

The Effect of Complete Systematic Land Registration Acceleration Program (PTSL) on Legal Certainty of Land Rights

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Abstract. *The aims of this research are: 1) to determine and analyze the effect of the Implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) on Legal Certainty of Land Rights in Brebes Regency. 2) to find out and analyze the obstacles in the Implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) on Legal Certainty of Land Rights in Brebes Regency. 3) to find out and analyze solutions in overcoming obstacles in the implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) on Legal Certainty of Land Rights in Brebes Regency. Based on the results of data analysis, it is concluded that: The effect of the Implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) on Legal Certainty of Land Rights in Brebes Regency has a very large impact on the community. The community can make a certificate in a relatively short time and at a relatively low cost, and public awareness of the importance of securing rights to the lands they own is increasing. It's just that the effect of the implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) on land registration regularly or sporadically has a very significant impact, namely the travel of files registered with the Land Agency of Brebes Regency to be relatively slower than the previously estimated timeframe.*

Keywords: Complete; Effect; Land; PTSL; Registration; Systematic.

1. Introduction

Indonesia is a very rich country with its natural potential. One of them is the gift of land from God Almighty who has bestowed land which is very important for the life of mankind on this earth. Soil is very important for survival, in addition to shelter, as well as a source of human beings looking for a livelihood, to grow crops, make fish ponds, wells, build buildings and so on that really support human needs. Land is the source of all the interests of human life.

In Islam has also been explained through the words of Allah SWT:

Q.S. At-Thaaha Verse 53

الَّذِي جَعَلَ لَكُمُ الْأَرْضَ مَهْدًا وَسَلَكَ لَكُمْ فِيهَا سُبُلًا وَأَنْزَلَ مِنَ
السَّمَاءِ مَاءً فَأَخْرَجْنَا بِهِ أَزْوَاجًا مِّن نَّبَاتٍ شَتَّى

Who has made for you the earth a stretch (MAHDAN) and Who has made (SALAKA) for you on the earth a path, and sends down rain from the sky. So We grow with rain water from various kinds of plants.¹

Q.S. Ar-Ra'd Verse 3

وَهُوَ الَّذِي مَدَّ الْأَرْضَ وَجَعَلَ فِيهَا رَوَاسِيَ وَأَنْهَارًا وَمِنْ كُلِّ الثَّمَرَاتِ
جَعَلَ فِيهَا زَوْجَيْنِ اثْنَيْنِ يُغْشَى اللَّيْلَ النَّهَارُ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِّقَوْمٍ
يَتَفَكَّرُونَ

And it is He who stretched out the earth and made mountains and rivers in it. And made in him all the fruits in pairs, Allah closed the night to the day. Verily in that are signs (of Allah's greatness) for a people who think.²

In order to realize the state policy regarding the management of land as a natural resource in Indonesia, the 1945 Constitution of the Republic of Indonesia regulates in Article 33 paragraph (3) which reads:

"Earth, water and natural resources contained therein are controlled by the state and used as much as possible for the prosperity of the people."

¹ Q.S. At-Thaaha: 53

² Q.S. Ar-Ra'd : 3

Through this right of control from the State, the State as the governing body will always be able to control or direct the management of the functions of the earth, water and space as well as the natural resources contained therein in accordance with existing regulations and policies, namely within the scope of juridical control with a public aspect.³

Given the important role of land for humans, the control and ownership of a plot of land must be registered or registered to avoid problems that arise or disputes regarding land ownership.

Considering whereas land registration, which is administered by Act No. 5 of 1960 concerning Basic Regulations on Agrarian Principles, is assigned to the Government, is a means of providing legal certainty as intended, the government has ratified Government Regulation of the Republic of Indonesia Number 24 of 1997 concerning Land Registration. To guarantee certainty of rights and legal certainty over land, the Basic Agrarian Law has outlined the necessity to carry out Land Registration throughout Indonesia.⁴

Article 1 point 1 Government Regulation of the Republic of Indonesia Number 24 of 1997 concerning Land Registration are:

Land registration is a series of activities carried out by the Government continuously, continuously and regularly, including the collection, processing, bookkeeping and presentation and maintenance of physical data and juridical data, in the form of maps and lists, regarding land parcels and apartment units. , including the issuance of certificates of proof of rights for parcels of land that already have rights and ownership rights to flat units as well as certain rights that burden them⁵."

The government's goal of holding land registration and issuing certificates is one of the manifestations of the purpose of land registration as referred to in Act No. 5 of 1960 concerning Basic Regulations on Agrarian Principles (UUPA), through Article 19 which mandates that the government shall conduct land registration

³ Muhammad Bakri, (2007), *Hak Menguasai Tanah oleh Negara (Paradigma Baru untuk refrensi Agraria)*, Yogyakarta: Citra Media, p.5

⁴See the preamble to the Government Regulation of the Republic of Indonesia Number 24 of 1997 concerning Land Registration.

⁵ Deen, Thaufiq., Ong Argo Victoria & Sumain. (2018). *Public Notary Services In Malaysia*. *JURNAL AKTA*: Vol. 5, No. 4, 1017-1026. Retrieved from <http://jurnal.unissula.ac.id/index.php/akta/article/view/4135>, see to Ong Argo Victoria, Ade Riusma Ariyana, Devina Arifani. (2020). *Code of Ethics and Position of Notary in Indonesia*. *Sultan Agung Notary Law Review* 2 (4), 397-407, <http://lppm-unissula.com/jurnal.unissula.ac.id/index.php/SANLaR/article/view/13536>

for the entire territory of the Republic of Indonesia and that the certificate of land rights is strong evidence of a control or ownership of land.

The government requires land registration and the issuance of certificates is one manifestation of the intended land registration objectives. Act No. 5 of 1960 concerning Basic Regulations on Agrarian Principles or Basic Agrarian Laws (UUPA). Article 19 of the UUPA mandates that the government conducts land registration for the entire territory of the Republic of Indonesia and that land title certificates are strong evidence of a control or ownership of land.

Article 3 of Government Regulation Number 24 of 1997 concerning Land Registration, explains the purpose and use of land registration and one of its products is called a certificate of land rights. To provide legal certainty and legal protection to holders of rights to a parcel of land, flats and other registered rights so that they can easily prove themselves as holders of the rights in question.

In the Regulation of the Minister of State for Agrarian and Spatial Planning/Head of the National Land Agency Number 12 of 2017 concerning Acceleration of Complete Systematic Land Registration, which regulates the implementation of complete systematic land registration for all Land Registration objects throughout the territory of the Republic of Indonesia and regulates the acceleration of systematic land registration.

Based on the above provisions, there is a need for government action and public awareness in the context of collecting land in order to realize administrative order, law and order and meet the demands of the Indonesian people. The implementation of land registration will produce a final product in the form of a certificate as proof of ownership of land rights. However, in its implementation, there must be obstacles, both in the administration and from the community itself. There are still people who do not really understand the importance of a land data collection⁶.

The Ministry of Agrarian Affairs and Spatial Planning targets that by 2025 all land parcels in the territory of the Republic of Indonesia have been registered, therefore to achieve this target, the government needs to accelerate the development of agrarian infrastructure including the field of empowering human resources in the field of measuring and mapping the provision of facilities. and

⁶ Chuasanga A., Ong Argo Victoria. (2019). *Legal Principles Under Criminal Law in Indonesia and Thailand*, Jurnal Daulat Hukum, Vol 2, No 1 (2019) <http://jurnal.unissula.ac.id/index.php/RH/article/view/4218> , see to Yaya Kareng, Ong Argo Victoria, R. Juli Moertiyono. (2019). How Notary's Service in Thailand. Sultan Agung Notary Law Review, 1 (1), 46-56, <http://jurnal.unissula.ac.id/index.php/SANLaR/article/view/4435>

supporting infrastructure for basic map measurement and mapping activities, by implementing government programs, namely complete systematic land registration regulated by the 2017 Minister of Agrarian and Spatial Planning and budgeting.

The Brebes Regency Land Agency Office is an institution that oversees land, especially regarding complete systematic land registration, especially in the jurisdiction of Brebes Regency. In the implementation of the Accelerated Complete Systematic Registration program in Brebes Regency, there are several obstacles such as the collection of Juridical Data and Physical Data, the lack of public awareness about the importance of registering land, the presence of absentee lands and so on.

The implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) was also held in Brebes Regency. The people of Brebes Regency are very enthusiastic about this program. Because besides being fast, this program also only requires a relatively small fee compared to sporadic land registration in Brebes Regency. However, there are also people in Brebes Regency who do not understand the importance of land registration to obtain legal certainty over their lands.

2. Research Methods

The research method used is using an empirical juridical approach, namely research that focuses on individual or community behavior in relation to the law.⁷ Because researchers in conducting research aim to gain knowledge empirically by going directly to the object, namely knowing the implementation of the Complete Systematic Land Registration Acceleration (PTSL) program in Brebes Regency.

3. Results and Discussion

3.1. The Effect of the Complete Systematic Land Registration Acceleration Program (PTSL) on Legal Certainty of Land Rights in Brebes Regency

Complete Systematic Land Registration Acceleration Program (PTSL) The Legal Certainty of Land Rights in Brebes Regency has a very big influence on public awareness to have legal proof of ownership in the form of a certificate. This program will last until 2025 and is expected to meet the government's target so that all communities can have proof of ownership of the lands they own.

⁷Amirrudin, (2012), *Pengantar Metode Penelitian Hukum*, Jakarta: Rajagrafindo Persada, p. 15

3.2. Barriers to the Implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) in Brebes Regency

Obstacles in the Implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) in Brebes Regency include:

1. The applicant exceeds the quota so that not all of the applicant's files can be processed.
2. The existence of agricultural land owners whose addresses are in different sub-districts so that the certificate cannot be processed.
3. Due to the simultaneous processing of a very large number of certificates and a short target time, data, image or location errors can occur.

3.3. Solutions in overcoming obstacles in the implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) in Brebes Regency

The solutions to overcome obstacles in the implementation of the Complete Systematic Land Registration Acceleration Program (PTSL) in Brebes Regency are as follows:

1. Applicants whose files cannot be processed will be continued for next year or on an ongoing basis.
2. Filing is more thorough and more thorough.
3. There is good cooperation between the Implementation Committee of the Complete Systematic Land Registration Acceleration Program (PTSL) in Brebes Regency and the community, the National Land Agency, the Village Government and other parties related to the implementation of the program.

4. Conclusion

The existence of the Complete Systematic Land Registration Acceleration Program (PTSL) in Brebes Regency has a very big impact on the interests of the community to have legal proof of ownership of the lands they own at a very low cost and produce certificates in a relatively short time.

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