

ABSTRACT

Responsibility is having the character of moral agent, capable of deterring one's own acts by consideration of sanction or consequences. The essence of responsibility demands that everybody should fulfil his or her duty very well, as the realization of personality's spirit.

Notary is caretaker of glorious profession. He or she has four characteristics : responsibility, creating justice, serving without reward, and always concerns with aspiration of glorious profession by glorifying status and prestige of notary's colleagues, and organization profession. However, the characteristics of the profession are : a profession involves a skill and education; the skill requires training and education; the professional must demonstrate competence by passing a test, integrity is maintained by adhering a conduct; the service is for the public, and the profession is organized.

Seen from the point of view of functional approach, professional attitudes are :

1. a high degree of generalizing and systematic knowledge;
2. primary orientation to the community interest rather than to individual self interest;
3. a high degree of self-control of behavior through code of ethics, internalizes in the process of socializing and through voluntary association, organized and operated by the work;
4. a system of reward that is primarily a set of symbols of achievement.

Therefore, Notary has a professional status as group mobility through occupational upgrading, expansion of professionalism, as a result of the growth of occupational group consciousness.

Notary is conducting his or her profession's duty, he or she has a hard responsibility because clients often do not tell the truth about their problems. In this case, Notary has to be careful. It is harmful for a Notary to take the risk of it.

Responsibility has two meanings, namely, "liability" and "responsibility". Liability is a broad legal term and has been referred to as one of the most comprehensive significance, including almost every character of hazard or responsibility, however absolute and contingent. Related to the function of Notary, it has two types of "liability" stressed on the client's protection, namely :

1. Vicarious liability which is indirect legal responsibility;
2. Strict liability which is a concept applied by the courts in producing liability cases.

Notary has two kinds of responsibility. Firstly, according to *Peraturan Jabatan Notaris*, the responsibility of Notary which includes moral and profession. Secondly, according to civil law, when Notary is against the law or breaching of contract, he or she is liable for damaging or enforcing by civil remedy according the article 1365 or 1243 Kitab Undang-undang Hukum Perdata. Criminal law, when Notary does something prohibited by law, both be done intentionally or negligently. Therefore, responsibility is one of the duties to carry on. One who makes someone suffer a financial loss in (civil law) or suffer from specified cause as the result of his or her act, that is considered faulty. Therefore, he or she may be sued as the sanction or criminal punishment, except he or she does not have any capability.

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