

SEMINAR  
NOTARIAL EDUCATION  
IN THE NETHERLANDS – INDONESIA

UNIVERSITEIT LEIDEN

APRIL 2015



Universiteit Leiden

Leiden, 6 February 2015

TO WHOM IT MAY CONCERN

We would like to invite the following staff of Padjadjaran University:

- Dr. Zainal Muttaqin, S.H., M.H.,
- Dr. Hernadi Affandi, S.H., M.H.,
- Dr. Sonny Dewi Judiasih, S.H., M.H.

to visit Leiden Law School on Friday 10 April 2015 for the purpose of a lecture/  
seminar about notarial education in the Netherlands

Please do not hesitate to contact us should you have any questions.

Sincerely yours,

Anette van Sandwijk



Universiteit  
Leiden

Head of the Office for International Education  
Leiden Law School  
Steenschuur 25  
2311 ES Leiden  
The Netherlands

## Legal education for notaries in Indonesia and The Netherlands

- 10.00 – 10.10** Opening by the dean of the faculty  
*Prof. Dr. R.A. Lawson*
- 10.10 – 10.30** "The Notarial Education System at the Unpad Faculty of Law"  
*Dr. Zainal Muttaqin, Dr. Hernadi Affandi and  
Dr. Sonny Dewi Judiasih*
- 10.30 – 10.50** "Legal education in The Netherlands in comparison with  
Indonesia"  
*Dr. A.W. Bedner*
- 10.50 – 11.00** Q & A
- 11.00 – 11.20** coffee break
- 11.20 – 11.40** "The Development of Notarial Practice in Indonesia"  
*Prof. Dr. Wiratni Ahmadi*
- 11.40 – 12.00** Q & A
- 12.00 – 13.00** lunch
- 13.00 – 13.20** "The organization of the notarial profession in The  
Netherlands"  
*Mrs. L. Minkjan* ✓
- 13.20 – 13.40** "The Indonesian Notarial Code of Ethics"  
*Dr. Nanda Lubis* ✓
- 13.40 – 14.00** "Notarial education in The Netherlands" ✓  
*Prof. Dr. W.G. Huijgen*
- 14.00 – 14.10** Q & A
- 14.10 – 14.15** closure of the day

## NOTARY EDUCATION IN INDONESIA: EXPERIENCE OF PADJADJARAN UNIVERSITY

Dr. Zainal Muttaqin, S.H., M.H.  
Dr Hernadi Affandi, S.H., LL.M.  
Dr. Hj. Sonny Dewi Judiasih, S.H., M.H., CN.

### A. Introduction

Historically, notary education in Indonesia has longstanding which began issuing *Reglement op het Notarisambt in Nederlands Indie* (Notary Regulation in Indonesia, NRI) Stb. 1860 No. 3. In Chapter II of the regulation set of requirements to be appointed as a notary and on the procedure of appointment. Article 13 verse (4) stated that one of the requirements to be appointed as a notary was "already passed the exam or exams ... or has reached a candidate notary degree at the Faculty of Law in Jakarta". Although the article did not explicitly regulate the educational requirements to become a notary, the article to be considered as the basis for prospective notary education at that time.

As a consequence of these provisions, there were two ways of education for prospective notaries, through independent study which ended by state-examinations or education through the Faculty of Law. Therefore, a notary candidate at the time it was not required to follow certain formal education but was released in mastering the material to be tested. For example, the notary candidates can attend courses held by experts or study by themselves. The most important thing was a candidate should be ready in time to take the exams are available for those who want to become a notary. Thus, to become a notary was not required special education requirements along concerned can follow and pass the exam held to it.

Since that time, especially for notary candidates who did not have the educational law background required pass the state exam organized by the Ministry of Justice of the Netherlands. At the beginning, a notary education merely in the course form geared to the needs in preparation for the examination organized by the Ministry of Justice of the Netherlands. In the course was taught and prepared the knowledge and skills needed in the work of notaries. Meanwhile, a test for prospective notary consists of three (3) or section level, among other exams the Civil Code and Civil Procedure, Law of Commerce, Law of Fiscal, including Stamp Duty Regulations, Auction Law and Customary Law.

After Indonesian independence, there was a development and progress in the fields of economics, trade, law, technology, and so on. The development and growth brought a consequence of education for notary candidates in the form of the course was no longer considered adequate. Therefore, the candidate notary education began to be given in the form of formal education in the higher education level, especially at the Faculty of Law, which opened the notary program. Since then, notary education became changing and developing in line with the needs of advancement of Indonesia.

This paper highlights the practical implementation of notary education in general as a requirement to become a notary associated with the legislation in force in higher education, including notary education. In addition, this paper will also look at the experience of Padjadjaran University as one of the higher education that provide education notary in Indonesia.