

JURIDICAL ANALYSIS OF THE POSITION OF NOTARY REGARDING CONCURRENT POSITIONS AS LECTURER IN HIGHER EDUCATION

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ABSTRACT

Universities are higher education institutions that organize various academic and professional programs, including notarial programs. In this context, the need for lecturers who possess practical competence as notaries becomes important. However, this gives rise to legal issues because notaries as public officials are prohibited from holding certain concurrent positions, including in business entities, thus creating a potential conflict of norms regarding their role as lecturers. This study employs a normative juridical method with statutory and conceptual approaches, examining primary legal materials such as the Law on Notary Positions, Law Number 14 of 2005 on Teachers and Lecturers, and Government Regulation Number 60 of 1999 on Higher Education, supported by secondary legal materials from literature and scientific journals. The results indicate that the concurrent holding of a notary position and a lectureship is essentially permissible as long as it does not violate prohibitions explicitly stipulated in laws and regulations, and is carried out in the capacity of an extraordinary or non-permanent lecturer. Thus, normatively, there is no absolute legal conflict; rather, a systematic interpretation is required to maintain the balance between the professionalism of the notary position and academic needs in universities.

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INTRODUCTION

Universities are educational institutions that organize learning processes at a higher level to produce knowledgeable and professional human resources. According to the Great Dictionary of the Indonesian Language (KBBI), universities, both public and private, are educational units that organize higher education to provide instruction and confer academic degrees. Universities consist of various forms, such as academies, institutes, colleges, and universities, with educational levels ranging from diploma to doctoral programs. In their operation, higher education is divided into academic education and professional education in accordance with specific fields of knowledge (Arifin et al., 2021). To support this process, universities are obliged to provide infrastructure and

competent teaching staff, namely lecturers, as parties responsible for transforming, developing, and disseminating knowledge.

In practice, lecturers are required to hold a minimum academic qualification of a master's degree as well as professional competence in their field. At law faculties, particularly in notarial master's programs, the presence of lecturers with practical experience as notaries becomes very important because they are able to connect legal theory with real practice. Therefore, it is not uncommon for a notary to also serve as a lecturer. Nevertheless, this situation gives rise to legal issues because, based on Article 17 of Law Number 2 of 2014 on Notary Positions, notaries as public officials are prohibited from holding certain concurrent positions, including in business activities (Abdillah & Sahindra, 2022; Widyalestari & Hanim, 2017).

On the other hand, the need for teaching staff with practical experience in the field of notarial practice remains high in university settings. This creates tension between legal norms that restrict the holding of concurrent positions and the academic need for professional practitioners. Moreover, there is no clear and firm determination as to whether the profession of lecturer falls within the category of positions that notaries are prohibited from holding concurrently. This situation gives rise to legal uncertainty and differing interpretations among academics and practitioners alike.

Normatively, a notary is a public official who receives authority from the state to draw up authentic deeds and has the obligation to act objectively and impartially in carrying out their duties (Budiono, 2007). The status of a notary as both a public official and a professional gives rise to ethical and juridical consequences in the exercise of their profession (Girsang et al., 2024); (Putra & Wesna, 2024). On the other hand, lecturers as teaching staff also bear professional responsibilities in the fields of education, research, and community service.

The non-uniformity of legal interpretation regarding the permissibility of notaries concurrently holding positions as lecturers at universities. Kartadinata et al. (2023) and Wahyudi & Handoko (2023) state that such concurrent positions may be permitted as long as they do not violate certain provisions, such as not having civil servant status or not disrupting the independence of the notary position while on the other hand there are also views holding that such concurrent positions potentially violate the Law on Notary Positions or the professional code of ethics because they may give rise to conflicts of interest and reduce the professionalism of the notary (Haisyah & Hisbullah, 2024); furthermore, most prior studies have focused more on the concurrent holding of notary positions alongside other professions, such as advocates, state officials, or leaders of business entities, so that studies specifically addressing the position of lecturer as part of the tridharma of higher education remain relatively limited (Sugiarti, 2019), particularly given that the regulations in the Law on Notary Positions still leave normative gaps and multiple interpretations regarding the limits of concurrent positions in the academic context, ultimately giving rise to legal uncertainty (Lestari et al., 2025), compounded by the dominance of normative juridical approaches in previous studies that have not extensively examined the empirical aspects of the practice of notaries concurrently holding lecturer positions, including the implementation of supervision by the Notary Supervisory Council and its impact on the quality of legal services to the community (Apriza, 2018), so that more comprehensive research is needed that integrates normative, ethical, and empirical aspects in order to provide clarity regarding the legal standing of notaries who concurrently hold lecturer positions and to formulate a more certain and applicable regulatory model.

Based on the foregoing, there exists a research gap in the form of the absence of normative and ethical clarity regarding the permissibility of concurrent positions between notaries and lecturers, particularly in the context of higher education in the field of law. Therefore, the problem formulations in this study are: (1) whether notaries are permitted to concurrently hold positions as lecturers at universities based on applicable legal provisions, and (2) how such practice is viewed from the perspective of the notarial code of ethics. This study aims to analyze the legal basis and ethical aspects related to such concurrent positions, so as to provide clarity and contribute to the development of notarial law and higher education.

METHODS

The research method used in this article is the doctrinal or normative juridical legal research method, which is research focused on examining legal norms through library studies in order to find and analyze legal rules relevant to

the problems under study (Ibrahim, 2006; Soekanto & Sri Mamuji, 2007). This study aims to provide a comprehensive understanding of the clarity of the legal basis and ethical aspects related to concurrent lecturer positions, and is therefore conducted systematically, logically, and methodologically in accordance with the principles of scientific research (Narbuko & Achmadi, 2003).

The approaches used include the statutory approach and the conceptual approach. The statutory approach is carried out by examining various regulations relating to notary positions, lecturers, and foundations, such as Law Number 02 of 2014 on Notary Positions, Law Number 12 of 2012 on Higher Education, Law Number 14 of 2005 on Teachers and Lecturers, and Law Number 16 of 2001 in conjunction with Law Number 28 of 2004 on Foundations. Meanwhile, the conceptual approach is used to understand abstract legal concepts related to concurrent positions, so as to provide a basis for interpreting the issues under study (Sunggono, 2003; Soekanto, 2006; Marzuki, 2005).

In analyzing the normative conflicts that arise, this study operationally employs several legal reasoning techniques. First, grammatical interpretation is used to understand the textual meaning of the provisions of laws and regulations. Second, systematic interpretation is carried out by examining the interrelationships between provisions within a complete legal system. Third, teleological interpretation is used to trace the purpose for which the legal norm was formed. In addition, a norm harmonization method is also employed to resolve conflicts between regulations, both horizontally and vertically, so as to arrive at a legal construction that is consistent and non-contradictory.

The sources of legal materials in this study consist of three types, namely primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations and official legal documents, among others: Law Number 30 of 2004 in conjunction with Law Number 02 of 2014 on Notary Positions, Law Number 12 of 2012 on Higher Education, Law Number 14 of 2005 on Teachers and Lecturers, Government Regulation Number 37 of 2009 on Lecturers, Presidential Regulation Number 62 of 2021 on the Ministry of Education, Culture, Research, and Technology, Regulation of the Minister of Education, Culture, Research, and Technology Number 44 of 2024 on the Profession, Career, and Income of Lecturers, and other related regulations, including Decision Number 135/PUU-XXI/2023 and regulations of the Indonesian Notary Association. Secondary legal materials consist of scientific literature, books, journals, and opinions of relevant legal experts as explanatory materials for the primary legal materials (Ali, 2021). Tertiary legal materials consist of legal dictionaries and other reference sources that support the understanding of legal terms and concepts.

The technique for collecting legal materials is carried out through library research by examining various laws and regulations, books, journals, and other written sources relevant to the object of study, particularly those relating to the positions of lecturer and notary. In addition, document study is also conducted by collecting data from non-regulatory sources such as mass media articles, reports, and credible internet sources to enrich the analysis (Soekanto, 2005). All legal materials obtained are then analyzed qualitatively through a process of description, interpretation, and systematization in a descriptive-analytical form in order to produce conclusions that are clear, logical, and unambiguous (Ishaq, 2017).

RESULTS AND DISCUSSION

Review of Concurrent Positions of Notary as Lecturer According to Law

The General Official Who Creates Authentic Deeds is defined by the *Burgerlijk Wetboek* and supported by the Law on Notary Positions, where in those articles, what is meant by the general official notary is an extension of the Government of the Republic of Indonesia, whereby a person is appointed or delegated to handle part of the duties that cannot be handled directly by the state, and in this case, in the field of civil law (Dewi & Diradja, 2011). This general official who creates deeds has the authority to create deeds that have a perfect evidentiary basis in a court proceeding, as determined by Indonesia's positive law regulations (Saragih & Djaja, 2023; Susanto et al., 2023). In carrying out their duties, a notary naturally has rights and obligations, responsibilities, and certain prohibitions, and one of these prohibitions is the prohibition against holding concurrent positions or having more than one position, as has been formulated in the law.

The determination of dual employment prohibited for notaries is regulated in Article 17 of the UUNJ, where such a general official notary is not permitted to become a civil state apparatus, a state official, a lawyer, a leader or

employee in a business entity, to serve as a PPAT (Land Deed Official) outside their jurisdictional area, to serve as a substitute notary, to have a job that runs contrary to prevailing social norms, or to hold a position that has a negative effect on the honor of the notary position. If a notary defies this and holds another job as listed above, they may receive sanctions according to the severity of the violation; such sanctions vary, ranging from verbal or written warnings, temporary suspension from their position, to permanent and dishonorable dismissal. The law has regulated how concurrent positions are to be treated.

The Indonesian Notary Association (INI) constitutes a collection of moral guidelines that apply without exception to all members of the notary profession, including substitute notaries, acting notaries, and special substitute notaries, who are also obligated to comply with the formulations of the INI known as the code of ethics (Nurjanah, 2023; Sinaga, 2020; Wiratmodja & Romlan, 2022). A notary has a character obligation, whereby this obligation requires the notary to possess qualities such as high morality, good character, upholding, respecting, and maintaining the honor of the notary position, including complying with obligations and avoiding the prohibitions that have been determined by the regulations and the notary code of ethics.

The regulation concerning the performance of notarial duties is found in Articles 1 and 15 of the Law on Notary Positions, and it has been explained that the general official notary has a duty to formulate the interests of the parties who meet with them in the form of a special deed that has the power of perfect proof, known as an authentic deed (Hendra, 2013). The law also explains the additional duties of a notary, where a notary has an additional duty to provide services to the public in the form of advice, explanations, or counseling in the field of law regarding matters such as statutory provisions, or analysis of cases experienced by citizens or the notary themselves, of course taking into account the factor of client identity confidentiality. The role of the general official notary in this additional duty can be carried out in various places, both inside and outside the notary's office.

An educational institution is one of the places where a notary can provide legal counseling; the educational institution referred to is a Higher Education Institution or University. A notary can provide their legal counseling through teaching and learning activities in the classrooms of the faculty of law, the postgraduate program in law, and particularly in the notary master's program as a teaching lecturer. In these teaching and learning activities, a notary provides education where such education is expected to change the character, mindset, and nature possessed by the individual or group in a teaching and learning activity (Anshori, 2009).

This activity gives rise to positive values for a notary who becomes a lecturer or teacher in a Higher Education Institution or university if carried out with trustworthiness, impartiality, thoroughness, and independence. The notary provides information or knowledge to people who have an interest in the field of law (particularly civil law), and knowledge and experience are exchanged between the respective parties (the lecturer and their students). In its activities, a Higher Education Institution or University recruits capable, experienced teachers with knowledge in the relevant field, and this has the goal of developing education in a unified direction and improving the existing quality of education. In relation to notaries, the notary position is a specific or particular position in civil law, so it can be of assistance in the field of civil law, and the practical experience of a notary is also very helpful, particularly in the notary master's program.

Based on Permendikbud Number 84 of 2013 and Permenristekdikti Number 91 of 2017, lecturers can be classified into several types, namely:

Permanent Lecturer

A Permanent Lecturer is a lecturer who works full-time at a Higher Education Institution as an administrative unit and does not hold or serve as a permanent employee in another administrative unit. The Ministry of Education has also stated that a permanent lecturer is a lecturer who works full-time at a Higher Education Institution and fulfills a workload of 12 or more credit semester units (SKS) and holds an academic position at that Higher Education Institution. Permanent lecturers can be further divided into several types, namely:

Civil servant (PNS/ASN) lecturers working at public universities

DPK Kopertis lecturers, who hold civil servant (PNS/ASN) status and are assigned to private universities

Permanent lecturers who do not hold civil servant (ASN) status

Permanent lecturers who do not hold civil servant (ASN) status and have a contract with a private university
Permanent lecturers who are foreign nationals (WNA) with an employment agreement (for a minimum of 2 years) and hold qualifications equivalent to a doctoral degree

Non-Permanent Lecturer

Non-permanent lecturers are a type of instructor at higher education institutions (whether civil servants or non-civil servants) appointed by the university (Regulation of the Minister of Research, Technology, and Higher Education Number 91 of 2017) for a specified period, working part-time within a system, with fewer than 12 credits (Regulation of the Minister of Education, Culture, Research, and Technology Number 44 of 2024).

Honorary Lecturers

Honorary lecturers teach at an academic institution, whether state-owned or not established by the government, and do not have an employment bond like permanent lecturers or part-time lecturers. They do not have a homebase, are not registered in PDDIKTI, and therefore can serve as lecturers at two or more higher education institutions. Examples of such Honorary Lecturers include:

Substitute Lecturer: This type of lecturer is mandated or appointed by parties with an interest to replace the position or role of a lecturer at a university for a certain period of time.

Guest Lecturer: This is an individual legal subject called upon specifically by a university with the intention of teaching a particular subject in certain fields and at certain times.

Extraordinary Lecturer: This type of lecturer is similar to a guest lecturer but differs in teaching duration, an extraordinary lecturer typically teaches for one semester. Extraordinary lecturers are also known as practitioner lecturers, as they generally come from non-lecturer backgrounds with more than 10 years of experience, which is then taught in subjects related to that work experience.

Notaries who have extensive experience or have long served as notaries and possess good practical skills can become lecturers in a higher education institution or university. However, this is also a matter of controversy because, in principle, a lecturer has what is called an NIDN (National Lecturer Registration Number), NIDK (Special Lecturer Registration Number), and NUP (Educator Sequential Number), which are products of the Ministry of Education, Culture, Research, and Technology in the form of a decree. This can potentially conflict with the notary's decree. Referring to Minister of Education and Culture Regulation Number 84 of 2013 and Minister of Research, Technology, and Higher Education Regulation Number 91 of 2017, notaries are advised to become part-time lecturers or honorary lecturers.

Non-civil servant permanent lecturers appointed by higher education institutions, part-time lecturers, or honorary lecturers also have an identification number, which is either an NIDK or NUP. This NIDK differs from the NIDN. The differences are illustrated in table 1:

Table 1. Comparison of NIDN, NIDK, and NUP Lecturer Identification Numbers

	NIDN	NIDK	NUP
Target	Intended for lecturers with permanent status at public or private higher education institutions	Intended for non-permanent higher education lecturers or lecturers who teach specifically under contract at a higher education institution, such as lecturers from professional or industrial practitioner backgrounds, whether at PTN, PTS, or PTAI	Educational staff, instructors, tutors, and lecturers who cannot or are unable to meet the requirements for other identification numbers
Source of Funding	Upon application, costs incurred are borne by the Government and charged to the State Budget (APBN)	Costs incurred are charged to the institution where they apply	Costs incurred are charged to the institution where they apply

Workload	Works full-time, in accordance with what has been stipulated by law	Adjusted to the agreement or content of the employment contract	Adjusted to the agreement or content of the employment contract
Issued by	Ministry of Education, Culture, Research, and Technology	Ministry of Education, Culture, Research, and Technology	Ministry of Education, Culture, Research, and Technology
Reason for issuing the number	It is required for registering lecturers (especially civil servants/ASN) by PDDIKTI	Required to record contract lecturers with the higher education institution	Required to record contract lecturers with the higher education institution

Source: Researcher processed data

NIDN is the National Lecturer Identification Number held by lecturers with CPNS, ASN, and/or PPPK (Government Employees under Work Agreements) status, issued by Kemendikbudristek, and is primarily aimed at permanent lecturers. NIDK is the Special Lecturer Identification Number, issued by Kemendikbudristek and aimed at ASN, CPNS, PPPK, or Non-ASN lecturers, and is primarily aimed at non-permanent lecturers. NUP is the Educator Sequential Number, where this sequential number is given to part-time or honorary lecturers. Upon being appointed as a notary, the notary will receive a Decree (SK) from the Ministry of Law and Human Rights. If a General Official Notary obtains a NIDN, they automatically also receive another SK stating that they have been appointed as a form of state official (ASN, PPPK), which contradicts the Notary SK.

Normatively, the difference between NIDN, NIDK, and NUP is not merely administrative in nature, but also relates to the employment status of lecturers. NIDN generally attaches to permanent lecturers who have strong institutional ties and potentially relates to the state employment structure, so that it may give rise to a conflict with the provisions of Article 17 letter c of the Law on Notary Positions. Conversely, NIDK and NUP function more as administrative identifiers for non-permanent or contract lecturers, and do not automatically confer the status of state employee. Therefore, from a legal standpoint, the use of NIDK and NUP is more consistent with the restrictions on concurrent positions for notaries.

When associated with the funding or income received by a notary-lecturer who holds a NIDN, it comes from the state's APBN budget, which contradicts the notary code of ethics. Meanwhile, for a lecturer who holds a NIDK/NUPN, the compensation received by the notary-lecturer comes from the Higher Education Institution itself. This is reinforced by the Constitutional Court's rejection of Lawsuit Number 135/PUU-XXI/2023 regarding the salaries of private university lecturers being paid through the APBN, on the basis of Law Number 20 of 2023 concerning State Civil Apparatus, specifically regulated in Article 21, which in essence states that salaries and allowances sourced from the APBN are only for lecturers who hold ASN positions.

One of the reasons why a person holding concurrent positions as a notary-lecturer should become a lecturer with a NIDK rather than a NIDN is the working hours, as both the notary and lecturer professions have working hours regulated by law. A NIDN lecturer has a workload of 12 SKS, or in the calculation of Kemendikbudristek, one SKS equals 50 minutes, meaning 12 SKS carries a workload of 600 minutes (on working days) per semester, which is feared to have a negative impact on the notary position. A lecturer with a NIDK has fewer working hours, namely fewer than 12 SKS or as stipulated in their employment contract with the Higher Education Institution.

The recommendation for notaries to serve as non-permanent lecturers or practitioner lecturers is not only grounded in practical considerations, but also has a juridical foundation. The provisions of Article 17 of the Law on Notary Positions must be interpreted as a prohibition against any form of concurrent position that places a notary within the state employment structure. Permanent lecturers holding NIDN generally bear full work obligations equivalent to those of permanent employees, thus potentially violating such prohibition. Therefore, the placement of notaries as non-permanent lecturers or practitioner lecturers constitutes a legally safer option and is consistent with the provisions of the applicable laws and regulations.

However, the above has undergone slight changes with the issuance of the Regulation of the Secretary General of the Ministry of Education and Culture of the Republic of Indonesia Number 1 of 2018 concerning Technical Guidelines for Managing the Unique Educator and Educational Personnel Numbers, and Permendikbudristek of the Republic of Indonesia Number 133/M/2023 concerning Technical Guidelines for Education Data, Research Data, and Community Service Data at Higher Education, which in essence state that the NIDN, NIDK, and NUP are merged into one, namely the Unique Educator and Educational Personnel Number referred to as NUPTK, issued by Kemendikbudristek to Teachers and Educational Personnel, including lecturers. Lecturers who were previously differentiated by their identification number are now unified under the NUPTK. However, the status of lecturers according to Article 2 of Permendikbudristek of the Republic of Indonesia Number 44 of 2024 concerning the Profession, Career, and Income of Lecturers remains two, namely permanent and non-permanent lecturers. So technically it remains the same as the old regulations, only now the identification number has been unified into the NUPTK.

Theoretically, there exists a potential conflict of norms between the regulation of notary positions and the regulations in the field of higher education, particularly with respect to the status and classification of lecturers. In resolving such conflict, the principle of *lex specialis derogat legi generali* may be applied, namely that a specific provision overrides a general provision. In this regard, the Law on Notary Positions as a specific rule governing notary positions must serve as the primary reference. Accordingly, every form of implementation of the notary's role as a lecturer must be interpreted as not permitted to contradict the restrictions that have been stipulated in the Law on Notary Positions.

From the several points above, when viewed from the perspective of the law, a notary can become a lecturer subject to the conditions above, namely becoming a Non-Permanent Lecturer or an Honorary Lecturer, where their position is not as an employee appointed by the state but is merely bound by an employment contract from the Higher Education Institution. A notary who becomes a lecturer will give rise to several things, namely:

A notary who holds a position as a lecturer, whether a permanent or non-permanent (adjunct) lecturer, will always improve their knowledge related to law and social phenomena or other fields of science that are in line with their work.

A notary who also works as a lecturer will not fall behind on new developments in their work as both a lecturer and a notary, because a lecturer will always pursue higher knowledge due to having a moral obligation to provide greater knowledge to their students.

A notary who holds a position as a lecturer also has determination or ambition in learning, producing research that yields results, and providing comments and advice that contain elements of legal science. This has a high probability of motivating them to strive for a higher level of education than what they currently possess.

A notary who also works as a lecturer has added value in the spiritual/moral/religious dimension. In carrying out this legal counseling, the notary not only imparts theoretical and practical knowledge, but also sacrifices time, heart, and mind in carrying out their notarial duties. This can also be described as fulfilling a spiritual need in terms of charitable deeds.

Based on the foregoing, it can be affirmed that the concurrent holding of a notary position and a lectureship does not constitute an absolute prohibition under the law. Nevertheless, such concurrent position is strictly limited by the provisions of Article 17 of the Law on Notary Positions, particularly with respect to the prohibition against concurrently serving as a civil state apparatus or holding other positions that may affect the independence and dignity of the notary position. Therefore, the consistent legal position is that a notary may carry out the role of a lecturer as long as it does not give rise to the status of a state employee and does not interfere with the performance of the duties of the notary position.

A notary who holds a dual profession as both a notary and a lecturer will have their own advantage in improving the knowledge they possess; such a notary will always remain up-to-date with existing developments in law. This has the implication that developments in legal theory can be applied in practice in real life through the process of analyzing cases that arise in the practical life of that notary. As both a notary and a teacher at a Higher Education Institution in

a notarial class, the body of knowledge they possess must also be continuously improved; as a general official and also as a lecturer, they must have the habit of always keeping updated on new regulations or new legal phenomena in the wider community, both theoretically and practically. This is because their position at a Higher Education Institution requires them to be a respected figure and a role model for their students. A person who holds these two crucial positions must possess good qualities such as trustworthiness, independence, neutrality, and other values containing elements of goodness. A notary who becomes a teacher also has a moral responsibility to be more disciplined in matters of "law," as they are the example standing at the forefront (Ardiansyah et al., 2022; Wibowo et al., 2022).

A notary who has a role in the world of education will indirectly possess integrity as an educator, so that a notary can understand the relationship between theory and practice in real life and can provide direction or respond to people/clients who request the notary to do things that are not in accordance with legal procedure or theory (Bondi et al., 2024; Sirait & Djaja, 2023). In this regard, a notary must certainly have good time management and a proper sense of professionalism so that the two professions do not become mixed up; by firmly upholding commitment, principles, and the correct mentality, a notary can become a lecturer and provide education to their students. This represents the dedication of a notary who has an interest in pursuing knowledge in the field of civil law and elevating their standing. A notary who already has extensive experience or has been a notary for a long time and has good practical skills is welcome to become a lecturer at a Higher Education Institution or university. One of the roles of a notary in this regard is as an expert in notarial practice.

In its activities, a Higher Education Institution or University recruits teachers who have capability, experience, and knowledge in the relevant field, with the goal of developing education in a unified direction and improving the existing quality of education. In relation to notaries, the notary position is a specific or particular position in civil law, so it can be of assistance in the field of civil law, and the practical experience of a notary is also very helpful, particularly in the notary master's program.

The Position of a Person Holding Concurrent Positions as Notary and Lecturer Based on the Notary Code of Ethics

The general official notary has a particular characteristic in their field, namely in the field of civil law and authentic deeds, the creation of which always refers to the legal basis of their position and the code of ethics of their position. In their work, the General Official Who Creates Deeds has several prohibitions mentioned in Article 17 of the UUJN, where such prohibitions forbid a Notary from holding a position outside the territory designated for them, from being absent from the designated territory for a number of days agreed upon in the notary code of ethics without a justifying reason, from holding another position as a civil state apparatus, from bearing the title or position of a state official, from having a side job as a legal advisor, from becoming the leadership, manager, owner, or employee of a business entity, from holding a position as a PPAT outside their notarial territory, from becoming a substitute notary, and from performing other jobs where those jobs violate or hold values contrary to religious values, moral values, decency values, and propriety values.

In the case of a notary who holds concurrent positions as a lecturer at a University or Higher Education Institution that is under the auspices of a foundation that is not a business entity, even if that notary holds a structural position as an extraordinary lecturer and as long as they do not bear the status of a civil servant, it can be assured that they are not in violation of the UUJN regarding concurrent positions. Prajitno (2010) mentions the positions that can be held by a notary in the matter of concurrent positions without violating the law or the code of ethics; those positions are PPAT (Land Deed Official), Class II Auction Official, Mediator, Teacher at a Higher Education Institution. Certainly, in becoming such a teacher or lecturer, a notary does not violate the provisions of Article 17 letter i of the UUJN, which contains the prohibition against notaries having a side job where that job holds negative values related to decency and violates religious values, much less if that job has a negative impact on the honor and dignity of their notary position. Furthermore, such a general official must not hold the status of a civil servant, as this would be contrary to Article 17 letter c of the UUJN.

A general official notary who is carrying out their responsibilities, or a lecturer, has Ethics or a code of ethics that regulates how a person carries out their profession professionally. Regarding the matter of concurrent positions,

this is not regulated clearly in the applicable legal provisions, nor in the code of ethics either from the perspective of a lecturer or a Notary. However, through the various provisions of the law, the following can be understood:

A notary is not advised to become a lecturer unless they have experience of at least ten years.

A notary who becomes a lecturer is advised to become a non-permanent lecturer or a lecturer who holds a NIDK or NUP, because the status of both types of lecturers is that they are not appointed by the state, but are merely under an employment contract with the Higher Education Institution.

In relation to the NIDK or NUP, these are indeed issued by the state, but the granting of a NIDK or NUP does not mean the lecturer becomes a state employee; rather, it is merely a sequential number or identification number to record the lecturers who are teaching.

Although the concurrent holding of a notary position and a lectureship is not regulated in detail within the code of ethics, ethical principles such as independence, impartiality, and professional responsibility must nonetheless be upheld. A notary who is unable to maintain a balance between the two roles to the extent of causing a decline in service quality or a conflict of interest may be considered to have violated the professional code of ethics. Therefore, the permissibility of concurrent positions is not solely determined by formal legal aspects, but also by the ability to maintain ethical integrity in practice.

In essence, a notary who applies for or who becomes a lecturer does so because they wish to have additional income, and obtaining this additional income is permitted by law, but must also follow the existing regulations, both laws and the code of ethics. In this case, a notary may seek additional income by becoming a teacher or lecturer on the condition that they have had at least ten years of working experience as a notary and are advised to become an honorary or practitioner lecturer because they are not bound by a contract as a Government employee. However, this has a drawback or negative side: if a notary is only money-oriented, the following things may occur:

A loss of focus may occur, or the notary may become confused between teaching and learning activities and their notarial work.

They may be unable to provide maximum service to the clients of their notary position.

In conducting teaching, there is a high probability that the notary-lecturer will not be focused on their students because there are clients waiting at the notary office.

The notary cannot obtain maximum benefit from their notary position, because the time used for teaching reduces their working time as a notary. This can cause clients who have or will engage their services to switch to another notary.

These positive and negative impacts are felt by a notary who holds two positions, namely as a notary and as a lecturer. This can be overcome by the notary by dividing their schedule and not mixing one job with the other; this can be said not to be an obstacle for a notary who wishes to and is currently serving as a lecturer at a Higher Education Institution. However, if a person does not have a "money-oriented" mindset, and only pursues scholarship and public service as their main goal by becoming a lecturer, and after completing the qualifications to become a lecturer and having obtained their NIDN/NIDK, then wishes to improve their knowledge, practical skills, and experience in creating authentic deeds, such a lecturer is permitted to become a notary. Such a mindset is a positive mindset for many parties: on one hand, the lecturer-notary gains knowledge and work experience as a notary and fulfills their primary objective of teaching at a higher level; the students they teach can also hear real-life experiences that occurred to that lecturer during the performance of their notarial duties.

Accordingly, it can be concluded that the concurrent holding of positions as a notary and a lecturer is in principle permitted under Indonesian law, as long as it does not contradict the prohibitions set forth in the Law on Notary Positions and does not give rise to the status of a civil state apparatus. The most appropriate form is as a non-permanent lecturer or practitioner lecturer, as it does not create an employment relationship with the state and still allows the notary to carry out the duties of their position optimally. This interpretation reflects a balance between compliance with legal norms and the fulfillment of the ethical responsibilities of the notary profession.

CONCLUSION

The researchers concluded that regarding concurrent positions, a notary does not violate any provisions and is permitted to serve as a lecturer or instructor, whether at universities operated by the Government or those run by the community or non-governmental institutions, as long as the notary does not hold civil servant status in their profession. This indicates that becoming a lecturer does not conflict with the provisions of the UUJN (Law on Notary Position). From an ethical code perspective, a general deed-making official who becomes a lecturer, as long as they do not violate those provisions, continues to serve as a general official and holds an additional legal standing, namely as an extraordinary lecturer or an additional profession. Under positive law and the code of ethics, there are currently no specific rules or urgency governing concurrent positions as a lecturer. Based on this case, several recommendations can be offered. First, the Government of the Republic of Indonesia should enact new laws or regulations governing the issue of concurrent positions to prevent confusion or legal vacuums concerning notaries who become lecturers. Second, the Indonesian Notary Association (INI) is expected to regulate the matter of notaries serving as lecturers at universities within the notarial code of ethics. Finally, to avoid overlap between the Decree (SK) of a lecturer and that of a notary, it is recommended that notaries with professional practice experience be placed as practitioner lecturers.

REFERENCES

- Abdillah, S., & Sahindra, R. (2022). Spesialitas Notaris-PPAT sebagai profesi dan jabatan dalam sistem hukum Indonesia: Specialties of Notary-PPAT as a profession and position in the Indonesian legal system. *Jurnal Kajian Ilmu Hukum*, 1(1), 11–24. <https://doi.org/10.55583/jkih.v1i1.189>
- Ali, Z. (2021). *Metode penelitian hukum*. Jakarta : Sinar Grafika.
- Anshori, A. G. (2009). *Lembaga kenotariatan Indonesia: perspektif hukum dan etika*. UII Press.
- Apriza, D. (2018). Limitasi Kewenangan Majelis Pengawas Notaris Daerah Kota Palembang Dalam Penanganan Pelanggaran Kode Etik Yang Dilakukan Notaris. *Repertorium: Jurnal Ilmiah Hukum Kenotariatan*, 7(1), 31–42. <https://doi.org/10.28946/rpt.v7i1.266>
- Ardiansyah, E., Saleh, M., & Rachman, R. (2022). Batasan Tanggungjawab Notaris Terhadap Akta Autentik Yang Dibuatnya. *Recital Review*, 4(2), 432–451. <https://doi.org/10.22437/rr.v4i2.18867>
- Arifin, M., Yusuf, M., & Yuwono, J. (2021). Descriptive Study of The Competence of Special Guidance Teachers for Inclusive Schools in Surakarta. *ROMEO: Review of Multidisciplinary Education, Culture and Pedagogy*, 1(1), 1–10. <https://doi.org/10.55047/romeo.v1i1.40>
- Bondi, A. J., Aradoni, E. B., Naif, M. Y., & Rabawati, D. W. (2024). Peran dan Tanggung Jawab Notaris Dalam Pelayanan Kepada Publik Sesuai Dengan Moral Etika Profesi dan Undang-Undang. *Socius: Jurnal Penelitian Ilmu-Ilmu Sosial*, 1(6), 203–207. <https://doi.org/10.5281/zenodo.10516410>
- Budiono, H. (2007). *Kumpulan tulisan hukum perdata di bidang kenotariatan*. Citra Aditya Bakti.
- Dewi, S., & Diradja, F. R. . (2011). *Panduan Teori & Praktik Notaris*. Pustaka Yustisia.
- Girsang, W. F. E., Kurniawan, K., & Haq, L. M. H. (2024). Legal Validity of Notarial Deeds Signed With Electronic Signature: (Comparative Study between Indonesian Law and Australian Law). *Policy, Law, Notary And Regulatory Issues (POLRI)*, 3(1), 156–172. <https://doi.org/10.55047/polri.v3i1.927>
- Haisyah, & Hisbullah. (2024). Pelanggaran Etika Rangkap Jabatan Notaris Di Makassar Perspektif Siyasah Jinayah. *Siyasatuna: Jurnal Ilmiah Mahasiswa Siyasah Syar'iyah*, 5(1), 242–257. <https://doi.org/10.24252/siyasatuna.v5i1.46859>
- Hendra, R. (2013). Tanggungjawab Notaris Terhadap Akta Otentik Yang Penghadapnya Mempergunakan Identitas Palsu Di Kota Pekanbaru. *Jurnal Ilmu Hukum*, 3(1). <https://doi.org/10.30652/jih.v3i01.1029>
- Ibrahim, J. (2006). Teori dan metodologi penelitian hukum normatif. In *Malang: Bayumedia Publishing* (Vol. 57).
- Ishaq, I. (2017). *Metode Penelitian Hukum Dan Penulisan Skripsi, Tesis, Serta Disertasi*. CV Alfabeta, Bandung.
- Kartadinata, A., Diwirya, I. J., & Pratama, S. S. (2023). Akibat Hukum Terhadap Notaris Yang Rangkap Jabatan Sebagai Advokat Di Kota Bandar Lampung. *Justicia Sains: Jurnal Ilmu Hukum*, 8(1), 184–204. <https://doi.org/10.24967/jcs.v8i1.2402>

- Lestari, I. ayu M. I., Kasih, D. P. D., & Sumardika, I. N. (2025). Revisi Undang-Undang Jabatan Notaris Terkait Larangan Rangkap Jabatan Sebagai Pejabat Daerah. *Kertha Semaya : Journal Ilmu Hukum*, 13(6), 1263–1273. <https://doi.org/10.24843/KS.2025.v13.i06.p16>
- Marzuki, P. M. (2005). Penelitian hukum. *Jakarta: Kencana Prenada Media*, 55.
- Narbuko, C., & Achmadi, A. (2003). Metodologi Penelitian. In *PT. Bumi Aksara, Jakarta*.
- Nurjanah, A. (2023). Substansi Prinsip Profesionalisme Dalam Peran Notaris Sebagai Pejabat Umum Terhadap Pembuatan Akta Autentik. *Cakrawala Repositori IMWI*, 6(2), 1028–1036. <https://doi.org/10.52851/cakrawala.v6i2.293>
- Prajitno, A. A. A. (2010). *Pengetahuan Praktis Tentang Apa dan Siapa Notaris di Indonesia*. Putra Media Nusantara.
- Putra, I. P. A. A., & Wesna, P. A. S. (2024). The Function of Notaries in the Establishment of Individual Companies Post Job Creation Law. *Policy Law Notary and Regulatory Issues (POLRI)*, 3(3), 435–441. <https://doi.org/10.55047/polri.v3i3.1413>
- Saragih, M. E., & Djaja, B. (2023). Review of the Authorities of the Notary Office and the Legal Consequences for Making Authentic Deeds Against the Law. *Edunity Kajian Ilmu Sosial Dan Pendidikan*, 2(10), 1096–1113. <https://doi.org/10.57096/edunity.v2i10.119>
- Sinaga, N. A. (2020). Kode etik sebagai pedoman pelaksanaan profesi hukum yang baik. *Jurnal Ilmiah Hukum Dirgantara*, 10(2), 1–34. <https://doi.org/10.35968/jh.v10i2.460>
- Sirait, G. N. A., & Djaja, B. (2023). Pertanggungjawaban Akta Notaris Sebagai Akta Autentik Sesuai Dengan Undang-Undang Jabatan Notaris. *Unes Law Review*, 5(4), 3363–3378. <https://doi.org/10.31933/unesrev.v5i4.641>
- Soekanto, S. (2005). *Sosiologi Suatu Pengantar*. PT Raja Grafindo Persada.
- Soekanto, S. (2006). *Pengantar penelitian hukum*. Penerbit Universitas Indonesia (UI-Press).
- Soekanto, S., & Sri Mamuji. (2007). *Penelitian hukum normatif: Suatu tinjauan singkat*. Raja Grafindo Persada.
- Sugiarti, E. (2019). Rangkap Jabatan Notaris Sebagai Pemimpin Badan Usaha. *Narotama Jurnal Kenotariatan*, 1(2), 83–97. <https://doi.org/10.33121/jurtama.v1i2.916>
- Sunggono, B. (2003). Metode penelitian hukum. In *Jakarta: Raja Grafindo Persada*.
- Susanto, B. H., Vidhitasmoro, H., Lumempouw, K. E. G., Dewi, R. O. C., & Sundari, E. (2023). The Evidentiary Power of the Deed Made Electronically by the Land Deed Officials. *International Journal Of Social Science and Humanities*, 6(2), 794–800. <https://doi.org/10.47191/ijsshr/v6-i2-04>
- Wahyudi, A. R., & Handoko, W. (2023). Akibat Hukum Rangkap Jabatan Notaris Sebagai Pimpinan Perguruan Tinggi. *Notarius*, 16(3), 1309–1320. <https://doi.org/10.14710/nts.v16i3.42424>
- Wibowo, W. S., Najwan, J., & Bakar, F. A. (2022). Integritas Notaris Sebagai Pejabat Pembuat Akta Autentik dalam Undang-Undang Jabatan Notaris. *Recital Review*, 4(2), 323–352. <https://doi.org/10.22437/rr.v4i2.18861>
- Widyalestari, P., & Hanim, L. (2017). Akibat Hukum Notaris Merangkap Jabatan Sebagai Arbiter Ditinjau Dari Undang-Undang Nomor 2 Tahun 2014 Tentang Jabatan Notaris. *Jurnal Akta*, 4(4), 324889. <https://doi.org/10.30659/akta.4.4.759-772>
- Wiratmodja, I. P. W., & Romlan, R. (2022). Implementasi kode etik notaris dalam aktivitas notaris sebagai pejabat umum. *Justicia Journal*, 11(2), 99–119. <https://doi.org/10.32492/jj.v11i2.11202>