

# Privat Law Journal **AUTHENTICA**

**Dian Nita Nur Janah**

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**Ayu Zihan Nabillah**

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**MASTER OF NOTARY PROGRAM  
UNIVERSITAS JENDERAL SOEDIRMAN**

**AUTHENTICA**

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## **PREFACE**

### **The Development Landscape of Notarial Law**

In this era of rapid technological advancement and global interconnectedness, the field of notarial law is undergoing significant transformations. As we navigate through these changes, it is imperative to reflect on the current state of notarial law and its trajectory into the future. Notarial law, traditionally rooted in providing authenticity to documents and transactions, is now at a crossroads with the digital revolution. The shift towards electronic notarization and digital documentation poses both opportunities and challenges. While these advancements offer efficiency and accessibility, they also raise concerns about security, privacy, and the preservation of the fundamental principles of notarial practice. Globally, we observe diverse approaches to integrating technology in notarial functions. Some jurisdictions are embracing these changes more rapidly, setting precedents and frameworks that may serve as models for others. Meanwhile, other regions remain cautious, upholding traditional practices and grappling with the legal and ethical implications of digital transformation.

Another significant aspect of the current landscape is the increasing emphasis on the notary's role in preventing fraud and ensuring legal compliance. In an age where financial and identity frauds are becoming sophisticated, the responsibility of notaries in verifying identities and intentions in transactions has never been more critical. Furthermore, the internationalization of transactions and mobility of individuals and assets have heightened the need for harmonization in notarial practices. This necessitates a dialogue among nations and legal scholars to develop cohesive frameworks that can accommodate cross-border transactions while respecting the sovereignty and legal traditions of each jurisdiction. Additionally, the evolving landscape of family and property law, areas heavily reliant on notarial services, requires notaries to continuously update their knowledge and adapt to new legal realities. This involves understanding complex familial structures, property rights, and inheritance laws that are in constant flux.

It is with great pleasure that I introduce the latest edition of our journal, dedicated to advancing the discourse in the field of notarial law. This edition, comprising seven insightful articles, serves as a testament to the dynamic and evolving nature of notarial practice and its

legal implications. The seven articles in this issue collectively address a spectrum of challenges and innovations shaping the contemporary practice of notarial law.

This issue provide exploration into the legalization of cyber notary-based notary deeds as authentic deeds. The article delves into the critical issue of how cyber notaries can adapt to provide fast, precise, and efficient services while grappling with the challenges of ensuring the authenticity of cyber-based notary deeds. The study reveals a significant gap in the legal framework, indicating that such deeds do not currently possess the same level of proof as traditional authentic deeds due to non-compliance with the requirements of Article 1868 of the Civil Code. The articles in this issue highlight the pressing need for legal reforms to address the challenges posed by digital transformation in notarial practices. They call for the harmonization of regulations related to cyber notaries to ensure legal certainty and resolve ambiguities concerning the authority and responsibilities of notaries in the digital realm. Furthermore, our contributors offer a comparative analysis of notarial practices in different jurisdictions, underscoring the diverse legal landscapes and the impact of varying legal traditions on the practice of notarial law. This comparative approach is vital in understanding the global implications of digitalization in notarial practices.

As we navigate through these changes, the journal remains committed to fostering a platform for critical discourse and scholarly debate on these emerging issues. We aim to bridge the gap between traditional practices and the new frontiers of digital notarization, advocating for legal reforms and technological advancements that uphold the integrity and trust inherent in notarial practices. In conclusion, this edition not only reflects the current state of notarial law but also propels the discourse forward, encouraging legal scholars, practitioners, and policymakers to collaboratively explore solutions for the challenges and opportunities presented by the digital era.

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Editor in Chief

Ulil Afwa