

Effectiveness of Implementing Complete Systematic Land Registration in Order to Ensure Legal Certainty in Pati Regency

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Abstract. Complete Systematic Land Registration (PTSL) is a government program that aims to provide legal certainty for landowners in the form of certificates. In practice, this complete systematic land registration is still questionable in terms of its effectiveness because there is still a small portion of land that has not been registered. The purpose of this research is to analyze: 1) Obstacles in complete systematic land registration in order to ensure legal certainty in Pati Regency. 2) The effectiveness of complete systematic land registration in order to ensure legal certainty in Pati Regency. This type of research is empirical legal research. The approach method in this research is a qualitative approach. The type and source of data in this research are primary data obtained through interviews and observations. The analysis in this research is descriptive analytical. The results of the study indicate that the implementation of complete systematic land registration in Pati Regency still faces several obstacles consisting of technical and non-technical obstacles. For example, obstacles due to limited human resources, the still low awareness of some people to participate in this complete systematic land registration program, and obstacles in the application system at the Pati Regency Land Office. Even though there are still several obstacles, this program can be considered quite effective because this program provides more benefits than the existing obstacles.

Keywords: Complete; Effectiveness; Land; Registration; Systematic.

1. Introduction

Control or ownership of land based on a legal right must always be accompanied by a guarantee of legal certainty for the right holder, so that the existence of the right is not only factually recognized, but also has clear and defensible legal force. This principle is in line with the provisions of Article 19 of the Basic Agrarian Law (UUPA) Number 5 of 1960 which states that, in order to guarantee legal certainty and provide legal protection in the land sector, the government is obliged to

organize comprehensive land registration throughout the territory of the Republic of Indonesia.

Land registration, in this case, cannot be understood merely as an administrative activity of a mere recording nature, but rather as a structured and sustainable system that includes the collection, processing, bookkeeping, and presentation of physical and legal data regarding land plots. Through this mechanism, the state provides formal legitimacy to the status of land ownership or control held by individuals and legal entities. The government has implemented the National Agrarian Operations Project (PRONA) with the aim of land certification aimed at all levels of society, especially those with low economic status, and to completely resolve strategic land disputes. The Prona project has been running since 1981, but in the period from 1995 to 2001 the Government replaced PP Number 10 of 1961 with PP Number 24 of 1997, and in collaboration with the World Bank, Indonesia implemented a land certification project through the ILAP (Indonesian Land Administration Project) Program, then this project continued through the LMPDP (Land Management and Policy Development) program which was implemented in the period 2004-2009.¹

Land registration that is carried out systematically is in principle prioritized in national land policy because it has a higher level of effectiveness in accelerating the process of collecting, processing, and presenting legal data and physical data on land plots that are the objects of registration.² A systematic approach allows for simultaneous data collection in a particular area (mass adjudication), thereby creating economies of scale and consistency in measurement, mapping and data verification standards when compared with sporadic land registration which is individual and partial in nature.³

Therefore, systematic land registration requires comprehensive planning based on the principles of public project management. This planning should encompass a medium- to long-term time horizon, accompanied by the development of a structured, measurable, and sustainable annual work plan. Furthermore, a feasibility study is required that considers technical, economic, social, and institutional aspects to ensure that the program can be implemented effectively, efficiently, and sustainably, and achieve its primary objectives of ensuring legal certainty over land rights and orderly land administration.⁴

Because the Complete Systematic Land Registration (PTSL) program is an accelerated program established by the government with a very large target achievement in a relatively short time, fundamental questions arise regarding the

¹Tamtomo JP, 2017, Agrarian Census and Basic Rights of the People, Kompas, page 5

²Boedi Harsono, 2008, Indonesian Agrarian Law, Trisakti University Press, Jakarta, pp. 477-480

³Sitorus, O., 2017. Factors influencing the success of land registration programs and the role of universities in accelerating PTSL. In Proceedings of the National Land Seminar.

⁴Boedi Harsono Op. cit., pp. 474-477.

extent to which this program is able to effectively realize legal certainty of land rights for the community. This is important to examine, considering that in practice, PTSL implementation is carried out under high time pressure, potentially giving rise to various problems, particularly those related to procedural and administrative aspects. These concerns relate, among others, to the possibility of suboptimal verification of physical and legal data, which are crucial elements in land registration.⁵ Furthermore, there is also the potential for a lack of synchronization between the technical provisions for the implementation of PTSL and higher-level laws and regulations, both those stipulated in the Basic Agrarian Law and the Government Regulation on Land Registration. If this condition is not managed properly, the program, which should be an instrument for accelerating the realization of orderly land administration, will instead risk giving rise to land disputes or conflicts in the future. Therefore, a comprehensive evaluation of PTSL implementation is needed, from both normative and empirical aspects, to ensure that the program's primary objective, namely to provide guaranteed legal certainty and protection for land rights, can be truly achieved in a sustainable manner.⁶

This study aims to analyze the effectiveness of the procedures for implementing complete systematic land registration in order to guarantee legal certainty in Pati Regency, as well as the obstacles and solutions that can be offered.

2. Research Methods

This research is empirical legal research using a qualitative approach. The research specification is descriptive analytical, which systematically describes the legal status of guardianship court decisions in the transfer of land rights for minors to be analyzed to answer the research problem. The data used are primary data collected through interviews and observations, secondary legal materials in the form of laws, books, journals, and tertiary legal materials in the form of legal dictionaries and legal encyclopedias. Data analysis is carried out descriptively by explaining and describing the phenomena studied narratively based on certain classifications to draw conclusions from the data obtained.

3. Results and Discussion

3.1. Obstacles in the Implementation of Complete Systematic Land Registration (PTSL) and How to Resolve Them

The Complete Systematic Land Registration Program (PTSL) aims to comprehensively record unregistered land parcels. Unlike PRONA, PTSL conducts

⁵Muchtar Wahid, 2008, *Understanding the Legal Certainty of Land Ownership Rights*, Republika Publisher, Jakarta, p. 5

⁶Permadi, 2012, *Position of Foreign Legal Entities in Land Ownership in Indonesia*, *Journal of Social and Humanities*, Vol.15, No.4, p.46.

initial validation of land parcel status before issuing certificates. Land parcels still under dispute cannot have certificates issued until there is certainty regarding the resolution of their legal status.⁷

Conditions that hinder or obstacles found in the implementation of PTSL in Pati Regency include:

1) Human Resources

Human resources are one of the obstacles to PTSL implementation in Pati Regency, primarily due to limited staff and unequal understanding of land conditions and administrative documents used as the basis for certificate issuance by field officers. This situation results in officers requiring longer verification times and often requiring assistance from village governments and the community. To address this, the Pati Regency Land Agency (BPN) has increased staffing, improved staff competency through training and workshops, and conducted ongoing outreach to the community.

Obstacles also arise from the community, including the existence of divided land parcels that have not been administratively registered and discrepancies in the distribution of land rights. These issues are resolved through re-checking village administration, matching physical and legal data, verifying the basis for land acquisition and field conditions, and clarifying with landowners, heirs, village officials, and owners of adjacent parcels to verify the history of land ownership and boundaries.

2) Technical

Another obstacle stems from the application system at the Land Office, which is used simultaneously for PTSL activities and routine services, sometimes delaying the data entry process. Possible measures include setting a dedicated time for PTSL data entry or separating access between PTSL activities and routine services.

Despite various technical and human resource constraints, the implementation of PTSL in Pati Regency has proceeded quite smoothly. The Pati Regency National Land Agency (BPN) continues to implement various efforts to ensure the program's success, particularly in assisting communities in obtaining land certificates and providing legal certainty regarding land rights.

⁷Siti Halimah, Widayati, The Role of the National Land Agency in the Complete Systematic Land Registration (PTSL) Program, *Jurnal Konstatering (JK)*, Volume 1 No. 4, October 2022, Unissula, Semarang, p. 1558

3.2. Effectiveness of the Implementation of Complete Systematic Land Registration (PTSL) in the Context of Ensuring Legal Certainty in Pati Regency

Land registration is a fundamental activity in land management because it is related to legal certainty over land ownership and control. In practice, land disputes can still arise between communities, families, businesses, state-owned enterprises, and the government. Therefore, land certificates play a crucial role as legal evidence that can reduce the potential for land disputes.⁸

The importance of land certification and transfer of ownership is also related to efforts to minimize legal risks in the future. Provisions regarding land registration, which were originally regulated in Government Regulation Number 10 of 1961, were then replaced by Government Regulation Number 24 of 1997 concerning Land Registration. Based on Article 32 paragraph (1), a certificate is a document that proves rights containing physical and legal data, while physical data includes information regarding the location, boundaries, and area of the land plot.⁹

According to Mr. Selamat, the implementation of Complete Systematic Land Registration (PTSL) in Pati Regency offers several key benefits. First, PTSL increases legal certainty by issuing certificates as legal proof of land ownership, thereby minimizing the potential for disputes. Second, land certificates can increase the economic value of land and can be used as investment assets. Third, certificates can be used as collateral to obtain credit or financing from banking institutions. Fourth, the data generated through PTSL can support the government in regional planning and development.

In Pati Regency, the Complete Systematic Land Registration (PTSL) program has been implemented in accordance with established protocols. The following are the stages in the PTSL implementation process:

1) Planning

The implementation of Complete Systematic Land Registration (PTSL) is carried out by carrying out permanent planning.

2) Location Designation

The designation of the location is based on the Decree and based on the number of unregistered and registered land plots in a village.

3) team building

⁸Rahmat Ramadhani, Guarantee of Legal Certainty Contained in Land Title Certificates, *Journal De Lega Lata*, Volume 2, Number 1, January – June 2017, p. 139

⁹Andhi Nur Rahmadi, The Effectiveness of the Complete Systematic Land Registration Program (PTSL) in Preventing Land Mafia in Probolinggo City, *Malikussaleh Journal of Social and Political Sciences (JSPM)*, Volume 3 Number 1, 2022, p. 4

The formation of the adjudication committee team consists of a committee for the legal field and physical and legal data collectors, elements of the committee can be from village elements and other elements, guided by the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 6 of 2018 concerning Complete Systematic Land Registration

4) socialization

5) collection of physical data and legal data

The Physical Task Force and the Legal Task Force can collect physical and legal data simultaneously regarding the time and location of implementation. However, each task force can perform these tasks independently if the work is conducted in a village or sub-district designated as a PTSL location and uses the same work map as a reference.

6) legal data synchronization

Synchronization of legal data collected by legal data collectors, authorized by the head of the land office, with physical data collectors, with the output confirming the conformity of the two data sets. This legal data synchronization aims to prove rights, implemented by the Complete Systematic Land Registration (PTSL) Adjudication Committee.

7) announcement of physical data and legal data

The announcement of physical and legal data is carried out by the PTSL Adjudication Committee as part of the land registration process. After the announcement period concludes, the data is then validated in accordance with applicable regulations. The announcement and validation stages include:

a. Preparation

b. Implementation of the Announcement

c. Confirmation

8) affirmation of convention and recognition of rights

If the physical and legal characteristics of a plot of land meet the requirements for issuing a land title certificate, recognition of the conversion and granting of rights can be granted. The head of the adjudication committee is responsible for confirming the conversion and recognizing the rights.

9) Bookkeeping of rights

After land rights are established, the next stage is land registration. During this process, the Head of the Pati Regency Land Office, along with the responsible

parties, examines the research results and data processing conducted by the legal team. These results serve as the basis for determining the suitability of a plot of land for certificate issuance. After the Committee A Minutes are signed by the Chair of the PTSL Adjudication Committee and all requirements are declared fulfilled, the process continues with the issuance of a land title certificate in the applicant's name.

10) Issuance of certificates

Issuing certificates is similar to registering land rights. The PTSL Adjudication Committee is responsible for preparing and printing land title certificates, while the certificates are signed by the Head of the Land Office, in accordance with their authority.⁸¹ In the process of handing over certificates to the community, the Pati Regency Land Office also involves village committees. This involvement is necessary to help ensure that certificates are handed over to the rightful parties and to anticipate any remaining issues or objections related to the registered land plots.

11) Documentation and submission of activity results

12) Report

Reporting on the implementation of PTSL activities is carried out both after completion and when obstacles arise during the process. The Head of the Land Office, the Head of the BPN Regional Office, and ultimately the Minister receive the results of PTSL activities in a hierarchical and periodic manner. In addition, the Land Service Quality Control System (SKMPP) is used to submit progress reports on PTSL implementation. In addition to this system, the Director General of Agrarian Infrastructure and the Director General of Land Relations

The implementation of PTSL does not essentially impose fees for land registration services under the authority of the ATR/BPN because activities such as surveying, land inspection, and certificate issuance are funded through the government budget. However, the public may still be charged certain preparation fees. Based on the Joint Decree of the Three Ministers Number 25/SKB/V/2017, Number 590-3167A, and Number 34 of 2017, the PTSL preparation fee for Region V, which includes Java and Bali, is set at IDR 150,000, which is used, among other things, for the procurement of boundary markers, stamps, and operational costs.

Based on the results of the research conducted by the author, the author can conclude that the Pati Regency Land Office, as the implementing agency for the Complete Systematic Land Registration (PTSL) program, has been implemented quite well. The implementation of the Complete Systematic Land Registration (PTSL) program can run well and in a directed manner because it has been supported by control and coordination carried out by program implementers within the Pati Regency Land Office.

The theory of legal certainty emphasizes that a rule must be formulated clearly, firmly, and without multiple interpretations so that it can be applied consistently in practice. In the land context, land registration is a legal instrument that plays a role in providing legal certainty to Tamah rights holders through the issuance of certificates that serve as valid evidence of their rights. This certainty includes clarity regarding the subject of the right, the object of the right, the type of right, as well as the physical and legal data of the registered land plot. This is certainly in line with the legal principle that requires positive law to be formulated and implemented clearly, logically, and consistently so as not to raise doubts in its implementation or in providing legal protection to the community.

The effectiveness of PTSL implementation can be assessed if the program brings more benefits than drawbacks. Based on Soerjono Soekanto's theory of legal effectiveness, effectiveness can be understood as the level of success of a group or system in achieving its stated goals. In a legal context, a regulation is considered effective if it achieves a positive impact and achieves its intended goals.¹⁰The effectiveness of law is reflected in the law's ability to guide, direct, and change the way people behave to comply with applicable legal provisions.

According to the author, the effectiveness of the Complete Systematic Land Registration (PTSL) can be achieved by maximizing existing resources to conduct continuous, massive outreach to the community while simultaneously improving and increasing the number of Human Resources (HR) at the land office. Although many people also convey complaints both in the field and after the issuance of certificates. The problems complained by the community in the field are not far from the land boundaries that are still inconsistencies. The community is concerned that the inconsistencies could lead to disputes between the community or with the owners of adjacent land.

The benefits of Complete Systematic Land Registration are immense. From a societal perspective, this land registration is greatly felt by the community, both directly and indirectly, including the improvement of land administration. This arrangement can prevent land disputes and conflicts, and can also increase regional income. One of the goals of Complete Systematic Land Registration (PTSL) is to develop the community's economy and assets. The issuance of certificates is expected to help develop the community's economy, such as through the development of MSMEs. Certificates resulting from Complete Systematic Land Registration (PTSL) can also be used to obtain credit or payments at banks.

¹⁰Soerjono Soekanto, 1988, Effectiveness of Law and Application of Sanctions, Ramadja Karya., Bandung, p. 80

The goal of the Complete Systematic Land Registration (PTSL) program is to accelerate the provision of legal guarantees and protection for community land rights through a defined process. The implementation of Complete Systematic Land Registration (PTSL) is also expected to encourage increased public welfare and prosperity and support national economic growth. Furthermore, the Complete Systematic Land Registration (PTSL) program aims to reduce and prevent land disputes and conflicts by providing clear and accountable land data.¹¹

The objectives set in this program reflect the successful implementation of the Complete Systematic Land Registration (PTSL) initiative. Thanks to optimization efforts, the PTSL program in Pati Regency successfully exceeded its initial target of 5,292 land plots by registering 5,674 plots (107.2%). Five teams representing 75 regions were assigned to implement the PTSL program by 2025.¹²

The success of extensive and sustained outreach efforts by the Land Office and other relevant stakeholders aimed at informing the public about the importance of the Complete Systematic Land Registration (PTSL) initiative from both a legal and economic perspective is crucial to the initiative's success.

4. Conclusion

The implementation of the Complete Systematic Land Registration (PTSL) in Pati Regency still faces a number of technical and non-technical obstacles, such as suboptimal land measurement and mapping, constraints on the Land Office application system, limited implementing personnel, and low community participation. Efforts to resolve these issues are carried out through comprehensive measurement and mapping, improvements to the application system, increased human resource capacity, and ongoing community outreach. Nevertheless, the implementation of PTSL is considered quite effective in providing legal certainty regarding land rights and reducing the potential for disputes in the community through the stages of preparation, counseling, collection and processing of legal data, proof of rights, land inspection, announcement and ratification, determination or recognition of rights, bookkeeping, issuance and delivery of certificates, document management, and reporting. The recommendations from this study include increasing public awareness of the importance of the PTSL program to increase public participation. The community is also expected to be more active in utilizing the PTSL program to obtain certificates as a form of legal certainty regarding land

¹¹Alfian Agum, Effectiveness of the Implementation of the Complete Systematic Land Registration Program (PTSL), Yusticia Journal, Faculty of Law, Darul 'Ulum University, Jombang, Vol. 10 No. 1. March 19, 2021, p. 56

¹² <https://kab-pati.atrbpn.go.id/berita/serah-terima-hasil-pekerjaan-kegiatan-pendaftaran-tanah-sistematis-lengkap-ptsl-tahun-anggaran-2025-11122025> accessed on August 11, 2026

rights. Furthermore, regular evaluation and refinement of budget implementation guidelines and quality control mechanisms are necessary to ensure PTSL implementation is more effective, orderly, and in accordance with applicable regulations.

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