



Document Digitization by Notary as Part of Cyber Notary Provision

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Abstract

The digital era is something that cannot be avoided in Indonesia and even throughout the world. Various Activities change from analog to digital. Digitization activities are carried out by a notary, one of the professionals, who digitize documents for needs, and orders of laws and regulations. This article analyzes the obstacles and challenges for notaries in digitizing documents. This study uses the socio legal method with an emphasis on analysis of laws and regulations by looking at their implications in society. Analysis of legal regulations related to document digitization for notaries. Several laws and regulations require notaries to digitize, especially document digitization. The process of digitizing documents carried out by a Notary is still in the stage of digitizing printed documents and placing them in a file for uploading needs on the web or certain systems. This process has its obstacles and challenges for Notaries and employees who work at Notaries.

A. Introduction

The digital era is marked by the presence of technology in people's lives. Everyone will use digital in carrying out daily activities in society. Digital technology has become an inevitable need for humans. No human does not use technology in today's digital era.

Today's humans will always carry out their activities with the help of technology, for example using computers, cell phones, video games, digital cameras, etc. With the help of very fast information technology, humans are very close to everything related to digital.

The most obvious sign of the entry of the digitization process is the increasing use of digital-based technology for use by humans in every aspect of life. The use of digital technology is carried out very easily and

quickly to facilitate the activities carried out in human life. Digitization is a process carried out by humans from conventional activities to activities covered by technology. The transition from print media to digital media, for example, or the changing of games played in the field into games that are done digitally. This proves that the digital era has caused a lot of physical work to become virtual.

Digital is a complex, flexible method that makes it a staple in human life¹. Human activities are facilitated by the several facilities offered, starting from communication and information, transactions, education, and en-

1 Rustam Aji, "Digitalisasi, Era Tantangan Media (Analisis Kritis Kesiapan Fakultas Dakwah Dan Komunikasi Menyongsong Era Digital)," *Islamic Communication Journal* 1, no. 1 (2016): 43–54, <https://doi.org/10.21580/icj.2016.1.1.1245>.



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tainment for even the most personal needs that can be served with technology². The digital era is an era of various conveniences for humans. Every activity that humans do will be very easy to do even humans can do activities that should only be done once but with the help of digital technology, humans can do two jobs at once. Digital is here to provide convenience for humans. The digital era affects every area of human life and there is every profession that exists.

A notary profession is a profession carried out by officials authorized to make authentic deeds. Notary positions are part of public officials (*openbaar ambtenaar*). Notaries are required to guarantee law certainty, maintain law order, and provide law protection, in exercising their authority and obligations based on truth and justice³. Notaries are authorized for make authentic Deeds regarding all actions, agreements, and stipulations required by laws and regulations and/or desired by interested parties for be stated in authentic Deeds, guarantee certainty from the date from making the Deed, save the Deed, provide gross, copies, and quotations from the Deed, all from this as long as the making from the Deed is not assigned or excluded to other officials or other people regulated by law. Besides, a notary is also authorized to: (a). ratify the signature and determine the certainty from the date from the letter under the hand by registering it in a special book; (b). book a letter under the hand by registering in a special book; (c). make a copy from the original handwritten letter in the form from a copy containing the description as written and described in the letter concerned; (d). validate the compatibility from the photocopy with the original letter; (e). serve legal counseling in connection with the making of the Deed; (f). make a deed related for land; or (g). make a deed from auction minutes.

The authority of a notary does not es-

2 Muhamad Danuri, "Development and Transformation of Digital Technology," *Infokam XV*, no. II (2019): 116–23.

3 Audi H Pondaag, "Kewenangan Serta Tanggung Jawab Hukum Atas Pembuatan Akta Otentik Oleh Notaris Berdasarkan Undang-Undang Tentang Jabatan Notaris," *Lex Privatum 2*, no. 3 (2014): 147331.

cape the digital era. Some Notary activities will be related to technology. Currently, several activities carried out by a notary have changed from physical deeds to digital deeds (file). Currently, several rules that have been applied electronically such as online fiduciary registration, online mortgage rights, etc., require a notary to upload a deed online.

The current digital era requires notaries to carry out their duties and authority in making deeds based on information technology⁴. Notary activities in the digital era in carrying out document activities digitally need to be investigated further.

This paper will examine the urgency of document digitization carried out by Notaries and its implications for the performance of Notaries in the current era of technological transformation. In addition, this article will also discuss the obstacles and challenges for notaries in digitizing documents.

Three studies that can be used as previous research that the author expresses are the writings of Lana Imtiyaz⁵ entitled Reactualization from the Law on Notary Positions Related to the Digitization from Minutes from Deed by Notaries. A notarial deed made by a notary can be used as written evidence in court (civil or criminal). The notary in this case then saves the deed as a minute of a deed which is part from the notary protocol. The principle from prudence is very much needed by the Notary in keeping the minutes from the deed until the Notary is declared retired. However, the fact is that the minutes of the deed are often scattered due to many things, such as moving offices, irresponsibility of the Notary's office employees, fires, and natural disasters (*force majeure*). In fact, the *UUJN* does not state the settlement from damaged or lost minutes of the deed. The research results and conclusions from this paper are as follows: first, the position from the notary deed as evidence in criminal cases (only limited for the power from proof) and civil

4 Habib Adjie, "Konsep Notaris Mayantara Menghadapi Tantangan Persaingan Global," *Jurnal Hukum Respublica* 16, no. 2 (2018): 201–18, <https://doi.org/10.31849/respublica.v16i2.1436>.

5 Lana Imtiyaz et al., "Reaktualisasi Undang-Undang Jabatan Notaris Terkait Digitalisasi Minuta Akta Oleh Notaris," *Notarius* 13, no. 1 (2020): 97–110.

(power from proof of birth, formal, and material). Second, the need to the actualization from *UUJN* is related to the digitization from the minutes from the deed by a notary because economically, notary protocol storage aims to make it more efficient, easier, and so on. Meanwhile, in terms from the law aspect, it can help and facilitate the law process, especially the law from evidence relating to electronic evidence.

The second article is from Desy Rositawati⁶ entitled *Electronic Storage of Notary Protocols in Cyber Notary Relation*. Notary protocol is a state archive that must be stored and maintained by a notary. Electronic notary protocol storage is possible as a solution to security problems, maintenance costs, and the required land area. Meanwhile, Article 16 paragraph (1) letter b Amendment to the Notary Law (*UUJN* Amendment) and its explanation only stipulates the obligation from a Notary in carrying out his position to make a deed in the form from minutes from deed and keep it as part from the notary protocol in its original form for maintain the authenticity from the deed. This creates a normative vacuum regarding the regulation from electronic notary protocol storage. The results show that the notary protocol stored electronically is important for consider the notary's duty as a public official who has the task from serving the community in the field from civil cases, so the state must make strict rules regarding the electronic storage from notary protocols about Cyber Notaries. The mechanism is to use the transfer from media into digital form or scanning. The strength from the evidence from the notary protocol that is stored electronically in the field from civil law is only as a backup, not a copy that has binding force because it does not meet the requirements to the authenticity from the deed as regulated in Article 1 paragraph 7 Amendments to the *UUJN*/Notary Law and Article 1868 from the Civil Code and in the field from procedural law. criminal law, which can be an indication of evidence when dealing with the contents from other evidence.

6 et.al Desy Rositawati, "Penyimpanan Protokol Notaris Secara Elektronik Dalam Kaitan Cyber Notary," *Acta Comitas* 2, no. 1 (2017): 172–82.

The third writing of Marzuki Ibrahim⁷, with the title *Effectiveness of Article 63, Law Number 30 of the Year 2004 concerning the Position from a Notary (Study from Opportunities for Management of Digital-Based Notary Protocol Documents)*. Based on the provisions from Law Number 30 of the Year 2004 concerning the Position from a Notary, in particular, Article 63 stipulates that a Notary Protocol from another Notary who at the time from submission is 25 years old or older is submitted by the Notary who receives the Notary Protocol for the Regional Supervisory Council. However, in the practice of submitting, storing, and managing the notary protocol as intended, it faces juridical problems when no notary carries out the mandate of the law. Based on the results from the study, it can be explained that the forms from ineffectiveness occur, among others: First, from the aspect of legal substance, especially the laws and regulations governing the scope from the notary's office, they still have not provided technical instructions for managing and submitting notary protocols that are 25 years old or more to the Supervisory Board. Second, the law/structure apparatus of the issuance of the *UUJN* in 2004 so that supervisory activities are still not running effectively considering that the organizational structure of the Regional Supervisory Council's position has not been supported by the existence of a secretariat that supports the performance from supervision of a notary. Third, the culture from the cultural aspect or the prevalence that there is a tendency that appears is the non-compliance of both the Notary and the Supervisory Board which lacks coordination in the process of submission and storage. Fourth, in terms of facilities, this is of course a dominant inhibiting factor considering that the Supervisory Council does not yet have a permanent office. Fifth, the sanction in practice the tendency used by the Supervisory Board is only a verbal warning so that it does not cause a deterrent effect (shock therapy) to notaries who do not carry out the provisi-

7 Marzuki Ibrahim, "Efektifitas Pasal 63 Ayat 5 Undang-Undang Nomor 30 Tahun 2004 Tentang Jabatan Notaris (Studi Terhadap Peluang Pengelolaan Dokumen Protokol Notaris Berbasis Digital)" (Brawijaya, 2013).

ons from the legislation.

This paper is the result of research using a socio-legal approach. The socio-legal approach method in this study was used to analyze the rule of law and the behavior of a notary in digitizing documents. The research took place in Batang Regency, Bekasi Regency, Pati Regency, and Pekalongan Regency. Location is done by random sample or random sample. Sampling this random technique the researcher estimates that each sample in the population is the same in terms of the aspects to be studied. Every notary anywhere has the same rules, namely the rules of the Law on the position from a notary.

B. The urgency from document digitization carried out by a Notary

Technology has made production, marketing, distribution, and business processes as a whole more effective and efficient. The connectivity that is built also enables many business people for connect with new access to capital and markets⁸. Digitization simply means conversion from analog to digital, in the sense that it is a process of giving or using a digital system.

The digital system is a development from the analog system. Digitization tends for be automated operating systems with computer-readable formats⁹. Digital technology and the way we use it have changed the way we work. Businesses in all industries have to face innovation even in the various professions that exist. Digital transformation done right brings a whole new set of activities. That's why digital transformation is so important – for both business owners and clients. Digital transformation is a major life change that greatly affects digital technology opportunities.

Digitization activities are closely related to the process of storing and transferring information electronically through computer media, without knowing the limitations of time

and place¹⁰. Digitization activities influence business activities, processes, competencies, and models to create advantages for clients, acquire new capabilities in responding to rapidly changing market needs, manage risk, or increase efficiency. Digital activities are not just about adopting new technologies. These activities impact work activities, including devices, but also structure, workflow, client service, management, way of thinking, and all other aspects.

Digitization is the process from transferring media from printed form for electronic form¹¹. Digital transformation is the process from using digital technology for create or modify business processes, and culture, for meet business and market needs that are constantly changing due to advances in existing and applicable technology. Digitization is part of digital transformation.

Digital transformation is a broader term than digitization. While digitization can be applied for small, well-defined processes/systems, digital transformation is much broader, often at the company or divisional level, and often leads for the creation from entirely new markets, and/or new customers and business realities. Digital transformation is simply an update of information technology to digital optimization and the discovery of new digital business models.

Digital transformation is a deep transformation from business and organizational activities, processes, competencies, and models, to the maximum transformation from the changes and opportunities from the technology mix and its accelerated impact on society, in a strategic and prioritized manner¹². The condition from this digital transformation has started since the beginning of January 1st, 2000, which we know as the start of the

8 Devi Krisnawati, "Peran Perkembangan Teknologi Digital Pada Strategi Pemasaran Dan Jalur Distribusi Umkm DI Indonesia," *Jurnal Manajemen Bisnis Krisnadwipayana* 6, no. 1 (2018).

9 Aji, "Digitalisasi, Era Tantangan Media (Analisis Kritis Kesiapan Fakultas Dakwah Dan Komunikasi Menyongsong Era Digital)."

10 Siti Asmaniyah Mardiyani et al., "Digitalisasi Desa Untuk Meningkatkan Kualitas Layanan Dan Informasi," *Jurnal Pembelajaran Pemberdayaan Masyarakat (JP2M)* 1, no. 3 (2020): 188, <https://doi.org/10.33474/jp2m.v1i3.6533>.

11 Neneng Asanijah, "Pelestarian Informasi Koleksi Langka: Digitalisasi, Restorasi, Fumigasi," *Buletin Perpustakaan*, 2017.

12 Novianti Indah Putri Zen Munawar, Yudi Herdiana, Yaya Suharya, "Pemanfaatan Teknologi Digital Di Masa Pandemi Covid 19," *Jurnal Teknologi Informasi Komunikasi* 8, no. 2 (2021): 160–75.

millennial year. All analog data information is transformed into digital data information¹³.

Digital transformation is a big change. Many professions have to keep up with changes due to digital transformation. Including the Notary profession in Indonesia. Notaries must be able to carry out digital transformations because of the demands of work that require Notaries to carry out digital transformations. The deed that has been printed and saved is made in the digital version.

The digital transformation that occurs in the notary profession is a change in the performance from the notary through the use from digital technology for improve performance. In daily activities, notaries digitize, and change work from analog to digital.

Several regulations that force Notaries to digitize documents are as follows: *First*, Regulation from the Minister from Law and Human Rights from the Republic of Indonesia Number 21 of the Year 2021 regarding Terms and Procedures to Registration from Establishment, Amendment, and Dissolution from Limited Liability Company Law Entities. In the provisions from Article 5 from this Regulation, it is stated that the establishment from a capital partnership company is carried out by the applicant through a notary by filling out the form from establishment electronically through the Law Entity Administration System (*SABH*). *Second*, the Regulation from the Minister from Cooperatives and Small and Medium Enterprises from the Republic from Indonesia Number 09 of the Year 2018 concerning the Organization and Development from Cooperatives. The provisions of this regulation are very clear that the Notary for Cooperative Deed Maker (*NPAK*) is a Notary who has been appointed or registered as a Notary for Cooperative Deed Maker by the Minister of Cooperatives and Small and Medium Enterprises. In Article 10 paragraph (2) from this regulation, it is stated that the Founders or their proxies shall submit a written and/or electronic request for approval from the cooperative establishment deed to the Minister. Furthermore, Article 10 paragraph

(7) stipulates that the Deed from Establishment is required for: (a) A notary for the Cooperative Deed Maker; and; (b) Compiled in the General Register of Cooperatives by the Minister. Another provision in Article 10 paragraph (8) is stated that the Notary makes a copy from the Deed from Establishment for the cooperative concerned.

Third, Regulation from the Minister from Law and Human Rights from the Republic from Indonesia Number 17 of the Year 2018 regarding the Registration from Limited Partnerships, Firm Partnerships, and Civil Partnerships. The application for registration from the establishment from CV, Firm, and Civil Partnership is submitted by the Petitioner to the Minister. Applications to registration of the establishment from a CV, Firm, and Civil Partnership must be submitted by the Applicant through the Business Entity Administration System. Applications are made electronically by uploading data or documents to the Administration System of the Business Entity by a Notary.

Fourth, Regulation from the Minister from Law and Human Rights from the Republic from Indonesia Number 25 of the Year 2021 regarding Procedures for Registration, Amendment, and Abolition of Fiduciary Guarantees. Fiduciary Guarantee registration is done electronically. Notaries who have access rights can register for fiduciary guarantees online based on the registration form documents.

Practically, the online fiduciary system burdens the notary who prepares the device and ensures an online security system in the office. It is recommended that notaries do not delegate this work for staff, considering the need for more responsibilities that require caution¹⁴. Notaries digitize documents following the provisions contained in the *SABH*. Law Entity Administration System, hereinafter abbreviated as *SABH*, is the Company's information technology services electronically organized by the Directorate General from

13 et.al Wahyunita Sijinjak, *Kinerja Karyawan (Era Transformasi Digital)* (Bandung: Media Sains Indonesia, 2021).

14 Yuli Prasetyo Adhi, "Characteristics and Problems of Online Fiduciary in the Imposition of Fiduciary Guarantee in Indonesia," *South East Asia Journal of Contemporary Business, Economics and Law* 4, no. 3 (2014): 55–58.

General Law Administration.

Fifth, Regulation from the Minister from Law and Human Rights from the Republic from Indonesia Number 60 of the Year 2016 regarding Procedures to Reporting Wills and Applications to Issuance from Electronic Will Certificates. Notaries are required for make a Register from Deeds or a List from Nil relating for a Will. A List of Deeds or A List of Nil must be reported for the Central List from Wills. Reporting on the Register from Deeds or List from Zeros is done electronically through the official website from the Directorate General from General Law Administration, Ministry from Law and Human Rights.

The realistic benefit from digitization for Notaries is to assist the process in implementing the upload process for the Ministry from Law and Human Rights system or other related systems. In addition, Notaries can store digital data properly so that at any time it is needed the data is still stored and not lost.

It can be understood that “digital transformation of notarial activities” is a fundamental change in the way from organizing, fostering, implementing, and managing processes and activities for providing notarial services based on digital technology for create greater value and efficiency¹⁵. Notaries can compile documents digitally and archive them in the file data warehouse. And more importantly, Notaries and Notary Employees have to learn new processes, new ways of working, and change work life due to digital transformation.

Based on the results from an interview with Notary Ria Desviastanti, that document digitization is important because it is a terminology to describe media transfer from audio and video printed form to digital form. Its function is none other than to gain efficiency and optimization in many ways, especially the storage of documents/files.

Based on the results from an interview

15 P.X Khanh, B.N., Linh, “Electronic Notarization in the Context of Digital Transformation in Vietnam: Challenges and Recommendations,” *International Transaction Journal of Engineering, Management, & Applied Sciences & Technologies* 13, no. 9 (2022): 1–13, <https://doi.org/10.14456/ITJEMAST.2022.189>.

with Notary Rizka Wahyu Setiyawan (Notary in Pati Regency), that documents in printed form are still made in addition to digital form. This is done to protect if in the future there is damage and the notary has printed the document in the form of a copy and attached it in the minutes of the deed.

So far, notary services for the public are still conventional, but along with the development from information technology, which inevitably forces every life for transmigrate of conventional systems for electronic systems, notary services are also shifting towards electronic-based services, or what is known as a cyber notary¹⁶. The concept from a cyber notary is closely related for regulations in the field from information administration and electronic transactions. The government sees the role from a notary in the administration of information and electronic transactions in Indonesia¹⁷. The concept from cyber notary requires notaries for carry out their duties or authorities based on information technology, especially in making deeds¹⁸.

Cyber notary is a concept where in general a notary who performs his function as a notary, conducts transactions electronically and other relations related to electronics such as electronic deeds¹⁹. The concept of cyber notary relates to teleconferencing, electronic signatures, and document storage. However, it is still not possible to make a deed electronically because it is related to the historical background, the problem of proof, and the consideration will conflict with other regu-

16 Kadek Setiadewi and I Made Hendra Wijaya, “Legalitas Akta Notaris Berbasis Cyber Notary Sebagai Akta Otentik,” *Jurnal Komunikasi Hukum (JKH)* 6, no. 1 (2020): 126, <https://doi.org/10.23887/jkh.v6i1.23446>.

17 Muhammad Farid Alwajdi, “Urgensi Pengaturan Cyber Notary Dalam Mendukung Kemudahan Berusaha Di Indonesia,” *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 9, no. 2 (2020): 257, <https://doi.org/10.33331/rechtsvinding.v9i2.422>.

18 Adjie, “Konsep Notaris Mayantara Menghadapi Tantangan Persaingan Global.”

19 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, <https://doi.org/10.28946/rpt.v9i1.358>.

lations²⁰. Although technological advancements allow the implementation of notary positions electronically and remotely (online and remotely), in Indonesia this cannot be implemented at this time considering the basic paradigm underlying the Law on Notary Positions (*UUJN*) is built based on conventional mechanisms such as paper-based based document and physical presence. Apart from this and reflecting on the current global situation, we can start to see the concept from Cyber Notary or E-Notary as a need and urgency to be built gradually towards comprehensive and applicable implementation through a strategic renewal design in terms of regulations, infrastructure and culture so that it can be applied effectively²¹.

The provisions in Article 15 paragraph (3) of Law Number 2 of the Year 2014 regarding Amendments for Law Number 30 of the Year 2004 regarding the position of a Notary, that a Notary has other authorities regulated in the laws and regulations. What is meant by "other powers regulated in laws and regulations", are, among others, the authority for certify transactions conducted electronically (cyber notary), for make *waqf* pledge deeds, and aircraft mortgages. The authority of a notary as a cyber notary is an authority that can be exercised by a notary with the current state of technological advances, it is possible for the parties (clients) of the notary not to meet in person (face to face) but can meet online. The deed made by a notary is signed by the parties (clients) electronically. However, the Notary still affixes the original signature and stamp, not electronic.

C. Implications of digitizing documents on the performance of notaries in the era of technological transformation

Digital technology (or for that matter, any technology) cannot be considered "bad". Digital technology is how technology is applied and serves its intended purpose

20 Luthvi Febryka Nola, "Peluang Penerapan Cyber Notary Dalam Peraturan Perundang-Undangan Di Indonesia," *Negara Hukum* 2 (2011): 75–102.

21 Ranti Fauza Mayana, "ACTA DIURNAL Jurnal Ilmu Hukum Kenotariatan Fakultas Hukum Unpad" 4 (2021): 244–62.

which can have positive or negative effects²². Technology is good, so it is not surprising that changes occur and digitalization has changed several things in people's lives²³. Technology has helped humans a lot in carrying out their daily activities more effectively and efficiently. However, if you are not wise in using existing technology, it can also have a bad impact on society.

The presence of computer technology that is produced for public consumption, and the emergence of an internet network that connects the world without knowing national boundaries, intends to facilitate the fulfillment of all human activities and needs in the world. Innovation in the field of information technology is believed to bring benefits and convenience in various great interests for people and countries in the world²⁴.

The digital age we live in is changing people's perceptions from life and work at a rate that rivals the impact from the industrial revolution. The social stage from the digitization process is characterized by a level from connectivity that has never been seen before, both on a professional and personal level²⁵. In today's digital era, notaries need to be competitive and effective in providing services to clients. Notaries must be able to produce printed or digital documents, electronic data, audio and video files, etc. In addition, notary employees must also have the same ability in terms of document digitization.

In the end, digitalization has become a strong impetus for notaries to make changes in providing services to clients and in their business activities.

22 Mira Burri, "Digital Technologies and Traditional Cultural Expressions: A Positive Look at a Difficult Relationship," *International Journal of Cultural Property* 17, no. 1 (2010): 33–63, <https://doi.org/10.1017/S0940739110000032>.

23 AG. Eka Wenats Wuryantai, "Digitalisasi Masyarakat: Menilik Kekuatan Dan Kelemahan Dinamika Era Informasi Digital Dan Masyarakat Informasi," *Jurnal Ilmu Komunikasi* 1, no. 2 (2013): 131–42, <https://doi.org/10.24002/jik.v1i2.163>.

24 Abdul Halim Barkatullah, *Hukum Transaksi Elektronik: Sebagai Panduan Dalam Menghadapi Era Digital Bisnis E-Commerce Di Indonesia* (Bandung: Nusa Media, 2017).

25 Eew Tulungen et al., "Digital Transformation: Role of Digital Leadership," *Jurnal Emba* 10, no. 2 (2022): 1116–23.

Digitization of Notary services can be seen from certain activities carried out by the ministry that has been carried out online. The large number of deeds that must be made by a Notary followed by the development of legal services that continue to vary every day, requires the Notary to always update his knowledge. A notary is one from the professions in the field from law services which has also begun to use digital technology in providing services. Notaries who are not able to keep up with technological developments will be eliminated from the business competition. Notary clients need the services of a notary who can help clients in terms of notarial legal services.

Notary Nasrizal in Pekalongan Regency stated that he would continue to improve service quality and keep abreast of technological developments and applicable laws and regulations. Almost the same thing was expressed by Notary Wawan Darma Septiawan in Batang Regency who used digitalization on the deed he made. Digitization is a necessity and must be understood by every notary.

Notaries must be able to prepare for it because information technology affects behavior including facilitating a variety of human needs and work. Likewise, the role of the Notary must be able to understand information technology for the management of the resulting legal products²⁶. Besides, notaries must have a strategy for business competition in today's digital era. Notaries who can digitize can generate competitive advantages using digital solutions.

Notaries who can apply digitization of their documents will provide opportunities for them to be able to serve clients quickly, efficiently, and effectively. This digitization activity will have implications for the performance of notaries who must continue to improve their capabilities and abilities following existing changes.

D. Barriers and challenges for notaries in digitizing documents

²⁶ Qisthi Fauziyyah Sugianto and Widhi Handoko, "Peluang Dan Tantangan Calon Notaris Dalam Menghadapi Perkembangan Disrupsi Era Digital," *Notarius* 12, no. 2 (2020): 656–68.

The challenges of human resources will be enormous in the future. Advances in technology make everyone continue to improve their capabilities in life. Existing challenges will turn into obstacles if they cannot overcome and have strategies for dealing with existing challenges.

Every change process has risks and doubts associated with it. Digital transformation forces notaries to be "literate" in digitization. Doubts will always haunt the notaries regarding this change. Is it safe, how important, and how complicated are all basic questions for notaries.

One of the main advantages of digital transformation is the ability to enable data storage which can be accessed anytime anywhere by notaries and their employees. However, some notaries are against this change (digital transformation) due to security concerns and the complexity of the process. Data security is a challenge for notaries and their employees to store data properly and safely. Many deeds and files are confidential and must be kept confidential. So the level of security for the certificates and files must be strong and high and protected from hackers or hackers.

Digital transformation is a complex process that plays a role in all key elements in people's lives. There are almost always obstacles and challenges along the way that need to be identified and overcome.

Obstacles for notaries in digitizing documents are as follows:

1. Lack of relevant knowledge and digital skills in notaries and their employees. Having employees who don't understand digitization is an obstacle for notaries. As we know, notaries work with the assistance of their employees who carry out the deed-making process and other activities daily. Documents are made not only in analog form but also in digital form, some of which will have to be uploaded on the website from the Directorate General from AHU from the Ministry from Law and Human Rights.
2. It costs quite a lot of money to improve the ability of notaries and their employ-

ees to digital transformation. Sending employees to attend training is the duty from a notary as a form from responsibility as the owner of the company. In addition, notaries must also have good digital skills.

3. Inadequate facilities and infrastructure. Notary offices must be equipped with good internet (high internet network), and tools that support digitization, such as computers and data storage devices. Digital technology is not cheap but tends to be expensive. A set of computers and data storage devices as well as a high internet network requires a large amount of money.

Client data and documents are valuable assets for notaries. Attention to data and document management can improve the implementation and success of digitization.

The challenges for notaries in digitizing documents are: First, the strategy in dealing with changes in digitization. Notaries and notary employees need to have an accurate strategy to deal with digital change or transformation. Matters related to the work of Notaries are not immune to digital transformation, meaning that change is absolute. Second, notaries and notary employees must be able to master digital technology well. This is not something easy. Many human resources are not able to keep up with the development of technological advances and are eventually eliminated. There needs to be a strong push for Notaries and notary employees to master tools with new technology. Third, is the security factor in digitization. Notaries need to create good security for their digital data. Notaries may use high data security.

Notaries who understand and follow digitalization changes will be able to compete and be able to provide good service to clients. Almost all notary activities involve digital. Consider the barriers and challenges that exist before starting, planning, and working on document digitization. This will be able to provide solutions that are part of creating a strategy that can be applied toward digitalization for notaries.

E. Conclusion

Digitizing documents for notaries is one of the jobs included as part of a cyber notary. Its urgency is seen both in the legislation and in the practice requirements of clients and good records. Digitizing documents does not mean that documents made by a notary are electronically signed and stamped documents, but documents that have been checked are scanned and made into files. Files are stored for upload requirements on the system or the web according to client requirements. Several regulations related to document digitization carried out by Notaries are: (1) Regulation from the Minister from Law and Human Rights from the Republic from Indonesia Number 21 of the Year 2021 regarding Requirements and Procedures to Registration from Establishment, Amendment, and Dissolution from Limited Liability Company Legal Entities; (2) Regulation from the Minister from Cooperatives and Small and Medium Enterprises from the Republic from Indonesia Number 09 of the Year 2018 concerning the Organization and Development from Cooperatives; (3) Regulation from the Minister from Law and Human Rights from the Republic from Indonesia Number 17 from the Year 2018 concerning Registration from Limited Partnerships, Firm Partnerships, and Civil Partnerships; (4) Regulation from the Minister from Law and Human Rights of the Republic from Indonesia Number 25 of the Year 2021 concerning Procedures to Registration, Amendment, and Abolition from Fiduciary Guarantees; (5) Regulation from the Minister from Law and Human Rights from the Republic from Indonesia Number 60 of the Year 2016 regarding Procedures to Reporting Wills and Requests to Issuance from Electronic Will Certificates.

Obstacles for notaries in digitizing documents are as follows: (1) Lack of relevant knowledge and digital skills for notaries and their employees; (2) Requires quite expensive costs in the process of digitizing documents; (3) Inadequate facilities and infrastructure at the notary's office.

The challenges for notaries in digitizing

documents are as follows: (1) Strategies for digitalization change; (2) HR in mastering technology; (3) Digital data security.

Notaries and notary employees need to be open to technological advances and performance improvements in serving clients following existing legal rules. In addition, there needs to be good management and security of digital documents owned by a notary. Keep the document safe and confidential.

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