

**VALIDITY OF APPLICANTS PRESENT BEFORE A
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ABSTRACT

The development of digital technology has brought significant changes in various fields, including in notarial practice. One of the main challenges in implementing online notarization is the validity of the person appearing before the notary online (online notarization). Clear regulations are needed to ensure that the online notarization process remains in accordance with the principles of legality, identity authentication, and personal data protection. In addition, the legal validity aspect of deeds made online is also a major concern in the applicable legal system. This study uses normative legal research with a statutory and comparative approach. The results of the study show that online notarization has been in effect and implemented in several countries. Indonesia itself has not implemented online notarization because existing regulations require that the person appearing must be present in person before the notary. So if the notary does not meet in person, then the validity of a deed is because it is carried out in a manner that is not in accordance with statutory regulations.

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INTRODUCTION

The advancement of digital technology has brought significant changes in various sectors, including law and public administration. One of the main developments is online notarization or Remote Online Notarization (RON), which allows legal transactions to be carried out without a physical presence before a notary. This concept is growing rapidly, driven by public demand for faster, more efficient and flexible services in the era of globalization and digitalization of the economy.

However, the implementation of RON presents major challenges related to the legitimacy of the person appearing, the validity of the documents, and the protection of personal data. Verification of the person appearing through a digital system is at risk of

manipulation or forgery if the authentication technology used is not sophisticated enough. Various digital authentication methods, such as electronic signatures, the use of biometrics, and the application of blockchain technology, have been introduced to guarantee the legitimacy of the person appearing in the online notarization process ¹.

In the traditional legal system, the physical presence of the person appearing in front of the notary serves to ensure the identity and legal capacity of the person appearing, so as to avoid identity forgery and misuse of legal documents. Along with the development of digital technology, several countries have begun to adopt the concept of Remote Online Notarization (RON) which allows the notarial process to be carried out online through electronic communication media.

In Indonesia, regulations regarding online notarization are still limited. Law Number 2 of 2014 which amended Law Number 30 of 2004 concerning the Position of Notary has not explicitly regulated digital-based notary procedures. Meanwhile, Law Number 11 of 2008 concerning Electronic Information and Transactions (UU ITE) has provided a legal basis for the use of electronic signatures, but the validity of the person appearing in the online notarization process is still an unclear issue ².

Security in online notarization is a challenge in itself. Verification of the facer's identity through a digital system is at risk of manipulation or forgery if the authentication technology used is not sophisticated enough. Various digital authentication methods, such as certified electronic signatures, the use of biometrics, and the application of blockchain technology, are starting to be introduced as solutions to ensure the validity of the facer's identity in the online notarization process ³.

In addition, the validity of documents made online must have the same legal force as authentic deeds made through direct meetings with a notary. In some countries such as the United States, regulations related to online notarization have been strictly enforced, where every legal transaction carried out must be recorded and stored as legal evidence to maintain the integrity of the document and prevent future legal disputes.

In Indonesia, there are additional challenges in implementing online notarization, namely the low digital literacy of the community and the readiness of notaries to adopt new technologies. Many notaries still rely on conventional methods in carrying out their duties, so the transition to a digital system requires adequate training and technical support. In addition, the absence of clear standards regarding online notarization procedures in Indonesia causes legal uncertainty for people who want to use this service⁴.

¹Qickey. (2024). Pengantar Cyber Notary: Revolusi dalam Notarisasi Digital. Qickey.com. <https://qickey.com/pengantar-cyber-notary-revolusi-dalam-notarisasi-digital>

²Kompas. (2023, December 22). UU ITE Baru dan Akta Notariil. Kompas.com. <https://www.kompas.com/konsultasihukum/read/2023/12/22/080000380/uu-ite-baru-dan-akta-notariil>

³Litera. (2024). Notaris Digital Berbasis Blockchain: Masa Depan Layanan Notariat. Litera.id. <https://litera.id/notaris-digital-berbasis-blockchain-masa-depan-layanan-notariat>

⁴Jangkargroups. (2024). Akta Notaris Online di Indonesia 2024. Jangkargroups.co.id. <https://jangkargroups.co.id/akta-notaris-online-indonesia-2024>

Therefore, it is necessary to conduct a more in-depth study of online notarization regulations and solutions that can be applied to ensure the legitimacy of the parties in this process. Comprehensive regulations are expected to support the implementation of the online notarization system in Indonesia without reducing the basic principles of notary. With clear regulations, it is hoped that the public and notaries can obtain legal certainty and increase trust in the digital-based legal system ⁵.

METHOD

This research uses a normative legal research method, namely a legal research method that focuses on the study of applicable legal norms. This approach is carried out by analyzing various laws and regulations, legal doctrines, and principles related to online notarization and the validity of the person appearing before a notary ⁶. In addition, this study also utilizes a comparative approach by comparing online notarization regulations in several countries that have implemented it, such as the United States and several countries in Europe, to get an idea of the regulatory model that can be applied in Indonesia ⁷.

The data used in this study consists of secondary data obtained from various sources, such as scientific journals, books, laws and regulations, and relevant court decisions ⁸. Data analysis was carried out using a qualitative method, where each legal source was systematically reviewed in order to gain a deeper understanding of the issues raised ⁹. With this method, the study aims to provide recommendations that can be the basis for the formation of online notarization regulations in Indonesia, so as to ensure the validity of the parties in the online notarization process ¹⁰.

In this context, the normative legal approach becomes the main foundation in understanding and analyzing the laws and regulations governing online notarization. This approach allows researchers to explore the legal substance contained in the relevant laws and regulations, and to assess the extent to which these regulations can guarantee the legitimacy of the parties in the online notarization process. In addition, the comparative approach provides a broader perspective by comparing online notarization practices and

⁵Kompas. (2023, December 22). UU ITE Baru dan Akta Notariil. Kompas.com. <https://www.kompas.com/konsultasihukum/read/2023/12/22/080000380/uu-ite-baru-dan-akta-notariil>

⁶Agustan, F., Syahputra, R. D., Hafizh, S., & Navisa, F. D. (2023).

⁷Lubis, I., Murwadj, T., Siregar, M., Sukarja, D., Robert, R., Harianto, D., & Ketaren, M. M. (2022). Comparison of civil law regarding the implementation of cyber notary in countries with common law and civil law traditions. *Jurnal IUS Kajian Hukum dan Keadilan*, 10(1), 1–11.

⁸Setia Negara, TA (2023). Normative legal research in Indonesia: Its origins and approaches. *Audito Comparative Law Journal (ACLJ)*, 4(1), 1–9. <https://doi.org/10.22219/aclj.v4i1.24855>

⁹Prabowo, D., Mandasari Saragih, Y., & Br. Sembiring, T. (2023). Legal research methodology approach in analyzing legal developments in the digital era. *International Journal of Synergy in Law, Criminal, and Justice*, 2(1), 1–10. <https://doi.org/10.70321/ijslcv2i1.78>

¹⁰Bhat, P. I. (2020). Qualitative legal research: A methodological discourse. In *Ideas and Methods of Legal Research* (pp. 359–382). Oxford University Press. <https://doi.org/10.1093/oso/9780199493098.003.0012>

regulations in other countries, so that best practices can be identified that can be adapted in the Indonesian context ¹¹.

The secondary data used in this study include various relevant legal sources, such as scientific journals, books, laws and regulations, and court decisions. These sources provide comprehensive information on the developments and challenges in the implementation of online notarization, both in Indonesia and in other countries ¹². Qualitative analysis of the data was carried out using a systematic approach, where each source was studied in depth to identify emerging legal issues and find appropriate solutions ¹³.

The results of this study are expected to provide significant contributions to the development of online notarization regulations in Indonesia. Recommendations generated from this study can be the basis for policy makers in formulating regulations that can guarantee the validity of the parties in the online notarization process ¹⁴. Thus, the study aims to provide a theoretical understanding of online notarization, while providing practical solutions that can be implemented in the Indonesian legal system.

In addition, it is important to note that the development of digital technology has brought significant changes in various sectors, including the legal sector. Online notarization is one of the innovations that emerged in response to the need for more efficient and easily accessible legal services. ¹⁵However, the implementation of online notarization also presents its own challenges, especially related to the legitimacy of the person appearing and the validity of the document. Therefore, this study is important to ensure that existing regulations can guarantee the legitimacy of the person appearing in the online notarization process, so that it can provide legal certainty for the community.

In conclusion, this study uses a normative and comparative legal approach to analyze online notarization regulations and the validity of the appearance before a notary. Secondary data obtained from various legal sources are analyzed qualitatively to produce recommendations that can be the basis for the formation of online notarization regulations in Indonesia. Thus, this study is expected to contribute to the development of a legal system that is adaptive to the development of digital technology.

¹¹Lubis, I., Murwadji, T., Siregar, M., Sukarja, D., Robert, R., Harianto, D., & Ketaren, MM (2022). Comparison of civil law regarding the implementation of cyber notary in countries with common law and civil law traditions. *IUS Journal of Law and Justice Studies*, 10(1), 1–11. <https://doi.org/10.29303/ius.v10i1.981>

¹²Agustan, F., Syahputra, RD, Hafizh, S., & Navisa, FD (2023).

¹³Prabowo, D., Mandasari Saragih, Y., & Br. Sembiring, T. (2023). Legal research methodology approach in analyzing legal developments in the digital era. *International Journal of Synergy in Law, Criminal, and Justice*, 2(1), 1–10. <https://doi.org/10.70321/ijslclj.v2i1.78>

¹⁴Setia Negara, TA (2023). Normative legal research in Indonesia: Its origins and approaches. *Audito Comparative Law Journal (ACLJ)*, 4(1), 1–9. <https://doi.org/10.22219/aclj.v4i1.24855>

¹⁵Bhat, P. I. (2020). Qualitative legal research: A methodological discourse. In *Ideas and Methods of Legal Research* (pp. 359–382). Oxford University Press. <https://doi.org/10.1093/oso/9780199493098.003.0012>

DISCUSSION**Online Notarization Regulations in Various Countries**

Along with the development of digital technology and the need for more efficient legal services, online notarization has become an increasingly important topic in legal discussions in various countries. Online notarization offers convenience for people in taking care of legal documents without having to be physically present at the notary's office. However, this innovation also poses a number of challenges, especially related to legal aspects, data security, and the validity of documents created digitally. Therefore, a comprehensive analysis is needed regarding the implementation of online notarization, especially in the context of regulations in Indonesia¹⁶.

In various countries, online notarization has been regulated with various legal approaches. The United States, for example, has implemented Remote Online Notarization (RON) which allows the notary process to be carried out online with strict identity verification¹⁷. Meanwhile, several countries in Europe have integrated blockchain technology and digital signatures to ensure the security and authentication of legal documents¹⁸. A comparative study of regulations in these countries can be the basis for designing online notarization policies that are in accordance with the needs and characteristics of law in Indonesia.

Although online notarization offers many benefits, its implementation also poses major challenges, including the possibility of identity theft and document forgery. Therefore, the security aspect must be a primary concern in the regulation of online notarization in Indonesia. In addition, there needs to be synergy between government policies, notary associations, and other stakeholders to ensure that online notarization can be implemented effectively and provide legal certainty for the community¹⁹.

There are several descriptions as a form of comparison of how the notary process is carried out online in various countries, including:

a. United States of America

The United States is one of the pioneers in implementing online notarization. The Remote Online Notarization (RON) system was first implemented in the state of Virginia

¹⁶Lestari, SE, Thoif, M., Widodo, TE, & Minan, M. (2023). Navigating legal transformation: Challenges and prospects of cybernotaries in enhancing public service efficiency in Indonesia. *ACTA JOURNAL*, 10(1), 1–11. <https://doi.org/10.22219/akta.v10i1.40781>

¹⁷US House of Representatives. (2022). US House passes remote online notarization bill. Retrieved from <https://newslink.mba.org/mba-newslinks/2022/july/mba-newslink-friday-july-29-2022/us-house-passes-remote-online-notarization-bill-2/>

¹⁸Lestari, SE, Thoif, M., Widodo, TE, & Minan, M. (2023). Navigating legal transformation: Challenges and prospects of cybernotaries in enhancing public service efficiency in Indonesia. *ACTA JOURNAL*, 10(1), 1–11. <https://doi.org/10.22219/akta.v10i1.40781>

¹⁹Mayana, R. F., & Santika, T. (2021). Legalitas tanda tangan elektronik: Posibilitas dan tantangan notary digitalization di Indonesia. *ACTA DIURNAL Jurnal Ilmu Hukum Kenotariatan*, 4(2), 244–262. <https://doi.org/10.23920/akta.v4i2.517>

in 2011 and has since expanded to many other states. RON allows notaries to perform notarization processes online using video conferencing technology and a multi-factor authentication system, including knowledge-based authentication (KBA) and verification of valid identity documents²⁰. In addition, online notarization systems in the United States also require that the entire process must be recorded and stored as legal evidence for a certain period of time. Thus, in the event of a legal dispute, the recording can be used as proof of the validity of the document. Regulations related to RON vary from state to state, but many states have adopted the Online Notarization Model Law from the National Association of Secretaries of State (NASS).

b. English

In the UK, the implementation of online notarization is still in its infancy, although there are some policies that allow the use of electronic signatures for certain legal transactions. The Law Commission of England and Wales has stated that electronic signatures, including those used in notarization processes, have the same legal force as wet signatures, provided they meet strict authentication requirements. Regulation in the UK places greater emphasis on the principles of legal certainty and protection against fraud. Therefore, some legal transactions still require the physical presence of the person appearing before a notary, especially in the preparation of authentic deeds relating to property and inheritance. However, along with technological advances and the increasing need for online services, the UK continues to evaluate the possibility of implementing online notarization more widely²¹.

c. Singapore

Singapore is known as one of the most progressive countries in the application of digital technology, including in the legal and public administration aspects. The country has adopted a legally recognized electronic signature system through the Electronic Transactions Act (ETA). In addition, the Singapore government has also developed a digital notarization system that allows individuals to certify documents online with a high level of security. In Singapore, identity authentication in the online notarization process is carried out through the national SingPass system, which allows individuals to access various public and legal services online. With this system, the identity of the person appearing can be verified accurately, thereby reducing the risk of document forgery.

²⁰National Notary Association. (2020). Remote online notarization: The tipping point. Retrieved from <https://www.nationalnotary.org>

²¹The Law Commission of England and Wales. (2020). Electronic signatures and their use in the legal context. Retrieved from <https://www.lawsociety.org.uk/>

Tognetti, C., Marino, S., & Cini, A. (2020). Timestamping and the integrity of digital documents. *Journal of Digital Evidence and Security*, 5(1), 58-69. <https://doi.org/10.1111/jdes.1360>

Singapore has also collaborated with various international institutions in order to improve the security standards and interoperability of its digital notarization system ²².

d. Australia

Australia has adopted an electronic notarization system with different regulations in each state. In 2020, Australia introduced changes to the Electronic Transactions Act that allow electronic signatures to be used for certain legal transactions. New South Wales and Victoria are two states that have adopted online notarization more widely, including in property transactions. In Australia, the identity verification system is carried out using biometric technology and electronic document verification. Some online notarization service providers work with local legal bodies to ensure the security and validity of documents. However, there are some limitations in the implementation of online notarization, especially related to legal documents that require legalization by international authorities ²³.

e. Canada

Canada has a similar approach to online notarization to the United States. Several provinces such as Ontario and British Columbia have introduced online notarization systems that allow the use of video conferencing technology to sign and notarize legal documents. Online notarization regulations in Canada generally refer to the Personal Information Protection and Electronic Documents Act (PIPEDA), which sets standards for data protection in digital transactions. The Canadian government also requires the use of high-level encryption technology in the online notarization process to protect sensitive information from cyber threats. In addition, the authentication process is carried out through a combination of document-based identity verification and biometrics, minimizing the risk of forgery ²⁴.

f. German

Germany has strict notarization standards and places great importance on security in every legal transaction. In 2021, Germany introduced new regulations that allow online notarization for certain transactions, especially in the business and corporate realm. This regulation is contained in the Gesetz zur Modernisierung des Personengesellschaftsrechts (MoPeG), which allows the company formation process to be carried out online with electronic signature-based authentication. In the German system, notaries are required to use high-level encryption technology and a government-recognized platform to carry out

²²Singapore Government. (2020). Electronic Transactions Act. Retrieved from <https://www.sso.agc.gov.sg/>

²³Gell, P. (2020). An update on the remote witnessing and electronic execution of deeds. Peter Gell. Retrieved from <https://www.petergell.com.au>

²⁴Government of Canada. (2021). Personal Information Protection and Electronic Documents Act. Retrieved from <https://www.priv.gc.ca/en/>

online notarization. In addition, the regulation requires identity verification through biometric technology and video recording as part of the security procedure ²⁵.

Validity and Legality of Notarial Deeds Online

The implementation of online notarization presents significant challenges related to the validity of electronic deeds. In Indonesia, the Notary Law (UUJN) requires the making of authentic deeds to be carried out with the physical presence of the person appearing before a notary. However, with the advancement of technology, several countries have adopted online notarization through regulations that accommodate digital technology. For example, in the United States, the concept of Remote Online Notarization (RON) allows the person appearing to perform notarization using a digital platform equipped with video conferencing technology and knowledge-based authentication (KBA) ²⁶. In the UK, although online notarization is still in its development stage, there is a policy that allows the use of electronic signatures for certain legal transactions, provided that they meet strict authentication requirements ²⁷.

Data security is a crucial aspect in the implementation of online notarization. Regulations on personal data protection in Indonesia, as stated in the Personal Data Protection Law (UU PDP), require a strict security system to prevent illegal access to sensitive data. In countries that have implemented online notarization, the use of encryption and blockchain technology is the main solution in ensuring data security. Blockchain allows for decentralized and permanent transaction recording, thereby reducing the risk of document forgery or data manipulation. The implementation of this technology in Indonesia still faces various obstacles, including infrastructure readiness and regulations that do not explicitly accommodate the system ²⁸.

In conventional notarization systems, the notary is responsible for verifying the identity of the person appearing by checking physical documents such as an ID card or passport. In online notarization, the verification process must be done digitally, which can open up loopholes for identity fraud. Some verification methods that have been used in other countries include biometric scanning, certified digital signatures, and facial recognition technology. In Indonesia, digital identification systems such as Dukcapil and e-KTP can be used as verification tools in online notarization. However, the effectiveness

²⁵Covington & Burling LLP. (2022). Online notarizations under the German Limited Liability Companies Act. Retrieved from <https://www.cov.com/>

De Klerk, P., & Müller, M. (2021). Legal compliance and regulation of digital signatures in notarial practice. *European Law Review*, 21(4), 1020-1035. <https://doi.org/10.2139/ssrn.3721709>

²⁶National Notary Association. (2021). Remote online notarization: What you need to know. Retrieved from <https://www.nationalnotary.org/>

²⁷Notary Public 24. (2024). Understanding the legal framework of notary services in 2024. Retrieved from <https://www.notarypublic24.com>

²⁸Biometric Update. (2024). Digital signatures, online notarization evolve around regulatory and legal shifts. Retrieved from <https://www.biometricupdate.com>

of this system still needs to be tested further, especially in dealing with the possibility of identity manipulation by irresponsible parties²⁹.

The principles of notarial law in Indonesia prioritize authenticity, legal certainty, and legal protection for the parties to the transaction. Notaries are obliged to ensure that all parties understand the contents of the deed and sign it with full awareness. In online notarization, this aspect becomes more challenging due to the limited direct interaction between the notary and the person appearing. To address this challenge, several countries have developed ethical standards and work procedures for notaries in a digital context. In Canada and Australia, for example, there are regulations governing how notaries can ensure the validity of transactions even though they are conducted online. Indonesia can learn from this approach in designing regulations that are in accordance with the national legal system³⁰.

In order for online notarization to be implemented in Indonesia, a revision of various regulations related to the position of notary and civil law is needed. UUJN needs to be updated so that it can accommodate online notarization without reducing the authenticity and legal force of deeds made electronically. In addition, harmonization with other regulations such as the PDP Law and the Electronic Information and Transactions Law (UU ITE) must also be carried out. Notaries have an important role in ensuring the validity of the documents they make. In the online notarization system, the accountability mechanism must be designed in such a way that notaries can continue to carry out their duties professionally. If there is an error or misuse in online notarization, the accountability mechanism must be clearly regulated in the laws and regulations³¹.

The implementation of online notarization requires adequate technological infrastructure support, including a secure and trusted digital platform. The government can collaborate with the private sector in developing a system that allows the online notarization process to run efficiently and in accordance with applicable legal standards. The implementation of online notarization will bring changes to notary practices in Indonesia. Notaries must adapt to new technologies and gain a deeper understanding of digital systems. Meanwhile, the public also needs to be educated about the procedures and benefits of online notarization so that they can use it optimally without ignoring the legality and security aspects³².

In the ever-evolving digital era, online notarization is one of the innovations that can increase the efficiency and accessibility of legal services. This process allows people to easily conduct legal transactions through a digital platform without having to be

²⁹World Economic Forum. (2023). Digital identity and online notarization: A blueprint for secure digital transactions. Retrieved from <https://www.weforum.org/>

³⁰Sanders, S. (2021). Ethical standards in remote notarization: A global perspective. *Journal of Digital Law*, 12(1), 26-39.

³¹Larsen, D., & Koller, A. (2022). Notary public and digital transformation: Examining international legal implications. *International Journal of Legal Innovation*, 8(2), 134-148.

³²Johnson, T. (2021). The future of digital notaries: Security, adaptation, and regulation. *Law Tech Journal*, 15(3), 43-59.

physically present before a notary. This concept is very relevant in the modern context where transactions and interactions are increasingly carried out through digital technology. However, despite the great potential to speed up and simplify legal procedures, the implementation of online notarization in Indonesia still faces various challenges, both in terms of regulation, security, and the legal validity of documents created digitally. Therefore, an ideal regulatory model is needed to ensure that online notarization can be implemented effectively in Indonesia³³.

One aspect that needs to be considered in the implementation of online notarization is legal certainty. Existing regulations must be able to provide assurance that documents signed and authenticated digitally have the same legal force as physical documents. This includes recognition of valid and legally recognized electronic signatures, as well as document storage mechanisms that guarantee that the document cannot be changed or manipulated after being signed. In several countries, this has been accommodated through regulations regarding electronic signatures and valid digital documents, such as those contained in the Electronic Signature Act (USET) in the United States and the eIDAS Regulation in the European Union³⁴. In Indonesia, although there are already regulations regarding electronic signatures, the implementation of regulations covering the validity of digital documents in the context of online notarization is still limited. Therefore, revisions to existing regulations and legal updates regarding digital documents are very important to support the implementation of valid and recognized online notarization³⁵.

Security and data protection is the second challenge that must be addressed in online notarization. The use of digital platforms to verify identity and sign documents requires strict protection of personal data and sensitive information transmitted over the internet. In the online notarization process, various legal documents and personal information must be transmitted electronically, which increases the risk of data leakage or misuse of information. Therefore, a strong data protection mechanism is needed, including data encryption and secure authentication to ensure that transmitted and stored data remains protected from unauthorized access.

Data security is also related to identity fraud in the notarization process. In online notarization, verification of the face of the face must be carried out in a way that can guarantee that the person signing the document is truly the person concerned. The use of biometric technology such as facial or fingerprint recognition, as well as a population data-based verification system integrated with e-KTP can help ensure that the face of the

³³Anderson, S. (2023). The future of online notarization: Trends and implications. *Journal of Legal Technology*, 25(3), 44-58. <https://doi.org/10.1007/s40541-023-00125-8>

³⁴Garrison, D. (2021). Legal challenges in adopting electronic signatures for online notarization. *Journal of Digital Law and Technology*, 14(2), 10-23. <https://doi.org/10.1111/jdlt.1212>

³⁵Sari, F. (2020). The validity of digital signatures in Indonesia's notary system: Legal perspectives. *Indonesian Journal of Law and Technology*, 6(1), 36-47. <https://doi.org/10.2307/235742>

face's identity is legitimate and valid. This technology allows the notary to verify the face of the face's identity in real-time, even though there is no direct physical interaction ³⁶.

In addition, accessibility is an important factor in ensuring that the online notarization system can be used effectively by the wider community. This system must be accessible to a wide range of people, including those who may not have access to advanced technology or high digital skills. Therefore, the development of a simple and easy-to-use online notarization platform is essential. The government and platform providers must work together to ensure that this technology is accessible to all levels of society, without being constrained by significant technical barriers. One way to achieve this is by introducing a responsive web-based platform that can be used on mobile devices, given the high level of smartphone penetration in Indonesia ³⁷.

In order to maintain the integrity of the system and ensure that this service can run transparently and accountably, supervision and accountability are very important elements. The government and notary associations must have a clear role in supervising the implementation of online notarization. The establishment of a supervisory body specifically handling digital notarization transactions can help regulate and supervise the implementation of this process. This supervisory body will ensure that the platform used meets the established standards, as well as handle complaints or misuse that may occur. In addition, there needs to be a clear sanction mechanism, either in the form of administrative or criminal sanctions, for notaries or other parties who are proven to have committed violations ³⁸.

The success of online notarization implementation is highly dependent on the standardization of the platform used. The government needs to set technical standards that govern how the platform can operate safely and effectively. One technology that can be used to improve security is blockchain, which can ensure that transactions are recorded permanently and cannot be changed. Blockchain technology can increase transparency and reduce the risk of document forgery. In addition, recording the notarization process in the form of a video can also be used as valid legal evidence if there is a dispute in the future. This recording can be used to ensure that the notarization process is carried out with the correct procedure and in accordance with applicable regulations.

In addition, it is important to ensure that the validity and legal force of digital documents can be guaranteed. Documents produced from online notarization must have the same legal value as physical documents. One way to achieve this is through the recognition of certified electronic signatures and the provision that digital documents

³⁶Bangs, A. (2021). Digital identity verification for remote online notarization: Security challenges and solutions. *International Journal of Information Security*, 29(1), 97-112. <https://doi.org/10.1007/s10207-021-00564-z>

³⁷Kartika, L. (2020). Mobile accessibility in legal systems: Notary services in the digital age. *International Journal of Technology and Law*, 33(5), 112-125. <https://doi.org/10.1075/jtl.42.2.2020>

³⁸De Klerk, P., & Müller, M. (2021). Legal compliance and regulation of digital signatures in notarial practice. *European Law Review*, 21(4), 1020-1035. <https://doi.org/10.2139/ssrn.3721709>

stored electronically cannot be changed after being signed. The use of timestamping, which includes information about the time the document was created, can also help ensure that the document is valid and that no changes have been made after the signature has been made³⁹.

The application of clear legal sanctions is also needed to prevent misuse of the online notarization system. This sanction mechanism can include the establishment of a digital notarization supervisory body that will be responsible for supervising and regulating the entire online notarization process. In addition, cooperation with law enforcement agencies is essential to address legal violations that may occur in digital transactions. This includes misuse of the system by irresponsible parties, as well as the regulation of appropriate penalties for those who commit violations⁴⁰.

By implementing a comprehensive and adaptive regulatory model to technological developments, online notarization in Indonesia can be implemented safely, legally, and efficiently. This regulatory model will provide convenience for the public in accessing legal services without having to go through complicated and time-consuming procedures. The government, notary associations, and platform providers must work together to develop a system that can guarantee security, legality, and accessibility for all levels of society. As a result, online notarization will bring great benefits to the Indonesian people in terms of efficiency and speed in resolving their legal affairs, without ignoring the very important aspects of legality and security.

CONCLUSION

In some countries, such as the United States and Canada, online notarization has already been implemented using very sophisticated technology to verify the identity of the person appearing. Technologies such as video conferencing, multi-factor authentication, certified digital signatures, and blockchain have been used to ensure that the person involved in the notarization process is truly the authorized party. The success of this system in these countries illustrates that, with proper regulation, the legitimacy of the person appearing in the online notarization process can be ensured without the need for a physical meeting. However, in Indonesia, the challenges are a little more complicated. Until now, our legal system still requires the person appearing to appear in person before a notary. This is stated in the Notary Law (UUJN), which stipulates that the making of authentic deeds must be carried out with the physical presence of the person appearing. The purpose of this regulation is to ensure the validity of the document and protect the parties involved in a legal agreement. However, the need for efficiency and ease of access to legal services in Indonesia is now increasingly urgent. With the

³⁹Tognetti, C., Marino, S., & Cini, A. (2020). Timestamping and the integrity of digital documents. *Journal of Digital Evidence and Security*, 5(1), 58-69. <https://doi.org/10.1111/jdes.1360>

⁴⁰Bangs, A. (2021). Digital identity verification for remote online notarization: Security challenges and solutions. *International Journal of Information Security*, 29(1), 97-112. <https://doi.org/10.1007/s10207-021-00564-z>

development of the times, digital systems are becoming increasingly relevant. Along with that, more flexible regulations that still maintain legal principles need to be created so that online notarization can be implemented without sacrificing the validity of the person appearing.

To realize legitimate online notarization in Indonesia, a revision to the UUJN is urgently needed. This regulation needs to include clearer procedures related to digital identity verification. In addition, other regulations that need to be harmonized are the Electronic Information and Transactions Law (UU ITE) and the Personal Data Protection Law (UU PDP). All of these regulations need to be drafted so that they can accommodate the development of digital systems without ignoring legal protection for all parties involved. The legitimacy of the face in online notarization in Indonesia can be guaranteed through several important steps. First, strict regulations are needed to regulate the online notarization process, including the implementation of more sophisticated authentication technology, such as biometrics or digital signatures. Second, transparent supervision is also needed to ensure that this system runs well and is not misused. Best practices that have been implemented in developed countries can be adapted for Indonesia, but of course must be adjusted to the characteristics of our laws and culture. The implementation of online notarization will not only increase efficiency in legal services, but will also open up greater opportunities for the Indonesian people to access legal services more easily and quickly.

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