

KONFLIK NORMA PENGATURAN TEMPAT KEDUDUKAN NOTARIS DAN TEMPAT KEDUDUKAN PPAT

WIDAYANTI, PAWESTRI

Pembimbing : Dr.M.Hadi Shubhan,SH,MH,CN

KKB KK-2 TMK 37/11 Wid k

NOTARIES

Copyright© 2011 by Airlangga University Library Surabaya

ABSTRACT

This thesis talks about the norm conflict of difference arrangement for notary public's position according to the act No. 30/2004 about the position of notary public and PPAT and also based on the government regulation No. 37/1998 about PPAT, point at the problem that there is a notary or a notary candidate who becomes the PPAT candidate as well or PPAT who also becomes a notary candidate that gets a different position/places between his profession as a notary public and as PPAT. The arrangement of notary and PPAT position either in the act No. 30/2004 about notary public's position or the government regulation No. 37/1998 about PPAT, there is overlapping which causes a norm conflict pointing at the uncertainty law. The approachments which are used are statute approach, conceptual approach and historical approach. Analyzing all legislations and regulations related to the law issue which is handled. Then, as the complement, it is used the conceptual approach to investigate the concept or substantiation of the positive law to complete the regulation of legislation especially about the concepts which are not arranged in the act No. 30/2004 about notary public's position and or the government regulation No. 37/1998 about PPAT. It is also used historical approach to look at the history of notary public and PPAT progress to know exactly the background of the existence of notary public and PPAT as a profession. Evaluating the facts of law above, it is needed the seriousness of the legislation maker to stop the overlapping which causes the norm conflict about notary public and PPAT's position/places as soon as possible. There should be a review or revision the act of notary public's position about some sections which have no exact purposes in making them, or make operational regulation such as government regulation. The government regulation No. 37/1998 about PPAT should be reviewed or revised or it is needed to make new regulation about PPAT which has balanced substantiation and has no contradiction with the act No. 30/2004 about notary public's position.