The Impact of the Enactment of the Personal Data Protection Law on Notaries' Obligation to Maintain the Confidentiality of Notarial Deeds

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Abstract

A Notary is legally obligated to maintain the confidentiality of notarial deeds and all information contained in the minutes of deeds (minuta akta) pursuant to the Law on the Office of Notary. However, the enactment of the Personal Data Protection Law raises questions regarding the extent to which this obligation intersects with the legal responsibilities of Notaries as custodians of personal data contained in notarial deeds and their supporting documents. This study examines the implications of the enactment of the Personal Data Protection Law for Notaries' obligation to maintain the confidentiality of notarial deeds. This research employs a normative juridical approach through library research, using primary and secondary legal materials. The collected legal materials are analyzed qualitatively through a descriptive-analytical method. The findings demonstrate that the enactment of the Personal Data Protection Law adds another layer of legal responsibility to Notaries, as the minutes of notarial deeds and their supporting documents contain personal data that must be protected. Consequently, Notaries are subject not only to the confidentiality obligations stipulated under the Law on the Office of Notary but also to the personal data protection requirements established by the Personal Data Protection Law. These obligations must be observed in relation to both the personal data contained in notarial deeds and the supporting documents attached to their minutes.

I. Introduction

The rapid advancement of the information technology industry has become closely associated with data processing, information management, and the transmission of digital information, significantly affecting the legal services sector. From an academic perspective, this development reflects the convergence of communication technology, media, and information technology. Legal documents are now commonly stored in electronic systems. Accordingly, legal ideals continue to evolve dynamically in response to changes within society.[1]

Technological developments have also had a profound impact on the notarial profession. A Notary is a public official authorized to execute authentic deeds and to exercise other powers as prescribed by law,[2] particularly in relation to legal relationships among legal subjects. One of the principal functions of a Notary is to provide legal services to the public.[3] The primary legal instrument produced by a Notary is the authentic deed. A Notary is authorized to execute authentic deeds concerning all legal acts, agreements, and legal determinations that are either required by statutory regulations or requested by interested parties to be embodied in an authentic deed, provided that the authority to prepare such deeds has not been assigned to or reserved exclusively for another public official under the law.[4]

The trust placed in a Notary by the public carries with it corresponding legal and ethical responsibilities.[5] Under the Law on the Office of Notary, a Notary is responsible for preserving notarial deeds and the notarial protocol throughout his or her term of office, after which such responsibility is transferred to the successor Notary. Under the traditional paper-based system, this obligation requires substantial storage space as well as continuous maintenance and preservation efforts, resulting in considerable operational costs to ensure the security and integrity of the documents. At the same time, many Notaries face financial and logistical limitations, making it unrealistic to assume that they have access to professional librarians or archivists capable of adequately managing and preserving such

[1] HR Benny Riyanto, "Pembaruan Hukum Nasional Era 4.0", *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional,* Vol. 9 No. 2, 2020, hlm. 181.

[2] Undang-Undang Jabatan Notaris, Pasal. 1 ayat (1).

[3] Genesia Hardina Memah, "Jabatan Notaris dalam Era Perkembangan Teknologi dan Komunikasi,"*Acta Comitas* Vol. 5, No. 1, 2020, hlm. 186.

[4] Baharudin, "Kewenangan Pejabat Pembuat Akta Tanah (PPAT) Dalam Proses Jual Beli Tanah", *Keadilan Progresif* Vol. 5, 2014, hlm. 89.

[5] R.A. Emma Nurita, *Cyber Notary Pemahaman Awal Dalam Konsep Pemikiran,* (Bandung: PT. Refika Aditama, 2012), hlm. 2.

records.[6]

Notaries should be familiar with appropriate standards for archiving notarial protocols and other documents for which they are legally responsible. These archives remain under the custody protection of the Notary throughout his or her tenure and are subsequently transferred either to a successor Notary or to the Regional Supervisory Council upon the Notary's retirement.[7] In practice, the substantial volume of notarial records (*minutes of deeds* or *minuta akta*) that must be permanently preserved has created significant challenges, not only for the incumbent Notary but also for successor Notaries who inherit such archives. The obligation to maintain these records entails considerable operational and administrative costs associated with managing a notarial office. Furthermore, responding to requests for archived documents—particularly when issuing copies of older deeds—can be difficult because locating and retrieving historical records is often a complex and time-consuming process.[8] Additional risks, such as fire, damage caused by rodents or insects, and flooding, further threaten the preservation of notarial protocols. Consequently, the adoption of information technology and electronic record management has emerged as an appropriate solution for the storage and preservation of notarial protocols.[9]

In the current digital era, Notaries are expected to implement best practices in the use of technology to safeguard and protect personal data. The application of encryption systems, firewalls, and secure digital platforms constitutes an essential component of maintaining the integrity, confidentiality, and security of information.[10] Notaries are also responsible for ensuring that access to sensitive personal data is restricted exclusively to authorized persons whose access is required for the relevant legal process. As technological developments continue to reshape legal practice, the regulatory framework governing the notarial profession must likewise evolve to accommodate these changes. Accordingly, the traditional legal paradigm governing Notaries must now be harmonized with the provisions of Law Number 27 of 2022 on Personal Data Protection (Personal Data Protection Law).

Article 1 paragraph (1) of Law Number 27 of 2022 on Personal Data Protection defines personal data as any information relating to an identified or identifiable

[6] Edmon Makarim, *Notaris dan Transaksi Elektronik kajian Hukum Tentang Cybernotary atau Electronic Notary*, (Jakarta: PT RajaGrafindo Persada, 2013), hlm. 139

[7] Freddy Harris dan Leny Helena, *Notaris Indonesia*, (Jakarta: PT Lintas Cetak Djaja, 2017), hlm.123.

[8] *Ibid*, hlm. 140.

[9] Desy Rositawati, I Made Arya Utama dan Desak Putu Dewi Kasih, "Penyimpanan Protokol Notaris Secara Elektronik Dalam Kaitan Cyber Notary", *Acta Comicas* Vol. 2, 2017, hlm. 117.

[10] Walsall College, "The Impact of Technology on the Law Industry," walsallcollege.ac.uk, 2021, https://www.walsallcollege.ac.uk/law/the-impact-of-technology-on-the-law-industry/.

individual, whether independently or in combination with other information, either directly or indirectly, through electronic or non-electronic systems. This definition makes it clear that personal data are not limited to information processed through electronic systems but also encompass information processed by non-electronic means.

Consequently, all matters relating to personal data are subject to the provisions of the Personal Data Protection Law (PDP Law), This raises an important legal question as to whether, in maintaining the confidentiality of the minutes of a notarial deed (*minuta akta*), a Notary is governed solely by the Law on the Office of Notary (UUJN) or is also subject to the Personal Data Protection Law. The issue arises because the personal information that a Notary is obliged to keep confidential in the minutes of a notarial deed constitutes personal data as regulated under the PDP Law. The PDP Law defines a personal data controller as any individual, public body, or international organization that, either independently or jointly with others, determines the purposes of and exercises control over the processing of personal data. In performing activities involving the processing of personal data, a Notary falls within the scope of this definition and is therefore subject to the PDP Law. At the same time, as a public official who is legally obligated to preserve the confidentiality of notarial deeds, a Notary is also bound by the provisions of the Law on the Office of Notary. This dual legal framework gives rise to a significant legal issue when personal data contained in the minutes of a notarial deed—such as Identity Cards (Kartu Tanda Penduduk/KTP), Family Cards (Kartu Keluarga/KK), and Marriage Certificates (Buku Nikah)—are unlawfully accessed, disclosed, or misused by unauthorized parties. In such circumstances, the question arises as to whether the Notary's liability should be assessed under the Personal Data Protection Law, the Law on the Office of Notary, or both legal regimes concurrently. Accordingly, following the enactment of the Personal Data Protection Law, Notaries must ensure that they provide both legal protection and legal certainty by implementing personal data processing and confidentiality practices that fully comply with the applicable statutory framework, including the provisions of both the Law on the Office of Notary and the Personal Data Protection Law.

2. Research Method

This study employs a normative legal research method[11] through library research, utilizing secondary legal materials comprising primary legal sources, secondary legal sources, and tertiary legal sources.[12] The research data are analyzed

[11] Soerjono Soekanto, *Pengantar Penelitian Hukum,* (Jakarta: UI Press, 2015), hlm. 3.
[12] Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat,*

using a qualitative approach, and the findings are presented through a descriptive-analytical method to facilitate a comprehensive understanding of the legal issues examined.

3. Results and Discussion

A. The Confidentiality of the Minutes of a Notarial Deed under the Personal Data Protection Law

Personal data should, to the greatest extent possible, be protected from digital crimes that may result in unauthorized access or misuse. The increasing number of personal data breaches and the unlawful commercialization of personal information demonstrate the urgent need for robust personal data protection to safeguard the rights and security of data subjects.[13] Article 16 paragraph (1) letter f of Law Number 2 of 2014 concerning the Amendment to Law Number 30 of 2004 on the Office of Notary ("Law on the Office of Notary (UUJN)") provides that, in performing his or her duties, a Notary is obligated to maintain the confidentiality of everything relating to the deeds he or she executes, as well as all information obtained for the preparation of such deeds, in accordance with the notarial oath or affirmation of office, unless otherwise provided by law. This provision demonstrates that the minutes of a notarial deed (*minuta akta*), together with the information contained therein, constitute confidential information that must be protected by the Notary. Furthermore, Article 1 point 2 of Law Number 27 of 2022 on Personal Data Protection ("Personal Data Protection Law" or "PDP Law") defines personal data protection as all efforts undertaken to safeguard personal data throughout the entire process of personal data processing in order to guarantee the constitutional rights of the personal data subject. The PDP Law further classifies personal data into specific personal data and general personal data. Specific personal data include:

1. Health data and information;
2. Biometric data;
3. Genetic data;
4. Criminal records;
5. Children's data;
6. Personal financial data; and/or
7. Other data as stipulated by the prevailing laws and regulation.

Meanwhile, general personal data include:

1. Full name;

(Jakarta: Raja Grafindo Persada, 2019), hlm. 13.

[13] Hamdari M dan Bambang Eko Trisno, "Peran Notaris Dalam Perlindungan Konsumen Perdagangan Elektronik Di Indonesia", *Jatiswara* Vol. 38, No. 1, 2023, hlm. 78.

2. Gender;
3. Citizenship;
4. Religion;
5. Marital status; and/o
6. Personal data combined to identify an individual.

Notarial deed minutes, when viewed from the perspective of the Personal Data Protection Law (PDP Law), contain both specific personal data, namely other data as stipulated under the prevailing laws and regulations, and general personal data, including the identity of the appearing parties (comparitie) in the notarial deed minutes, such as their full name, gender, nationality, religion, marital status, and/or personal data combined to identify an individual.

The owners of the personal data, who constitute the legal subjects in a notarial deed minute under the PDP Law, are classified into three categories. Based on Article 1 paragraphs (7), (8), (9), and (10) of the PDP Law, these legal subjects include:

1. Individuals, namely natural persons or corporations;
2. Corporations, namely organized groups of persons and/or assets, whether incorporated as legal entities or not;
3. Public bodies, namely executive, legislative, judicial, and other institutions whose principal functions and duties relate to the administration of the state, whose funding is wholly or partly derived from the State Budget (APBN) and/or Regional Budget (APBD), as well as non-governmental organizations whose funding is wholly or partly derived from the State Budget, Regional Budget, public donations, and/or foreign sources; and
4. International organizations, namely organizations recognized as subjects of international law and possessing the capacity to conclude international agreements.

A Notary is recognized as a legal subject under the Law on the Office of Notary (UUJN), which provides that a Notary is a public official who performs the profession of providing legal services to the public and is vested with rights and obligations under the UUJN. Accordingly, a Notary may be categorized as an individual legal subject under the PDP Law. As a legal subject, a Notary, in storing and processing personal data, must comply with the provisions of the PDP Law. Under the PDP Law, a Notary acts as a Personal Data Controller, as defined in Article 1 paragraph (4), namely any individual, public body, or international organization that, individually or jointly, determines the purposes of and exercises control over the processing of personal data.

Personal data refers to any data relating to an identified or identifiable

individual, either on its own or in combination with other information, whether directly or indirectly, through electronic or non-electronic systems. Personal data consists of specific personal data and general personal data. Specific personal data includes health information, biometric data, genetic data, criminal records, children's data, personal financial data, and/or other data as provided under the applicable laws and regulations. General personal data includes a person's full name, gender, nationality, religion, marital status, and/or personal data combined to identify an individual. General personal data is commonly found in deeds prepared by a Notary, as reflected in documents such as Identity Cards (*Kartu Tanda Penduduk* or KTP), Family Cards (*Kartu Keluarga* or KK), Marriage Certificates (*Buku Nikah*), and other documents containing personal data. As a party engaged in the processing of personal data, a Notary is required to process such data in accordance with the principles of personal data protection, namely:

1. Personal data shall be collected in a limited and specific manner, lawfully, and transparently;
2. Personal data shall be processed only for the purposes for which it was collected;
3. The processing of personal data shall ensure the protection of the rights of the personal data subject;
4. Personal data shall be processed accurately, completely, truthfully, kept up to date, and in an accountable manner;
5. Personal data shall be processed by ensuring its security against unauthorized access, unauthorized disclosure, unauthorized alteration, misuse, destruction, and/or loss;
6. The processing of personal data shall include notification of the purposes and activities of the processing, as well as any failure in the protection of personal data;
7. Personal data shall be destroyed and/or erased after the retention period has expired or upon the request of the personal data subject, unless otherwise stipulated by applicable laws and regulations; and
8. Personal data shall be processed in a responsible manner and in a way that can be clearly demonstrated and accounted for.

A legal issue arises when a Notary's obligation to maintain the confidentiality of deeds containing personal data is governed not only by the Law on the Office of Notary (UUJN) but also by the Personal Data Protection Law (PDP Law). If such information is leaked, accessed by unauthorized parties, or unlawfully used by the Notary—whether directly or indirectly—for the Notary's personal benefit, then both legal regimes become applicable. In such circumstances, the Notary remains subject

to the UUJN as the *lex specialis* governing the notarial profession, while simultaneously being subject to the provisions of the PDP Law because the Notary, as the custodian of confidential deeds, also acts as a Personal Data Controller as defined under the PDP Law.

In light of the PDP Law, a Notary, in his or her capacity as a Personal Data Controller, must ensure that the preparation and safekeeping of notarial deed minutes, which are governed by the UUJN, also comply with the requirements of the PDP Law. Since the concept of confidentiality of personal data under both the UUJN and the PDP Law is essentially the same, a Notary is required to uphold the standards of confidentiality prescribed by both statutes. Where a breach of personal data occurs or the confidentiality of a notarial deed is compromised, it must first be determined whether the breach resulted from the Notary's negligence or from the unlawful acts of unauthorized third parties who gained access to the personal data, with such determination being made in accordance with the provisions of both the UUJN and the PDP Law.

B. The Liability of Notaries in Maintaining the Confidentiality of Notarial Deed Minutes under the Personal Data Protection Law

Notaries are required to safeguard the personal data contained in the notarial deed minutes they prepare in order to prevent misuse by unauthorized parties. The need for a Notary to secure personal data—particularly as notarial records are increasingly stored in electronic systems—is based on the following considerations:

1. Vulnerability of Online Data

The increasing incidence of data breaches involving electronically stored digital information also creates the possibility that personal data contained in notarial deeds may be compromised. This risk arises because electronic storage systems are not entirely immune to security vulnerabilities, allowing unauthorized parties to gain unlawful online access to such data.

2. Legal Certainty in the Protection of Privacy

To ensure legal certainty, the personal data of the parties to a notarial agreement must be protected. Such protection is essential not only for agreements in general but also for agreements of a specific or specialized nature, thereby safeguarding the privacy rights of the parties involved.

3. Good Faith in Business Practices

In order to maintain the trust of clients and other parties who utilize notarial services, a Notary must be capable of ensuring the security and confidentiality of the personal data of clients involved in notarial agreements.

4. Prevention of Data Misuse

If a Notary fails to properly store and protect the personal data of the parties

involved in a notarial agreement, there is a risk that such data may be misused by unauthorized persons for fraudulent purposes or other unlawful acts that may cause harm to the Notary's clients.

Article 1 paragraph (8) of the Law on the Office of Notary (UUJN) defines a notarial deed minute (minuta akta) as the original version of a notarial deed containing the signatures of the appearing parties, witnesses, and the Notary, which is subsequently preserved as part of the Notarial Protocol. However, with the advancement of technology, the preparation of drafts and notarial deeds has increasingly shifted to the use of computers and laptops, offering greater efficiency and convenience. This technological development, however, also exposes notarial records to digital threats, particularly hacking. Hacking refers to the act of modifying, forcibly gaining access to, or infiltrating computer systems and computer networks for the purpose of obtaining an unlawful advantage for an individual or a group.[14]

The legal regulation concerning hacking by unauthorized parties is set out in Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions (hereinafter referred to as the ITE Law). Article 30 of the ITE Law classifies the following acts of unauthorized access as criminal offenses:

(1) Any person who intentionally and without authority or unlawfully accesses another person's computer and/or electronic system by any means.

(2) Any person who intentionally and without authority or unlawfully accesses a computer and/or electronic system by any means with the intention of obtaining Electronic Information and/or Electronic Documents.

(3) Any person who intentionally and without authority or unlawfully accesses a computer and/or electronic system by any means through violating, bypassing, exceeding, or breaching its security system.

The criminal sanctions for violations of Article 30 are provided under Article 46 of the ITE Law, as follows:

(1) Any person who fulfills the elements of Article 30 paragraph (1) shall be subject to imprisonment for a maximum of six (6) years and/or a fine of up to IDR 600,000,000 (six hundred million rupiah).

(2) Any person who fulfills the elements of Article 30 paragraph (2) shall be subject to imprisonment for a maximum of seven (7) years and/or a fine of up to IDR 700,000,000 (seven hundred million rupiah).

(3) Any person who fulfills the elements of Article 30 paragraph (3) shall be

[14] Regine Natalie Theixar dan Ni Ketut Supasti Dharmawan, "Tanggung Jawab Notaris Dalam Menjaga Keamanan Digitalisasi Akta", *Acta Comitas* Vol. 6, No. 1, 2021, hlm. 9.

subject to imprisonment for a maximum of eight (8) years and/or a fine of up to IDR 800,000,000 (eight hundred million rupiah).

If a Notary violates the provisions of Article 16 paragraph (1) letter (f) of the Law on the Office of Notary (UUJN) by failing to maintain the confidentiality of matters relating to a notarial deed, the Notary may, pursuant to Article 16 paragraph (11) of the UUJN, be subject to administrative sanctions as stipulated in Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 61 of 2016 concerning Procedures for the Imposition of Administrative Sanctions, including the following:

1. Written Warning

A Notary may be directly issued a written warning pursuant to Article 5 paragraph (1) letter (g) where the Notary provides, discloses, or reveals the contents of a deed, an executorial deed (*Grosse Akta*), a copy of a deed, or an extract of a deed to a person who has no direct legal interest in the execution of the deed.

2. Temporary Suspension

ursuant to Article 6, a Notary may be temporarily suspended if, within fourteen (14) days after receiving a second written warning, the Notary fails to remedy the violation or commits another breach of professional obligations.

3. Honorable Dismissal

An honorable dismissal may be imposed upon a Notary who fails to fulfill the obligations required of the office of Notary after the period of temporary suspension has expired.

4. Dishonorable Dismissal

A dishonorable dismissal may be imposed upon a Notary who fails to fulfill the obligations required of the office after the expiration of the temporary suspension, who commits another violation carrying the same sanction while serving a period of temporary suspension, who has been subjected to temporary suspension on three occasions, or who has been convicted by a final and binding court judgment of a criminal offense punishable by imprisonment of five (5) years or more.

According to Wirjono Prodjodikoro, the concept of legal liability arises when a person commits an unlawful act (*perbuatan melawan hukum*) as provided under the Indonesian Civil Code (Kitab *Undang-Undang Hukum Perdata* or KUHPerdata).[15] Liability for an unlawful act consists of two forms:

1. Direct Liability under Article 1365 of the Indonesian Civil Code, which provides that *every unlawful act that causes damage to another person obliges the person whose fault caused the damage to compensate for such loss.* Accordingly, a Notary is

[15] Rositawati, D., Utama I. M. A. dan Kasih, D. P. D., "Penyimpanan Protokol Notaris Secara Elektronik Dalam Kaitan Cyber Notary", *Acta Comitas* Vol. 2 No. 2, hlm. 179-180.

personally liable for losses resulting from fraud, deceit, or other wrongful acts committed by the Notary.

2. Indirect (Vicarious) Liability under Article 1367 of the Indonesian Civil Code, which provides that a person is liable not only for losses caused by his or her own acts but also for losses caused by persons under his or her responsibility or by property under his or her supervision.

A Notary who is proven to have intentionally manipulated personal data, or who has caused the loss, damage, or unauthorized disclosure of the personal data of the parties named in a notarial deed, and whose conduct fulfills the elements of an unlawful act, may be held civilly liable pursuant to Articles 1365 and 1367 of the Indonesian Civil Code, through a civil action before the District Court.

As a Personal Data Controller under the Personal Data Protection Law (PDP Law), a Notary may also be subject to the administrative sanctions set forth in Article 57 paragraph (2), namely:

a. A written warning;
b. Temporary suspension of personal data processing activities;
c. Deletion or destruction of personal data; and/or
d. An administrative fine.

The detailed criteria and procedures for the imposition of these administrative sanctions, as referred to in Article 57 paragraph (5) of the PDP Law, are to be further regulated by a Government Regulation. Although such implementing regulation has not yet been enacted, the PDP Law clearly provides that violations relating to the processing of personal data may be subject to administrative sanctions.

In addition to administrative sanctions, the PDP Law also establishes prohibitions concerning the unlawful use of personal data under Articles 65 and 66, as follows:

Article 65 :

(1) Any person is prohibited from unlawfully obtaining or collecting personal data that does not belong to him or her with the intent of benefiting himself, herself, or another person, where such conduct may cause harm to the personal data subject;

(2) Any person is prohibited from unlawfully disclosing personal data that does not belong to him or her;

(3) Any person is prohibited from unlawfully using personal data that does not belong to him or her.

Article 66:

Any person is prohibited from creating false personal data or falsifying personal data with the intention of benefiting himself, herself, or another person in a manner that may cause harm to another person.

Violations of the foregoing provisions are subject to criminal sanctions under Articles 67 and 68 of the PDP Law, namely:

Article 67 :

(1) Any person who intentionally and unlawfully obtains or collects personal data belonging to another person with the intent of benefiting himself, herself, or another person, thereby causing harm to the personal data subject as referred to in Article 65 paragraph (1), shall be liable to imprisonment for a maximum of five (5) years and/or a fine of up to IDR 5,000,000,000 (five billion rupiah).

(2) Any person who intentionally and unlawfully discloses personal data belonging to another person, as referred to in Article 65 paragraph (2), shall be liable to imprisonment for a maximum of four (4) years and/or a fine of up to IDR 4,000,000,000 (four billion rupiah).

(3) Any person who intentionally and unlawfully uses personal data belonging to another person, as referred to in Article 65 paragraph (3), shall be liable to imprisonment for a maximum of five (5) years and/or a fine of up to IDR 5,000,000,000 (five billion rupiah).

Article 68:

Any person who intentionally creates false personal data or falsifies personal data with the intent of benefiting himself, herself, or another person, thereby causing harm to another person as referred to in Article 66, shall be liable to imprisonment for a maximum of six (6) years and/or a fine of up to IDR 6,000,000,000 (six billion rupiah).

Accordingly, where a Notary intentionally and unlawfully misuses the personal data contained in the original notarial deed minutes (*minuta akta*), the enactment of the Personal Data Protection Law means that the Notary may be held liable not only under the Law on the Office of Notary (UUJN) but also under the PDP Law. This dual framework of liability is intended to ensure comprehensive protection for personal data subjects against losses arising from the intentional or negligent misuse of personal data contained in notarial deed minutes.

4. Conclusion

The confidentiality of notarial minutes (minuta akta notariil) under Law Number 27 of 2022 on Personal Data Protection (PDP Law) is governed by provisions that are consistent with those stipulated under the Law on the Office of Notary (UUJN) regarding the obligation to maintain the confidentiality of personal data. Accordingly, in preparing notarial minutes, a Notary must comply with the provisions of the PDP Law, as a Notary acts as a Personal Data Controller who is

legally bound by the PDP Law in processing personal data, including safeguarding the confidentiality of notarial minutes.

The liability of a Notary, as a Personal Data Controller, in maintaining the confidentiality of notarial minutes containing personal data is broader under the PDP Law because it introduces administrative sanctions as well as criminal penalties, which are not specifically regulated under the UUJN. Consequently, where a Notary is proven to have violated the obligation to preserve the confidentiality of notarial minutes, the Notary may be subject not only to the sanctions provided under the UUJN but also to those prescribed by the PDP Law.

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