

Implementation of Complete Systematic Land Registration (PTSL) to Obtain Legal Certainty for Owners of Ready-to-Build Plots in Sungai Pelunggut Village, Sagulung District, Batam City

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Abstract. *This study aims to analyze: 1). The implementation of PTSL to obtain legal certainty for the owners of ready-to-build plots in Sungai Pelunggut Village, Sagulung District, Batam City. 2) The obstacles faced and their solutions in the implementation of PTSL to obtain legal certainty for the owners of ready-to-build plots in Sungai Pelunggut Village, Sagulung District, Batam City. This type of research falls within the scope of sociological or empirical legal research. The approach used is qualitative. The data types and sources used are primary and secondary data, obtained through interviews, observations, and literature review. The analysis is descriptive and analytical. The research results concluded: 1). The implementation of Complete Systematic Land Registration (PTSL) for Ready-to-Build Plots in Sungai Pelunggut Village reflects the state's efforts to guarantee legal certainty of land rights for the community. Normatively, this program is based on Regulation of the Minister of ATR/Head of BPN Number 6 of 2018, which serves as the main legal basis for every stage of implementation, from inventory, collection of legal and physical data, to issuance of certificates. From a legal structure perspective, the implementation of PTSL involves the Ministry of ATR/BPN, the Batam City Land Office, and local governments down to the sub-district level, which together are tasked with the administration and field verification processes. From a legal substance perspective, the clarity and uniformity of procedures in the regulations provide legal legitimacy to the land registration process. Meanwhile, from a legal culture perspective, the community is beginning to show a change in attitude towards respecting formal legality, although not yet fully widespread. 2). The implementation of PTSL for Ready-to-Build Plots in Sungai Pelunggut Village still faces various complex obstacles. Normative constraints arise from the lack of clear technical regulations regarding the legalization of plots originating from informal housing, leading to confusion in their implementation.*

Administrative constraints include weak documentation proving rights by applicants, especially for plots obtained through underhand agreements or without proof of legal ownership. Technical constraints include discrepancies between the physical condition of the land and legal data, as well as difficulties in determining land boundaries due to overlapping claims. Social constraints include low community participation and a lack of legal understanding regarding the importance of land certification. Solutions that have been implemented include legal counseling approaches, strengthening inter-agency coordination, utilizing mapping and measurement technology, and community empowerment.

Keywords: Land Registration; Legal Certainty; PTSL.

1. Introduction

Land has a strategic role and function, so it needs to be managed and regulated, directed towards realizing land for the greatest prosperity of the people. The improvement of land registration procedures includes the principles of implementation, simplification of data collection procedures, announcements, utilization of new technology in measurement and mapping, use of adjudication institutions, possible bookkeeping of land plots with incomplete data, and others. The policy of improving the regulations is related to the land management policy, namely the realization of land for the greatest prosperity of the people as stated in the Vision and Mission of the National Land Agency (BPN). To realize this Vision and Mission, it is carried out through a government-funded land registration acceleration program, while still providing facilities and infrastructure for self-help incentives and community participation.¹

The fundamental problem of land issues and the emergence of uncertainty regarding legal ownership lies in the lack of comprehensive and accurate land registration throughout Indonesia. Land registration issues can reduce trust in land ownership certificates. Information via the media or the internet regarding fake, "fake," overlapping, or duplicate certificates is deeply concerning. The legal certainty of land ownership can still be challenged, even to the point of being challenged in court. Concerns arise because certificates continue to give rise to numerous legal issues. Therefore, the government's task is to develop a more

¹Muchtar Wahid, (2008), *Memaknai Kepastian Hukum Hak Milik Atas Tanah*, Jakarta : Republika, p. 5.

comprehensive legal framework in accordance with societal conditions.² The Ministry of ATR/BPN, in order to support economic growth, create legal certainty over land and avoid land conflicts, is implementing the Mapping, Registration and Certification program. Based on the above facts, a reconstruction of the policy for implementing accelerated-based land registration has been carried out with the target of all registered areas through the implementation of Complete Systematic Land Registration (hereinafter referred to as PTSL), PTSL as part of the Nawa Cita program of the President of the Republic of Indonesia (Joko Widodo), with a target of five million certificates in 2017 for all of Indonesia. As part of the national target, Banten Province is targeted at around 189,457 plots, and South Tangerang City is targeted at 21,067 plots. The Head of the South Tangerang City Land Office, targets that by 2019 all land will have certificates. Currently, only around 63% of the total 403,831 plots of land are certified. Through the PTSL program, it is hoped that all community land plots will be measured and have legality in the form of land certificates.³ Based on the narrative above, it is clear that the purpose of PTSL is to create a central information center for land parcels so that interested parties, including the government, can easily obtain the data necessary to carry out legal actions regarding registered land parcels and apartment units.

Proper land registration is the foundation and embodiment of orderly land administration, and it also guarantees definite legal protection for landowners.⁴ It is hoped that the PTSL objectives can also be realized in Batam City. According to Yudo Prio Sasmito, Linayati Lestari, and Winda Roselina Effendi in their study, the Batam City Land Office ATR/BPN provides land registration services aimed at ensuring the public obtains legal certainty regarding land ownership rights, abbreviated as HAT. Land registration activities are carried out by the land office continuously and sustainably to create justice and equity, as well as encourage the growth of the national economy in general and the people's economy in particular. Therefore, one of the work programs aimed at accelerating complete systematic land registration throughout the Republic of Indonesia is called PTSL.⁵

²*Ibid.*

³Pusat Penelitian dan Pengabdian kepada Masyarakat (PPPM), (2017), *Pendaftaran Tanah Sistematis Lengkap: Proses Dan Evaluasi Program Prioritas (Hasil Penelitian Sistematis 2017)*, STPN Press, p. 4-5.

⁴Arba, (2015), *Hukum Agraria Indonesia*, Jakarta : Penerbit Sinar Grafika, p. 148.

⁵Yudo Prio Sasmito, Linayati Lestari, & Winda Roselina Effendi, "Analisis Pelaksanaan Program Pendaftaran Tanah Sistematis Lengkap (PTSL) Pada Kantor Pertanahan Kota Batam Tahun 2017-2019", *Trias Politika*, Vol 6, No.1, p. 48.

Land use and designation in Batam are regulated by the Batam Free Trade Zone Authority (BP Batam) according to regional plans, such as the industrial area in Muka Kuning, trade in Nagoya, offices in Batam Center, and Ready-to-Build Plots (KSB) in Piayu and Sagulung. To meet the needs of those who cannot afford to buy a house, BP Batam has provided KSB as an alternative affordable residential land since the 1990s. Although KSB is a solution for land ownership, the plot certificate as the basis for control is not legally strong because it is not yet in the form of a certificate. The PTSL program is important to change the status of KSB to a Land Rights Certificate (HAT) and ensure legal certainty, considering that as of 2017 there were approximately 80,000 KSB without certificates in Batam City. Batam City's status as an Industrial City, which grants land management authority to the Batam Free Trade Zone Authority (BP Batam), has resulted in a dual authority over land management in Batam. However, to date, no government regulation has been issued governing the cooperative relationship between the management agency and the government. This duality in land management in Batam remains unresolved, despite the existence of a one-stop shop system. The central government, through the transfer of management rights to the Batam Free Trade Zone Authority (BP Batam), grants authority regarding licensing at the central level.⁶ Many landowners are unable to participate in the PTSL program because they do not yet have a UWT payment invoice, making their land status ineligible for registration, as occurred in Sungai Pelunggut Village, Sagulung District. Some PTSL certificates were even revoked due to administrative flaws and unclear ownership status. This situation indicates significant legal uncertainty regarding land ownership rights and reflects the suboptimal implementation of PTSL in Batam. Therefore, a more in-depth study is needed to assess the effectiveness of PTSL in Batam City in providing legal certainty for landowners, particularly those on BP Batam's HPL land.

2. Research Methods

This type of research falls within the scope of sociological or empirical legal research. The approach used is qualitative. The data types and sources used are primary and secondary data, obtained through interviews, observations, and literature review. The analysis is descriptive and analytical.

⁶Nur Hadiyati, (2019), "Memahami Problematika Hak Pengelolaan Tanah Kota Batam Dalam Rangka Penetapan Batam Sebagai Kawasan Ekonomi Khusus", *Yurispruden*, Volume 2, Nomor 1, p. 58-59.

3. Results and Discussion

3.1. Implementation of Complete Systematic Land Registration (PTSL) to Obtain Legal Certainty for Owners of Ready-to-Build Plots in Sungai Pelunggut Village, Sagulung District, Batam City

The definition of PTSL is contained in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 6 of 2018, which is a land registration activity for the first time carried out simultaneously for all land registration objects throughout the territory of the Republic of Indonesia in one village/sub-district or other name of the same level, which includes the collection of physical data and legal data regarding one or several land registration objects for registration purposes. The purpose of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 6 of 2018 is as a guideline for the implementation of PTSL activities carried out village by village in the district area and village by village in urban areas covering all land plots throughout the territory of the Republic of Indonesia. Meanwhile, the purpose, in accordance with Article 2 of the regulation, is to realize the provision of legal certainty and legal protection of community Land Rights based on the principles of simplicity, speed, smoothness, safety, fairness, equity and openness as well as accountability, so as to improve the welfare and prosperity of the community and the country's economy, as well as reduce and prevent land disputes and conflicts.⁷

One of the objectives of PTSL is also to provide a means for the National Land Agency (BPN) to create a complete picture of a village and serve as a basis for managing the administration of a complete and reliable land database. Therefore, within one budget year of the program, the BPN must strive to measure all land plots in a designated location and maintain physical land data. The main target of land registration through PTSL is to register all land plots, including land owned by indigenous communities, state land, forest areas, and other land plots, with the amount of realization adjusted to the budget amount available in the current year's State Budget.⁸

Based on Presidential Regulation Number 20 of 2015, the main task of the BPN is to assist the president in managing and developing land administration, both based on the UUPA, and other laws and regulations which include regulation, supervision of land ownership, administration of land rights, measurement, land registration, and others related to land issues based on policies determined by the

⁷Mira Novana Ardani, Peran Kantor Pertanahan dalam Kegiatan Pendaftaran Tanah Sistematis Lengkap, *Jurnal Gema Keadilan*, Volume 6, Edisi I, June 2019, p. 54

⁸Ahmad Ramdani & Aris Munandar, Pendaftaran Hak Atas Tanah Pada Program Pendaftaran Tanah Sistematis Lengkap (PTSL), *Jurnal Kertha Semaya*, Volume 10 Nomor 8 Tahun 2022, p. 1746

president.⁹As the implementer of PTSL, the Batam City Land Office in optimizing land registration in Batam City is carried out in accordance with the duties and authorities of the applicable laws and regulations, especially Government Regulation Number 24 of 1997 concerning Land Registration, in an effort to improve land rights registration, the national land agency is at the forefront in serving the community in conducting land registration for the first time or in the context of maintaining the general list of land registration. As the implementing party, the role of the Batam City Land Office is to plan PTSL, determine the location, prepare facilities and infrastructure, collect physical and legal data, conduct research on legal data for proof of rights, announce physical data and legal data and its validation, namely the issuance of land certificates.

Lawrence M. Friedman's legal system theory explains that a legal system is composed of three main components, namely structure, substance, and legal culture.

1. Legal Structure

The role of the legal structure is not limited to the National Land Agency (BPN), but also includes local government officials such as village heads (Lurah) and sub-district heads (Camat). Furthermore, the Batam City Government, as the authority on spatial planning, is also part of the structure supporting the success of PTSL. The city government needs to provide zoning and spatial allocation information so that the Land Office can assess the suitability of land plots for registration. In many cases, not all ready-to-build plots are zoning appropriately, for example, if some plots are located in green areas or public infrastructure routes. This requires intensive coordination between the Batam City Land Office and the Batam City Spatial Planning Agency to avoid overlapping interests.¹⁰

Based on Friedman's legal structure perspective, the success of PTSL implementation on Ready-to-Build Plots (Kavling Siap Membangun) is determined not only by the presence of formal institutions, but also by the synergy between institutions and the effectiveness of public service functions. If the legal structure is not functioning effectively, then even if the legal substance is adequate, PTSL implementation will still not provide legal certainty for the public.¹¹Community involvement must also be strengthened to increase transparency and accountability. Public participation in overseeing the implementation of PTSL is a crucial component of an ideal legal structure, as Friedman emphasized that legal

⁹Ali Achmad Chomzah, (2003), *Hukum Pertanahan: Pengadaan Tanah Instansi Pemerintah*, Jakarta : Prestasi Pustaka, p. 5

¹⁰Mhd. Yamin Lubis & Abd. Rahim Lubis, (2010), *Hukum Pendaftaran Tanah* (Ed. Rev), Medan : Mandar Maju, p. 204.

¹¹Lawrence M. Friedman, (1975), *The Legal System: A Social Science Perspective*, New York : Russell Sage Foundation, p. 15-17.

structures are not just about formal institutions but also encompass the social networks that operate within the legal system itself.¹²

2. Legal Substance

The substance component in Lawrence M. Friedman's legal system theory refers to the norms, regulations, and policies that constitute the content of the legal system. Regarding the PTSL (Complete Land Registration) for ready-to-build plots in Sungai Pelunggut Village, legal substance is the determining factor in determining whether a land object is suitable and valid for systematic registration. The main legal substance that regulates the implementation of PTSL is the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of BPN Number 6 of 2018 concerning PTSL, which is then strengthened by other technical regulations such as Regulation of the Head of BPN RI Number 1 of 2010 concerning Standard Operating Procedures for Land Registration, as well as Government Regulation Number 24 of 1997 concerning Land Registration.¹³In the regulation, ready-to-build plots are not explicitly mentioned as a separate category, but are included in the list of lands that meet the physical and legal requirements for registration. In practice, as explained by Mr. Yudo Prio Sasmito, an employee at the Batam City Land Office, Ready-to-Build Plots are land objects resulting from land preparation that have been designated for the construction of houses or other buildings. However, based on field findings, there are differences in the implementation of the legal substance related to ready-to-build plots. For example, some plots do not have clear ownership origins because transactions are conducted underhand. This is an obstacle because normatively, land registration in PTSL can only be carried out if the applicant can prove control or ownership of the land.

On the other hand, the applicable regulations also state that proof of ownership can be in the form of a statement of physical ownership and land history known to the village head and sub-district head.¹⁴This is a practical solution for accommodating plots that lack certificates but have been physically occupied by the community for a long time. However, this policy is sometimes abused through falsified statements or multiple issuances of the same plot. Thus, the applicable PTSL legal substance is actually quite flexible and adaptable to the characteristics of ready-to-build plots. However, inconsistent implementation and weak field verification can reduce the effectiveness of the legal substance in achieving legal certainty. Friedman stated that a good legal substance is one that is able to

¹²Susi Dwi Harijanti, (2019), Meneropong Sistem Hukum Melalui Pendekatan Sosio-Legal, *Jurnal Hukum IUS*, Vol. 7, No. 2, p. 310.

¹³Regulation of the Minister of ATR/BPN No. 6 of 2018 concerning Complete Systematic Land Registration.

¹⁴Mhd. Yamin Lubis & Abd. Rahim Lubis, (2010), *Hukum Pendaftaran Tanah* (Ed. Rev), Medan : Mandar Maju, p. 137-139.

represent the values of justice and legal certainty in society.¹⁵In this regard, the legal substance of PTSL must be continuously evaluated and adjusted to the social and spatial conditions of the region, especially urban areas such as Batam which are developing rapidly.

3. Legal Culture

The legal culture component in Lawrence M. Friedman's theory refers to social values, customs, attitudes, and behaviors toward the law. Legal culture determines how society accepts, understands, and responds to the application of law in everyday life. In the context of PTSL implementation for Ready-to-Build Plots in Sungai Pelunggut Village, the legal culture component plays a crucial role in determining the effectiveness of this program's implementation in the field.

Based on observations and interviews with several residents and local officials, it appears that public legal awareness remains highly diverse. Some understand the importance of land legality and strongly desire to obtain land title certificates, while others view the certification process as complicated, time-consuming, or not particularly urgent.¹⁶Ms. Sri Wahyuni, a resident who owns a plot of land in Sungai Pelunggut, stated that she had owned the land for over 10 years but only applied for certification in 2024 because she hadn't previously felt the need. According to her, as long as there were no disputes or need to sell, physical ownership was sufficient. This view demonstrates a gap between formal legal values and public perceptions of the urgency of land registration. Furthermore, informal practices persist in the process of acquiring and transferring land plots. Transactions without a notarial deed or valid written evidence are still common, especially between residents who know each other. This demonstrates that the community's legal culture tends to be pragmatic and based on trust, rather than written legal norms.

Complete Systematic Land Registration (PTSL) is a national agrarian policy normatively based on a number of regulations, particularly Regulation of the Minister of ATR/Head of BPN Number 6 of 2018 as the main guideline for its implementation throughout Indonesia, including Batam City. Although it does not explicitly mention the term "ready-to-build plots," these objects are included in the scope of uncertified land and meet the requirements for PTSL objects. In addition, Regulation of the Head of BPN RI Number 1 of 2010 also serves as an important reference in the standards for systematic land registration services, including the obligation to collect physical and legal data, relevant to the condition of land plots designated for settlements but not yet having ownership certificates.

¹⁵Lawrence M. Friedman, (1975), *The Legal System: A Social Science Perspective*, New York : Russell Sage Foundation, p. 34-35.

¹⁶Field observations and informal interviews with residents of Sungai Pelunggut, May 23, 2025.

In Batam City, the implementation of PTSL (Complete Land Acquisition) is unique because it relates to the authority of the Batam Business Agency (BP Batam) in managing land as part of the free trade zone and free port. Therefore, the implementation of PTSL for Ready-to-Build Plots requires intensive coordination between the Land Office, the local government, and BP Batam to ensure that implementation in the field is in sync with the formal legal aspects of land management in the area.

The legal basis for land registration is Article 19 of Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA), which requires every plot of land to be registered to ensure legal certainty. This provision is also reinforced by the principles of legality and legal certainty in Indonesian agrarian law. Technically, Regulation of the Director General of Land Rights Determination and Registration Number 3 of 2017 stipulates that PTSL objects must meet formal and material requirements, including physical control over the land. Ready-to-build plots in Sungai Pelunggut Village generally meet these criteria, as they are already occupied and actively utilized by the community.

3.2. Obstacles Faced and Their Solutions in the Implementation of (PTSL) to Obtain Legal Certainty for Owners of Ready-to-Build Plots in Sungai Pelunggut Village, Sagulung District, Batam City.

Complete Systematic Land Registration (PTSL) is a land registration activity for the first time which is carried out simultaneously for all land registration objects throughout the territory of the Republic of Indonesia in one village/sub-district or other name of the same level, which includes the collection and determination of the truth of physical data and legal data regarding one or several land registration objects for the purposes of registration.¹⁷

PTSL, as a government priority agenda, is not only the responsibility of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BN) but also requires support and commitment from local governments. The key to the success of the PTSL program is support from local governments because the land objects are located in regional areas, especially villages/sub-districts, and the community as the owner of the land objects is located. The active role of local governments in the success of this program can be done by bridging the community with the land office as the main implementer of the PTSL program. The government has provided facilities to the community regarding PTSL costs, but in determining PTSL costs, local governments must be able to consider various aspects of costs incurred in the program. The central government has provided several categories of nominal costs and types of cost use with the aim of standardizing costs across

¹⁷Putri Bahagia & Kami Hartono, Pelaksanaan Pendaftaran Tanah Sistematis Lengkap (PTSL) Berdasarkan Peraturan Menteri Nomor 6 Tahun 2018 Studi Di Kabupaten Semarang, *Prosiding Konferensi Ilmiah Mahasiswa Unissula (KIMU) 4*, Universitas Islam Sultan Agung, p. 634

regional government levels. Therefore, local governments need to regulate funding sources for the PTSL program that are not included in the state revenue and expenditure budget so that the costs borne by the community are not too high.¹⁸

This PTSL activity is held with the aim of providing a guarantee of legal certainty for land to the holders of land rights, as well as to provide legal certainty and legal protection for land rights in a certain, simple, fast, smooth, safe, fair, equitable and open and accountable manner and can be used as an object of mortgage rights as collateral to obtain business capital for the community, and is part of the implementation of agrarian reform.¹⁹

In general, the implementation of PTSL (Completely Integrated Land Acquisition) for Ready-to-Build Plots (KSB) in Sungai Pelunggut Village has been quite successful, despite a number of obstacles. Normative obstacles arise from the lack of clear technical regulations regarding plots resulting from informal land division, leading to legal uncertainty. Administratively, many residents only have physical proof of ownership, such as SPORADIK (Special Land Acquisition) or sales receipts, without legal title. Technical obstacles include unclear land boundaries, overlapping land, and measurement difficulties due to absent owners. From a social perspective, low public understanding of the importance of land legality and the benefits of certification has limited participation in PTSL. The program's success requires a synergy of regulation, administration, technology, and public education.

Based on the above obstacles, comprehensive solutions are needed in four main areas. First, normatively, there is a need for derivative regulations and technical guidelines that accommodate the legalization of land resulting from informal land acquisition, while taking into account the elements of prior ownership and social recognition. A *lex specialis* approach and legal counseling are also crucial for ensuring the public's comprehensive understanding of the legal aspects of PTSL. Second, from an administrative perspective, the lack of documentation can be overcome by proving physical ownership through community leaders and boundary witnesses, digitizing data at the sub-district level, and conducting community-based registration. Third, from a technical perspective, participatory mapping, geospatial technology, and cross-agency coordination are needed to develop a master map of the area. Fourth, from a social perspective, legal

¹⁸Ardo Yoga Pradana & Achmad Sulchan, Implementasi Penetapan Biaya Pendaftaran Tanah Sistematis Lengkap (PTSL) Pada Tingkat Kota/Kabupaten, *Sanlar: Sultan Agung Notary Law Review*, Volume 3 No.4, December 2021, p. 1183

¹⁹Yusnita Rahma, Pelayanan Pendaftaran Tanah Sistematis Lengkap (PTSL) Oleh Kantor Pertanahan Kabupaten Pangandaran di Desa Wonoharjo Kecamatan Pangandaran Kabupaten Pangandaran, *Jurnal Moderat*, Volume 5, Nomor 4, p. 524

education, empowering local leaders as communication agents, and public oversight are crucial to build public trust in the PTSL program.

Based on Jan Michiel Otto's theory of legal certainty, the implementation of PTSL on ready-to-build plots in Batam has not fulfilled four main elements: (1) legal regulations are not clear and accessible, because PTSL regulations do not explicitly regulate informal plots; (2) implementation by officers is inconsistent in the field; (3) the community has not complied because they still carry out underhand buying and selling; and (4) access to law enforcement is ineffective due to weak formal evidence. Thus, comprehensive improvements are needed so that legal certainty through PTSL is truly realized for owners of ready-to-build plots.

Based on the four elements of Jan Michiel Otto's theory, the implementation of PTSL on ready-to-build land plots in Sungai Pelunggut Village has not yet succeeded in achieving complete legal certainty. Each pillar outlined by Otto, from clarity of regulations, consistency of implementation, community compliance, to the effectiveness of law enforcement, still faces obstacles, both normative, administrative, and technical. To achieve legal certainty as intended by Otto, it is necessary to reform regulations specifically for informal land plots, standardize technical and policy standards between land offices, improve public legal education, and increase access to non-litigation dispute resolution. In this way, PTSL will not only be a program to accelerate land registration, but truly become a means to realize laws that are certain, fair, and enforceable in practice.

4. Conclusion

The implementation of PTSL for Ready-to-Build Plots in Sungai Pelunggut Village is an implementation of national agrarian policy to achieve legal certainty of land ownership. This program is based on the Regulation of the Minister of ATR/BPN No. 6 of 2018 and involves various parties ranging from the BPN to the village government. In terms of structure, substance, and legal culture, the implementation of PTSL has been running, although obstacles remain. The main obstacles include normative aspects (unclear regulations on the legalization of informal plots), administrative (weak ownership documents), technical (unclear land boundaries), and social (low legal understanding of residents). Based on Jan Michiel Otto's theory of legal certainty, the implementation of PTSL in this region has not fully met the elements of legal clarity, consistency of implementation, community compliance, and effective law enforcement. Therefore, regulatory improvements, increased legal literacy, and strengthened dispute resolution mechanisms are needed.

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