



## Notary Liability for Authentic Deed via Video Conference

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**Abstract:** The creation of authentic deeds through video conferencing has become increasingly popular amidst technological advancements and the need to adapt to social distancing restrictions due to the pandemic. This study aims to identify the challenges and risks faced by notaries in the creation of authentic deeds online and to find solutions for maintaining the validity and integrity of the deeds. The method used is a descriptive qualitative approach with a case study, where data is collected through literature review and interviews with notaries and legal practitioners. The results of the study indicate that the main challenges in the creation of authentic deeds via video conferencing include technical issues, the difficulty of verifying identities without face-to-face interaction, and the risks of fraud or coercion of the parties involved. Proposed solutions include the use of secure identity verification technologies such as electronic signatures and biometrics, as well as the implementation of clearer regulations regarding online authentic deed creation. Additionally, the importance of maintaining process integrity by involving witnesses virtually and ensuring transparency is emphasized. This study concludes that although the creation of authentic deeds through video conferencing presents various challenges, with the proper application of technology and careful oversight, the resulting deeds remain valid and legally binding.

**Keywords :** Authentic Deeds; Video Conference; Notary.

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# 1. Introduction

The rapid advancement of information technology has brought about significant changes across various sectors of life, including the legal sector. One of the notable innovations in the field of law is the implementation of electronic systems for the creation and validation of legal documents, such as authentic deeds. In Indonesia, although the legal system still relies on manual practices for the creation of notarial deeds, recent years have seen efforts to adopt digital technology in the process of creating and validating authentic deeds online. This development has sparked debates among legal practitioners, academics, and the general public, as it challenges the foundational principles of the existing legal system, particularly regarding the validity and accountability of notaries.<sup>1</sup>

An authentic deed is a document that holds greater evidentiary value than an ordinary deed because it is created in the presence of an authorized official, the notary, who has been appointed and authorized by the state to draft the document. The existence of an authentic deed is crucial because it provides strong legal guarantees for the parties involved in transactions or agreements. In traditional contexts, the process of creating an authentic deed requires the physical presence of the parties to sign the document in the presence of the notary. This ensures that the agreement or transaction governed by the deed is conducted with the awareness and consent of all parties involved.

However, with the continued advancement of information and communication technology, several countries, including Indonesia, have begun considering the use of digital platforms for drafting and signing authentic deeds online.<sup>2</sup> Nevertheless, the implementation of online authentic deeds is not without challenges. One of the main issues to address is the legal validity of electronically created deeds. This validity concerns two primary aspects: first, whether the deed is legally valid, and second, whether the deed can be accepted as valid evidence in court.

According to Law No. 2 of 2014 on the Position of Notaries, a deed created by a notary must meet certain formal and material requirements to be considered valid. These requirements include the presence of a valid notary, the identity of the parties involved, and the substance of the deed in accordance with applicable law. With the shift to digital platforms for deed creation, questions arise about whether these requirements can still be met in the context of an authentic deed created online. This

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<sup>1</sup> Anggini Husnul Amirah, "Keabsahan Hukum Pembacaan Akta Notaris Di Hadapan Penghadap Melalui Video Conference" (PhD Thesis, Universitas Islam Malang, 2023), <https://repository.unisma.ac.id/handle/123456789/9009>.

<sup>2</sup> Ahmad Ahmad and Novendri M. Nggilu, *Constitutional Dialogue: Menguatkan Intraksi Menekan Dominasi (Konvergensi Terhadap Pengujian Norma Di Mahkamah Konstitusi)* (Yogyakarta: UII Press, 2023); Ahmad, Fence M. Wantu, and Dian Ekawaty Ismail, "Constitutional Dialogue in Judicial Review at the Indonesian Constitutional Court: The Future Prospects," *Journal of Legal, Ethical and Regulatory Issues* 25, no. 1S (November 15, 2021), <https://www.abacademies.org/abstract/constitutional-dialogue-in-judicial-review-at-the-indonesian-constitutional-court-the-future-prospects-13248.html>.

change also raises concerns about the potential misuse of technology, such as identity fraud or document manipulation.<sup>3</sup>

In addition to the issue of validity, the accountability of notaries for online authentic deeds is also a matter that requires in-depth discussion. In Indonesia's legal system, notaries play a crucial role in guaranteeing the authenticity of a deed. Notaries are responsible for ensuring that the deed meets the legal requirements and that all parties involved in the deed understand the contents and legal consequences of the agreement they are signing. This accountability also applies to deeds created online, but the implementation of this responsibility faces several challenges compared to conventional deeds. One of these challenges is how notaries can ensure that the identities of the parties involved in an online transaction are authentic and not subject to identity fraud, considering the lack of direct interaction between the notary and the parties concerned.

This change affects the fundamental principles of law, particularly regarding the authenticity and accountability of notaries. The validity of online authentic deeds faces challenges in reconciling with principles traditionally upheld by Indonesia's legal system, such as physical presence and direct identity verification. Furthermore, the responsibility of notaries involved in online authentic deeds must be considered carefully, as the challenges faced in a digital system are far more complex than those in a conventional system. In this regard, the implementation of online authentic deeds requires adjustments to Indonesia's foundational legal principles, which may necessitate changes or updates in regulations and practices.<sup>4</sup>

The adoption of digital systems for creating online authentic deeds also requires Indonesia's legal framework to adapt to technological advancements. For example, countries such as Estonia and Singapore have already successfully implemented digital notary systems. In Estonia, the use of legally recognized digital signatures is widespread, while Singapore has developed an e-notary system that integrates blockchain technology to ensure the authenticity of legal documents electronically. These comparisons provide broader insights into how technology can be adapted within legal systems to enhance efficiency and transparency, while still preserving the integrity and authenticity of legal documents.

Moreover, the use of technology in creating online authentic deeds raises questions about the security standards that must be applied in these electronic systems. The protection of personal data and the integrity of documents becomes critical, as electronic documents are more vulnerable to hacking or unauthorized modifications. Therefore, notaries must ensure that the platform used to create online authentic deeds meets high security standards to prevent misuse that could harm the parties involved. In this context, the responsibility of notaries extends not only to the validity

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<sup>3</sup> Lia Azrina, "Kedudukan Hukum Akta Notaris Dihadapan Para Penghadap Berkaitan Dengan Hak Nasabah Perbankan," *Jurnal Ilmiah Penegakan Hukum* 8, no. 1 (2021): 35–48.

<sup>4</sup> Kadek Indra Prayoga Dinata and I. Gede Agus Kurniawan, "Keabsahan Akta Relaas Yang Dibuat Dengan Video Conference Berbasis Cyber Notary (Studi Putusan Pengadilan Tinggi: Nomor 35/Pdt/2021/PT KDI)," *Jurnal Pembangunan Hukum Indonesia* 6, no. 3 (2024): 328–51.

of the contents of the deed but also to the technical security that ensures the protection of the rights of the parties involved.<sup>5</sup>

As technology continues to develop, the emergence of various digital platforms providing online deed creation services also demands changes in the legal and ethical framework for notarial professions. Notaries must be able to adapt to technological advances without compromising the quality of the services they provide. Therefore, it is important to establish clear standard operating procedures (SOPs) for notaries in the creation of online authentic deeds, covering aspects such as data security, legal validity, and effective identity verification procedures. The government and notarial professional associations must also play an active role in providing clear guidelines and regulations regarding the use of technology in the creation of online authentic deeds to prevent legal uncertainties that could harm all parties involved.

Additionally, strict oversight by relevant authorities is necessary to ensure that online authentic deeds are not misused, whether by the notary or other parties involved. An effective oversight system will help create an atmosphere of trust among the public regarding the validity and security of online authentic deeds. Without adequate oversight, the potential misuse of technology in the creation of online authentic deeds will be difficult to control, which could ultimately damage the integrity of the legal system itself.

Overall, the use of technology in creating online authentic deeds presents new challenges that require serious attention from various parties. While it has the potential to ease access and increase efficiency in the process of creating deeds, issues related to validity, notary accountability, and data security cannot be overlooked. Therefore, this study aims to examine in greater depth the legal validity of online authentic deeds and the accountability of notaries in the electronic creation of deeds. With a clearer understanding of these issues, it is hoped that solutions can be found to maintain the authenticity and integrity of online authentic deeds in the digital era, while also protecting the rights of the public in increasingly complex legal transactions conducted online.<sup>6</sup>

The implementation of online authentic deeds is a progressive step that can bring many benefits in terms of time efficiency, cost savings, and accessibility for the public. However, to realize this optimally, careful steps and significant attention to the legal and technical aspects involved are required. The validity of online authentic deeds must be strictly safeguarded through clear regulations and effective oversight. Additionally, the accountability of notaries in the creation of online authentic deeds must be clarified, given the more complex challenges faced compared to conventional deed creation. Through a comprehensive approach, the implementation of online authentic deeds can proceed effectively, benefiting all parties involved and

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<sup>5</sup> Gania Fasya, "Keabsahan Pembacaan Akta Melalui Video Conference Di Era Digitalisasi," *Humantech: Jurnal Ilmiah Multidisiplin Indonesia* 2, no. Spesial Issues 1 (2022): 318–32.

<sup>6</sup> Ibid.

contributing positively to the development of a more modern legal system in Indonesia.

## **2. Method**

The method used in this study is a qualitative approach with a case study.<sup>7</sup> Data was collected through a literature review of regulations related to the creation of authentic deeds and the use of video conferencing by notaries. Interviews with legal practitioners, notaries, and technology experts were also conducted to gather perspectives on the challenges and practices of notary accountability in the creation of authentic deeds online. Data analysis was performed using descriptive analysis techniques to identify the proper procedures and the notary's obligations in maintaining the validity of authentic deeds created through video conferencing media in accordance with applicable legal provisions.

## **3. Legal Aspects and Validity of Authentic Deeds Made through Video Conference**

The creation of authentic deeds by notaries through video conferencing has become an increasingly relevant practice amid technological advancements and the need to adapt to situations that require social distancing, such as during the COVID-19 pandemic. As part of efforts to facilitate public services effectively, notaries have begun using online media such as video conferencing to carry out their tasks in drafting authentic deeds.<sup>8</sup>

However, the use of technology in the creation of authentic deeds raises various questions concerning legal validity and the proper procedures that need to be followed. Authentic deeds created through video conferences must still comply with the applicable legal provisions that guarantee their validity and legal force. Essentially, an authentic deed is a deed created by an authorized official, in this case, a notary, that provides legal certainty for the statements or legal actions contained in the deed. According to Law No. 2 of 2014 concerning the Position of Notaries, a notary functions as a witness to the legal actions undertaken by the parties involved and is responsible for the accuracy and validity of the deed created.

Although video conferencing technology allows the parties involved in the deed's creation to communicate remotely, there are still provisions that notaries must adhere to ensure that the deed created through this online medium remains legally valid and binding. One critical aspect in the creation of authentic deeds is the physical presence of the parties involved, including witnesses. According to the provisions of Law No. 2 of 2014, notaries are required to ensure that the parties involved in the creation of the authentic deed are physically present before them to guarantee that no coercion

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<sup>7</sup> S. H. I. Jonaedi Efendi, S. H. Johnny Ibrahim, and M. M. Se, *Metode Penelitian Hukum: Normatif Dan Empiris* (Prenada Media, 2018).

<sup>8</sup> Ardita Aprillia Julaija, "Pertanggungjawaban Notaris Mengenai Keabsahan Tanda Tangan Elektronik Pada Dokumen Pendukung Dalam Pembuatan Akta Autentik," 2021, [https://digilib.unsri.ac.id/opac/index.php?p=show\\_detail&id=108339](https://digilib.unsri.ac.id/opac/index.php?p=show_detail&id=108339).

or undue influence is exerted on those parties. This physical presence also serves to verify the identity of the parties involved. Therefore, the direct presence of the parties involved in the creation of the deed is crucial to maintain the validity and integrity of the authentic deed.

However, with the advent of video conferencing technology, a question arises about whether the process of creating authentic deeds online can replace the physical presence of the parties involved. In principle, the creation of authentic deeds via video conference can still be carried out in accordance with the fundamental principles of validity, as long as all procedures set forth in the relevant laws and regulations are carefully followed.<sup>9</sup>

To that end, notaries must ensure that, even when conducted online, the presence of the parties can still be verified in a legally valid and accurate manner, with no room for identity fraud or abuse. One of the significant challenges in creating authentic deeds via video conference is verifying the identities of the parties involved. Identity verification is crucial because an authentic deed only holds legal force if the identities of the involved parties are confirmed and valid. Traditionally, notaries perform identity verification by asking the parties to present their original identity documents in person.

However, in the context of video conferencing, identity verification requires more careful and meticulous methods. Notaries must ensure that the technology used is secure enough to verify the identities of the parties involved and must take additional steps to minimize the risk of identity misuse, such as asking the parties to show their identity documents through live video and having witnesses verify the documents. One solution is to utilize technology that supports digital identity verification, such as biometric verification systems or legally recognized electronic signatures.<sup>10</sup>

Moreover, the presence of witnesses, an integral part of the authentic deed creation process, also presents challenges in the context of video conferencing. In conventional procedures, witnesses are physically present before the notary and the parties involved. However, in video conferences, witnesses must also be present virtually. Therefore, the notary must ensure that the witness can observe the entire process clearly and transparently and provide a testimonial that is accountable. Some steps the notary can take include ensuring that the witness can view the entire process of creating the deed in real time via video and asking the witness to electronically sign the deed after observing the process.

Thus, even though the process is conducted online, the presence of witnesses can still be ensured, and the deed created remains valid. It is important to note that, while technology provides ease in the creation of authentic deeds, notaries still play a crucial

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<sup>9</sup> Erlinda Saktiani Karwelo, "Prospek Pembacaan Dan Penandatanganan Akta Notaris Melalui Video Conference" (PhD Thesis, Brawijaya University, 2021), <https://core.ac.uk/download/pdf/294926149.pdf>.

<sup>10</sup> Dwi Merlyani, Annalisa Yahanan, and Agus Trisaka, "Kewajiban Pembacaan Akta Otentik Oleh Notaris Di Hadapan Penghadap Dengan Konsep Cyber Notary," *Repertorium: Jurnal Ilmiah Hukum Kenotariatan* 9, no. 1 (2020): 36–47.

role in ensuring that the entire process is carried out with transparency, free from coercion, and in accordance with applicable laws. The integrity of the notary is key to maintaining the validity of the authentic deed created through video conferences. Notaries must ensure that, despite using online media, the fundamental principles in creating authentic deeds are still followed and that no room exists for violations that could harm the parties involved in the deed.<sup>11</sup>

The validity of authentic deeds created through video conferences relies heavily on careful adherence to legal procedures. By using technology wisely and ensuring the correct verification of identities, as well as ensuring that the deed creation process is carried out with transparency and integrity, notaries can ensure that the deed produced has legal validity. It is also essential to maintain transparency in the process by involving witnesses who can observe the entire process and provide valid testimony. Thus, even though conducted online, the creation of authentic deeds via video conference can still meet the applicable legal provisions and provide legal certainty for the parties involved.

The notary's responsibility in this matter is considerable. While technology offers convenience, risks related to potential errors or identity misuse still exist. Therefore, notaries must uphold their integrity and credibility in carrying out their duties. Even with advanced technology, technical errors or non-compliance with procedures can jeopardize the validity of the deed. Therefore, notaries must adhere to professional ethics and legal guidelines, ensuring that all parties involved in the creation of the deed fully understand and agree with the contents of the deed they sign.<sup>12</sup>

The success of creating authentic deeds via video conference also depends on the existing regulations. While Indonesia has the Electronic Information and Transactions Law (Undang-Undang ITE) which allows electronic transactions to be legally recognized, many aspects still need to be adjusted to ensure that online authentic deeds comply with existing regulations. Therefore, more detailed and adaptable regulations are needed to support the validity of authentic deeds created online.

This regulatory update is also essential to provide legal protection for notaries and the parties involved in the creation of authentic deeds. In conclusion, while creating authentic deeds via video conference presents new challenges in identity verification, physical presence, and the role of witnesses, technological solutions like electronic signatures and biometric verification systems can help address these issues. Notaries bear significant responsibility in ensuring that the procedures set forth in Law No. 2 of 2014 and other legal provisions are followed with diligence and integrity, so that authentic deeds created via online media remain valid and legally binding. Technology must be used wisely, ensuring that the deeds produced continue to

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<sup>11</sup> Bernadete Nurmawati et al., "Keabsahan Akta Notaris Yang Menggunakan Cyber Notary Dalam Pembuatan Akta Otentik Menurut Undang-Undang Jabatan Notaris," *Action Research Literate* 7, no. 9 (2023): 35–41.

<sup>12</sup> Muhammad Afri Ramadhan and Wira Franciska, "Kekuatan Pembuktian Akta Terhadap Keabsahan Pembacaan Dan Penandatanganan Akta Melalui Video Conference," *Imanot: Jurnal Kemahasiswaan Hukum & Kenotariatan* 1, no. 1 (2021): 162–85.

provide maximum legal protection for all parties involved. Thus, creating authentic deeds through video conferences can be a valid and effective alternative, as long as it follows applicable legal provisions and maintains the integrity of the deed creation process.

#### **4. Challenges and Risks of Notary Liability in Making Authentic Deeds via Video Conference**

The creation of authentic deeds by notaries through video conferencing has become an increasingly popular practice, particularly after the COVID-19 pandemic, which forced various activities to be conducted online. Video conferencing enables the parties involved in the creation of authentic deeds to communicate and complete legal transactions without the need for in-person meetings. This technology offers flexibility and efficiency; however, it also presents several challenges and risks that notaries must consider when performing their duties.<sup>13</sup>

The primary challenges faced by notaries in the creation of authentic deeds via video conferencing relate to technical issues, identity verification, and the potential for fraud or coercion of the parties involved. Notaries, therefore, bear significant responsibility to ensure that all procedures outlined in relevant regulations are meticulously followed, even when the process is conducted online.

One of the foremost challenges is technical issues related to the stability of the internet connection and the devices used in the video conference. The creation of an authentic deed involves parties with legal interests, so accuracy and clear communication are essential. If technical disruptions, such as internet disconnections or problems with audio and video, occur, it may disrupt the process of creating the deed and ultimately affect its validity. For example, if the internet connection is interrupted or the audio and video quality is poor, it may be difficult for both the parties and the notary to ensure they fully understand the contents of the deed to be validated.<sup>14</sup>

To address these challenges, notaries must ensure that all parties involved use devices of adequate quality. This includes ensuring that cameras, microphones, and computers function properly to maintain clear communication, ensuring that no important information is missed. Furthermore, the video conferencing platform used must be secure, reliable, and capable of handling sensitive legal documents without the risk of information leakage that could undermine the integrity of the deed being created. For this purpose, notaries should consider platforms specifically designed for legal purposes, with encryption and strong security features. Platforms commonly used in Indonesia, such as Zoom with end-to-end encryption, Microsoft Teams, and Skype for Business, are frequently used for professional legal services.

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<sup>13</sup> Dini Awwalia, Eva Shofia Fitriati, and Muhammad Haris, "Digitalisasi Dalam Pembuatan Dan Penyimpanan Akta Notaris Pada Era Society 5.0," *Falah: Jurnal Hukum Ekonomi Syariah* 5, no. 2 (2023): 46–58.

<sup>14</sup> IDGCD Darmaangga and IDAD Mayasari, "Legalitas Peresmian Akta Notaris Berbasis Cyber Notary Melalui Media Konferensi Zoom," *Acta Comitas: Jurnal Hukum Kenotariatan* 6, no. 01 (2021): 185–97.



Additionally, integrating secure software and hardware solutions such as encrypted communication tools, reliable video conferencing systems, and ensuring devices are updated with the latest security patches will help mitigate risks. The use of two-factor authentication (2FA) and data encryption ensures a secure video conferencing environment where identity and data integrity are protected.<sup>15</sup>

Another significant challenge in creating authentic deeds via video conferencing is verifying the identities of the parties involved. In the traditional process, notaries can directly check the identity documents of the parties in person. However, in the creation of authentic deeds via video conferencing, notaries cannot verify identities in the same way, which can create risks of identity misuse or fraud. For example, someone using a fake identity or pretending to be a legitimate party could easily take advantage of this situation if identity verification is not conducted carefully.

To resolve this, notaries must use secure and accountable online methods for verifying identities. One solution is to ask the parties to show their identity documents directly through the video, allowing the notary to verify the authenticity of the documents. Additionally, witnesses involved in the video conference can help verify the identities of the parties. This way, even when conducted remotely, identity verification can still be performed accurately and responsibly. Furthermore, using biometric verification technology or legally recognized electronic signatures can further enhance the validity of the identities.

Electronic signatures that comply with the provisions of the Electronic Information and Transactions Law (ITE Law) can provide the same legal force as conventional signatures, as long as the system used meets high-security standards. Therefore, even though the process of creating the deed is done through video conferencing, electronic signatures can be used to ensure that the parties involved are legitimate and no identity fraud has occurred.<sup>16</sup>

Legal risks related to the potential for fraud or coercion of the parties involved in the creation of the authentic deed via video conferencing must also be a primary concern for notaries. In a video conference, the parties involved may not be entirely free from external pressures that the notary cannot observe. For example, there is a possibility that one party could be influenced or forced to sign the deed by another party who is outside the scope of the video conference.

Notaries must ensure that the entire process is conducted transparently and without any influence or pressure from any party. One way to ensure this is by explicitly confirming with the parties that they are willing to sign the deed voluntarily. If

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<sup>15</sup> Diajukan Sebagai Syarat Untuk Memperoleh Gelar, "Pertanggungjawaban Notaris Mengenai Keabsahan Tanda Tangan Elektronik Pada Dokumen Pendukung Dalam Pembuatan Akta Autentik" (PhD Thesis, UNIVERSITAS SRIWIJAYA, 2021), [https://repository.unsri.ac.id/63924/2/RAMA\\_74102\\_02022681923058\\_0017066603\\_01\\_front\\_ref.pdf](https://repository.unsri.ac.id/63924/2/RAMA_74102_02022681923058_0017066603_01_front_ref.pdf).

<sup>16</sup> Siti Maryam Hanum, "Penggunaan Teknologi Dengan Sarana Video Konferensi Dalam Pembuatan Akta Notaris" (PhD Thesis, Universitas Sumatera Utara, 2019), <https://repository.usu.ac.id/handle/123456789/27575>.

possible, witnesses can also be involved in this process to ensure that all parties truly understand the contents of the deed and sign it voluntarily.<sup>17</sup>

Another critical issue is the security of data. Authentic deeds are highly important documents with significant legal value. Therefore, maintaining the confidentiality and integrity of the data during video conferencing is crucial. Risks such as hacking, data breaches, or unauthorized access could damage the validity of the deed and lead to greater legal issues.

To safeguard the data, notaries must ensure that the platform used has strong security protocols. Platforms with encrypted video and data storage, along with additional security features such as two-factor authentication and end-to-end encryption, should be prioritized. Furthermore, notaries should ensure that copies of the authentic deed created via video conferencing are stored securely and only accessible to authorized parties. The use of secure electronic signatures is highly recommended to prevent tampering or modification of the deed after it has been signed.<sup>18</sup>

The involvement of witnesses in the creation of authentic deeds is essential, but it also presents challenges in a virtual environment. In conventional procedures, witnesses are present in person before the notary and the parties involved. However, in video conferencing, witnesses must be virtually present. Therefore, it is critical to ensure that the witness can observe the entire process clearly and transparently and provide accountable testimony.

Witnesses should be asked to digitally sign the deed after observing the process in real-time. The witness's role can be enhanced by integrating technologies that authenticate their digital signatures, ensuring their presence is legally recognized. Additionally, mechanisms should be in place to ensure that witnesses are not under any pressure during the video conference. The integrity of the witness's testimony is crucial to maintaining the validity of the authentic deed.<sup>19</sup>

Clear regulations are needed to support the use of video conferencing in the creation of authentic deeds. While Indonesia's ITE Law regulates electronic transactions, regulations regarding the online creation of authentic deeds still need to be improved. Notaries must be well-versed in the existing regulations and comply with them to ensure that the process of creating authentic deeds online remains valid and legally binding.

The regulatory framework should include more detailed provisions regarding the use of secure video conferencing platforms, the integration of electronic signatures, and

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<sup>17</sup> BUNGA KUSUMANINGTYAS, "Pelaksanaan Tugas Notaris Dalam Pembuatan Akta Otentik Rapat Umum Pemegang Saham Dengan Sistem Online Di Masa Pandemi Dan Transisi (Studi Kasus Rups Pt. Sarana Surakarta Ventura)" (PhD Thesis, UNIVERSITAS KATOLIK SOEGIJAPRANATA, 2024), <https://repository.unika.ac.id/35498/>.

<sup>18</sup> Selva Omiyani, Suprpto Suprpto, and Saprudin Saprudin, "Digitalisasi Tandatangan Elektronik Pada Akta Notaris," *JIM: Jurnal Ilmiah Mahasiswa Pendidikan Sejarah* 8, no. 4 (2023): 3913–30.

<sup>19</sup> Pribadi Bombong Fiqtian Pintoko, "Keabsahan Pembacaan Dan Penandatanganan Melalui Video Conference Berdasarkan Konsep Cyber Notary" (PhD Thesis, UNKNOWN, 2023), <http://repository.ubaya.ac.id/44938/>.

the use of biometric verification. The government and notarial associations should play an active role in providing technical guidance and establishing operational standards for notaries to use in these scenarios. This will help reduce legal risks and ensure that the adoption of technology in the notarial process is both secure and compliant with existing laws.

In this regard, while the creation of authentic deeds through video conferencing presents some technical, identity verification and ethical challenges, these can be effectively managed with the right technology, security measures and adherence to legal standards. Notaries must ensure that all procedures are followed meticulously to guarantee the integrity and legal validity of the deed. By using a secure platform, ensuring proper identity verification, and maintaining data security, notaries can minimize the risks associated with online deed creation. With proper regulatory updates and active involvement from the government and professional associations, the use of video conferencing in the creation of authentic deeds can become a safe, effective, and legally compliant practice.

## 5. Conclusion

The form of notary's responsibility for authentic deeds made using video conference media, where a notary can be held criminally, civilly, or administratively responsible if there is a procedural violation in making a deed using video conference media. A legally flawed deed can be qualified as a deed that can be canceled, void by law, or only has evidence as a private deed. Therefore, a notary is required to ensure the implementation of the principle of caution and fulfill all applicable legal requirements, including in the process of verification and identification of the parties involved.

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