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“Legal Reconstruction in Indonesia Based on Human Right”

IMAM AS SYAFEI BUILDING

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PREFACE

First of all, let's say Thanks to Allah, who has been giving us guidance, happiness, healthy, and mercy, so we can finish this conference proceeding without any obstacles. Praise and salutation upon our prophet Muhammad saw the last messenger, the best figure of this universe; the person who was able to save us from Jahiliyah era.

We would like to extend our thanks to the invited speakers: Prof. Henning Glaser from Thammasat University, Prof. Shimada Yuzuru from Nagoya University, Hilaire Tegnau, Ph.D from Sorbone University, Prof. Topo Santoso From Indonesian University, and Dr. Sri Endah Wahyuningsih, S.H., M.H from Sultan Agung Islamic University.

This was our fourth International conference and call for paper held by Faculty of Law, Sultan Agung Islamic University. This annual conference tries to gain any information and studies done by academician and practitioner in the concerned field to be discussed as guidelines to exchange and talk about views on the most important recent on Legal Construction and Development focusing on The Role of Indigenous and Global Community in Constructing National Law happens in both developed and developing countries and its role in shaping a good future, and to discuss the challenges and practical aspects in integrating competition law enforcement and guidelines to develop legal state in accordance with the diversity of all countries around the world. We hope this conference brings benefit for both participants and our faculty.

We are pleased to have your critique, suggestion and correction in order to make us better. Finally, we do thanks to all who helped this conference. May Allah guide us to always develop useful knowledge for human being.

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Development Of The Law Of Complete Systematic Land Registration (Ptsl) And Effect Of Conduct Values of Land Based On Dignify Justice In The District Of Kendal, Central Java

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ABSTRACT

Kendal is one of district in Central Java. In Central Java, there are 592 744 17 197 land parcels including land parcels village treasury (TKD). Of the entire field of the land, 76.7% of them (ie 455 193 fields) has been certified² which of them is located in Kendal district. Certifying land based on existing data is not at 100% therefore needs to be continued registration of land in order to achieve legal certainty and reduce the incidence of land disputes that exist. In order to achieve legal certainty in a plot of land owned by someone, then the central government in Nawacita (President Ultimate Goal) which is 9 (nine) priority that takes precedence provide a program that allows people in the maintenance of the certificate is a proof of rights by issuing the Regulation of the Minister of Agrarian and Spatial / To the National Land Agency Republic of Indonesia Number 1 of 2017 concerning Amendment to Regulation of the Minister of Agrarian and Spatial Planning / Head of national Land Agency Number 35 of 2016 on Accelerating the Implementation of Complete Systematic Land Registration (PTSL). Land Registry Systematic Complete is a land registration activities for the first time conducted secara simultaneously for all objects of land registration throughout the territory of the Republic of Indonesia in the territory of the village / village or other names that level with it, which involves the collection and determination of the truth of physical data and juridical data regarding one or several objects of registration of land for the purposes of registration.

Keywords: Legal Development; PTSL; land; Justice dignified.

A. INTRODUCTION

Accelerating the implementation of Complete Systematic Land Registration as stipulated in Article 3 paragraph (3) of the Regulation of the Minister of Agrarian and Spatial Planning / National Land Agency Number 1 Of 2017 on Accelerating the Implementation Complete Systematic Land Registration is conducted in stages ⁴⁸⁴

- a. Determination of the location of the acceleration of activities Complete-Systematic Land Registration
- b. The formation and establishment of the Adjudication Committee for Complete-Systematic Land Registration;
- c. counseling;
- d. Data collection and processing of physical and juridical data plot;

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⁴⁸⁴ <http://www.Jawa Tengahkab.go.id/217/pengendalian-pertanahan-daerah.slm/comment-page-3> accessed on 13 November 2018 at 12:55

- e. Edaphology;
- f. Announcement Data Physical and Juridical Data;
- g. Issuance of the decision to Grant Land;
- h. Bookkeeping Land Rights;
- i. Issuance of Certificate of Land; and / or
- j. Delivery of Certificates of Land Rights

National Land Agency (BPN) has launched a program PTSL or Complete Systematic Land Registration⁴⁸⁵. The program will reportedly replace Prona program, that program free certificate from the National Land Agency (BPN) to the public. Nationally, the Ministry of Agricultural and Spatial Planning (ATR) / BPN proposed five (5) million parcels of land to be logged free certificate made by each local BPN in the area. After a thorough discussion of the budget, which is approved only about 2 million parcels of land will be given PTSL in fiscal of 2017⁴⁸⁶. Each year will increase the number of parcels of land which is the object PTSL distributed throughout the territory of the Republic of Indonesia. In 2018 the target of PTSL implementation is as much as 7 (seven) million land parcels in 2019 and increased again to 9 (nine) million parcels.

While this PTSL program surveying is done centrally in one village for the fiscal of 2017, the program Prona one fiscal year can be spread to several villages, even up to 10 villages. In Prona program, not the entire plot are not certified in one village given help but gradually, whereas in PTSL program, contact PTSL villages

throughout the area of land that do not have a certificate will be created for the certificate

Head of the Land Office in Central Java, to make sure does not cost anything in the process of land titling and the process to obtain a certificate of land free of charge, from the registration fee data collection juridical or physical checks, measurements of land phobias from the state budget, the applicant is only charged to buy the seal, marking in the form of stakes stakes and filing. As well as on PTSL process data is also faster stated registration data is correct and complete, the certificate can be immediately issued to the applicant.⁴⁸⁷

Land Office of Central Java in this PTSL program certifying more than 6,000 parcels of land. While the second phase there were 20,000 land parcels in the data collection process measurement. BPN Central Java also implement cross-sector program of 500 parcels of land covering 300 plots agricultural sector, the SME sector as many as 100 plots of land and fishing or fisheries sector for 100 plots of land. So that the total target was subjected PTSL in Central Java 26,000 (twenty six thousand) plot. Goal PTSL in Central Java is divided into 4 teams Implementing PTSL with each team carrying around 6,000 (six thousand) plot. PTSL necessary to public attention because it provides ease in handling land titles. The ease of collecting them without any registration fee despite the cost components such as the purchase of stamp duty requirements, ground stakes, as well as the cost of land tax still borne by the applicant. PTSL is also expected to reduce the potential land disputes and conflicts caused by the unclear status of ownership / control over land

⁴⁸⁵ Erna Sri Wibawanti, *Hak Atas Tanah dan Peralihannya*, 2013, Liberty, Yogyakarta, p.1.

⁴⁸⁶ <http://www.kliknews.id/2017/02/bpn-luncurkan-program-ptsl.html> accessed on 12 November 2018 at 05:33

⁴⁸⁷ <http://www.info-jogja.com/2017/02/proses-pengurusan-sertifikat-melalui.html> accessed on 13 November 2018 at 06:15

in the eyes of the law can be minimized⁴⁸⁸.

The target of 26,000 (twenty six thousand) plot, Central Java Land Office has been able to publish 7,800 (seven thousand eight hundred) certificate while others are still in the process of measurement data collection. In this case a lot of factors that cause or obstacle in the implementation of the new implemented PTSL that approximately 30%. Therefore Author lift the title Implementation of Complete Systematic Land Registration (PTSL) in Central Java Based on Minister of Agrarian and Spatial Planning/ National Land Agency Number 1 of 2017. By lifting the title, the author expected to investigate the implementation of the program of land registration and knowing PTSL what factors are a barrier or obstacle in the implementation of the program PTSL, both legal constraints and technical constraints.

Viewed from above paradigm writers want to write a dissertation with the title “Development of Systematic Land Registration Law Implementation Complete (PTSL) And Influence on Conduct of Land-Based Value Fairness Dignified In Kendal regency, Central Java”.

B. RESEARCH METHODS

To find answers to questions in this study concerns the type of research in writing this dissertation is the juridical and empirical legal research⁴⁸⁹, whereas the approach used is normative-empirical approach, which is a good method to research conducted through library research and field study. Literature study done by studying various legislations, literature, journals and other support materials such as papers and seminars related to the

⁴⁸⁸ Central <http://www.info-jogja.com/2017/08/ptsl-2017-bpn-Jawa-target-6000.html> accessed on the stairs; 13 November 2018 at 06:19

⁴⁸⁹ 8Altherton & Klemmack dalam Irawan Soehartono, 1999, *Metode Penelitian Social Suatu Teknik Penelitian Bidang Kesejahteraan Social Lainnya*, Bandung, Remaja Rosda Karya, p. 63

⁴⁹⁰ *Ibid.*, p. 23-24.

problems studied. While a field study conducted by collecting and analyzing primary data and secondary data obtained directly from the field about the object of research.⁴⁹⁰

C. RESULTS AND DISCUSSION

1. Land Registry

Definition of land registration newly loaded in Article 1 paragraph 1 of Government Regulation No. 24 of 1997, a series of activities carried out by the government continuously, continuous and regular, covering the collection, processing, accounting, and presentation as well as the maintenance of physical data and juridical data in the form of maps and lists, on plots and units of flats, including providing proof of their right letters for plots of existing rights and ownership of the apartment units as well as certain rights which encumber.

Definition of land registration in the Government Regulation No. 24 of 1997 is a refinement of the scope of activities of registration details of land under Article 19 paragraph (2) of Government Regulation No. 10 of 1961 which only includes penguku-an, mapping and bookkeeping land, registration and transfer of land rights and the provision of proof of rights as evidentiary tool.

Land registration aims at ensuring legal certainty, known as Rechts Cadaster / Legal Cadaster. Legal guarantee to be realized in this land registration rights include the exact status in the list, the certainty of the subject of rights, and the rule of the right object. The land registration menghasilkan certificate as proof of their rights. The opposite of land registration is Fiscaal Cadaster Rechts, namely land registration which

aims to determine who must pay taxes on the land, which is now known as the Income Tax Property Tax Payable (SPPT UN)⁴⁹¹,

Runway Legal Cadaster give an explanation that is the registration of land is a series of activities carried out by the Government continuously, continuous and regular, covering the collection, processing, accounting, and presentation as well as the maintenance of physical data and juridical, in the form of maps and lists, the plots and units of flats, including the provision of a letter of proof hakya for areas already existing land rights and ownership of the apartment units as well as certain rights which encumber.⁴⁹²

Implementation of a legal cadaster to the holders of land rights granted certificate of proof of entitlement. Proof of ownership of securities of that right entitles the holder, can easily prove that he is entitled to the land concerned. Data that has been in the office of the Land Registry open to the public has the properties that need. Prospective buyers and prospective lenders can easily obtain information that is needed to secure the legal actions to be taken, both obtained from the ministry of land registration and land rights holders concerned.

2. Legal basis

Basic Agrarian Law (BAL) also regulate the registration of land aimed at ensuring legal certainty. Land registration is an obligation for the government and land-rights holders. Provisions on the obligation for the government to carry out the registration of land in the entire territory of the Republic of Indonesia stipulated in

- 1) In order to ensure legal certainty by the Government held land registration throughout the territory of the Republic of Indonesia in accordance with the provisions stipulated in Government Regulation.
- 2) The registration under subsection (1) of this article include:
 - a. Measurement, mapping, and soil bookkeeping;
 - b. Registration of rights to land and transfer of such rights;
 - c. Award letters proof of rights, which serves as a powerful verification tool.
- 3) Registration of land held by the state and given the state of society, the socio-economic needs of traffic and the possibility of its implementation, according to the Minister of Agrarian consideration.
- 4) Regulated in Government Regulation the costs concerned with the registration referred to in paragraph 1 above, provided that the people are not able to exempt from the payment of these costs. Further provisions for land registration according to Article 19 Paragraph (1) BAL is regulated by the Government. Government regulations are ordered here has been made, it was originally a Government Regulation Number 10 of 1961 on Land Registration ,

Then, the Government Regulation No. 10 years 1961 is no longer valid with the approved Government Regulation No. 24 of 1997 on Land Registration. Are no longer effective

Government Regulation No. 10 of

Article 19 of the BAL, namely⁴⁹³:

⁴⁹¹ 10Widhi Handoko, *Kebijakan Hukum Pertanahan Sebuah Refleksi Keadilan Hukum Progresif*, *Thafa Media*, Yogyakarta, 2014, p. 106.

⁴⁹² *Ibid.*

⁴⁹³ Urip Santoso, *Hukum Agraria Kajian Komprehensif*, *Kencana Prenada Media Group*, Jakarta, 2012, p.297

1961 declared in Article 65 of Government Regulation No. 24 of 1997, that is “With the Applicability of this Government Regulation, Government Regulation No. 10 of 1961 on the Registration of land is no longer valid”. Government Regulation No. 24 of 1997 was passed on 8 July 1997 but only became effective as of October 8, 1997, as stated in Article 66 of Government Regulation No. 24 of 1997 consisted of 10 (ten) chapters and 66 chapters⁴⁹⁴.

Government Regulation No. 10 of 1961 and Government Regulation No. 24 of 1997 is a form of implementation of land registration in order *rechtscadaster* (land registry) that aims to provide legal certainty and legal protection to rights holders on the ground, with the evidence produced at the end of the process of land registration the form of the land Book and Certificate is soil composed of Copies of land Book and Mail form of the land Book and Certificate is soil composed of Copies of land Book and Mail Measure⁴⁹⁵

Government Regulation No. 24 of 1997 have accrued very strategic and decisive, not merely as the implementation of the provisions of Article 19 UPPA, but more than that of Government Regulation No. 24 of 1997 be the backbone that supports the passage of the land administration as one of the program Chess Conduct of Land and Legal land in Indonesia. Based on the principle of land registration implemented a simple, safe, affordable, and open-to-date (Article 2 of Government Regulation No. 24 of 1997), whereas in Article 3 of Government Regulation No. 24 of 1997, explained that the land registration aims:

- a. To provide legal certainty and legal protection to rights holders on a plot apartment units and other rights

registered in order to easily be able to prove himself as the holder of the rights in question;

- b. To menyediakann information to the parties concerned, including the Government that can easily acquire the necessary data in performing legal acts concerning land parcels and units of flats that have been registered;
- c. For the orderly implementation of land administration.

Article 4 of Regulation *Pemerintah*tersebut also provides rules relating to land registration purposes, among others:

- a. To provide certainty and legal protection as defined in Article 3 letter a to the rights holder concerned must be cert land rights.
- b. To carry out the functions of the information referred to in Article 3 letter b of physical data and juridical data of land parcels and apartment units are already registered open to the public.
- c. To achieve the orderly administration as referred to in Article 3 c, each plot and apartment units, including switching, loading, and the abolishment of rights to plots of land and property rights to the apartment units mandatory register.

System of land registration and settings on *stelsel* negative publicity, which is a barometer of legal certainty is not registration but the validity of legal act performed *berpindahanya* determining the purchaser. Registration does not make the person who acquired the land from the rightful become the new rights holder. In this system applies

⁴⁹⁴ *Ibid.* p. 4

⁴⁹⁵ Arie S Hutagalung, *Tebaran Pemikiran Seputar Masalah Hukum Tanah, Lembaga Pemberdayaan Hukum Indonesia, Jakarta, Agustus 2005, p. 81*

the principle known as *nemo plus iuris*⁴⁹⁶

Publishing system used BAL and Government Regulation No. 24 of 1997 is stelsel negative publicity (positive element) which contains positive elements. The system is not negative purely as stated in Article 19 paragraph (2) c, that registration produce letters of proof of the rights, which apply as a strong evidence, as is also stated in Article 23 paragraph (2), 32 (2) and 38 (2)⁴⁹⁷.

Model land registration system used in Indonesia can be seen from the provisions of applicable law (Government Regulation No. 10 of 1961 jo Government Regulation No. 24 of 1997), pointing out that a formal document land ownership regarding to the legal provisions in the form of certificates of rights, it can be concluded (temporary) that the land registration system in Indonesia should be based on a system of registration with stelsel positive publicity, can be evidenced by their characteristic or distinctive character of a land registration system such that their characteristic or distinctive character of a land registration system are on the ground, with the entire sequence of procedures and the mechanism prescribed in the regulations perundang law on land registration system is more dominant stelsel models of positive publicity. Affirmation of negative publicity stelsel characters shown in the jurisprudence of the Supreme Court of the Republic of Indonesia (MARI), which explicitly.

That statement means that the Government as an organizer of the land registration should be sought, so far as possible be served the correct data in the land book and map registration. Up for can not be proven to the contrary, data presented in the book and map land registration must be accepted as true. Well in everyday legal acts, as well

⁴⁹⁶ 15 This principle is derived from Roman law *nemo plus iuris in full alium quam potest transferre* ipasale Abel means people can not move or waive any rights beyond what he himself belongs. the data presented in the registration system of negative publicity should not just trusted truth. The state does not guarantee the correctness of the data presented. Although already register, the buyer is always still faces the possibility of lawsuits from those who can prove that he is the actual rights holders. The weakness of this system by the countries that use it coped with the agency *acquisitive verjaring*.

⁴⁹⁷ Ibid

⁴⁹⁸ 17 Widhi Handoko, *Ibid.*, p.109.

as in litigation in court. Likewise, the data contained in the certificate of rights, all the data as it is in the land and map book registration. Even so, system also not positive. In a positive system, data disajkian vouched. Not only serves as a strong evidentiary tool, the above has been stated that the data contained in the Register have absolute proof power.

We adopted the model of land registration stelsel negative publicity. One of them can be read jurisprudence in ruling MARI No. Reg. 459 K / Sip / 1975, dated September 18, 1975, states that:⁴⁹⁸ Stelsel negative on register / cadastral apply in Indonesia, then terdaftaranya person's name in the register does not mean the absolute becomes the owner of the land if its invalidity can be proved by other parties. Registration of land in Indonesia are adhered stelsel negative publicity, characterless stelsel positive publicity. The positive character can be seen, among others:

- 1) Their land examination committee bar- rister and conveyance "the so-called A and B committee whose job testing and research of title" examiner. From these studies it will be tested and concluded that at least contain: first, land or plot filed an application for registration is in good condition and clear; second, that on the request there is no dispute in ownership; third, that upon conviction petition committee can be given; fourth, that the evidence used against the right base for registration submission nobody is prejudiced and objections to the ownership of the applicant. The aim is to ensure legal certainty registered land (article 19 BAL). Boedi Harsono mention as a negative system of positive tendencies.
- 2) Model positive character looks in the

Government Regulation No. 24 of 1997, among others:

- 3) PPAT given the task to examine the material documents diiseraahkan and entitled to meonlak deed;
- 4) Authorized officer (officer) is entitled to refuse to register if peilik not authorized to divert their rights;
- 5) The Government is providing models of certificates to expedite mechanism PPAT tasks.
- 6) Their certificate of land rights in published, as the evidence and means of proof of land ownership rights.

In Article 19 paragraph (1) BAL stated that the holding of land registration throughout the territory of the Republic of Indonesia is the Government. But in this article did not mention which government agencies conduct the land registry, as well as in Article 1 of Government Regulation No. 10 of 1961 simply states that the registration of land held by the Land Registration Bureau. Article 19 paragraph (3) BAL mention that the registration of land held by the state and given the state of mesyarakat, traffic purposes socio-economic as well as the possibility of its implementation, according to the Minister of Agrarian consideration. In the explanation of Figures IV BAL General stated that the land would pendafaran diseleggarakan keeping in mind the interests and circumstances of the country and society, economy and social traffic possibilities in the field of personnel and peralatanya. Therefore, it will take precedence over its implementation in cities gradually increased in the cadastre which covers an area of the country.

On the basis of the provisions of Article 19 paragraph (3) of the BAL, the implementation of prioritized land registration in urban areas caused traffic in this area economy is higher than in rural areas. Furthermore, held land registration in rural areas. Registration of

⁴⁹⁹ Urip Santoso, *Opcit.*, p.297

land is also dependent on the state budget, land registration officers, equipment available, and the public awareness of land rights holders.

BAL determined that for the people who can not afford exempted from land registration fees. This is affirmed in Article 19 paragraph (4) BAL, ie Government Regulation set the costs concerned with the registration referred to in paragraph (1) above, provided that the people are not able to exempt from payment of the cost-aged. In the implementation of land registration, the Government is not able to release all the costs arising cadastral be mandatory for applicants for land registration, due to limited funds owned by the Government. The government can only provide subsidies to applicants land pendafatan cost of land registration. Examples of land registration cost is subsidized by the Government is a national project Agricultural Operations (PRONA) based on the Ministry of Interior No. 189 of 1981 on the National Operations Project Agricultural and systematic land registration through Adjudication⁴⁹⁹.

In this case, PRONA be part of Execution System Land Registry Systematic Complete set out in Article 3 (4) of the Regulation of the Minister of Agrarian dan Tata Lounge / BadanPertanahan National Nomor35 2016, Accelerate implementation of land registration systematically complete as described in paragraph (1) do through:

National Program for Agricultural/Agricultural Regional Program (PRONA/PRODA);

- a. Cross-cutting programs;
- b. the activities of the Village Fund;
- c. mass-governmental activities; or
- d. other mass activity, a combination of some or all of the activities referred to in letters a through d, in accordance with the provisions of the legislation.

Land Registry Systematic Complete is a land registration activities for the first time carried out simultaneously for all the objects of registration of land in the entire territory of the Republic of Indonesia in the territory of the village / village or other names that level with it, involves the collection and determination of the truth of physical data and juridical data regarding one or several objects of registration of land for registration purposes. In a complete systematic land registration activities, hereinafter referred to PTSL implemented by the Adjudication Committee for Complete Systematic Land Registration.

3. Accelerating the Implementation of Complete Systematic Land Registration (PTSL)

Accelerating the Implementation of Complete Systematic Land Registration (PTSL) arranged dalam Peraturan Agrarian Ministry of Spatial Planning / Head of National Land Agency Number 1 of 2017 concerning amendments to the Regulation of the Minister of Agrarian and Spatial Planning / Head of National Land Agency Number 35 Of 2016 concerning Percepatan Pelaksanaan Tanah-Sistematis Registration Complete. Background The rule change is expressed in the words konsiderannya under weigh, namely:

- a. That the Regulation of the Minister of Agrarian and Spatial Planning / Head of National Land Agency Number 35 Of 2016 on Accelerating the Implementation of Complete Systematic Land Registration, could not be implemented because there are things and substantive principle which has not been set;
- b. That based on consideration as referred to in paragraph a, this Regulation of the Minister of Agrarian and Spatial Planning / Head of National Land Agency on Amendment to Regulation of the Minister of Agrarian and Spatial Planning / Head of National Land Agency Number 35 Of 2016 on Accelerating the Implementation of Complete Sys-

tematic Land Registration.

Interest accelerated implementation complete a systematic land registration is to accelerate the provision of legal certainty and legal protection of land rights for certain people, simple, fast, smooth, safe, fair, equitable and open and accountable, so as to improve the welfare and prosperity of society.

PTSL implemented for all objects of registration of land in the entire territory of the Republic of Indonesia, covering the entire plot without exception, both plots were no rights to the land or parcels of land rights, both the land asset / regional government, the land of the State Owned Enterprises / Body regional-owned enterprises, rural land, State land, the land of indigenous and tribal peoples, forest, land reform object, land resettlement, and other parcels.

Dalam hal implementation Complete Systematic Land Registration (PTSL) based on Regulation of the Minister of Agrarian and Spatial Planning / National Land Agency Number 1 of 2017 participants or to apply for land registration includes:

- a. Indonesian citizen, to individuals;
- b. The people involved in the field of housing Simple Government Program;
- c. Religious legal entity and legal entity social compatibility between the use of the land allotment;
- d. Civil servants, Indonesian National Army or Police of the Republic of Indonesia;
- e. Veteran, Retired civil servants, retired Indonesian Army, Retired Police of the Republic of Indonesia and the husband / wife / widow / widower Veteran / Retired Civil Servants / Indonesian National Army Retired / Retired Police of the Republic of Indonesia;
- f. Government agencies and local governments to carry out their duties

and functions and non-profit;

g. Nazhir; or

h. Indigenous Peoples.

In order to realize the presence of the State in the land sector by ensuring legal certainty Landrights as proof of ownership rights as mandated in Article 19 of Act No. 5 of 1960 on Basic Regulation of Agrarian Affairs, the Government is obliged to carry out the registration of land in the entire territory of the Republic of Indonesia , Therefore, it is necessary to do the acceleration of land registration to pursue the percentage of registered land which is still below 50% (fifty) percent today. One way in which the Ministry of Agricultural and Spatial is through the Accelerated Implementation Complete Systematic Land Registry as stipulated in the Regulation of the Minister of Agrarian and Spatial Planning / Head of National Land Agency Number 12 Of 2017 on the Acceleration of the Implementation of Complete Systematic Land Registration. Land Registry Systematic Complete is a land registration activities for the first time (either land registration was first Conversion / Recognition / Affirmation of Rights or land registry first entitlement) are conducted simultaneously covering all the objects of registration of land which has not been registered in a village area / village or any other name.⁵⁰⁰

Complete Systematic Land Registration was implemented to accelerate the realization of land registration throughout the territory of Indonesia, in accordance with the mandate of Act No. 5 of 1960 Article 19 paragraph (1). Complete Systematic Land Registration (PTSL) set out in Regulation of the

⁵⁰⁰ <http://kepri.atrbpn.go.id/Publikasi/Berita-Kantor-Pertanahan/percepatan-pendaftaran-tanah-Full-66325.aspx> systematically, The access on March 1, 2019

⁵⁰¹ Article 1 paragraph 2 of Regulation No. 12 of the Minister of Agrarian 2017

⁵⁰² Article 3 (2) of the Regulation of the Minister of Agrarian No. 12 of 2017

⁵⁰³ Article 2, paragraph (2) of the Regulation of the Minister of Agrarian No. 12 of 2017

⁵⁰⁴ <http://www.geodetmanja.com/2018/01/ptsl-pendaftaran-tanah-sistematis.html>, accessed on March 1, 2019

Minister of Agrarian and Spatial Planning / National Land Agency Number 12 Of 2017 on Accelerating the Implementation of Complete Systematic Land Registration. Land Registry Systematic Complete is a land registration activities for the first time carried out simultaneously for all objects of land registration throughout the territory of the Republic of Indonesia in the territory of the village / village or other names that level with it, which involves the collection and determination of the truth of physical data and juridical data regarding one or several objects of registration of land for the purposes of registration.⁵⁰¹

The object of registration of land covering the entire plot without exception, both parcels of land rights, land assets / regional government, Land State Owned Enterprises / Regional Owned Enterprises, Land Village, State Land, the land of indigenous and tribal peoples, forests, soil object land reform, land resettlement, and other plot.⁵⁰²

Interest accelerated implementation of land registration systematically complete is to accelerate the provision of legal certainty and legal protection rights of society as a definite, simple, fast, smooth, safe, fair, equitable and open and accountable, so as to improve the welfare and prosperity of society and the country's economy, as well as reduce and prevent disputes and conflict over land.⁵⁰³

One of the stages of land registration activities is the physical data collection activities, physical data collection covers⁵⁰⁴:

- a. Delimitation of land parcels
- b. Measurement limit plot
- c. Mapping plot

d. Announcements physical data.

Running the procedure and enter data and information relating to the physical data of land parcels in the CTF application with reference to the provisions of legislation governing the measurement and mapping of land. Physical data collection in order to accelerate the complete systematic land registration would be optimal if the result in the implementation of the measurement and mapping of land parcels carried out systematically clustered in one area of the village / urban facilities, as should diduung by the availability of basic maps for land registration.

The goal of measuring and mapping land parcels complete systematically clustered in one area of the village / village full of them:

- a. The timing of the faster relative to the implementation of the measurement and mapping of land parcels sporadic secra
- b. Mobilization and coordination officers more easily implemented measure
- c. May as well known areas of land which has not been registered and who were registered in the territory of the village / village
- d. May as well known areas of land in question in a rural area / village
- e. Approval sebeah boundary contiguous (principle contradictoir delimitatie) are relatively easy to implement.
- f. Can correct / complete the registration base map.

4. Accelerating the Implementation of Complete Systematic Land Registration(PTSL) in Kendal, Central Java

From the research that has been conducted by researchers look of the constraints in the implementation of a complete systematic land registration that has implications for the implementation of activi-

ties ketidaklancaran process. To overcome the problems that occur society / applicant PTSL, Local Government and the District Land Office Kendal, Central Java should be able to establish cooperation in expediting the process of implementation. Businesses that can be achieved by the authors include:

- a. In addressing the problems or obstacles such as the above, especially in terms of the level of public understanding of the PTSL this, then the District Land Office Kendal, Central Java should make an effort to do counseling settlement. Counseling is one of the stages of implementation PTSL, and some of the material presented, but the District Land Office Kendal, Central Java should be more emphasis or further explain the intensive and concrete about the matter of funding and stresses that the implementation of the program the certification is very easy to do. Delivery of content should use language that is simpler and better if the extension uses language Kendal regency, Central Java, since the average community Kendal regency, Central Java rarely able to respond quickly use Indonesian. In this extension stage question and answer session should be held up by the absence of something that is confusing the public. In addition the District Land Office Kendal, Central Java can use the brochure as a means of delivering information that can be taken anywhere by the participant / applicant. Brochures can be distributed to the public Kandai Two at the time of counseling and are provided at the District Land Office Kendal, Central Java.
- b. District Land Office Kendal, Central Java should be managed to change the mindset of society Kendal regency, Central Java, who thought that the land was the most important thing is to take advantage and make ends meet. Land Office must successfully grow-

- ing awareness that soil also requires legal protection so that when a problem occurs when the resulting entered in the court, the land owner can prove kepemilkannya. This is also done so that problems do not arise in the implementation of PTSL activities for the years ahead.
- c. From the results of research conducted by the researchers showed that the coordination of local government to the District Land Office Kendal, Central Java just is simply knowing and instructed the Regional Head of the District who are in Kendal regency, Central Java. Budget obtained by the District Land Office Kendal, Central Java for the implementation of this PTSL program Purely from the state budget and no other budgetary resources in implementation. Meanwhile, in the Minister of Agrarian No. 12 of 2017 Article 33 of the source of financing could come from a variety of sources one of which is from the Regional Budget (APBD) Province, Regency / City and Village Fund. This shows that the cooperation between the District Land Office Kendal, Central Java Regional Government can be improved more from the beginning is that it simply knowing and instructing be additional budget implementation PTSL by the local government through the budget or help subsidize the procurement Pal (mark) to each village , Extra biayaan through the budget is not without reason, with the implementation of the Program PTSL by the Land Office can assist local governments in the success of the performance in the area of land in the area of autonomy.
 - d. Budgets and CSR funds can be a financing alternative implementation of the Land Registration Systematic Complete, to the respective Chief Provincial BPN Regional Office and Head of

the District Land Office / City in order to coordinate with the provincial government and district / city or state / D in order to finance the certification land through the budget / CSR. If the certification of land financing through the budget / CSR agreed the Head of the Provincial BPN Regional Office and Head of the District Land Office / City in order to report to the Minister of Agrarian 3 and Spatial Cq. Secretary-General, accompanied by the text of the grant agreement that has been signed by the parties, while the procedure for grant to finance the legalization of assets refers to the Secretary- General Letter No. 3661 / 2.3-100 / VIII / 2016 dated August 24, 2016 Technical Guidelines for Management of Grants thing Instant Money For Financing Activities legalization of Assets.

D. CLOSING

1. Conclusion

Based on the description above regarding the implementation of land registration in bulk through Systematic Land Registration of Complete (PTSL), then on this occasion, the author intends to give the conclusions from the results of research and discussion as follows:

- a. That the implementation of Complete Systematic Land Registration (PTSL) is one of the government's activities in the field of land registration in the form of the certification of the mass in order to help the whole group, especially the middle class and poor economy. Program PTSL will be held regularly every year, where most of the source of funds paid by the Government, as well as the stages in the implementation of PTSL in Kendal regency, Central Java had to run well and has been implemented in accordance with the applicable provisions of the Regulation of the Minister of Agrarian No. 12 Ha 2017. This can be seen from the District land Of-

Office Kendal, Central Java has reached the target of 9,000 plots of land have been completed for registration in accordance with PTSL fiscal of 2017. This success rate is shown through the implementation period of only 9 months of employment of one year working budget, and the publication of the entire certificate for the parcels of land enrolled in the program PTSL. From the above data shows that the program PTSL encourages expeditious implementation of the legalization of assets in Kendal regency, Central Java.

b. Factors that become obstacles in the implementation of PTSL in Kendal regency, Central Java, among others:

- 1) The education level of people who are still very low, causing not all components of society to understand and has a quick responsiveness related to the implementation PTSL.
- 2) Applicant PTSL difficult to be presented at the time of measurement activities because some bustle.
- 3) Petitioners do not perform the installation of a line for several reasons, either because there is no right time or still a dispute with the owner of the land bordering it caused delays implementation activities.
- 4) Completeness of collection of administrative requirements by the applicant
- 5) Most of the geographical conditions Kendal regency, Central Java, or the location in the program implementation PTSL the steep hills.

2. Suggestion

After the writer took some conclusions from the data and information that

has been analyzed, the authors will try to give some advice to the District Land Office Kendal, Central Java, local governments and to the public at large, so that the implementation PTSL coming year can be performed well. As for suggestions that the writer suggested another conduction:

- a. District Land Office Kendal, Central Java duties should improve their performance in providing information to the public, both on land registration information, information about the terms of what should be owned by the applicant. At a time when there are fees charged to participants PTSL later, it is not to become a problem in the smooth implementation.
- b. District Land Office Kendal, Central Java should pay more attention to the implementation of the action that is associated with the removal PTSL of participants PTSL applicant orally either through the village committee or with the applicant directly. It will need more attention because it deals with a person's right to obtain legal certainty on the land.
- c. District Land Office Kendal, Central Java must meningkatkan kerjasama with local government in the implementation of PTSL, in order to optimize the activities rather than implementation. Then it should start with their forms of coordination between the District Land Office Kendal, Central Java, local governments and communities.
- d. To the village office is required to coordinate with its citizens by conducting more intensive approach to citizens who may still less enthusiastic in the sense that they have the notion that the implementation of this PTSL difficult.

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