

ABSTRACT

This research focused as follows : the Ratio of Legis Formation of the Notary Civil Union and the Legal Principles of Relationships between Friends in the Notary Civil Union. Notary is a position that is held or its presence is desired by the rule of law with a view to assisting and serving the public who need authentic written evidence regarding the circumstances, events or legal actions. The position of a Notary Public is an institution created by the state in which in carrying out his position as a public official, the Notary cannot bind himself in an agreement that gives birth to the legal relationship of the debtor and creditor as a condition of bankruptcy. However, after the provisions regarding a notary civil union in which several notaries commit themselves in the form of a legal entity, a notary civil association is an activity that brings profit and does not rule out the possibility of causing harm. The loss can be in the form of unfulfilled achievement (default) or incur a debt and this requires a further review when in this case the civil alliance created by the notary public suffers a loss, especially regarding accountability. The problem in this research is the Ratio of Legis Formation of the Notary Civil Union, the legal principle of the relationship between friends in the notary civil union, and notary responsibility in the event of bankruptcy of the notary civil union. The results of the research show that 1) Legality Ratio Formation of Notary Union in UUJN is not found clearly in the academic paper for the establishment of UUJN, however, with the use of the term fellowship in UUJN, the basis for regulating the formation of a Notary Union in UUJN is the provision in BW which means that the legis ratio formation the notary association is the principle of freedom of contract, the principle of *pactasuntservanda*, and the right to freedom of association. 2) The legal principle of the relationship between allies in a notary civil alliance can be seen from the legal principles of fellowship in BW namely the Notary with other Notary friends who are free with whom he entered into an agreement and are free to stipulate the terms of the agreement as the principle of freedom of contract so that the agreement that has been agreed by the Notary together with other Notary friends as long as they meet Article 1320 BW, the agreement is binding as a law for the parties. 3) Notary responsibility in the event of a notary civil bankruptcy raises problems related to the differences in the characteristics of partnership in BW with the characteristics of notary positions that have responsibilities in occupation and profession based on the Law and the Code of Ethics which requires independence for both functional and notary public , financial and administrative. The effect of insolvency against of the notaries in the civil partnership will cause several problems regarding the differences between the characteristic of civil partnership in the civil code and notary characteristic in the related act. In case of one of the notaries is being insolvent, potentially the related notary civil partnership will be dissolved.

Keywords : Civil Partnership, Autonomy Principle, Liability