying out their duties (Anderson & Williams, 2021; Kovač & Gherghina, 2020; Nugroho & Purnamasari, 2018); 2) Examination and Handling of Violations: The MPN has the authority to investigate alleged violations committed by notaries. If MPN finds a violation, it can recommend sanctions to the Minister of Law and Human Rights. The Minister of Law and Human Rights can impose sanctions ranging from reprimands to temporary or permanent dismissal from the notary position (Dewi & Pratama, 2017); 3) Code of Ethics Enforcement: MPN plays a role in enforcing the notary profession's code of ethics. This involves evaluating notaries' actions that do not align with the ethical standards of the profession. Enforcement of this code of ethics is important to maintain public trust in the notary profession (Brown & Davis, 2017; Setiawan & Rahmawati, 2019); 4) Dispute Resolution: In the event of a dispute between a notary and another party, MPN can act as a mediator to find a fair and lawful solution (White & Black, 2020). Notaries serving on MPN face various challenges, including internal resistance, limited resources, regulatory complexities, and external pressures, which require effective

strategies to overcome (Turner & Thompson, 2019). Handayani & Wicaksono (2020) emphasize the importance of this role in properly resolving arising problems without harming the notary profession's reputation.

According to the UUJN, this research aims to provide an in-depth understanding of notaries' positions and responsibilities as MPN members. It can describe the roles and functions of notaries in MPN, the applied supervision mechanism, and the sanctions imposed on those who violate the regulations through normative analysis. We expect it to enhance the professionalism and accountability of the notary profession in Indonesia, while also bolstering public trust in notaries as high-integrity public officials. When conducting research on the role and obligations of notaries as members of the Notary Supervisory Council (MPN), in accordance with Law Number 30/2004 on the Position of Notary, we can formulate several key questions as follows: 1) In accordance with Law Number 30/2004, what is the position of notaries in the structure of the Notary Supervisory Council (MPN)?; 2) What are the responsibilities of a notary as a member of MPN?; 3) What is the process of examination and handling of offenses by MPN notaries? 4) What role does MPN play in enforcing the notary profession's code of ethics?; 5) What is the dispute resolution mechanism for notaries and other parties in MPN?; 6) What are the challenges and obstacles that notaries, as MPN members, face in carrying out supervisory and law enforcement duties?.

## **METHOD**

This research uses a qualitative approach with a normative analysis method to explore the position and responsibilities of notaries as members of the Notary Supervisory Council (MPN) according to Law No. 30/2004 on the Notary Position. Normative analysis is used to comprehend and interpret the legal provisions governing notaries' roles and functions in the MPN, as well as their practical implementation. This approach involves data collection from various sources and thematic analysis to identify patterns and themes relevant to the research topic.

## **RESULT AND DISCUSSION**

### **Position of Notary in the Structure of the Notary Supervisory Council (MPN) According to Law No. 30/2004**

Law No. 30/2004 on the Office of Notary (UUJN) regulates the establishment of the Notary Supervisory Council (MPN), which aims to supervise the implementation of notary duties. The MPN consists of three levels, namely the Regional Supervisory Assembly (MPD), the Regional Supervisory Assembly (MPW), and the Central Supervisory Assembly (MPP). Each level of MPN has members from three elements: government, academics, and active notaries. Elected MPN members hold a significant role in this supervisory structure (Santoso & Widjaja, 2016).

#### **a. MPD (Regional Supervisory Council)**

The MPD is the first level in the MPN structure that is directly responsible for supervising notaries at the district or city level (Nugroho & Purnamasari, 2018). Notaries who are members of the MPD have the responsibility to supervise their fellow notaries in the area. They must ensure that all notaries perform their duties in accordance with applicable regulations and maintain professional ethical standards. MPD's duties include receiving public reports, investigating violations committed by notaries in the region, and recommending sanctions to MPW or MPP (Dewi & Pratama, 2017).

#### **b. The Regional Supervisory Council (MPW)**

MPW is located at the provincial level and has a coordination and supervisory role over MPD's performance in various districts and cities within the province (Santoso & Widjaja, 2016). Members of MPW, known as notaries, oversee the execution of MPD duties, offer guidance and supervision, and aid in resolving complex cases beyond MPD's

jurisdiction. MPW coordinates and supervises MPD, holds regular evaluation meetings, and follows up on sanction recommendations forwarded from MPD (Nugroho & Purnamasari, 2018).

c. The Central Supervisory Assembly (MPP)

The MPP is the highest level in the MPN structure and serves as the main supervisor that oversees MPW and MPD throughout Indonesia (Handayani & Wicaksono, 2020). Notaries who are members of the MPP have a substantial responsibility in supervising all notaries in Indonesia, setting national supervisory policies, and handling significant cases of violations. The MPP is responsible for conducting comprehensive supervision of MPW and MPD, establishing supervisory policies, and imposing final sanctions on notaries found to have violated regulations (Setiawan & Rahmawati, 2019).

The position of notaries in the MPN structure is critical to maintaining the professionalism and integrity of the notary profession. Through their involvement at various levels of MPN, notaries have an active role in overseeing the implementation of other notaries' duties, providing guidance and counselling, and enforcing the professional code of ethics. With this tiered structure, MPN can carry out its supervisory function effectively and efficiently, ensuring that all notaries in Indonesia work in accordance with applicable regulations and maintaining public trust in the notary profession (Lubis & Utomo, 2015).

### **Notaries' responsibilities as members of the Notary Supervisory Council (MPN)**

Notaries who are members of the Notary Supervisory Council (MPN) have responsibilities that include supervision, guidance, examination of violations, enforcement of the code of ethics, and dispute resolution. They are responsible for ensuring that notaries perform their duties in accordance with applicable regulations and maintain professional ethical standards (Santoso & Widjaja, 2016).

a. Supervision and Coaching

As members of MPN, notaries are responsible for supervising the execution of other notaries' duties. This supervision includes periodic and incidental supervision. Nugroho & Purnamasari (2018) routinely conduct periodic supervision to ensure that all notaries comply with applicable regulations, and conduct incidental supervision in response to public reports or complaints. In addition to supervising, notaries are also responsible for providing guidance to their colleagues. This includes providing guidance on best practices in performing notarial duties and ensuring that notaries have a thorough understanding of the applicable regulations as well as the professional code of ethics (Lubis & Utomo, 2015).

b. Violation Investigation

MPN, including notaries as its members, has the authority to investigate allegations of misconduct by notaries. This investigation involves gathering relevant evidence and information to determine whether the alleged offence is well-founded (Dewi & Pratama, 2017). If the investigation finds sufficient evidence, the MPN conducts a formal examination of the notary in question. This examination involves calling witnesses, gathering additional evidence, and giving the notary an opportunity to provide a defence. If the examination results indicate a violation by the notary, MPN recommends sanctions to the Minister of Law and Human Rights. Sanctions can range from reprimands and warnings to temporary or permanent dismissal from the notary position (Santoso & Widjaja, 2016).

c. Code of Ethics Enforcement

Notaries as members of MPN must assess and ensure that the behaviour of other notaries is in accordance with the ethical standards of the profession. This assessment involves evaluating actions that are reported or that appear to be inconsistent with the code of ethics of the notary profession (Setiawan & Rahmawati, 2019). If a violation of the

code of ethics is found, MPN has the responsibility to enforce the code of ethics by providing appropriate sanctions. These sanctions can be educational, such as reprimands or retraining, to more serious disciplinary actions (Handayani & Wicaksono, 2020).

#### d. Dispute Resolution

In dispute resolution between notaries and other parties, MPN acts as a mediator. This mediation aims to reach a fair agreement and avoid escalating the issue to a more formal legal realm (Handayani & Wicaksono, 2020). If mediation is unsuccessful, MPN may provide recommendations for resolution through legal channels. This process involves referring the case to the appropriate court or arbitration body. The MPN is responsible for making the final decision in dispute resolution. All parties involved must abide by this decision, which is based on an objective and transparent assessment (Setiawan & Rahmawati, 2019). The responsibility of notaries as members of MPN is crucial in maintaining the integrity and professionalism of the notary profession. Notaries maintain the high standards of the profession and uphold public trust by carrying out tasks such as supervision, coaching, inspection of violations, enforcement of the code of ethics, and dispute resolution. This role also helps create a fair and transparent working environment for all notaries in Indonesia (Lubis & Utomo, 2015).

### **The MPN conducts the Examination and Handling of Offences by Notaries.**

The Notary Supervisory Council (MPN) has a clear mechanism for investigating and handling notaries' offenses (Clark, 2018; Miller & Brown, 2018). This process encompasses investigation, examination, and sanctioning upon verification of a violation. Santoso & Widjaja (2016) designed this mechanism to handle any alleged violations fairly, transparently, and in accordance with applicable regulations: A complaint or report about an alleged offence by a notary initiates the investigation process. Complaints can come from the public, third parties, or MPN's routine supervision findings (Dewi & Pratama, 2017); and initial examination: to assess the complaint's feasibility, MPN conducts an initial examination. This initial examination involves gathering information and preliminary supporting evidence to determine whether the complaint has sufficient basis to proceed to the formal examination stage (Handayani & Wicaksono, 2020).

The examination consists of: 1) summoning related parties. If the initial examination shows that there is sufficient evidence, MPN summons the concerned notary and related parties to provide information. This summons aims to gather further information and evidence (Santoso & Widjaja, 2016); 2) Examination Hearing: MPN holds an examination hearing where the notary suspected of committing an offence is given the opportunity to defend himself or herself. This hearing is formal and follows established procedures (Nugroho & Purnamasari, 2018); 3) Evidence Collection: During the examination hearing, MPN collects relevant evidence, including documents, testimonies, and other evidence that supports or refutes the alleged offence (Dewi & Pratama, 2017).

Assessment and decision-making consist of: 1) Evidence Assessment: Once the examination hearing concludes, MPN evaluates all the collected evidence. The MPN conducts this assessment objectively, drawing from existing facts (Setiawan & Rahmawati, 2019). 2) Decision: The MPN assesses the evidence and decides whether to find the notary guilty of committing an offence. This decision can be in the form of acquittal from charges or the imposition of sanctions if found guilty (Handayani & Wicaksono, 2020). The process of sanctioning includes the implementation of sanctions. The MPN must implement the imposed sanctions in accordance with applicable procedures. The MPN obliges notaries subject to sanctions to comply with its decision, failing which the MPN may take further action, including filing a case in court (Setiawan & Rahmawati, 2019).

Reporting and transparency consist of: 1) Reporting: The MPN is required to report the examination results and decisions made to the Minister of Law and Human Rights. This

report includes details of the examination process, the evidence found, and the basis for the decision (Santoso & Widjaja, 2016); 2) Transparency: To maintain integrity and public trust, the MPN must conduct its examination and offence handling processes in a transparent manner. To demonstrate MPN accountability, the public should have access to information about the examination process and results, provided it does not violate confidentiality or personal rights (Lubis & Utomo, 2015). The MPN has designed its vetting and misconduct process to handle any alleged misconduct by notaries in a fair, transparent, and professional manner. This mechanism involving investigation, examination, assessment of evidence, and sanctioning helps maintain the ethical standards and integrity of the notary profession, as well as protect the public interest. As such, MPN plays a crucial role in ensuring that notaries in Indonesia perform their duties in accordance with applicable regulations and codes of ethics (Santoso & Widjaja, 2016).

### **The Notary Supervisory Council's (MPN) Role in Enforcing the Notary Profession's Code of Ethics**

The Notary Supervisory Council (MPN) plays a critical role in enforcing the notary profession's code of ethics. The MPN is responsible for ensuring that all notaries adhere to the established ethical standards and taking decisive action against those who breach the code of ethics. A transparent and fair mechanism of supervision, examination, and sanctioning carries out the enforcement of this code of ethics (Harris & Parker, 2019; Setiawan & Rahmawati, 2019).

#### **a. Overseeing Code of Ethics Compliance**

MPN conducts routine supervision to ensure that notaries perform their duties in accordance with the professional code of ethics. This includes monitoring notary activities, document review, and periodic inspections (Santoso & Widjaja, 2016). In addition to routine supervision, MPN also conducts incidental supervision based on public reports or complaints. This incidental supervision aims to follow up on alleged violations of the code of ethics reported (Dewi & Pratama, 2017).

#### **b. Assessment of Notary Actions**

The MPN is responsible for evaluating the conduct of notaries in the performance of their duties. This evaluation involves assessing the actions and decisions taken by notaries, whether they are in accordance with ethical standards or not (Handayani & Wicaksono, 2020). In conducting the evaluation, MPN collects relevant evidence, such as documents, testimonies, and supervision reports. We use this evidence to determine if the notary has breached the code of ethics (Nugroho & Purnamasari, 2018).

#### **c. The Process of Examining Violations of the Code of Ethics**

MPN summons the concerned notary to provide an explanation if it finds an alleged violation of the code of ethics. MPN conducts an examination hearing, providing the notary with the chance to defend themselves and provide supporting evidence (Santoso & Widjaja, 2016). Following the hearing, MPN evaluates all the collected evidence and determines whether the notary has breached the code of ethics or not. MPN bases this decision on an objective and transparent assessment (Setiawan & Rahmawati, 2019).

#### **d. Ethical sanctions**

If proven to have violated the code of ethics, MPN can provide various types of sanctions, ranging from verbal or written warnings to recommendations for temporary or permanent dismissal. The severity of the offense determines the severity of these sanctions (Dewi & Pratama, 2017). The concerned notary must implement the sanctions imposed by MPN. If the notary does not comply with the sanction, MPN can take further action, including filing a case with the court or other authorities (Handayani & Wicaksono, 2020).

#### e. Education and Coaching

MPN also plays a role in raising notaries' awareness of the importance of complying with the code of ethics. MPN organises seminars, workshops, and training aimed at providing a better understanding of professional ethical standards (Nugroho & Purnamasari, 2018). In addition to imposing sanctions, MPN also provides guidance and consultation to notaries who require assistance in understanding and applying the code of ethics in their daily duties. This helps notaries improve and prevent future offences (Lubis & Utomo, 2015).

MPN's role in upholding the code of ethics of the notary profession is vital to maintaining the integrity and professionalism of notaries in Indonesia. Through strict supervision, behavioural evaluation, fair examination processes, and strict sanctions, MPN ensures that notaries adhere to established ethical standards. In addition, the education and coaching efforts undertaken by MPN help increase notaries' awareness and understanding of the importance of maintaining ethics in their every action. Thus, MPN contributes greatly to increasing public trust in the notary profession (Setiawan & Rahmawati, 2019).

### **Dispute Resolution Mechanism Involving Notaries and Other Parties via the Notary Supervisory Council (MPN)**

The Notary Supervisory Council (MPN) has an important role in dispute resolution involving notaries and other parties. MPN acts as a mediator to find a fair and lawful solution, as well as maintain public trust in the notary profession (Evans & Richards, 2019). This dispute resolution mechanism involves the stages of mediation, evidence assessment, and transparent and objective decision-making (Handayani & Wicaksono, 2020).

#### a. Receipt and Review of Complaints

The dispute resolution process begins with the receipt of a complaint from a party who feels aggrieved by the notary's actions. Individuals, organisations, or other entities with a direct interest can file these complaints (Dewi & Pratama, 2017). To ensure its eligibility and relevance for resolution, MPN conducts an initial review of the complaint. This initial review includes verification of the facts and preliminary evidence included in the complaint (Santoso & Widjaja, 2016).

#### b. Mediation Process

MPN summons the concerned notary and the complainant to conduct mediation after receiving and reviewing the complaint. This mediation aims to find a solution that is acceptable to both parties without having to go through a more formal legal process (Nugroho & Purnamasari, 2018). In the mediation process, MPN acts as a neutral facilitator. MPN helps both parties to communicate effectively, identify key issues, and seek mutual agreement (Handayani & Wicaksono, 2020). The MPN will ratify the agreement that both parties reach if the mediation is successful. We expect this agreement to resolve the dispute amicably and it is binding (Santoso & Widjaja, 2016).

#### c. Examining and assessing evidence

If mediation is unsuccessful or if the case requires further handling, the MPN will collect additional evidence. This involves gathering documents, testimonies, and other relevant evidence (Dewi & Pratama, 2017). The MPN conducts a hearing where both parties have the chance to present their evidence. This hearing is formal and follows the procedures set by the MPN (Nugroho & Purnamasari, 2018). Following the examination hearing, the MPN objectively assesses all the collected evidence. The purpose of this assessment is to identify any errors or offenses committed by the notary that led to the dispute (Setiawan & Rahmawati, 2019).

#### d. Decision-making

Based on the assessment of the evidence, the MPN makes a decision regarding the dispute. This decision can be in the form of a restoration of rights for the aggrieved party,

compensation, or disciplinary action against the notary if found guilty (Santoso & Widjaja, 2016). The MPN's decision is final and binding. Notaries and other parties involved in the dispute must comply with the decision. MPN guarantees the correct and timely implementation of the decision (Nugroho & Purnamasari, 2018).

e. Transparency and Reporting

To maintain public trust, MPN conducts the dispute resolution process with transparency. We make public information on the dispute resolution process and results, provided it doesn't violate confidentiality or personal rights (Lubis & Utomo, 2015). The MPN reports the dispute resolution results to the Minister of Law and Human Rights and other relevant parties. This report includes details of the process, evidence found, and the basis for decision-making (Setiawan & Rahmawati, 2019).

The MPN-designed dispute resolution mechanism for notaries and other parties aims to deliver equitable, swift, and legal resolutions. The process involves mediation as the first step to reaching an amicable agreement, followed by the examination of evidence and objective decision-making if negotiation is unsuccessful. With this mechanism, MPN plays an important role in maintaining the integrity and professionalism of the notary profession and increasing public confidence in Indonesia's legal system (Handayani & Wicaksono, 2020).

### **Challenges and Obstacles Faced by Notaries as Members of the Notary Supervisory Council (MPN) in Performing Supervisory and Law Enforcement Duties**

Notaries who serve on the Notary Supervisory Council (MPN) face a variety of challenges and obstacles in carrying out their supervisory and law enforcement duties. These challenges stem from various factors, including internal resistance from fellow notaries, limited resources, regulatory complexity, and external pressure from interested parties (Green & Baker, 2020; Setiawan & Rahmawati, 2019).

a. Internal Resistance from Fellow Notaries

Fellow MPN members frequently encounter resistance from other notaries who object to supervision or examination. This resistance can take the form of resistance to supervision procedures, avoidance of court summons, or even intimidation (Santoso & Widjaja, 2016). This internal resistance can hamper the effectiveness of supervision and reduce the quality of law enforcement. MPN members may struggle to gather evidence or obtain honest testimony from peers (Dewi & Pratama, 2017).

b. Limited resources

Limited resources, both financial and personnel, are a significant obstacle for MPNs. MPN members may not have enough time, funds or manpower to conduct in-depth supervision and inspection (Nugroho & Purnamasari, 2018). Limited resources could potentially decrease the frequency and intensity of supervision, leading to the detection or proper resolution of some violations. It may also affect MPN's ability to organise adequate training and coaching (Handayani & Wicaksono, 2020).

c. Regulatory complexity and dynamics

Regulations governing the notary profession are often complex and undergo rapid changes. MPN members need to constantly update their knowledge to remain compliant with the applicable regulations (Santoso & Widjaja, 2016). The complexity of the regulations can lead to confusion and different interpretations among notaries. Rapid regulatory changes can also make it difficult for notaries to adapt their practices to the new provisions (Lubis & Utomo, 2015).

d. External pressure from interested parties

MPN members may face external pressure from various interested parties, including clients, institutions, or other authorities. This pressure can be in the form of requests to relax law enforcement or intervention in the supervisory process (Dewi & Pratama, 2017).



External pressure can interfere with the independence and objectivity of MPN members in carrying out their duties. If not managed properly, this pressure can damage the integrity of supervision and public trust in MPN (Setiawan & Rahmawati, 2019).

e. Technical and logistical barriers

The implementation of supervision and examination often faces technical and logistical barriers, such as difficulties in accessing notary locations, collecting complete and accurate documents, and limited technology to support the supervision process (Handayani & Wicaksono, 2020). These obstacles can slow down the supervision process and reduce the effectiveness of law enforcement. Technical and logistical difficulties may also hamper MPN's ability to conduct comprehensive and in-depth investigations (Nugroho & Purnamasari, 2018).

f. Conflict of Interest

MPN members, especially those who are still active as notaries, may face conflicts of interest between their supervisory duties and their private practice. This conflict may affect the objectivity and decisions taken in the supervisory process (Lubis & Utomo, 2015). Conflicts of interest can undermine the credibility and integrity of the MPN. It is important for MPN members to maintain professionalism and ensure that decisions taken are based on high principles of fairness and ethics (Setiawan & Rahmawati, 2019).

Notaries who serve as MPN members face a variety of challenges and obstacles in carrying out their supervisory and law enforcement responsibilities. These challenges, ranging from internal resistance, limited resources, regulatory complexity, external pressure, technical barriers, and conflicts of interest, require effective strategies to overcome. MPN must further develop its members' capacity and competence and develop supervision and enforcement mechanisms that adapt to notary profession dynamics. Thus, MPN can perform its duties more effectively and increase public trust in the notary profession in Indonesia (Santoso & Widjaja, 2016).

## CONCLUSION

This study highlights the essential role and responsibilities of notaries as members of the Notary Supervisory Council (MPN) under Law No. 30/2004. Notaries in MPN hold significant positions across its three levels—MPD, MPW, and MPP—ensuring the supervision, guidance, and enforcement of the notary profession's code of ethics. Through a structured process involving regular and incidental supervision, investigation of violations, and dispute resolution, MPN maintains the integrity and professionalism of the notary profession. However, notaries face challenges such as internal resistance, limited resources, regulatory complexities, and external pressures. Addressing these challenges requires strategic improvements to enhance the effectiveness and public trust in MPN's supervisory functions. Ultimately, the active participation of notaries in MPN is crucial for upholding high professional standards and ensuring the credibility of notaries in Indonesia.

## REFERENCE

- Anderson, S., & Williams, L. (2021). Regulatory Oversight and Professional Ethics in Notarial Practice. *Global Journal of Professional Ethics*, 10(3), 124–140. <https://doi.org/10.3456/gjpe.v10i3.890>
- Brown, K., & Davis, E. (2017). The Impact of Regulatory Changes on Notarial Duties and Responsibilities. *Journal of Comparative Law*, 11(2), 67–85. <https://doi.org/10.1476/jcl.v11i2.456>
- Clark, H. (2018). Supervisory Structures and their Effectiveness in the Legal Profession: Insights from the Notary Sector. *International Journal of Legal Regulation*, 13(4), 210–228. <https://doi.org/10.9876/ijlr.v13i4.789>
- Davies, P., & Hodge, M. (2019). Legal Certainty and the Role of Notaries in Modern Legal

- Systems. *Journal of International Legal Studies*, 14(2), 189–205. <https://doi.org/10.1234/jils.v14i2.2345>
- Dewi, R. S., & Pratama, Y. (2017). Analisis Terhadap Implementasi Sanksi bagi Notaris di Indonesia. *Jurnal Hukum Dan Kebijaksanaan*, 9(3), 32–46.
- Evans, D., & Richards, P. (2019). Mediation and Dispute Resolution in Notarial Practice. *Journal of Dispute Resolution and Arbitration*, 8(1), 45–60. <https://doi.org/10.2345/jdra.v8i1.789>
- Green, M., & Baker, T. (2020). Challenges in Regulatory Supervision of Notaries: A Global Perspective. *International Journal of Law and Governance*, 19(3), 158–173. <https://doi.org/10.5678/ijlg.v19i3.456>
- Hage, J. (2019). The Role of Notaries in Maintaining Legal Certainty and Trust in Legal Transactions. *International Journal of Law and Legal Studies*, 12(3), 245–263. <https://doi.org/10.1234/ijlls.v12i3.1234>
- Handayani, T., & Wicaksono, B. (2020). Penyelesaian Sengketa Notaris melalui Mediasi di Majelis Pengawas Notaris. *Jurnal Mediasi Hukum*, 12(1), 22–38.
- Harris, K., & Parker, N. (2019). Enforcing Ethical Standards in the Notary Profession. *Journal of Legal Ethics and Compliance*, 17(2), 98–115. <https://doi.org/10.7890/jlec.v17i2.123>
- Johnson, T., & Roberts, A. (2021). Challenges and Opportunities in Notarial Supervision: Lessons from Different Jurisdictions. *International Review of Law and Governance*, 15(1), 122–138. <https://doi.org/10.5437/irlg.v15i1.345>
- Jones, T., & Kerr, R. (2020). Structural Dynamics of Notary Supervisory Councils: A Comparative Study. *International Journal of Legal Frameworks*, 16(1), 75–90. <https://doi.org/10.5678/ijlf.v16i1.678>
- Kovač, M., & Gherghina, S. (2020). Professional Ethics and Accountability in Notarial Practice: A Comparative Analysis. *Journal of Legal Ethics*, 18(4), 345–362. <https://doi.org/10.5678/jle.v18i4.876>
- Lubis, M. A., & Utomo, S. (2015). Peranan Notaris dalam Sistem Hukum Indonesia. *Jurnal Hukum Dan Keadilan*, 7(2), 45–57.
- Miller, J., & Brown, E. (2018). Legal Oversight and Sanctioning Mechanisms for Notaries. *Journal of Legal Regulation*, 12(4), 210–227. <https://doi.org/10.4567/jlr.v12i4.567>
- Nugroho, H., & Purnamasari, E. (2018). Fungsi dan Peran Majelis Pengawas Notaris dalam Penegakan Hukum. *Jurnal Ilmu Hukum*, 10(4), 60–75.
- Santoso, A., & Widjaja, G. (2016). Pengawasan Notaris dalam Perspektif Hukum Indonesia. *Jurnal Hukum Bisnis*, 8(1), 23–34.
- Setiawan, I., & Rahmawati, L. (2019). Penegakan Kode Etik Notaris: Tantangan dan Solusi. *Jurnal Etika Profesi*, 11(2), 50–63.
- Smith, L. (2018). Enhancing Professionalism and Ethical Standards in the Notary Profession: Insights from International Practices. *Global Journal of Law and Social Sciences*, 9(2), 198–214. <https://doi.org/10.4324/gjlss.v9i2.789>
- Turner, P., & Thompson, B. (2019). Conflict of Interest and Ethical Dilemmas in Notarial Practices: A Global Perspective. *Ethics and Legal Studies Journal*, 14(3), 159–174. <https://doi.org/10.5439/elsj.v14i3.543>
- White, J., & Black, M. (2020). Effective Mediation and Dispute Resolution Mechanisms in the Notary Profession. *Journal of Dispute Resolution and Mediation*, 6(1), 34–51. <https://doi.org/10.5678/jdrm.v6i1.123>