



The Application of Administrative Sanctions by Notaries Against Deeds Drafted Using Artificial Intelligence

Dwi Rahman Suhada¹, Rafan Darodjat²

¹Faculty of Law, Universitas Airlangga, Indonesia

²Faculty of Law, Universitas Padjadjaran, Indonesia

Corresponding E-mail: dwi.rahman.suhada-2024@fh.unair.ac.id

Abstract

The development of *Artificial Intelligence* (AI) has facilitated various professional activities, including the preparation and drafting of deeds by Notaries. The use of AI in notarial practice may increase efficiency; however, it also raises legal issues concerning the limits of AI utilization, the validity of deeds, and the liability of Notaries when errors or violations occur in deeds prepared with AI assistance. This is because the Notary Position Law does not specifically regulate the use of AI in the performance of notarial duties or the administrative consequences arising from its use. This study aims to analyze the application of administrative sanctions against Notaries in relation to deeds prepared through AI and to formulate the limits of Notaries' liability in utilizing AI. This study employs normative legal research using statutory and conceptual approaches. Legal materials are analyzed prescriptively to formulate a legal construction concerning the use of AI in deed preparation and the application of administrative sanctions against Notaries. The results demonstrate that AI may be utilized as a supporting instrument in notarial work but cannot replace the authority, professional judgment, and responsibility of a Notary as a public official. Notaries remain responsible for verifying the identity and intentions of the appearers, the substance of the deed, the procedures for its execution, and compliance with applicable laws and regulations. The novelty of this research lies in constructing AI as a supporting instrument in the performance of notarial duties while directly relating its use to parameters of professional violations and the application of administrative sanctions. Therefore, more specific regulation is required concerning the use of AI in notarial practice, including verification standards, Notaries' supervisory obligations, and parameters of violations that may constitute grounds for administrative sanctions, in order to ensure legal certainty and protection for the parties.

Keywords: *Artificial Intelligence*, Notary, Authentic Deed, Administrative Sanctions, Notary Liability.

INTRODUCTION

The development of digital technology has brought changes to the way various professional jobs are carried out, including in the legal and notary fields. One of the technologies that is increasingly being used is Artificial Intelligence (AI), a technology that allows computer systems to perform certain functions that previously required human abilities, such as processing information, generating text, performing analysis, and assisting in document preparation.¹ In notary practice, AI can be used to help

¹ Muh. Ali Masnun et al., "Legal Reform of Legal Profession Amidst the Development of Artificial Intelligence in Indonesia: The Perspective of Mesu Budi's Philosophy of Law," *Novum: Jurnal Hukum* 12, no. 2 (2025): 277-287.

draft deeds, check wording, process data, search for legal references, and carry out other administrative tasks.² That use provides an opportunity to improve the efficiency of notaries, but at the same time raises issues about the limits of AI usage in drafting deeds and who should be responsible if the AI's results contain legal or factual errors.

Normatively, a notary is a public official who has the authority to create authentic deeds about actions, agreements, and stipulations requested by the parties or required by law.³ That authority shows that creating a deed isn't just an administrative task to produce a written document, but rather the exercise of official authority that has legal consequences for the involved parties. Therefore, using technology in the deed creation process doesn't get rid of the Notary's responsibility as a public official.

Law Number 30 of 2004 on Notary Positions, as amended by Law Number 2 of 2014 (hereinafter referred to as UUJN), has not specifically regulated the use of AI in carrying out the duties of a notary. UUJN regulates the authority of notaries in Article 15 and the obligations of notaries in Article 16, including the duty to act faithfully, honestly, fairly, independently, impartially, and to protect the interests of the parties. Notaries are also required to read the deed in front of the appearing parties with witnesses present and to sign the deed at the same time as the parties and witnesses.⁴ Violating certain obligations in Article 16 can lead to administrative consequences, ranging from a written warning to dismissal with dishonor.

Morals and law are two concepts that are connected when it comes to guiding human behavior, even though they have different characteristics and mechanisms. Law deals with rights and obligations that are protected and enforced by the authority of the state, while morals serve as a guide for evaluating human behavior based on what is considered right and wrong in relation to duties and moral responsibilities.⁵ Not following a moral standard doesn't automatically lead to legal accountability. However, in professions that come with legal obligations and ethical standards, the moral and legal dimensions can interact to shape standards of professional behavior.⁶

When AI is used not just as an administrative tool, but to actually create the substance or structure of documents that Notaries then use without proper checks and

² Rahmatillah, Arif. "Peran Teknologi Digital dalam Meningkatkan Efektivitas Kerja Profesi Hukum di Indonesia." *Jurnal Penegakan Hukum Indonesia* 7, No.1 (2026): 46-60.

³ Wibowo, Wahyu Satya, Johni Najwan, and Firdaus Abu Bakar. "Integritas Notaris Sebagai Pejabat Pembuat Akta Autentik dalam Undang-Undang Jabatan Notaris." *Recital Review* 4, No.2 (2022): 323-352.

⁴ Merlyani, Dwi, 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.

⁵ Dicky Eko Prasetyo Adam Ilyas Felix Ferdin Bakker, "Membangun Moralitas Dan Hukum Sebagai Integrative Mechanism Di Masyarakat Dalam Perspektif Hukum Progresif," *Mimbar Keadilan* 14, no. 2 (2021): 128-138.

⁶ Muklis Al'anam, "Moralitas Hukum Dalam Pemikiran Lon Fuller, H.L.A. Hart, Dan Hans Kelsen", *Jurnal Ilmiah Penelitian* 5, No.1 (2025): 146-157

verification. AI mistakes can include identity mismatches, errors in applying legal rules, mistakes in the substance of agreements, or discrepancies between the document content and the intentions of the parties involved.⁷ In such a situation, the legal issue isn't just about whether AI can be used in drafting deeds, but about whether using AI without the scrutiny and supervision of a Notary could be considered a breach of official duties, which could lead to administrative sanctions.

The need to discuss this issue is becoming more relevant because the nature of authentic deeds places the Notary as the party carrying out legal functions that cannot be fully transferred to technology. An authentic deed gains its standing based on meeting the requirements set by law, whereas AI is essentially a technological tool that does not have the authority of a public official. So, using AI doesn't automatically shift legal responsibility from the Notary to the AI system. The Notary still needs to check the results produced by AI before using them in performing their duties.

Based on previous research, the legal gap in this study lies in the absence of clearly formulated normative parameters that specifically link the use of AI in the creation of deeds with violations of a Notary's official duties and the types of administrative sanctions that can be applied. The UUJN does indeed regulate the duties and sanctions for Notaries, but it has not explicitly determined how the use of AI fits into the construction of such violations. Therefore, an analysis is needed on whether mistakes arising from AI outputs can form the basis of a Notary's administrative liability and under what circumstances such errors can be categorized as violations of the duty to act diligently, safeguard the interests of the parties, and comply with the formal requirements of deed creation.

The novelty of this research lies in the analysis that connects the use of AI in drafting deeds with the mechanisms for applying administrative sanctions to Notaries. This study does not just treat AI as a matter of technology or the validity of deeds, but examines the use of AI from the perspective of official legal duties, especially the relationship between the oversight and verification obligations of Notaries and the administrative consequences if those obligations are not fulfilled. Therefore, this research is expected to provide a framework on the limits of AI use while still positioning Notaries as subjects who hold authority and responsibility in their role.

Based on the description above, this study aims to analyze the application of administrative sanctions on Notaries for deeds created through AI and to determine the parameters of notarial administrative accountability in using AI during the deed-making process. This research is expected to provide theoretical contributions to the development of notarial law and practical contributions for Notaries, the Notary Supervisory Council, as well as regulators in formulating rules regarding the use of AI in notarial practice.

⁷ Rahman, Ahmad Reysa Fateya, et al. "Batasan Penggunaan Artificial Intelligence (AI) dalam Pembuatan Akta Notaris di Indonesia." *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 4, No.2 (2026): 1604-1624.

RESEARCH METHOD

This study is a normative legal research (doctrinal legal research). The problem approach used includes a statute approach to analyze the norms in the UUJN and the ITE Law, as well as a conceptual approach to examine the concepts of notary authority, due diligence obligations, and administrative sanctions.⁸ Primary legal materials consist of the UUJN, the Civil Code, and related laws and regulations. Secondary legal materials include law books, academic journals, and published research results. Legal materials are collected through library research and analyzed using a descriptive-qualitative method with deductive reasoning.⁹

ANALYSIS AND DISCUSSION

A. The Role of Artificial Intelligence in the Formation of Notarial Deeds

The development of AI has brought changes to the way humans generate, process, and use information. In the legal field, AI can be used to search for regulations, identify document patterns, draft clause designs, perform editorial checks, translate documents, and even help analyze legal documents.¹⁰ In the notary context, that capability can be used to assist a Notary in the preparation and drafting of deeds. Using that technology is basically part of the evolution of professional practice, which is closely tied to the demand for efficiency and digital transformation. However, using AI in creating deeds is different from using technology in regular administrative tasks because a Notary deed is a product of official authority that carries legal consequences for the parties involved.

Authentic deeds have a special status in the civil law proof system. Article 1868 of the Civil Code states that an authentic deed is a deed made in the form prescribed by law by or before a public official authorized to do so at the place where the deed is made.¹¹ So, the authenticity of a deed isn't just about the document's format or the technology used to create it, but depends on meeting the legal requirements regarding the official who makes it, the deed's format, the official's authority, and the procedure for making it. In the context of Notaries, these rules are further explained in the UUJN, which gives Notaries the authority to create authentic deeds concerning actions, agreements, and determinations required by law or requested by the parties.

⁸ Nuraisyah, Euis, et al. "Analisis Yuridis Sanksi Bagi Notaris Akibat Kesalahan Penomoran Atau Format Akta: Kelalaian Formal Hingga Akibat Hukum." *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 4, No.2 (2026): 1701-1718.

⁹ Maalikatussofa Masnun, Muh. Ali, Prasetyo, Dicky Eko, "Reconstruction of the Normative Legal Research Paradigm in Responding to Global Challenges: An Epistemological Analysis," *Novum: Jurnal Hukum* 12, no. 3 (2025): 372-384.

¹⁰ Kurniawijaya, Aditya, Alya Yudityastri, and Ayuta Puspa Citra Zuama. "Pendayagunaan artificial intelligence dalam perancangan kontrak serta dampaknya bagi sektor hukum di Indonesia." *Khatulistiwa Law Review* 2, No.1 (2021): 260-279.

¹¹ Rika, Rika, Ichsan Anwary, and Rahmida Erliyani. "Kecermatan Notaris Dalam Pembuatan Akta Dan Akibat Hukumnya." *Lambung Mangkurat Law Journal* 2, No.2 (2017): 153-170.

This character shows that AI cannot be positioned as a deed maker in the legal sense. AI does not have the status of a public official, does not have attribution authority under the UUJN, cannot accept the intentions of clients in the capacity of an official, and cannot bear the responsibilities of the position like a Notary. AI is just a technological tool that can be used by Notaries within certain limits.¹² Thus, the term 'AI-generated deed' should be correctly understood as a deed whose drafting or preparation process uses the help of AI, not a deed that is legally created by AI.

The distinction is important because the process of creating a Notary deed involves several stages that cannot be entirely handed over to technology. In the early stages, AI can be used to help process information provided by the Notary, find the document structure, or draft clauses. However, the result is still working material that must be checked and adjusted to the wishes of the parties involved, the actual facts, the laws and regulations, and the applicable legal principles.¹³ The next stage involves clarifying the intentions of the parties, assessing legal capacity, checking identities, explaining legal consequences, reading, and signing the deed, which are all still part of the Notary's duties.

Problems arise when AI is no longer just used as an administrative tool, but its output is directly used as the substance of a deed without proper checks. In this situation, the issue isn't really with the AI technology itself, but with the actions or negligence of the Notary in using that technology. Mistakes made by AI can't automatically be blamed on the AI since it's not a legal entity with official duties. Responsibility has to be considered based on the actions of the Notary as the user of the technology.

This aligns with the construction of Article 16 paragraph (1) letter a of the Notary Law, which requires Notaries to act honestly, diligently, independently, impartially, and to safeguard the interests of parties involved in legal acts. The word "diligently" carries significant meaning in the context of AI use. The presence of technology does not reduce a Notary's standard of care. On the contrary, when a Notary uses a system that can produce errors, the obligation to perform checks becomes even more important. A Notary cannot excuse mistakes in a deed by claiming that the AI system provided incorrect information if the Notary had the opportunity and duty to review the results before including them in the deed. Therefore, the use of AI in notary practice must be guided by the principle of human oversight. This principle means that technological outcomes must remain under the control, review, and decision-making of humans who have legal authority. In the context of notaries, human oversight is not just a technical policy but a consequence of the nature of the notary position. Notaries

¹² Muhammad Baihaqi Hakim, *et. al. Op. Cit.*

¹³ Riyanti, Meita Debi. "Notaris sebagai Penerima Tanggung Jawab atas Draft Akta yang Dihasilkan oleh Kecerdasan Buatan (AI)." *Notaire* 8, No.3 (2025): 431.

must be able to explain the legal basis and facts behind a clause in a deed and ensure that the content of the deed truly reflects the intentions of the parties involved.¹⁴

It can be outlined that there are three levels of AI usage in creating deeds. First, AI is used for administrative and supportive tasks, like drafting initial formats, checking language, or searching for information. Using AI at this level basically doesn't conflict with the duties of a notary as long as it stays under the notary's supervision. Second, AI is used to generate the substance or legal clauses, which are then reviewed, verified, and corrected by the notary. This use can still be considered a tool, but it requires a higher level of caution. Third, AI is used to produce the substance of the deed and the results are accepted without verification, or even replace the notary's legal judgment. At this third level, there's a risk of violating duty obligations because the notary is no longer performing the review and judgment functions that are inherent to their authority.

B. Verification Duties and Notary Duty Violation Parameters in Using Artificial Intelligence

The obligation of verification is the central point for determining a Notary's responsibility for deeds created with AI assistance. AI works based on the data, patterns, instructions, and computational models available in the system.¹⁵ AI doesn't have legal capacity in the sense of being able to hold office authority, determine the will of the parties, or be responsible for the legal consequences of a document. Therefore, the results provided by AI should always be seen as a technological output that needs human validation.

In the UUJN, a Notary's obligation to act diligently is a normative basis relevant to that verification duty. The duty to act diligently requires the Notary to actively check the information that underlies the deed.¹⁶ If a Notary gets a clause draft from AI, the Notary has to check whether the clause complies with laws and regulations. If the AI generates identities, object data, or descriptions of certain facts, the Notary needs to verify the source and accuracy of that data. If the AI produces a clause that doesn't match what the client wants, the Notary has to fix it before the deed is made.

These verification obligations can be divided into verification of subjective, objective, formal, and material aspects. Subjective verification relates to the identity and competence of the parties. A notary must make sure that the person appearing is indeed the concerned party and has the authority to carry out the legal act. AI cannot replace a notary's judgment regarding someone's identity and legal capacity because

¹⁴ Suriangka, Andi, Amalia Hamzah, and Muhd Alif Fathan. "Integrasi Teknologi Ai Dalam Prosedur Pembuatan Akta Otentik: Tantangan Dan Peluang Dalam Sistem Hukum Indonesia." *Collegium Studiosum Journal* 9, No.1 (2026): 27-34.

¹⁵ Negara, Edi Surya. "Pengantar AI Modern: Dari Konsep Dasar, Machine Learning, Hingga Chatbots." (2026). <http://repository.binadarma.ac.id/id/eprint/9996>

¹⁶ Yapferonica, Yapferonica, and Benny Djaja. "Liability of a Notary for Factual Errors in Authentic Deeds: Tanggung Jawab Notaris atas Cacat Faktual dalam Akta Autentik." *Academia Open* 11, No.1 (2026): 10-21070.

AI only processes the data given to it. Objective verification relates to the object and substance of the legal act. The notary must ensure that the object stated in the deed truly matches the facts and supporting documents.¹⁷

Formal verification is about making sure the procedures for creating a deed are followed. The UUJN sets requirements regarding the presence of the parties involved, witnesses, reading the deed, and signing it. Article 16 paragraph (1) letter m requires the Notary to read the deed in front of the parties involved with at least two witnesses present, or four witnesses for handwritten wills, and to have it signed at that moment by the parties, witnesses, and Notary. This provision shows that using AI in the drafting stage doesn't get rid of the formal procedures required by the UUJN. Article 16 paragraph (9) even stipulates that if certain conditions regarding the reading of the deed are not met, the deed concerned only has evidentiary power as a private deed, with the exception of testamentary deeds. Thus, the use of AI that causes a Notary to overlook formal procedures can have consequences for the evidentiary power of the deed, aside from the possibility of official liability.

Verification of the material relates to whether the contents of the deed match the intentions of the parties involved and legal provisions. At this stage, a Notary cannot just ensure that the document looks correct in wording. The Notary must understand the legal act expressed in the deed. If AI provides a clause that looks perfect in wording but is against the law or does not reflect the parties' intentions, the Notary is still obliged to reject or correct it. So, the principle of professional judgment still lies with the Notary.¹⁸

The verification obligation also relates to the confidentiality of a Notary's position. Article 16 paragraph (1) letter e of the UUJN requires Notaries to keep everything about the deeds they create and all information obtained for the preparation of the deeds confidential, according to their oath or promise of office, unless the law states otherwise.¹⁹ Using third-party AI services can create additional issues if the parties' data or the content of documents is entered into an external system. Therefore, before using AI, notaries need to pay attention to system security, how data is processed, data storage, and the potential access by others to the information entered. These risks show that the principle of caution when using AI has two sides. First, caution regarding the output, which means making sure that the information or text generated by AI is legally and factually correct. Second, caution regarding the input, which means en-

¹⁷ Ivan Christian Wijaya et. al. *Op. Cit.*

¹⁸ Kusumo, Muhammad Daffa Manggala Budhi, and Diana Tantri Cahyaningsih. "Efektivitas Majelis Pengawas Daerah Notaris dalam Pengawasan Prinsip Kehati-hatian (Studi Kasus Putusan Nomor 68/PDT. G/2022/PN SKT): Effectiveness of the Regional Notary Supervisory Board in Supervision the Principles of Precaution (Case Study of Decision Number 68/PDT. G/2022/PN SKT)." *Journal of Policy* 16, No.2 (2025): 72-80.

¹⁹ Regina Natalie Theixar, and Ni Ketut Supasti Dharmawan. "Tanggung Jawab Notaris Dalam Menjaga Keamanan Digitalisasi Akta." *Acta Comitas: Jurnal Hukum Kenotariatan* 6, No.1, (2021): 1-15.

sure that the data given to the AI system does not violate confidentiality obligations or create risks to the interests of the parties involved.

The lack of explicit regulations about AI in the UUJN doesn't mean that every use of AI can't be monitored or won't have administrative consequences. The administrative law system operates based on obligations already set out by legislation. If a new technology is used in carrying out duties, an official's behavior can still be assessed based on existing obligations. In other words, the absence of AI regulations doesn't mean there's no legal framework for a Notary's behavior.²⁰

Article 16 paragraph (11) of the UUJN states that a Notary who violates the provisions of Article 16 paragraph (1) letters a through l can face sanctions such as a written warning, temporary suspension, honorable dismissal, or dishonorable dismissal.²¹ Those rules are an important basis for linking the use of AI with administrative sanctions. However, using AI isn't listed as a separate type of violation. So, applying sanctions should be based on the obligations of Notaries that are breached, not just on the fact that AI was used.

This results in the first parameter, which is the use of AI within the scope of carrying out official duties. Using AI for personal work that isn't related to official duties can't automatically be a basis for sanctions under the UUJN. On the other hand, if AI is used to draft or produce the substance of a deed that is then used in carrying out official duties, then that use falls within the scope that can be assessed based on a Notary's obligations. The second parameter is the existence of official duties as the benchmark. The use of AI must be linked to specific provisions in the UUJN. For example, if a Notary accepts AI output without checking its accuracy, causing the deed to contain errors that could have been discovered with reasonable checking, then that action can be analyzed in relation to the duty to act diligently under Article 16 paragraph (1) letter a.

The third parameter is the presence of actions or negligence by the Notary. Mistakes that come purely from AI are not enough to impose sanctions on the Notary. There has to be a connection between the mistake and the Notary's actions or negligence. For example, if AI produces a clause that conflicts with legal provisions, but the Notary doesn't check it and directly includes it in the deed. In such a case, the basis of liability is not because AI created a wrong clause, but because the Notary failed to carry out their duty to review. The fourth parameter is the link between the violation and the exercise of the Notary's authority. If the mistake occurs in a document that is not part of their official duties, the connection to administrative sanctions under the Notary Law must be analyzed differently. On the other hand, if the error is in a deed made by the Notary while carrying out their authority, the connection becomes clear.

²⁰ Oemar Moechthar, *Hukum Kenotariatan: Teknik Pembuatan Akta Notaris Dan PPAT*. (Jakarta: Prenada Media, 2024)

²¹ Chaterine Felicia Sihite. "Akibat Hukum Bagi Notaris Yang Dijatuhi Sanksi Administratif Oleh Majelis Pengawas Notaris." *Jurnal Notarius* 2, No.1 (2023): 54-64.

The fifth parameter is the level of violation and its legal consequences. Administrative sanctions shouldn't be imposed automatically without considering the type and severity of the violation. The sanction system in Article 16 paragraph (11) provides several forms of sanctions with varying levels of consequences. Therefore, its implementation must take into account the nature of the breached obligation, the impact on the parties, the degree of fault, repeated violations, as well as the effect on the authenticity or evidentiary strength of the deed. With these parameters, we can distinguish between AI use that doesn't cause a violation, AI use that has the potential to cause a violation, and AI use that can serve as a basis for administrative liability.

The use of AI can form the basis for administrative accountability if a Notary hands over legal assessment functions to AI, uses AI results without verification, ignores mistakes that could have been noticed, or uses technology in a way that violates their official duties. So, the key factor isn't the "AI" itself, but the breach of official duties that happens through or because of using AI. This aligns with the principle that administrative sanctions must have a normative basis. Since the UUJN (Notary Law) doesn't explicitly mention AI yet, a sanction can't be imposed just because a "Notary uses AI." The basis for a sanction has to be derived from the official duties already set out by the UUJN. This also sets a limit so that technological developments don't lead to overly broad interpretations of supervisory authority.²²

Administrative sanctions in the position of a Notary function to ensure that the execution of the role runs according to legal provisions. Sanctions are not merely an instrument of punishment but are also part of the oversight mechanism for public officials.²³ In the context of AI, this function becomes important because the technology can create new work patterns that are not fully anticipated by the UUJN. The UUJN provides four types of administrative sanctions in Article 16 paragraph (11), which are a written warning, temporary suspension, honorable dismissal, and dishonorable dismissal. These four types of sanctions cannot be seen as automatic consequences for every mistake made by a Notary. Their application must be linked to the type of obligation that was violated and the applicable examination mechanism.

In the context of using AI, a written warning can be relevant for violations related to a lack of caution in using AI but haven't caused serious consequences. For example, a Notary uses AI to draft clause drafts without properly doing verification procedures, but the mistake is discovered before the deed is signed and doesn't cause legal consequences for the parties. In such cases, oversight and guidance can be aimed at ensuring that the Notary improves work procedures. However, if such negligence happens repeatedly or results in more serious violations, a heavier form of sanction can be considered according to UUJN provisions. When determining the type of sanction, it's

²² Suriangka, Andi, Amalia Hamzah, and Muhd Alif Fathan. Op. Cit.

²³ Latifa, Shintia, and Syofirman Syofyan. "Penegakan Hukum Terhadap Notaris Yang Melanggar Undang-Undang Jabatan Notaris (Studi Kasus Dikota Padang)." *Unes Journal of Swara Justisia* 9, No.1 (2025): 93-106.

important to see whether there is any loss, whether the mistake affects the substance of the deed, whether formal procedures were violated, and whether the Notary consciously ignored the duty of examination.

Temporary suspension has more serious consequences because it directly limits the execution of the position for a certain period of time. Its implementation must go through an inspection mechanism that gives the Notary a chance to explain the use of AI and the verification procedures carried out. It cannot be justified if temporary suspension is given just based on the assumption that AI was used without proving a violation of duty. Likewise, honorable or dishonorable dismissal cannot automatically be a consequence of mistakes related to AI. The heaviest sanctions require a stronger legal basis and process and must comply with the applicable provisions regarding the dismissal of a Notary. Therefore, the level of sophistication or novelty of technology is not a measure of the severity of the sanction. The measure should be linked to legal violations and the consequences that result.

The supervision mechanism for Notaries also needs to be placed within the framework of the Supervisory Council. Ministry of Law and Human Rights Regulation Number 16 of 2021 stipulates that the Supervisory Council is a body that has the authority and duty to carry out guidance and supervision of Notaries. This regulation also recognizes the Examination Council as a team authorized to conduct inspections and impose sanctions, which is established by the Supervisory Council. This shows that the application of sanctions is not done unilaterally based on technology assessment, but through an institutional supervision mechanism.²⁴

The process inspection pattern needs to be carried out because two notaries can use AI in different ways. The first notary uses AI to create an initial draft, then conducts a comprehensive legal review. The second notary copies the AI output without any review. Factually, both are using AI, but legally, their actions are different. If using AI itself is considered a violation, then this difference in behavior becomes irrelevant. On the other hand, if the focus is on job duties, the difference can be assessed objectively. Therefore, it can be concluded that the implementation of administrative sanctions should use a technology-neutral but duty-based approach. This means the law doesn't need to consider AI technology a violation just because it's new, but rather assesses whether its use causes a notary to breach their given duties. The approach gives room for technological innovation while keeping professional job standards.²⁵

One important issue that needs to be distinguished is the relationship between AI errors and the validity of a deed. Not every mistake in using AI automatically makes a

²⁴ Aulia, Nida, Nurikah Nurikah, and Ahmad Rayhan Ahmad Rayhan. "Prosedur Pengawasan oleh Majelis Pengawas Daerah terhadap Pelanggaran Administratif Berdasarkan Undang-Undang Jabatan Notaris di Kabupaten Serang." *Journal of Legal, Political, and Humanistic Inquiry* 1, No.4 (2026): 416-424.

²⁵ Biswas, Birupaksha, and Suhena Sarkar. "Responsible agentic artificial intelligence governance: Risk, safety, and ethical challenges in autonomous systems." *International Journal of Applied Resilience and Sustainability* 2, No.2 (2026): 142-167.

deed lose its authenticity. The validity or evidential power of a deed must be analyzed based on the legal provisions that regulate the requirements for creating a deed. Article 1868 of the Civil Code places the form, public officials, and the officials' authority as important elements of an authentic deed. The UUJN then sets out various formal requirements in making a deed.²⁶

It's important to distinguish between mistakes made during the draft stage and mistakes that make it into an official deed. Errors in the draft stage can basically still be corrected. In that situation, there's no reason to punish AI for making a mistake if the Notary has already done a verification before the deed is finalized. On the other hand, if an AI error ends up in a signed deed because the Notary didn't check, the legal issue becomes more serious. The deed needs to be analyzed based on the type of mistake. If the error concerns formal procedures set by the UUJN, it can affect the evidentiary power of the deed. For example, Article 16 paragraph (9) states that the consequence could be that the deed only has the power of evidence as a private document if certain requirements about reading the deed aren't met. However, the consequences for the deed are not the same as administrative sanctions for the Notary. They are two different legal consequences. The validity or evidentiary strength of a deed relates to the position of the document in legal relationships and proof, while administrative sanctions are related to violations of a Notary's official duties. One action can lead to both if it meets the requirements for each.

C. The Construction of Applying Administrative Sanctions to Notaries for the Use of Artificial Intelligence

Based on the analysis of the UUJN, the concept of authentic deeds, the obligations of Notaries, and the characteristics of AI, the implementation of administrative sanctions can be constructed through several stages. The first stage is to determine the function of AI in the deed-making process. AI used to assist administrative tasks has different legal risks compared to AI that produces legal substance. The greater the role of AI in determining the content of the deed, the greater the need for Notary supervision and verification. The second stage is to determine the form of Notary control over AI output. The Notary must be able to show that AI results are not accepted automatically. Examination can be done by matching AI output with source documents, laws and regulations, and statements from the parties involved. If there are differences, the Notary must correct them.

The third stage is determining the type of breach of duty. The use of AI can be linked to Article 16 paragraph (1) letter a if a Notary does not act diligently or does not protect the interests of the parties involved. The use of AI can also relate to the duty to keep information confidential if the parties' data is entered into a system that does not

²⁶ Permana, Satya Adi. "Tanggung Jawab Notaris Atas Akta Salinan Yang Dibuak Tanpa Minuta Akta." *JATISWARA: Jurnal Ilmu Hukum* 32, No.2 (2017): 246-263

guarantee confidentiality. Thus, a single use of AI can involve more than one duty depending on the factual circumstances. The fourth stage is determining the consequences of the violation. If the violation only occurs at a procedural level and does not cause serious consequences, lighter administrative sanctions may be relevant. If the violation causes harm, is repeated, or involves serious breaches of duty, the level of sanctions may vary according to legal provisions. This determination must be made proportionally. The fifth step is to make sure the inspection procedures and the Notary's rights are secured. The Notary must get a chance to explain the use of AI. During the inspection, the Notary can explain the purpose of using AI, the data sources, the verification process, changes made to the AI output, and the reasons for using the technology. This is important so that administrative decisions are not just based on assumptions.

The use of Artificial Intelligence in notary practices should be seen as a tool to help support the process of creating deeds. AI's role in making deeds can include drafting, processing information, checking document structures, and giving input on certain aspects of the deed. However, the use of AI remains under the control and responsibility of the Notary. Therefore, every result provided by AI must go through a review and verification process by the Notary, taking into account the facts, the will of the parties, and the applicable legal provisions.²⁷

With the arrival of AI, supervision needs to pay attention to the digital processes used by Notaries without changing the principle that responsibility still lies with the Notary. The Supervisory Board can use several indicators to assess the use of AI. The first indicator is transparency in the use of technology. Notaries need to have internal policies regarding the types of work that AI can assist with and the types of work that must be done directly by the Notary. The second indicator is verification. Every AI output used in a deed must be checked by the Notary. The third indicator is data security and confidentiality. The fourth indicator is process documentation, especially when AI is used to generate significant clauses or content.²⁸

Documentation is needed when an inspection occurs; a Notary must be able to show that they are not just accepting AI output. This documentation does not mean that every thought process of the Notary has to be shared with others, but there must be enough evidence that the inspection procedures have been carried out. For example, a Notary can have an internal work procedure that requires every AI-generated draft to be checked against source documents and legal provisions before being used. From a supervisory perspective, this policy can serve as a form of preventive compliance. The Notary does not wait for mistakes to happen to make corrections, but builds

²⁷ Dewi Tjandraningsih, *Peran Notaris di Era Digital*. (Tangerang Selatan: Berkah Aksara Cipta Karya, 2026.)

²⁸ Podungge, Harjun, Andi Inar Sahabat, and Gito Alan Ali. "Efektivitas Pelaksanaan Penyampaian Pelaporan Notaris Berbasis Digital dalam Mendukung Majelis Pengawas Daerah di Provinsi Gorontalo." *Sinar Dunia: Jurnal Riset Sosial Humaniora dan Ilmu Pendidikan* 5, No.2 (2026): 413-425.

internal mechanisms to prevent errors. This aligns with the supervisory nature of the Oversight Council, which according to Permenkumham No. 16 of 2021 includes both preventive and corrective activities.²⁹ A preventive approach is needed because AI errors can happen without any bad intentions. AI can produce incorrect, incomplete, or irrelevant information without giving users adequate warnings. Therefore, supervision systems that only focus on mistakes after a document is created are not enough. Standards for using technology should be established from the beginning. Professional organizations also play a role in shaping ethical standards for AI use. A code of ethics can be developed to provide guidelines on data confidentiality, the use of third-party AI platforms, verifying AI results, prohibiting the complete delegation of legal judgment to AI, and the obligation to maintain professional independence. These regulations shouldn't stifle innovation but should provide clear boundaries between using technology as a tool and handing over job functions entirely to technology.

A professional error is the failure of a Notary to conduct checks or take actions that should be done after obtaining that output. Administrative sanctions should be directed at professional errors, not merely at the presence of technological errors. For example, if AI produces a clause that's incorrect regarding certain regulations, and the Notary reviews the clause, notices the mistake, and then corrects it before the deed is signed, there's no solid reason to impose a sanction just because the AI made an error. In another example, the AI produces a faulty clause and the Notary includes it in the deed without checking. If the mistake is related to the Notary's duties and causes legal consequences, there is a stronger basis to consider it as an abuse of office.

The third example is when a Notary inputs the personal data of a client into a third-party AI platform without considering confidentiality and security obligations. In this situation, the legal issue is no longer just about the accuracy of AI results, but also about the Notary's duty to maintain professional secrecy. This shows that using AI can create a new type of risk that must be addressed within the existing obligations defined by the Law on Notary Position. The fourth example is when a Notary uses AI to carry out the entire process of creating a deed, does not check in with the client, does not explain the contents of the deed, and just signs the document that the system has generated. In that situation, the use of AI has shifted from being a helpful tool to replacing the professional functions of a Notary. Such actions raise much more serious legal issues because they potentially conflict with the fundamental structure of the Notary's role. From those four examples, it's clear that the intensity of AI use is an important factor, but not the only one. The main factor remains whether the Notary is fulfilling their professional duties. Therefore, administrative sanctions shouldn't be based on how much AI is used, but rather on the relationship between AI use and the violation of duties.

²⁹ Basanti, Alifia Nur. "Peranan Majelis Pengawas Daerah dalam Penegakan Kode Etik Notaris di Kabupaten Bandung." *Pemuliaan Hukum* 8, No.2 (2025): 107-125.

At the regulatory level, there's a need for rules that specifically provide guidelines for using AI in notary practice. These rules could at least include: first, definitions and the scope of using AI as a tool to assist Notaries; second, a prohibition on transferring substantive authority to AI; third, the obligation to verify AI outputs; fourth, the obligation to maintain data confidentiality and security; fifth, the obligation to assess technology risks; sixth, mechanisms for documenting AI use; and seventh, the connection between violating AI usage standards and administrative sanctions based on the UUJN. These arrangements don't have to create an entirely new sanctions regime. A more harmonious alternative is to link AI usage standard violations with existing obligations in the UUJN. This way, the law remains adaptive without having to treat every technological innovation as a new kind of offense. If later there are violations that can't be accommodated under the UUJN, regulators can consider explicitly changing or adding norms.

This setup also gives certainty to Notaries. Without clear guidelines, Notaries could face two opposite risks. The first risk is overusing AI because there's no explicit ban. The second risk is Notaries avoiding AI altogether for fear that using the technology could be considered a violation. Neither situation is ideal. The law should allow room for using technology while still maintaining professional responsibility. So, creating AI regulations in the notary field should focus on the function of the technology, not just its existence. AI used as an administrative tool under human supervision carries a different risk than AI used to replace a Notary's legal judgment. Regulations and oversight need to be able to tell the difference between these two cases.

AI as a tool to assist in the performance of a Notary's duties creates a responsibility for the Notary to supervise and verify every result produced by AI. The results of using AI must be checked and adjusted according to the actual facts, the intentions of the parties, and the applicable legal provisions. This checking aims to determine whether there are any violations in carrying out the Notary's duties. If a violation is found, it is necessary to identify the type of obligation or provision that has been breached by the Notary. Next, an assessment is made of the Notary's level of fault and the legal consequences resulting from the violation. The results of this assessment become the basis for the examination process by the Notary Supervisory Board. If a violation is proven based on the examination, administrative sanctions can be applied, taking into account the level of fault and the consequences of the violation proportionally in accordance with the provisions of the UUJN.

This model sets a boundary that AI technology cannot be used as a direct basis for sanctions, but it also can't be an excuse for Notaries to shirk their responsibilities. Notaries remain the ones responsible for carrying out their official duties, while AI only serves as a support tool that must be managed properly. Ultimately, AI development shouldn't be seen as a threat to the existence of the Notary position, but as a technological advancement that requires adapting professional standards. Authentic deeds still need a public officer with legal authority and responsibility. AI can speed up work,

but it can't replace legal judgment, checking the intentions of the parties, and accountability in the role. Therefore, the more a Notary relies on AI, the more important human verification and supervision mechanisms become.

The main need in dealing with AI use in notary practice isn't banning the technology, but rather creating clear usage standards. These standards should ensure that technological efficiency doesn't compromise the principles of diligence, independence, confidentiality, legal certainty, and the personal responsibility of Notaries. In the long run, regulators need to consider special rules regarding AI in notary law to provide clarity on the limits of technology use, verification obligations, data security standards, and the relationship between AI misuse and administrative sanctions. Until such specific regulations are available, the application of sanctions must still rely on existing UUJN provisions by assessing the Notary's concrete actions and negligence based on their official duties.

CONCLUSION

AI in the creation of deeds only serves as a supporting tool and cannot act as a legal creator of deeds, because AI is not a public official and does not have the authority or responsibility of the position. The authenticity of a deed is still determined by meeting the requirements of Article 1868 of the Civil Code and the procedures of the UUJN, so a deed that uses AI is not automatically invalid as long as the Notary applies the principle of human oversight. The duty of verification is the central point of a Notary's responsibility when using AI, based on the obligation to act diligently and maintain confidentiality under Article 16 paragraph (1) of the UUJN. Even though the UUJN does not yet regulate AI, administrative sanctions under Article 16 paragraph (11) can still be imposed, but they must be based on violations of official duties through a technology-neutral but duty-based approach, rather than on the mere use of AI. The legal consequences for the deed also need to be distinguished from administrative sanctions against the Notary.

The implementation of administrative sanctions is structured through determining the function of AI, the Notary's control over AI outputs, the type of violation, the consequences of the violation, and inspections by the Supervisory Council. Sanctions are aimed at professional mistakes by Notaries, not technological errors, and are imposed proportionally based on the principles of accountability, caution, proportionality, and legal certainty. Regulators are advised to formulate specific rules regarding the use of AI in notarial work, which include usage limits, verification standards, supervision and documentation duties, as well as violation parameters that can serve as the basis for administrative sanctions. The Supervisory Council and professional organizations need to develop inspection guidelines and ethical codes for AI use, while Notaries need to ensure that every AI output is verified before being used in deeds.

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