INTERNATIONAL JOURNAL OF JUDICIAL LAW

Reconstructing the Regulation of Notarial Deed Storage in Cloud Computing Systems in Indonesia

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Article Info

ISSN (online): 2583-6536
Volume: 05
Issue: 03
May-June 2026
Received: 08-04-2026
Accepted: 06-05-2026
Published: 04-06-2026
Page No: 186-190

Abstract
The advancement of information technology has promoted the use of cloud computing in notarial practice, particularly as a method for storing backup copies (digital backups) of notarial deeds. However, the Law Number 2 of 2014 concerning the Amendment to Law Number 30 of 2004 on the Position of Notary ("UUJN") still requires the physical storage of minuta deeds as part of the Notarial Protocol, thereby giving rise to issues concerning the legal status of deeds stored electronically. This study aims to analyze the legal status of notarial deeds stored in cloud computing systems following the enactment of Law Number 1 of 2024 concerning Electronic Information and Transactions ("UU ITE"), as well as to formulate a reconstruction of its regulatory framework in Indonesia. This research constitutes normative legal research employing statutory and conceptual approaches. The results of the study indicate that notarial deeds stored in cloud computing systems may be used as electronic evidence pursuant to Article 5 of the UU ITE, however, they cannot be equated with minuta deeds and therefore do not possess perfect evidentiary value as authentic deeds. Furthermore, there are currently no specific regulations governing the storage of notarial deeds in cloud computing systems, resulting in a normative vacuum and legal uncertainty. Therefore, a reconstruction of the regulatory framework is required through amendments to the UUJN and the enactment of implementing regulations governing the storage of notarial deeds in cloud computing systems.

DOI: https://doi.org/10.54660/IJJL.2026.5.3.186-190

Keywords: Authentic Deed, Notarial Protocol, Cloud Computing, Electronic Evidence

Introduction

Advancements in information technology have transformed various forms of document management, including documents that carry legal value and legal consequences. One of the technologies widely used for data storage is cloud computing, namely a network-based storage system that enables data to be stored, accessed, and managed electronically through servers connected to the internet. [1] The use of cloud computing is considered capable of increasing the efficiency of document management because it provides large storage capacity, ease of access, and a more flexible data backup system compared to conventional storage media. [2]

The utilization of cloud computing has not only developed in the business and governmental sectors, but has also begun to be used in various professions that manage documents possessing legal value. One profession that is inseparable from such

[1] Putra, W.S., "Penerapan Penyimpanan Protokol Notaris dengan Metode Cloud Computing System", Journal of Swara Justisia, Vol. 8, Issue 1, 2024, p. 124.
[2] Nugraha, M.S. & Rochimat, H., "Efektivitas Penerapan Sistem Informasi Manajemen Pendidikan Berbasis Cloud dalam Meningkatkan Efisiensi Administrasi Sekolah Menengah", Jurnal Global Ilmiah, Vol. 2, No. 4, 2025, pp. 2 – 3.

developments is a notary. As a public official authorized to draw up authentic deeds, a notary has the responsibility store, and maintain documents related to the performance of their duties. In practice, technological developments have encouraged the digitalization of notarial documents, including the electronic storage of document copies as a means of data backup (digital backup) to anticipate the risk of document loss resulting from physical damage, natural disasters, or other force majeure circumstances. [3]

On the other hand, the notarial legal system in Indonesia still places minuta deeds as documents that hold an important position in the performance of the notarial office. Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 on the Position of Notary ("UUJN") requires notaries to create and store minuta deeds as part of the Notarial Protocol.[4] These provisions indicate that the storage of notarial documents possesses characteristics and legal consequences that differ from the storage of documents in general.

The use of cloud computing in the management and preservation of notarial documents has become increasingly relevant following the enactment of Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions ("UU ITE"). Through Article 5 paragraphs (1) and (2), the law recognizes electronic information and/or electronic documents as valid legal evidence.[5] However, Article 5 paragraph (4) of the UU ITE also provides exceptions for documents which, pursuant to statutory regulations, must be created or stored in a particular form.[6] These provisions give rise to issues when associated with notarial deeds, which are specifically regulated under the UUJN through the obligation to store minuta deeds as part of the Notarial Protocol.

In addition, the use of cloud computing in notarial practice also gives rise to various legal issues that require attention. The storage of documents in electronic systems is related to aspects of data security, document confidentiality, information integrity, as well as the mechanisms for their use in legal transactions. [7] Meanwhile, technological developments that progress more rapidly than regulatory developments have the potential to create uncertainty regarding the limitations and mechanisms of their use in notarial practice.

Research concerning the digitalization of notarial documents has generally focused on the concept of cyber notary, the validity of electronic deeds, and the position of electronic evidence in notarial practice. Meanwhile, studies that specifically discuss the storage of notarial deeds in cloud computing systems following the enactment of Law Number 1 of 2024 ("UU ITE") remain relatively limited. In fact, developments in data storage technology and regulatory changes in the field of electronic information give rise to a number of legal issues that require further study from the perspective of notarial law. Therefore, this study was conducted to examine the issues concerning the storage of notarial deeds in cloud computing systems and their implications within the Indonesian legal system.

Problem Formulation

- How is the legal status of notarial deeds stored in cloud computing systems following the enactment of Law Number 1 of 2024 ("UU ITE")?

How urgent is the reconstruction of regulations concerning the storage of notarial deeds in cloud computing systems in Indonesia?

Purpose

This study aims to analyze the legal status of notarial deeds stored in cloud computing systems following the enactment of Law Number 1 of 2024 ("UU ITE"). In addition, this study also aims to formulate a reconstruction of regulations concerning the storage of notarial deeds in cloud computing systems in order to provide legal certainty in notarial practice in Indonesia.

Discussion

A. The Legal Status of Notarial Deeds Stored in Cloud Computing Systems Following the Enactment of Law Number 1 of 2024 ("UU ITE")

The primary issue concerning the storage of notarial deeds through cloud computing systems lies in the legal status of documents stored electronically. In notarial practice, authentic deeds stored electronically by notaries through cloud computing systems are essentially electronic documents. In essence, Electronic Documents may be understood as any form of electronic information that is produced, forwarded, transmitted, received, or retained in analog, digital, electromagnetic, optical, or comparable forms, which are capable of being viewed, displayed, and/or accessed through computers or electronic systems. Therefore, authentic deeds stored electronically through cloud computing systems may be categorized as electronic documents because such authentic deeds are stored in electronic or digital form and can be viewed and displayed through computers or electronic systems.

Nevertheless, electronic documents stored in cloud computing systems cannot be regarded as authentic deeds or as part of the Notarial Protocol as referred to in Law Number 2 of 2014 concerning the Amendment to Law Number 30 of 2004 on the Position of Notary ("UUJN"). This is because minuta deeds, which constitute part of the Notarial Protocol, are original deeds that must be created and physically stored by notaries. Article 16 paragraph (1) letter b of the UUJN requires notaries to create deeds in the form of minuta deeds and to store them as part of the Notarial Protocol. In addition, Article 1 point 13 of the UUJN stipulates that the Notarial Protocol constitutes a collection of documents that must be stored and maintained by notaries in accordance with the provisions of statutory regulations.

[3] Hitaminah, K., *Kekuatan Pembuktian Protokol Notaris yang Disimpan secara Elektronik dalam Konsep Cyber Notary*, Cet, 1, Bintang Semesta Media, Yogyakarta, 2024, p. 37.

[4] Undang-Undang Nomor 2 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 30 Tahun 2004 tentang Jabatan Notaris, Lembaran Negara Republik Indonesia Tahun 2014 Nomor 3, Tambahan Lembaran Negara Republik Indonesia Nomor 5491, Pasal 16 ayat (1) huruf b.

[5] Undang-Undang Nomor 1 Tahun 2024 tentang Perubahan Kedua atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik, Lembaran Negara Republik Indonesia Tahun 2024 Nomor 1, Tambahan Lembaran Negara Republik Indonesia Nomor 6905, Pasal 5 ayat (1) dan ayat (2).

[6] *Ibid*., Pasal 5 ayat (4).

[7] Baldi, R.G., dan Salam, A., "Perlindungan Data Pribadi Penghadap Pada Penyimpanan Minuta Akta Notaris secara Cloud Storage", Jurnal Bimbingan & Konseling Keluarga: As-Syar'I, Vol. 8, No. 1, 2026, p. 334.

Therefore, authentic deeds stored electronically within cloud computing systems only serve as digital copies or electronic backups/archives of the deeds executed by the notary. [8] These electronic documents function as data backups that facilitate the storage, retrieval, and management of archives, however, they do not replace the existence of the minuta akta (original deed) as the primary document holding the status of an authentic deed.

Furthermore, the recognition of notarial deeds stored in cloud computing systems as valid legal evidence is regulated under Article 5 paragraph (1) of Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions ("UU ITE"). This provision stipulates that Electronic Information and/or Electronic Documents, as well as their printouts, constitute valid legal evidence. In addition, Article 5 paragraph (2) of the UU ITE emphasizes that Electronic Information and/or Electronic Documents are recognized as an expansion of admissible evidence under the procedural law prevailing in Indonesia. However, Article 5 paragraph (4) of the UU ITE provides that the provisions regarding Electronic Information and/or Electronic Documents are excluded from application to documents that, under statutory regulations, are required to be made in written form, as well as documents that must be drawn up in the form of deeds. In the context of authentic notarial deeds, the form and storage of deeds have been regulated under the UUJN, which requires notaries to physically store minuta deeds or original deeds as part of the Notarial Protocol. Therefore, although electronic documents stored in cloud computing systems may be submitted as electronic evidence, such electronic documents do not possess the status of authentic deeds having perfect evidentiary value before the court, as should be the status of notarial deeds. These provisions indicate that the recognition of electronic documents under the UU ITE does not automatically alter the status of notarial deeds, which have been specifically regulated under the UUJN.

In addition, the evidentiary value of authentic deeds is fundamentally attached to the original minuta deed created and stored by the notary as part of the Notarial Protocol. According to the theory of the evidentiary value of authentic deeds, an authentic deed possesses outward, formal, and material evidentiary value. Outward evidentiary value indicates that the deed has the capacity to prove itself as an authentic deed. Formal evidentiary value indicates that all matters explained and/or stated in the deed truly constitute the intentions of the parties. Meanwhile, material evidentiary value indicates that the contents of the deed are deemed true and binding upon the parties insofar as the contrary cannot be proven. [9] These three evidentiary values are attached to the minuta deed as the original document stored by the notary in accordance with the provisions of the UUJN.

Meanwhile, documents stored in cloud computing systems merely constitute electronic copies or representations of such minuta deeds. Consequently, such electronic documents cannot independently function as evidence possessing perfect evidentiary value before the court, but must instead be supported by other forms of evidence in accordance with the applicable procedural law. Therefore, electronic documents derived from the storage of notarial deeds in cloud computing systems remain categorized as electronic evidence whose evidentiary value is lower than the evidentiary value of authentic notarial deeds.

B. The Urgency of Reconstructing Regulations Concerning the Storage of Notarial Deeds in Cloud Computing Systems in Indonesia

Regulations concerning the storage of notarial deeds in cloud computing systems have not yet been specifically regulated within the Indonesian legal system. The UUJN still requires the physical storage of minuta deeds as part of the Notarial Protocol, whereas the provisions under the UU ITE merely provide recognition of electronic documents as valid legal evidence. Such conditions give rise to the need for a reconstruction of regulations concerning the storage of notarial deeds in cloud computing systems in Indonesia.

The lack of specific regulations governing the storage of notarial deeds in cloud computing systems gives rise to uncertainty concerning the boundaries of the use of electronic systems in notarial practice. In practice, storage through cloud computing systems is carried out as a means of data backup (digital backup) to minimize the risk of loss or damage to minuta deeds. However, to date, there are no provisions that explicitly regulate the forms of electronic storage that are permitted, the security standards for the electronic systems used, the mechanisms for access to electronic documents, or the responsibilities of notaries in the event of electronic data leakage or loss.[10]

This condition potentially creates legal uncertainty within notarial practice. The lack of regulatory clarity causes the utilization of cloud computing systems in notarial practice to be conducted without uniform standards. Furthermore, the lack of specific regulations also gives rise to concerns regarding the protection of the confidentiality of notarial deeds, considering that such deeds contain the data and legal interests of the parties, which must be maintained confidentially by the notary.[11] If storage is conducted through electronic systems without clear regulations, there is a potential for data misuse, unauthorized access, and electronic document leaks that could data-damage or prejudice both the parties involved and the notary.[12]

From the perspective of the theory of legal protection according to Philipus M. Hadjon, legal protection is provided to ensure legal certainty and to protect the rights and interests of legal subjects through clear legal instruments. Legal protection is not only provided when disputes arise (repressive legal protection), but is also manifested through preventive legal protection, namely through the establishment of regulations capable of preventing violations

[8] Rahim, N.A., Purba, H., dan Suprayitno, "Analisis Hukum Penyimpanan Minuta Akta Secara Elektronik dalam Upaya Pencegahan Kerusakan Minuta Akta Akibat Force Majeure", dalam Jurnal Hukum Lex Generalis: Rewang Rencang, Vol. 6, No. 4, 2025, p. 18.

[9] Afriansyah, M.A., Rosmidah, dan Syamsir, "Akibat Hukum Cacat Formil dan Cacat Materiil Pada Akta Notaris dalam Pembuktian Hukum di Indonesia", dalam Jurnal Riset Ilmiah: SENTRI, Vol. 5, No. 3, 2026, p. 2471.

[10] Mallolongan, L.N., dan Noor, H.J., "Peluang Penerapan Penyimpanan Minuta Akta Secara Elektronik Menuju Era E-Notary Berdasarkan Undang-Undang No. 2 Tahun 2014 tentang Jabatan Notaris", dalam Notary Law Journal: NoLaJ, Vol. 2, No. 1, 2023, p. 57.

[11] Boentoro, R., dan Hartanto, S., "Penerapan Cyber Notary dalam Penyimpanan Minuta Akta Notaris Sebagai Bagian dari Protokol Notaris", Notary Journal, Vol. 5, No. 1, 2025, p. 35.

[12] Renaldy, R., "Perlindungan Data Pribadi dalam Protokol Notaris Elektronik (Analisis Pasca Berlakunya UU PDP)", dalam Jurnal Ilmu Sosial & Hukum: Al-Zayn, Vol. 4, No. 1, 2026, pp. 6360 – 6361.

and legal uncertainty. [13] In relation to the storage of notarial deeds in cloud computing systems, preventive legal protection has not yet been optimally fulfilled due to the absence of clear regulations concerning the electronic storage of Notarial Protocols, thereby potentially giving rise to various risks from the outset. Meanwhile, from the repressive perspective, dispute resolution mechanisms that may arise from the use of cloud computing, such as data loss or misuse, have also not been specifically regulated. These conditions indicate that both preventive and repressive legal protection in the storage of notarial deeds through cloud computing systems have not yet been optimally implemented. Therefore, a reconstruction of regulations is necessary in order to provide legal certainty and legal protection for notaries as well as parties having interests in notarial deeds.

The reconstruction of regulations concerning the storage of notarial deeds in cloud computing systems in Indonesia needs to be carried out through several measures, namely:

1. The addition of norms to the Law on the Position of Notary ("UUJN"), particularly those related to the regulation of the Notarial Protocol and the storage of minuta deeds. Such amendments need to provide recognition that electronic storage through cloud computing systems may be used as a means of data backup (digital backup) for minuta deeds, which must still be physically stored by notaries. Thus, the use of cloud computing systems is not intended to replace minuta deeds as original documents, but merely to serve as a supporting means in the management and protection of notarial archives. The proposed addition of norms to the UUJN may take the form of the insertion of Article 16B as follows:

ARTICLE 16B

1. Notaries may store electronic copies of deeds through electronic systems and/or cloud computing systems that meet standards of security, reliability, integrity, and confidentiality in accordance with the provisions of statutory regulations.
2. The storage of electronic copies as referred to in paragraph (1) constitutes a supporting storage facility (digital backup) and does not replace the status of minuta deeds as part of the Notarial Protocol.
3. Provisions concerning the procedures for storage, security standards, integrity verification, protection of data confidentiality, as well as the use of electronic copies of deeds shall be further regulated in a Ministerial Regulation.

The establishment of implementing regulations that specifically regulate the mechanisms for the storage of notarial deeds in cloud computing systems. Such regulations may take the form of a Ministerial Regulation of Law governing electronic system security standards, encryption systems and data protection, data backup and recovery systems, restrictions on access to electronic documents, as well as the responsibilities of notaries and electronic system service providers in the storage of notarial documents. In addition, such regulations also need to govern dispute resolution mechanisms and legal liability in the event of data leakage, misuse of electronic documents, loss of electronic data, or failures of electronic systems resulting in losses for notaries and the parties involved.

Such regulations also need to regulate procedures for the use of electronic documents under certain circumstances, for example where minuta deeds are damaged or lost due to force majeure circumstances.

- It remains necessary to uphold the principle of confidentiality of the notarial office. The use of cloud computing systems in the storage of notarial deeds must be carried out through electronic systems that meet certain standards of data security and confidentiality. Electronic system service providers used in the storage of notarial documents also need to have obligations to maintain the confidentiality and security of the data stored within their systems. Thus, the protection of the interests of the parties and the confidentiality of notarial deeds can still be guaranteed even though the storage is carried out through electronic media.

Closing Conclusion

From the analysis of the issues examined above, the conclusion may be drawn that:

1. Notarial deeds stored in cloud computing systems fundamentally possess the status of electronic documents as referred to in the UU ITE. Such electronic documents may be used as electronic evidence pursuant to Article 5 of the UU ITE; however, they cannot be equated with minuta deeds that constitute part of the Notarial Protocol as regulated under the Law on the Position of Notary. Therefore, electronic documents stored in cloud computing systems do not possess perfect evidentiary value as authentic deeds, but merely constitute electronic evidence whose use still requires the support of other forms of evidence.
2. To date, there are no specific regulations governing the storage of notarial deeds in cloud computing systems in Indonesia. Such conditions create uncertainty regarding storage mechanisms, data security, protection of deed confidentiality, the responsibilities of the parties, as well as dispute resolution mechanisms in the event of loss or misuse of electronic documents. Therefore, a reconstruction of regulations is necessary through amendments to the Law on the Position of Notary that recognize the use of cloud computing as a means of digital backup without eliminating the obligation to physically store minuta deeds. In addition, implementing regulations are also required to govern electronic system security standards, data protection, data recovery mechanisms, the responsibilities of the parties, as well as dispute resolution mechanisms as a form of preventive and repressive legal protection in the storage of notarial deeds through cloud computing systems.

Suggestion

The Government and legislators need to amend the Law on the Position of Notary ("UUJN") by providing regulations that expressly recognize the storage of electronic copies of deeds through cloud computing systems as a means of data backup (digital backup) without eliminating the obligation to physically store minuta deeds as part of the Notarial Protocol. Such regulations are important to provide legal certainty regarding the status of electronic copies of deeds in notarial practice while also accommodating developments in

[13] Maghfira, S.S., Agustian, R.A., dan Toni, *Perlindungan Hukum Korban Tindak Pidana Telekomunikasi*, Padang, Get Press Indonesia, Cet.1, 2025, p. 10.

information technology in the storage of legal documents.

- It is also necessary to establish a Ministerial Regulation that specifically governs the mechanisms for the storage of notarial deeds in cloud computing systems, including electronic system security standards, protection of data confidentiality, verification of the integrity of electronic documents, data recovery mechanisms, as well as mechanisms for liability and dispute resolution in the event of data leakage or failures of electronic systems. Such regulations are necessary to ensure that the use of cloud computing in notarial practice can be carried out securely, in a standardized manner, and in a way that provides legal protection for notaries as well as the parties involved.

References

1. Afriansyah MA, Rosmidah, Syamsir. Akibat hukum cacat formil dan cacat materiil pada akta notaris dalam pembuktian hukum di Indonesia. Jurnal Riset Ilmiah: SENTRI. 2026;5(3).
2. Baldi RG, Salam A. Perlindungan data pribadi penghadap pada penyimpanan minuta akta notaris secara cloud storage. Jurnal Bimbingan & Konseling Keluarga: As-Syar'I. 2026;8(1).
3. Boentoro R, Hartanto S. Penerapan cyber notary dalam penyimpanan minuta akta notaris sebagai bagian dari protokol notaris. Notary Journal. 2025;5(1).
4. Hitaminah K. Kekuatan pembuktian protokol notaris yang disimpan secara elektronik dalam konsep cyber notary. Yogyakarta: Bintang Semesta Media; 2024.
5. Maghfira SS, Agustian RA, Toni. Perlindungan hukum korban tindak pidana telekomunikasi. Padang: Get Press Indonesia; 2025.
6. Mallolongan LN, Noor HJ. Peluang penerapan penyimpanan minuta akta secara elektronik menuju era e-notary berdasarkan Undang-Undang Nomor 2 Tahun 2014 tentang Jabatan Notaris. Notary Law Journal (NoLaJ). 2023;2(1).
7. Nugraha MS, Rochimat H. Efektivitas penerapan sistem informasi manajemen pendidikan berbasis cloud dalam meningkatkan efisiensi administrasi sekolah menengah. Jurnal Global Ilmiah. 2025;2(4).
8. Putra WS. Penerapan penyimpanan protokol notaris dengan metode cloud computing system. Journal of Swara Justisia. 2024;8(1).
9. Rahim NA, Purba H, Suprayitno. Analisis hukum penyimpanan minuta akta secara elektronik dalam upaya pencegahan kerusakan minuta akta akibat force majeure. Jurnal Hukum Lex Generalis: Rewang Rencang. 2025;6(4).
10. Renaldy R. Perlindungan data pribadi dalam protokol notaris elektronik (analisis pasca berlakunya UU PDP). Jurnal Ilmu Sosial & Hukum: Al-Zayn. 2026;4(1).
11. Republik Indonesia. Undang-Undang Nomor 2 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 30 Tahun 2004 tentang Jabatan Notaris. Lembaran Negara Republik Indonesia Tahun 2014 Nomor 3, Tambahan Lembaran Negara Republik Indonesia Nomor 5491.
12. Republik Indonesia. Undang-Undang Nomor 1 Tahun 2024 tentang Perubahan Kedua atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik. Lembaran Negara Republik Indonesia Tahun 2024 Nomor 1, Tambahan Lembaran Negara Republik Indonesia Nomor 6905.

How to Cite This Article

Jayanti KAK, Bagiastra IN. Reconstructing the regulation of notarial deed storage in cloud computing systems in Indonesia. International Journal of Judicial Law. 2026;5(3):186–190. doi:10.54660/IJJL.2026.5.3.186-190.