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# A Legal Perspective: Implementing an Electronic Notarization System in Indonesia in the Post-Pandemic Era

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## Abstract

*This study analyses the importance of implementing a cyber notary system in the post-pandemic digital era in Indonesia. Despite facing the possibility of another viral pandemic similar to COVID-19, Indonesia has yet to adopt the legal concept of electronic notarization. To address this issue, this study employs statutory and comparative methodologies to analyze the implementation of laws and regulations regarding electronic notarization in various foreign countries. Social distancing regulations and stay-at-home orders implemented in response to the COVID-19 pandemic made it difficult to conduct certain in-person activities; therefore, there is a need for alternative methods that notaries publics and land deed official can use to verify the authenticity of deeds and other documents. In this context, there is an acute need to introduce legal regulation regarding electronic notarization in post-pandemic Indonesia. Electronic notarization provides various benefits, such as increased convenience, enhanced security, improved efficiency, and reduced costs. A cyber notary system would enable individuals to notarize documents remotely, eliminating the need for in-person interactions, which have become difficult during the COVID-19 pandemic. Other countries, such as the United States, Japan, and the Netherlands, have already recognized the importance of electronic notarization and have established legal frameworks to enable remote notarization. For instance, the United States has passed laws and issued regulations that authorize remote online notarization, while Japan has established an electronic notarization system. The Netherlands also passed a regulation enabling electronic notarization in 2013 known as the Electronic Identification and Trust Services Regulation.*

## 1. Introduction

It has been three years since the WHO declared COVID-19 to be a pandemic, which resulted in hundreds of millions of people being forced into lockdown. The COVID-19 virus spread quickly throughout the population, and therefore, it became necessary for individuals to maintain social distancing and reduce physical contact. The Indonesian Government also implemented restrictions on social gatherings and face-to-face interactions, requiring most offices to adopt new policies allowing employees to work from home.<sup>1</sup> Many businesses also limited or discontinued their operations as a result of government-mandated lockdowns, stay-at-home orders, health concerns, and a lack of customers. Consequently, remote work became the norm in the post-pandemic era. Employees with greater flexibility at their jobs have easily transitioned to working from home; however, the future remains more uncertain for people in jobs that cannot be performed remotely. During the pandemic, many occupations could not be performed from home, resulting in many workers becoming unemployed and having to search for new careers.<sup>2</sup> Working from home is enabled by advancements in technology that allow workers to communicate online efficiently. Indeed, information and communication technologies (ICTs) have become essential to work in the twenty-first century.<sup>3</sup> Moreover, ICTs have contributed significantly to economic, social, and cultural progress and have led to advancements in medical services, education, government administration, and more. Technology has clearly become an integral part of many people's daily lives, and technological advancements continue to force citizens to adjust to ever-changing circumstances. Therefore, the law must also be amended to compensate for these changes.<sup>4</sup> In the post-pandemic era, the activities of public life are shifting from offline to online environments. Meetings are increasingly carried out via video conferencing. Moreover, as many businesses have implemented remote work systems in response to the COVID-19 pandemic, governments must act quickly to provide electronic platforms that will allow businesses to continue their operations

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<sup>1</sup> Prita Miranti Suyudi, "Notaris/PPAT dan Pandemi Covid-19," *hukumonline.com*, accessed February 28, 2023, <https://www.hukumonline.com/berita/a/notaris-ppat-dan-pandemi-covid-19-lt5e8efcaac54aa/>.

<sup>2</sup> *Ibid.*

<sup>3</sup> Ika Yuli Agustin and Ghansham Anand, "Proposing Notaries' Deed Digitalization in Indonesia: A Legal Perspective," *Lentera Hukum* 8 (2021): 54–55.

<sup>4</sup> *Ibid.*, 55–54.

uninterrupted. For example, notaries public and *pejabat pembuat akta tanah* (PPAT; a land deed conveyancer) provide a service that requires in-person interactions between an interested party and the public official who can authenticate a deed or other document.

The Indonesian Government issued three presidential decrees aimed at combating the spread of COVID-19: Presidential Decree No. 11/2020 on the declaration of the National Public Health Emergency Corona Virus Disease 2019, Government Regulation in Lieu of Law No. 1 of 2020 on State Financial Policy and Financial System Stability for the Management of Corona Virus Disease 2019, and Government Regulation No. 21/2020 establishing Large Scale Social Restriction in the effort to handle COVID-19.<sup>5</sup> The Central Board of the Indonesian Notary Public Association also issued a letter of appeal (67/35-III/PP-INI/2020) on March 23, 2020, instructing notaries public to minimize their activities both inside and outside the office for all non-urgent matters and suggested that they work from home when possible.<sup>6</sup> All eligible Indonesian citizens were required to work remotely or from home to reduce the risk of transmission. Excluding work that must be done in person, all necessary work or legal proceedings had to be conducted using online communication.<sup>7</sup> Electronic communications have been accepted as valid by the national legal system; this is primarily the result of rules instituted to recognize electronic data as admissible evidence. Furthermore, relevant authorities have been tasked with overseeing electronic systems to ensure dependability, security, and legal responsibility. Although these laws and regulations have both advantages and disadvantages, they do provide a solid foundation for ensuring the legality of electronic transactions and the proper operation of the legal system during an electronic transaction.<sup>8</sup> Indeed, lawyers and attorneys are familiar with the use of electronic communications when providing legal

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<sup>5</sup> Sabarudin Hulu, "Diskresi Untuk Solusi Penanggulangan Covid-19," accessed August 21, 2023, <https://ombudsman.go.id:443/artikel/r/artikel--diskresi-untuk-solusi-penanggulangan-covid-19>.

<sup>6</sup> Pengurus Pusat Ikatan Notaris Indonesia, "Surat Nomor 67/35-III/PP-INI/2020 Perihal Himbauan Pencegahan Penyebaran Covid-19," March 20, 2020.

<sup>7</sup> Ibid.

<sup>8</sup> HUMAS FHUI, "Layanan Notaris Secara Elektronik dalam Kedaruratan Kesehatan Masyarakat Oleh Dr. Edmon Makarim, S.Kom., S.H., LL.M.," accessed February 21, 2023, <https://law.ui.ac.id/layanan-notaris-secara-elektronik-dalam-kedaruratan-kesehatan-masyarakat-oleh-dr-edmon-makarim-s-kom-s-h-ll-m/>.

services. Attorneys offer online consultation and draft electronic contracts. The exception to this, however, is legal services in litigation proceedings, which continue to require an in-person element and cannot be fully implemented online. However, during the COVID-19 pandemic, Supreme Court Circular Letter Number 1 of 2020 was enacted, providing a legal framework for holding trials via teleconferencing technology (e-court). The Supreme Court is also considering the possibility of conducting judicial proceedings electronically.<sup>9</sup> Subsequently, the Attorney General's Office issued Instruction Number 5 of 2020. These measures reflect a universal recognition of the necessity for the government to make public services available online. However, this same transition to an online environment has not been made, ironically, by notaries public, who, despite operating in a largely unregulated environment, provide a public legal service. Indeed, Indonesian notaries public have yet to fully transition to providing their services electronically.<sup>10</sup> The reasoning for this failure to offer online service is based in Law Number 30 of 2004, which was amended by Law Number 2 of 2014 regarding the notary profession. This law stipulates that a notarial deed requires that the notary public be present in person to notarize a paper document and that notarization cannot be completed online.<sup>11</sup> Furthermore, notarial deeds in the context of electronic documents are not recognized as valid according to Article 5, Paragraph 4 of Law Number 19 of 2016 regarding Information and Electronic Transactions. Moreover, violating this law can result in civil, administrative, or even criminal consequences for notaries.<sup>12</sup> Therefore, it is crucial for the Indonesian Government to immediately issue regulations regarding electronic notarization and improve social welfare protections for the most vulnerable workers while also ensuring that large sections of the world's population are not left behind in the digital era.

## 2. Problem Statement

This study examines the need to implement a cyber notary system in post-pandemic Indonesia. Indeed, given the potential for another event similar to the COVID-19 pandemic, it is necessary for Indonesia to implement a system of electronic

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<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

notarization. For this purpose, this study uses statutory and comparative methodologies to analyze the implementation of laws and regulations regarding electronic notarization in other countries.

### 3. Methods

This study employs a statute approach to analyze legal principles from written legal sources and examine the effectiveness of legislation.<sup>13</sup> This approach seeks to use legal comparisons to understand legal norms and written legal sources, as well as community perceptions of written legal sources. The study analyzes secondary sources of data, which are defined as data collected from other parties and already existing data.<sup>14</sup> The primary method of data collection in this study was a literature review. This study also utilizes primary, secondary, and tertiary legal materials. The legal materials used in this research include statutes, legislation, Bank of Indonesia regulations, Indonesia Financial Services Authority regulations, as well as decrees and circular letters issued by these institutions. Moreover, a library search and desktop review were used to identify relevant secondary data in books, articles, journals, reports, government documents, results of research, and jurisprudence within the related topics.<sup>15</sup> The tertiary sources used for this study were obtained from dictionaries and encyclopedias, government publications, book reviews, guidebooks, handbooks, abstracts, and indexes. The obtained data were then analyzed using a qualitative approach. Qualitative data analysis involves compiling and categorizing qualitative data, as well as identifying patterns and themes with the intention of understanding their meaning.<sup>16</sup> Hence, the signing of the deed in the presence of a notary public and witnesses is what makes it authentic.

Habib Adjie identifies two factors that determine whether a deed produced by a notary public is considered authentic. First, a notary public must possess the authority to draft a deed in accordance with a party's request. Second, they must comply with the formal

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<sup>13</sup> Sri Mamudji, *Metode Penelitian Dan Penulisan Hukum* (Jakarta: Badan Penerbit Fakultas Hukum Universitas Indonesia, 2005), 9–10.

<sup>14</sup> Soerjono Soekanto, *Pengantar Penelitian Hukum*, Cet. 3 (Jakarta: Universitas Indonesia, 2014), 11–12.

<sup>15</sup> *Ibid.*, 52.

<sup>16</sup> Winarno Surakhmad, *Pengantar Penelitian Ilmiah: Dasar, Metode Dan Teknik*, Ed. 7, Cet. 4 (Bandung: Tarsito, 1990), 17.

and material legal requirements for creating a notarial deed.<sup>17</sup> To meet the material requirements, a deed must fulfill the legal prerequisites of an agreement as outlined under Article 1320 of the Civil Code, including the consent of relevant parties, the capacity of the parties, a certain subject matter, and a cause that is not prohibited.<sup>18</sup>

## 4. Discussion

### 4.1. The Limitations of Electronic Notarization in Post-Pandemic Indonesia

A notary public is a public official responsible for issuing authentic deeds and providing other related services as defined in Article 1 paragraph 1 of Law Number 2 of 2014.<sup>19</sup> An authentic deed is a document that has been validated by a public official who has received proper authorization in the region where the deed was made, as per Article 1868 of the Civil Code. Moreover, within the civil code, an authorized public official is referred to as a notary public.<sup>20</sup> The third and fourth books of the Indonesian Civil Code recognize the significance of the notary public profession and consider an authentic deed made by a notary public to be the most reliable form of proof regarding ownership of property.<sup>21</sup> According to Article 16, Paragraph 1 of Law Number 2 of 2014, to ensure the authenticity of a deed, it must be signed concurrently by the signer, witnesses, and a notary public.<sup>22</sup> This requirement is further supported by Article 44 of the same law, which states that the deed must be signed by all parties immediately after it has been read, except in cases where a party is unable to sign for a valid reason.<sup>23</sup> As per Article 39, the signer must appear before a notary public in person to create an authentic deed.<sup>24</sup> Moreover, there are several formal requirements that must be fulfilled to prove the authenticity of a deed. For example, the deed must be drafted by an authorized

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<sup>17</sup> Habib Adjie, *Sanksi Perdata & Administratif Terhadap Notaris Sebagai Pejabat Publik*, Cet. 1 (Bandung: Refika Aditama, 2008).

<sup>18</sup> Article 1312 of the Indonesian Civil Code.

<sup>19</sup> Article 1 Number 1 of Law Number 2 of 2014 Regarding the Amendment to Law Number 30 of 2004 Concerning the Notary Profession.

<sup>20</sup> Article 1868 of the Indonesian Civil Code

<sup>21</sup> Rita Alfiana, "Notaris Dan Digitalisasi Di Masa Pandemi Covid 19," *NUSANTARA: Jurnal Ilmu Pengetahuan Sosial* 9, no. 2 (February 18, 2022): 424, <https://doi.org/10.31604/jips.v9i1.2022.423-432>.

<sup>22</sup> Article 16 paragraph (1) of Law Number 2 of 2014 concerning Amendment to Law Number 30 of 2004 concerning the Position of Notary

<sup>23</sup> Article 44 of Law Number 2 of 2014 concerning Amendment to Law Number 30 of 2004 concerning the Position of Notary

<sup>24</sup> Article 39 of Law Number 2 of 2014 concerning Amendment to Law Number 30 of 2004 concerning the Position of Notary

official (Article 15, Paragraph 1 of Law No. 2, 2014), recited by the notary public in the presence of the signers and at least two witnesses (Article 40, Law No. 2, 2014), and signed directly by the signers, witnesses, and notary public (Article 16, Paragraph 1, Letter M of Law No. 2, 2014). That is, the notary public must receive consent from all relevant parties, and all parties must have the capacity to understand the content of the deed. Moreover, the deed must not contain any prohibited actions. Due to the requirement that notarization be carried out in person; no internet technology can be used to facilitate this process. Moreover, Law Number 30 of 2004 and Law Number 2 of 2014 do not provide any stipulations for issuing deeds using means other than the mechanisms already outlined in the law. Failure to fulfill these requirements has judicial implications, including the loss of authenticity or evidentiary power, inability to demand compensation or interest from the notary public, inability to provide guarantees on the date of execution, and inability to allow the notary public to keep the minutes of the deed in the notarial deed protocol.<sup>25</sup> In Indonesia, producing an authentic deed requires appearing before a notary public in person. However, during the COVID-19 pandemic, physical contact was restricted, making it impossible for notaries public to carry out their public duties, and therefore, there is an urgent need for the implementation of an electronic notarization system that will enable notaries public to fulfill their obligations to the public.

COVID-19 limitations have hindered notary public from fulfilling their responsibilities. In such circumstances, notaries can resort to electronic notarization or cyber notary as a potential solution.<sup>26</sup> A cyber notary is a notary public who is authorized to perform notarial acts online using digital signatures and other electronic technologies to issue official documents, including deeds.<sup>27</sup> Electronic notarization can benefit notaries public by making the process of creating a deed quicker, simpler, and more efficient, as

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<sup>25</sup> Agung Iriantoro, "Pembuatan Akta Otentik Oleh Notaris Selama Masa Pandemi Covid-19 Di Indonesia," *Otentik's: Jurnal Hukum Kenotariatan* 4, no. 1 (March 31, 2022): 32-33, <https://doi.org/10.35814/otentik.v4i1.3343>.

<sup>26</sup> Lovita Gamelia Kimbal, Tunggul Anshari Setia Negara, and Hariyanto Susilo, "Autentisitas Akta Notaris yang Dibuat Secara Elektronik pada Masa Pandemi COVID-19," *Jurnal Ilmiah Pendidikan Pancasila dan Kewarganegaraan* 6, no. 2 (January 1, 2022): 418, <https://doi.org/10.17977/um019v6i2p417-426>.

<sup>27</sup> Tegas Hari Krisyanto, Zainul Daulay, and Benny Beatrix, "Strength of Evidence of Notarial Deed in the Perspective of Cyber Notary in Indonesia," *International Journal of Multicultural and Multireligious Understanding* 6, no. 3 (July 21, 2019): 777, <https://doi.org/10.18415/ijmmu.v6i3.906>.

well as ensuring that notarial acts are performed securely and consistently. Moreover, an electronic notarization system would ensure the legality and enforceability of electronically notarized documents. Electronic notarization also allows individuals to complete notarization remotely, which can save time and travel costs, as well as<sup>28</sup> enable individuals to follow social distancing guidelines and reduce exposure to viruses.<sup>29</sup> Second, electronic notarization can provide a high degree of security through the application of advanced encryption technologies and multi-factor authentication, which can help protect against fraud and identity theft. Third, electronic notarization is efficient, often requiring only minutes to complete the process; it also eliminates the need for paper-based documents, which can reduce errors.<sup>30</sup> Additionally, electronic notarization increases accessibility, making notarial services available to individuals who may have difficulty visiting a notary public office due to distance, mobility issues, or other constraints. Moreover, electronic notarization can provide a secure and auditable record of notarial acts, which can help meet legal and regulatory compliance requirements. Lastly, electronic notarization can cost less than traditional notarization methods due to reduced overhead costs associated with digital technology.<sup>31</sup> Overall, electronic notarization can provide a safe, fast, convenient, and secure method for notarizing documents. It can also help reduce the need for in-person transactions, which can help slow the spread of communicable diseases and keep individuals safe.

Currently, Indonesia has no system for electronic notarization. In November 2019, at the 29th International Notary Public Congress held in Jakarta, participants discussed the use of certain technologies, the changes affecting the practices of notaries in the twenty-first century, and the urgent need to adapt to this changing environment.<sup>32</sup> However, there are currently no clear regulations governing electronic notarization that can be adopted in the event of a pandemic similar to COVID-19. Therefore, the Indonesian Government and other regulatory bodies need to establish clear guidelines

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<sup>28</sup> D Kandel, "Electronic Notarization: Advantages and Disadvantages," July 2, 2013, [https://www.americanbar.org/groups/business\\_law/publications/blt/2013/07/02\\_kandel/](https://www.americanbar.org/groups/business_law/publications/blt/2013/07/02_kandel/).

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Prita Miranti Suyudi, "Kongres Internasional Notaris ke-29: Mengupas Keberadaan Jabatan Notaris," [hukumonline.com](https://www.hukumonline.com/berita/a/kongres-internasional-notaris-ke-29-mengupas-keberadaan-jabatan-notaris-lt5dc2803198f1e/), accessed February 28, 2023, <https://www.hukumonline.com/berita/a/kongres-internasional-notaris-ke-29-mengupas-keberadaan-jabatan-notaris-lt5dc2803198f1e/>.



and regulations regarding electronic notarization. There was no law or regulation pertaining to electronic notarization prior to the enactment of Law Number 2 of 2014, which introduced the term “cyber notary” to Indonesian legislation.<sup>33</sup> However, the term is referenced only once and very briefly in Article 15, Paragraph 3, which state that “the notary has the authority to certify transactions conducted electronically (cyber notary).”<sup>34</sup> In terms of Regarding the scope of electronic notarization, the law simply describes the authority of other authorities to certify electronic transactions (electronic notarizations). However, this explanation fails to address the most important aspect of a notary’s authority: the issuance of authentic deeds. This restriction can be examined from two perspectives: First, the legislation grants the notary public additional authority to assist other professions, and second, the law seeks to expand the notary public’s jurisdiction without first establishing the necessary infrastructure.<sup>35</sup> Indeed, the legal provision has remained the same, and no new laws or regulations have been introduced to better clarify the intricate technical details of the legal provision. The current legal statute that limits the adoption of electronic notarization in Indonesia can be found in Article 16, Paragraph 1, Letter M of Law Number 2 of 2014, which governs the obligation of the signer to “face” the notary public.<sup>36</sup> In Article 16, Paragraph 1, the law states,

The deed must be read in front of the signers with at least two witnesses present, or four witnesses for a private will deed. The signers, witnesses, and notary public must all sign the minutes of the deed simultaneously.

Most notably, this excerpt contains the phrase “in front of,” which implies that the parties involved must meet in person when notarizing a deed.<sup>37</sup> If a situation similar to the COVID-19 pandemic arises again, traditional in-person notarization will be

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<sup>33</sup> Vina Ayu Subagta Tolinggar and Pieter Latumenten, “Urgensi Penggunaan Remote Notary Oleh Notaris Pasca Pandemi Covid-19,” *JURNAL USM LAW REVIEW* 5, no. 2 (November 6, 2022): 665–66, <https://doi.org/10.26623/julr.v5i2.5171>.

<sup>34</sup> David Tan, “Cyber Notaries from a Contemporary Legal Perspective: A Paradox in Indonesian Laws and the Marginal Compromises to Find Equilibrium,” *Indonesia Law Review* 10 (2020): 118.

<sup>35</sup> *Ibid.*

<sup>36</sup> Gana Prajogo and Abdul Salam, “Otentisitas Akta Notaris Yang Ditandatangani Melalui Online Dimasa Pandemi Covid 19,” *PALAR (Pakuan Law Review)* 8, no. 1 (January 1, 2022): 112, <https://doi.org/10.33751/palar.v8i1.4591>.

<sup>37</sup> Junita Faulina, Abdul Halim Barkatullah, and Djoni S. Gozali, “Kedudukan Hukum Akta Notaris Yang Menerapkan Konsep Cyber Notary Di Masa Pandemi Covid-19 Di Indonesia,” *Notary Law Journal* 1, no. 3 (July 12, 2022): 254, <https://doi.org/10.32801/nolaj.v1i3.28>.

challenging. According to existing laws and regulations, a deed is only valid when signed in the presence of a notary public and witnesses. However, a pandemic-like situation where physical contact is restricted would result in delays and disruptions to legal transactions. Therefore, it is crucial to consider alternative methods, such as electronic notarization. By introducing legal regulations that govern electronic notarization, Indonesia can overcome this hurdle and ensure the continuity of legal transactions during emergency situations. Additionally, by embracing technological advancements, Indonesia can remain competitive in the global market and attract additional clients and investors to its legal system.

## **4.2. Electronic Notarization**

In recent years, the International Union of Notary has been analyzing the development needs of the industry and has begun discussing the need for a review of the requirement that all relevant parties be physically present during the notarization process. In this context, the union has been considering possibilities for remote signing, verification, and testimony mechanisms to be used by a notaries,<sup>38</sup> all of which are increasingly essential to research and implementation in the post-pandemic digital era. Various countries that adhere to common and civil law legal systems have implemented legislation permitting temporary or permanent positions and broadened the duties of notaries public to cover electronic transactions.<sup>39</sup> As public officials responsible for assisting the community, notaries public provide an essential service to society.

### **4.2.1. Electronic Notarization in the United States of America**

During the COVID-19 pandemic, the National Notary Association in the United States issued guidelines for signing notary documents and verifying supporting documents through a pane of glass separating the notary from the relevant parties; these guidelines conformed to more general guidelines imposed by the US Government.<sup>40</sup>

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<sup>38</sup> FAO and UINL, *Responsible Governance of Tenure and Preventive Justice: A Guide for Notaries and Other Practitioners in the Preventive Administration of Justice*, Second Edition, Governance of Tenure Technical Guide 13 (Rome, Italy: FAO, 2022), <https://doi.org/10.4060/cc0168en>.

<sup>39</sup> Luh Anastasia Trisna Dewi, "Legal Aspect of Cyber Notary in Indonesia," *Journal of Digital Law and Policy* 1, no. 1 (September 29, 2021): 39, <https://doi.org/10.58982/jdlp.v1i1.92>.

<sup>40</sup> National Notary Association, "What Is Remote Online Notarization (RON)?," 2022, <https://www.nationalnotary.org/knowledge-center/about-notaries/what-is-ron>.

These guidelines also gave the notary and the other parties to right to refuse to sign any document in the event that there is a risk of COVID-19 transmission. In addition, even before the COVID-19 pandemic, several states in the United States passed laws and issued regulations allowing for remote online notarization (**RON**), which refers to the process of remotely notarizing a document using electronic signatures, identity verification, audiovisual communication, and electronic notarial journal and record-keeping technology.<sup>41</sup> Several states, such as Florida, Kentucky, Michigan, Minnesota, Montana, Nevada, Ohio, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin, adopted RON legislation early on. As the COVID-19 crisis worsened, additional states rushed to pass RON legislation to expedite the permitting process, and the US Government is considering enacting similar legislation nationally. Using RON to notarize documents mitigates risk and fraud throughout the notarization process. These technologies allow notaries to execute secure notarizations while saving all parties time and travel expenses. Instead of meeting in person to sign a paper document, the notary public and signer can fulfill their duties by notarizing the document on their respective devices remotely, provided that their state laws permit it.<sup>42</sup> The basic components of RON vary slightly from state to state in the United States; however, the majority of RON systems include the state registration of notaries, the use of audiovisual communication technologies, as well as the use of credential verification technology to validate government-issued IDs and authenticate electronic signatures and electronic seals, and, in some instances, digital certificates. Moreover, RON relies on recordings of audio-video communication, electronic journaling (i.e., the establishment of a digital audit trail) and storage, and a commitment to common data privacy principles.<sup>43</sup> These RON laws are detailed and vary with respect to, among other things, authentication and journaling methods, as well as retention periods. When using RON, the process typically involves the signer presenting a valid government-issued ID to the notary, followed by the signer and notary connecting via a secure video conferencing platform to confirm the signer's identity and record the

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<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> DocuSign Contributor, "A Guide to Remote Online Notarization," November 1, 2022, <https://www.docusign.com/blog/remote-online-notarization-guide>.

signing process. During the video conference, the signer signs the document while the notary witnesses the act of signing. Once the signing is complete, the notary notarizes the document electronically by attaching a digital seal and signature, and then the notarized document is delivered electronically to the signer and all other parties involved.<sup>44</sup> Moreover, RON requirements and regulations vary by state, and therefore, it is essential to check the rules in one's particular state before using RON for notarization. Additionally, certain documents may not be eligible for RON, such as wills and other estate planning documents. Additionally, not all remote or electronic notarization processes qualify as RON. Due to advances in electronic signature and audiovisual technologies, new notarization techniques have emerged. The two most prominent substitutes for RON are in-person electronic notarization (**IPEN**) and remote ink-signed notarization (**RIN**).<sup>45</sup>

IPEN was the first electronic notarization technology to be publicly available. Although, like RON, it incorporates electronic documents, signatures, and notarization, it cannot be completed remotely. Instead, the notary must be physically present with the signer.<sup>46</sup> For IPEN, a notary public notarizes an electronic document in person using electronic means to identify the signer and perform the notarial act. This process combines traditional notarization with electronic signatures and digital technologies to provide a secure and efficient method for notarizing electronic documents. This process involves the signer and the notary meeting in person, either in the notary's office or another location.<sup>47</sup> The notary confirms the signer's identity using a government-issued ID or another approved form of identification. The signer electronically signs the document using a digital signature, after which the notary electronically applies their notarial seal and signature. Finally, the notary creates an electronic journal entry of the notarial act. IPEN offers several advantages over traditional notarization, including increased security, speed, and convenience. However, it may require specialized equipment and software, and it may not be

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<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> National Notary Association, "What Is Electronic Notarization (IPEN)?," 2022, <https://www.nationalnotary.org/knowledge-center/about-notaries/what-is-electronic-notarization>.

<sup>47</sup> Ibid.

available in all states or for all types of documents. It is important to consult with a licensed notary public or legal professional to determine whether IPEN is available and appropriate for one's needs.<sup>48</sup> IPEN offers several advantages over traditional notarization, including increased security, speed, and convenience. Electronic documents can be notarized and shared instantly, reducing the time and expense of shipping paper documents.<sup>49</sup> Additionally, electronic notarization can be performed remotely in some states, allowing signers to complete the process from anywhere with an internet connection. However, it may require specialized equipment and software, and it may not be available in all states or for all types of documents.<sup>50</sup>

In contrast, RIN allows a notary public to notarize documents remotely, using audiovisual technology to communicate with the signer and witness during the process.<sup>51</sup> The process begins with the signer and the notary connecting remotely using audiovisual technology such as a video conferencing platform. The notary then confirms the signer's identity using a government-issued ID or other approved means of identification. The signer signs the paper document with ink on paper in the presence of a witness who is also remotely connected and observes the signer signing the document. The witness confirms that they saw the signer sign the document and signs an attestation statement. Finally, the signer mails the document to the notary, who attaches their seal and signature to the document, mails it back to the signer, and creates an electronic journal entry of the notarial act.<sup>52</sup> In this way, RIN combines traditional notarization with remote technology to provide a secure and convenient method for notarizing documents when the signer and notary are not in the same physical location. It can be particularly useful when notarizing real estate transactions, wills, and trusts. However, RIN is not legal in all states and may require specific procedures and technology to be in place.<sup>53</sup>

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<sup>48</sup> Ibid.

<sup>49</sup> National Notary Association, "Understanding the Different Types of Electronic Notarization," 2022, <https://www.nationalnotary.org/knowledge-center/about-notaries/types-of-electronic-notarization>.

<sup>50</sup> Ibid.

<sup>51</sup> National Notary Association, "What Is Remote Ink-Signed Notarization (RIN)?," 2022, <https://www.nationalnotary.org/knowledge-center/about-notaries/what-is-remote-ink-signed-notarization>.

<sup>52</sup> Ibid.

<sup>53</sup> National Notary Association, "Understanding the Different Types of Electronic Notarization."

#### 4.2.2. Electronic Notarization in Japan

In Japan, cyber notaries utilize an electronic notarization system (**ENS**). This system employs advanced technology to enable the notarization of electronic documents and transactions. This system was established in 2003 by the Japanese Ministry of Justice to promote the use of electronic documents for real estate transactions, corporate registration applications, and personal identification documents.<sup>54</sup> The ENS provides a secure platform for notaries to carry out their duties, ensuring that electronic documents are authentic, tamper-proof, and legally binding. The ENS system involves a series of authentication processes that ensure the identities of all parties involved, adding an additional layer of security to the notarization process. Moreover, ENS simplifies the notarization process, making it more efficient and cost effective. Indeed, by using this system, cyber notaries in Japan can provide their clients with a convenient and reliable service that meets the needs of the modern digital age. With the increasing popularity of remote transactions, the ENS has become an important tool in the legal industry, as it promotes convenience and efficiency while maintaining the highest level of security and trustworthiness. The ENS enables notaries to verify electronic documents and electronic signatures via digital certificates issued by approved certification authorities. To use the ENS, both the notary and signer must possess a digital certificate issued by a recognized certification authority.<sup>55</sup> The notary verifies the electronic signature and the signer's identity via video conference or in person. Once the verification process is complete, the notary affixes a digital seal to the document, completing the notarization process. The ENS is facilitated by a system known as the eNotarization Center, which operates on a virtual private network. The facility is owned by the Japan National Notaries Association (**JNNA**), which covers the facility's operating expenses. Moreover, data on the system is encrypted using public key cryptography. Contractually, JNNA entrusts the technical maintenance of the center to a private company with an established reputation.<sup>56</sup> The ENS is specifically designed to facilitate secure and reliable notarial acts that can be performed online.

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<sup>54</sup> The Ministry of Justice, "Electronic Notarization System Based on the Notarization System," 2003, <https://www.nationalnotary.org/knowledge-center/about-notaries/what-is-ron>.

<sup>55</sup> Ibid.

<sup>56</sup> Nippon Koshonin Rengoka, "How to Make Good Use of Japanese Notaries" (Nippon Koshonin Rengoka, 2022), <https://www.koshonin.gr.jp/pdf/english2.pdf>.

The notarization services provided through the ENS include the authentication of e-documents, as well as the authentication of articles of incorporation in digital form.<sup>57</sup> Additionally, the ENS offers the capability of attaching an officially recognized date to e-documents, which is essential for establishing validity and authenticity. The ENS also provides for the preservation of notarized e-documents, which is crucial to maintaining a reliable record of legal proceedings.<sup>58</sup> Moreover, the ENS can provide certified duplicate copies of e-documents. Finally, the ENS can certify that an e-notarized document that has been in the possession of a person other than a notary has not been altered and is identical to the preserved e-document.<sup>59</sup> The Japanese Ministry of Justice has proposed three possible plans for the future of the ENS in Japan. The first option is to extend the current notarization system to all electronic documents and have all or some of the existing notary offices process electronic notarizations independently. Although this system is consistent with current laws and would be convenient for applicants, the costs associated with providing each notary office with a computer system are high.<sup>60</sup> The second option is to establish an independent Electronic Notary Office that would handle all electronic notarization services. The Electronic Notary Office would be the only office to manage electronic notarizations and would have a computer system adequate for efficient management. However, applicants would not be able to choose a notary freely under this system.<sup>61</sup> The third option is to establish an Electronic Notary Center as a network intermediary between users and notary offices. Existing notary offices would attach an officially stamped date to electronic documents, notarize private electronic documents, and prepare electronic notarial documents when applications apply through the Electronic Notary Center.<sup>62</sup> Applicants would be allowed to choose their preferred notary, and the cost of establishing the system would be relatively low. The second and third options are largely consistent with current laws and would provide convenience for applicants. While the first system may be burdensome for individual notary offices, it is not completely implausible. The

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<sup>57</sup> The Ministry of Justice, "Electronic Notarization System Based on the Notarization System."

<sup>58</sup> Nippon Koshonin Rengoka, "How to Make Good Use of Japanese Notaries."

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*

<sup>62</sup> *Ibid.*

second system is also reasonable, as there may not be a high demand for electronic notarization services at present. Moreover, the third system should be taken into consideration in the future.<sup>63</sup> Electronic notarization is a relatively new concept in Japan, and it is not yet widely used. However, in 2020, Japan amended the Act on Identification and Certification of Electronic Signatures (**E-Signature Act**), which was first passed in 2000, to allow for remote notarization. Under the E-Signature Act, electronic signatures are given the same legal status as handwritten signatures, and electronic documents can be used in legal proceedings.<sup>64</sup> The act provides for the creation of a certification authority to issue electronic certificates and a registration system for electronic signatures. However, the use cases of electronic notarization are currently limited in Japan. The Ministry of Justice has stated that it will take time to develop a legal and technical framework for electronic notarization, and it is not yet clear when or how electronic notarization will be implemented in practice. In summary, the ENS allows for notarization to be performed securely, efficiently, and conveniently. The Japanese Government is actively promoting the use of electronic documents and electronic signatures to enhance efficiency and reduce the environmental impact of paper-based processes.<sup>65</sup>

#### 4.2.3. Electronic Notarization in the Netherlands

In the Netherlands, electronic notarization, also referred to as “eNotarization,” has been legally recognized since 2013. The Electronic Identification and Trust Services Regulation (**eIDAS Regulation**) is a set of rules created by the European Union (EU) to regulate electronic identification and trust services for electronic transactions.<sup>66</sup> It aims to create a common framework for facilitating secure, reliable, and legally

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<sup>63</sup> Ibid.

<sup>64</sup> H Oda, “Japanese Law Translation - Act on the Use of Electronic Signatures and Certification Business (Act No. 102 of 2000),” 2021, [https://www.japaneselawtranslation.go.jp/law/detail\\_main?re=02&ia=03&vm=02&id=160](https://www.japaneselawtranslation.go.jp/law/detail_main?re=02&ia=03&vm=02&id=160).

<sup>65</sup> Japan External Trade Organization, “Japan’s Digital Signature Law and Electronic Notarization System,” 2018, [https://www.jetro.go.jp/ext\\_images/en/invest/region/kanto/pdf/20180622\\_Japan\\_Digital\\_Signature\\_Law.pdf](https://www.jetro.go.jp/ext_images/en/invest/region/kanto/pdf/20180622_Japan_Digital_Signature_Law.pdf).

<sup>66</sup> European Commission, “Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on Electronic Identification and Trust Services for Electronic Transactions in the Internal Market and Repealing Directive 1999/93/EC,” 257 OJ L § (2014), <http://data.europa.eu/eli/reg/2014/910/oj/eng>.



recognized digital transactions across the EU. The Netherlands, as a member state of the EU, is subject to eIDAS. The Dutch Government has also implemented the eIDAS Regulation through its promulgation of the *Wet Elektronische Identificatie en Vertrouwensdiensten (eIDAS law)*, which was introduced in 2018.<sup>67</sup> Under the eIDAS law, electronic identification schemes and trust services in other EU member states are recognized in the Netherlands, provided that they meet the requirements of the eIDAS Regulation. Therefore, businesses and citizens in the Netherlands can use digital identification and authentication services from other EU countries when conducting electronic transactions. In addition, the eIDAS law establishes a legal framework for trust services in the Netherlands that governs electronic signatures, seals, time stamps, and website authentications. It also stipulates the requirements for trust service providers operating in the country. Under the eIDAS Regulation, electronic notarization is recognized as a valid and legally binding method for authenticating and verifying electronic transactions in the EU.<sup>68</sup> The Netherlands has implemented the eIDAS Regulation and has established a legal framework for electronic notarization through the passage of *Wet Elektronische Notariële Dienstverlening (WEND)*, which came into effect in 2019. The WEND enables notaries in the Netherlands to use electronic means to authenticate and verify documents, including electronic signatures, seals, time stamps, and website authentications. This means that notarial acts—such as the authentication of contracts, wills, and other legal documents—can be performed electronically.<sup>69</sup> To ensure the security and reliability of electronic notarization, the WEND requires notaries to use qualified trust service providers (QTSPs). These QTSPs must be authorized and supervised by the Dutch Government, and they must comply with the requirements of the eIDAS Regulation.<sup>70</sup> Under the eIDAS law, electronic notarization must comply with certain requirements, such as the use of qualified electronic signatures and seals, secure signature creation devices

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<sup>67</sup> Ministerie van Justitie en Veiligheid, “Digitale Akte Passeren via Notaris Vanaf 2019 Mogelijk,” September 11, 2018, <https://www.rijksoverheid.nl/actueel/nieuws/2018/09/11/digitale-akte-passeren-via-notaris-vanaf-2019-mogelijk>.

<sup>68</sup> Ibid.

<sup>69</sup> Koninklijke Notariële Beroepsorganisatie, “WEND: Wet Elektronische Notariële Dienstverlening,” Notaris.nl, 2021, <https://www.notaris.nl/wetten-en-regels/wetten/wend-wet-elektronische-notariele-dienstverlening>.

<sup>70</sup> Ibid.

(SSCDs), and secure electronic archiving systems. Cyber notaries or e-notary must also verify the identities of the signatories and ensure that they possess the legal capacity to sign the document. In the Netherlands, electronic notarization is permitted and regulated by the Dutch Civil Code. An electronically notarized deed is referred to as a “digitally authenticated deed” (in Dutch, “elektronische ondertekening”), and it is considered equivalent in legal status to a traditional paper-based notarial deed. To electronically notarize a document, the notary must use an approved digital signature and encryption technology to ensure the authenticity, integrity, and confidentiality of the document.<sup>71</sup> Both the notary and the signer must have their digital signatures verified by a trusted third-party certificate service provider. The signer must also provide valid identification, either in person or via video conference, to verify their identity. Once the verification process is complete, the notary can digitally sign and seal the document to complete the notarization process. The electronically notarized document is then stored in a secure digital archive maintained by the notary office.<sup>72</sup> Electronic notarization is available for a wide range of documents, including powers of attorney, contracts, deeds, and wills. Electronic notarization in the Netherlands typically involves the use of specialized software and secure communication tools to facilitate the signing and verification of electronic documents.<sup>73</sup> The eIDAS Regulation requires that certain specific requirements be met to ensure the security and legal validity of electronic notarization. These requirements include the use of qualified electronic signatures and seals, an SSCD, and electronic archiving, as well as the identification and verification of the signatories. Moreover, the SSCD must meet the technical standards established by the eIDAS Regulation. The electronic document must also be archived by a secure and tamper-proof electronic system that meets the requirements of the eIDAS Regulation. Finally, the notary must verify the identity of the signatories and ensure their legal capacity to sign the electronic document.<sup>74</sup> The

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<sup>71</sup> Dutch Civil Code (Burgerlijk Wetboek), Book 3, Title 5, Section 2, Article 15i-15r.

<sup>72</sup> Ibid.

<sup>73</sup> Ministerie van Justitie en Veiligheid, “Everything You Need to Know about EIDAS - Online Access to Public Services within the European Economic Area (EIDAS) - Government.NL,” onderwerp (Ministerie van Algemene Zaken, March 18, 2020), <https://www.government.nl/topics/online-access-to-public-services-european-economic-area-eidas/everything-you-need-to-know-about-eidas>.

<sup>74</sup> Electronic Identification and Trust Services for Electronic Transactions in the Internal Market, European Commission, Regulation (EU) No 910/2014 of the European Parliament and of the Council of

process of electronic notarization in the Netherlands typically involves the creation of an electronic document by the notary, who applies a qualified electronic signature and seal using an SSCD. Then, after their identities and legal capacities are verified by the notary, the signatories sign the document electronically using their own qualified electronic signatures. The electronic document is then archived in a secure electronic system, and the notary verifies the electronic signatures and seals, confirming the authenticity and validity of the electronic document.<sup>75</sup> Overall, electronic notarization in the Netherlands offers a convenient and efficient alternative to traditional notarization methods, making it easier and more efficient to conduct legal transactions online while also maintaining the same level of legal validity and security.

## 5. Conclusion

The COVID-19 pandemic—as well as social distancing and stay-at-home orders intended to mitigate the spread of the virus—presented significant challenges for traditional in-person activities. Therefore, in order to prepare for a similar situation in the future, it is necessary to establish a system that will enable notaries public and PPATs to fulfill their public duties remotely without requiring in-person contact. One possible solution is to adopt an ENS that can ensure the validity and authenticity of deeds while adhering to safety guidelines. As technology continues to advance, it is important that the government keep pace with changes and employ new methods to ensure efficient and secure transactions. Implementing legal regulation of electronic notarization is of utmost importance in post-pandemic Indonesia context. With the increasing demand for remote transactions and the growth of technology, electronic notarization can provide a convenient and efficient method for carrying out legal procedures. Electronic notarization provides numerous benefits, including increased convenience, enhanced security, improved efficiency, and reduced costs. It allows individuals to conduct notarial acts remotely, eliminating the need for in-person contact, which is of paramount importance in the post-COVID-19 era. Electronic notarization is an essential tool for the legal industry, as it provides notaries with new

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23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.

<sup>75</sup> Ibid.

methods for conducting notarial acts remotely. This, in turn, increases public accessibility to legal services and improves efficiency. Legal regulation is necessary to ensure that cyber notaries meet standards of reliability, security, and authenticity. Legal regulations can ensure that electronic notarization is consistently carried out in accordance with the law in order to protect clients from fraud, forgery, and illegal and predatory activities. Moreover, legal regulation can ensure that electronic notarization remains trustworthy, reliable, and respected within the legal industry, ensuring that its benefits are fully realized. In the United States, RON has enabled notaries to notarize documents remotely, thus eliminating the need for in-person contact. This led to increased accessibility and convenience for clients, particularly during the COVID-19 pandemic, when social distancing was mandatory. Moreover, IPEN and RIN have also provided benefits to clients, with IPEN allowing for electronic signatures of legal documents and RIN providing a hybrid solution that combines the convenience of electronic signatures with the security of traditional pen-and-ink signatures. Similarly, in Japan, the adoption of the ENS has enabled notarial acts to be conducted electronically, bringing significant changes to the legal landscape while leading to increased convenience and efficiency. The ENS has also led to a reduction in cases of fraud, generating increased trust in the legal system. In the Netherlands, eIDAS has streamlined electronic identification recognition procedures across the EU, leading to greater cross-border interoperability, increased security, and enhanced user trust. Overall, legal regulation is necessary to ensure that electronic notarization continues to develop and expand, benefiting both notaries and clients. Electronic notarization is an essential tool that has the potential to transform the legal industry, increasing accessibility to legal services, reducing costs, and improving efficiency.

In summary, this study recommends that Indonesia introduce laws to establish a regulatory framework for electronic notarization. This would ensure that electronic notarization is conducted in a secure and trustworthy manner, is recognized as legal valid, and adherence to safety guidelines. It is crucial to establish clear legal frameworks and standards to prevent the abuse and misuse of electronic notarization. By establishing legal regulations, Indonesia can help promote the widespread use of cyber notaries, boost economic growth, and enhance Indonesia's reputation as a

country with a reliable and modern legal system. It is essential to keep abreast with technological advancements and adjust accordingly to ensure that Indonesia's legal system remains relevant and efficient. This, in turn, will enable Indonesia to remain competitive in the global market, attracting more clients and investors to its legal system.

## References

- Adjie, Habib. *Sanksi Perdata & Administratif Terhadap Notaris Sebagai Pejabat Publik*. Cet. 1. Bandung: Refika Aditama, 2008.
- Agustin, Ika Yuli, and Ghansham Anand. "Proposing Notaries' Deed Digitalization in Indonesia: A Legal Perspective." *Lentera Hukum* 8 (2021): 49.
- Alfiana, Rita. "Notaris Dan Digitalisasi Di Masa Pandemi Covid 19." *NUSANTARA : Jurnal Ilmu Pengetahuan Sosial* 9, no. 2 (February 18, 2022): 423-32. <https://doi.org/10.31604/jips.v9i1.2022.423-432>.
- Dewi, Luh Anastasia Trisna. "Legal Aspect of Cyber Notary in Indonesia." *Journal of Digital Law and Policy* 1, no. 1 (September 29, 2021): 37-44. <https://doi.org/10.58982/jdlp.v1i1.92>.
- DocuSign Contributor. "A Guide to Remote Online Notarization," November 1, 2022. <https://www.docusign.com/blog/remote-online-notarization-guide>.
- European Commission. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, 257 OJ L § (2014). <http://data.europa.eu/eli/reg/2014/910/oj/eng>.
- FAO, and UINL. *Responsible Governance of Tenure and Preventive Justice: A Guide for Notaries and Other Practitioners in the Preventive Administration of Justice*. Second Edition. Governance of Tenure Technical Guide 13. Rome, Italy: FAO, 2022. <https://doi.org/10.4060/cc0168en>.
- Faulina, Junita, Abdul Halim Barkatullah, and Djoni S. Gozali. "Kedudukan Hukum Akta Notaris Yang Menerapkan Konsep Cyber Notary Di Masa Pandemi Covid-19 Di Indonesia." *Notary Law Journal* 1, no. 3 (July 12, 2022): 247-62. <https://doi.org/10.32801/nolaj.v1i3.28>.

Hulu, Sabarudin. "Diskresi Untuk Solusi Penanggulangan Covid-19." Accessed August 21, 2023. <https://ombudsman.go.id:443/artikel/r/artikel--diskresi-untuk-solusi-penanggulangan-covid-19>.

HUMAS FHUI. "Layanan Notaris Secara Elektronik dalam Kedaruratan Kesehatan Masyarakat Oleh Dr. Edmon Makarim, S.Kom., S.H., LL.M." Accessed February 21, 2023. <https://law.ui.ac.id/layanan-notaris-secara-elektronik-dalam-kedaruratan-kesehatan-masyarakat-oleh-dr-edmon-makarim-s-kom-s-h-ll-m/>.

Iriantoro, Agung. "Pembuatan Akta Otentik Oleh Notaris Selama Masa Pandemi Covid-19 Di Indonesia." *Otentik's: Jurnal Hukum Kenotariatan* 4, no. 1 (March 31, 2022): 29–41. <https://doi.org/10.35814/otentik.v4i1.3343>.

Japan External Trade Organization. "Japan's Digital Signature Law and Electronic Notarization System," 2018. [https://www.jetro.go.jp/ext\\_images/en/invest/region/kanto/pdf/20180622\\_Japan\\_Digital\\_Signature\\_Law.pdf](https://www.jetro.go.jp/ext_images/en/invest/region/kanto/pdf/20180622_Japan_Digital_Signature_Law.pdf).

Kandel, D. "Electronic Notarization: Advantages and Disadvantages," July 2, 2013. [https://www.americanbar.org/groups/business\\_law/publications/blt/2013/07/02\\_kandel/](https://www.americanbar.org/groups/business_law/publications/blt/2013/07/02_kandel/).

Kimbal, Lovita Gamelia, Tunggul Anshari Setia Negara, and Hariyanto Susilo. "Autentisitas Akta Notaris yang Dibuat Secara Elektronik pada Masa Pandemi COVID-19." *Jurnal Ilmiah Pendidikan Pancasila dan Kewarganegaraan* 6, no. 2 (January 1, 2022): 417–26. <https://doi.org/10.17977/um019v6i2p417-426>.

Koninklijke Notariële Beroepsorganisatie. "WEND: Wet Elektronische Notariële Dienstverlening." Notaris.nl, 2021. <https://www.notaris.nl/wetten-en-regels/wetten/wend-wet-elektronische-notariele-dienstverlening>.

Law Number 2 of 2014 concerning Amendment to Law Number 30 of 2004 concerning the Position of Notary

Law Number 19 of 2016 concerning Information and Electronic Transactions

Krisyanto, Tegas Hari, Zainul Daulay, and Benny Beatrix. "Strength of Evidence of Notarial Deed in the Perspective of Cyber Notary in Indonesia." *International Journal of Multicultural and Multireligious Understanding* 6, no. 3 (July 21, 2019): 775–84. <https://doi.org/10.18415/ijmmu.v6i3.906>.

Mamudji, Sri. *Metode Penelitian Dan Penulisan Hukum*. Jakarta: Badan Penerbit Fakultas Hukum Universitas Indonesia, 2005.

Ministerie van Justitie en Veiligheid. "Digitale Akte Passeren via Notaris Vanaf 2019 Mogelijk," September 11, 2018. <https://www.rijksoverheid.nl/actueel/nieuws/2018/09/11/digitale-akte-passeren-via-notaris-vanaf-2019-mogelijk>.

———. "Everything You Need to Know about EIDAS - Online Access to Public Services within the European Economic Area (EIDAS) - Government.Nl." Onderwerp. Ministerie van Algemene Zaken, March 18, 2020. <https://www.government.nl/topics/online-access-to-public-services-european-economic-area-eidas/everything-you-need-to-know-about-eidas>.

National Notary Association. "Understanding the Different Types of Electronic Notarization," 2022. <https://www.nationalnotary.org/knowledge-center/about-notaries/types-of-electronic-notarization>.

———. "What Is Electronic Notarization (IPEN)?," 2022. <https://www.nationalnotary.org/knowledge-center/about-notaries/what-is-electronic-notarization>.

———. "What Is Remote Ink-Signed Notarization (RIN)?," 2022. <https://www.nationalnotary.org/knowledge-center/about-notaries/what-is-remote-ink-signed-notarization>.

———. "What Is Remote Online Notarization (RON)?," 2022. <https://www.nationalnotary.org/knowledge-center/about-notaries/what-is-ron>.

Nippon Koshonin Rengoka. "How to Make Good Use of Japanese Notaries." Nippon Koshonin Rengoka, 2022. <https://www.koshonin.gr.jp/pdf/english2.pdf>.

Oda, H. "Japanese Law Translation - Act on the Use of Electronic Signatures and Certification Business (Act No. 102 of 2000)," 2021. [https://www.japaneselawtranslation.go.jp/law/detail\\_main?re=02&ia=03&vm=02&id=160](https://www.japaneselawtranslation.go.jp/law/detail_main?re=02&ia=03&vm=02&id=160).

Pengurus Pusat Ikatan Notaris Indonesia. "Surat Nomor 67/35-III/PP-INI/2020 Perihal Himbauan Pencegahan Penyebaran Covid-19," March 20, 2020.

- Prajogo, Gana, and Abdul Salam. "Otentisitas Akta Notaris Yang Ditandatangani Melalui Online Dimasa Pandemi Covid 19." *PALAR (Pakuan Law Review)* 8, no. 1 (January 1, 2022): 107–19. <https://doi.org/10.33751/palar.v8i1.4591>.
- Soekanto, Soerjono. *Pengantar Penelitian Hukum*. Cet. 3. Jakarta: Universitas Indonesia, 2014.
- Surakhmad, Winarno. *Pengantar Penelitian Ilmiah: Dasar, Metode Dan Teknik*. Ed. 7, Cet. 4. Bandung: Tarsito, 1990.
- Suyudi, Prita Miranti. "Kongres Internasional Notaris ke-29: Mengupas Keberadaan Jabatan Notaris." *hukumonline.com*. Accessed February 28, 2023. <https://www.hukumonline.com/berita/a/kongres-internasional-notaris-ke-29-mengupas-keberadaan-jabatan-notaris-lt5dc2803198f1e/>.
- . "Notaris/PPAT dan Pandemi Covid-19." *hukumonline.com*. Accessed February 28, 2023. <https://www.hukumonline.com/berita/a/notaris-ppat-dan-pandemi-covid-19-lt5e8efcaac54aa/>.
- Tan, David. "Cyber Notaries from a Contemporary Legal Perspective: A Paradox in Indonesian Laws and the Marginal Compromises to Find Equilibrium." *Indonesia Law Review* 10 (2020): 113.
- The Ministry of Justice. "Electronic Notarization System Based on the Notarization System," 2003. <https://www.nationalnotary.org/knowledge-center/about-notaries/what-is-ron>.
- Tolinggar, Vina Ayu Subagta, and Pieter Latumenten. "Urgensi Penggunaan Remote Notary Oleh Notaris Pasca Pandemi Covid-19." *JURNAL USM LAW REVIEW* 5, no. 2 (November 6, 2022): 663–77. <https://doi.org/10.26623/julr.v5i2.5171>.