Analysis of Certificate Checking Activities in the Context of Registration of Transfer of Rights Due to Legal Events at the South Tangerang City Land Office

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Abstract
This article aims to find out how land registration activities are carried out by the Government for the benefit of the people in order to guarantee legal certainty in the land sector. The problem focuses on the land rights registration system, the recording of which describes a detailed summary regarding the occurrence of property ownership and changes thereto, or other transactions that affect a property right. In order to approach this problem, theoretical references from several sources are used, including (1) legal protection theory; (2) theory of legal certainty. Data is collected through several sources such as interviews, observation results, events or test results of objects or documents in the form of books, journals, notes or other archives that are related and analyzed qualitatively. This study concludes that based on the urgency of the problem, the system for checking and registering land title certificates is carried out using an electronic system. The certificate check is carried out by the PPAT before the deed is made which is the basis for the legal act of transferring/assigning land rights. PPAT has the authority to check, copy, validate and register land title certificates as regulated in UUPA PP No. 24 of 1997 and PP no. 37 of 1998. The output of this system is in the form of printed documents in electronic form. In this case, the electronic document referred to is an electronic certificate or e-certificate.

Keywords: Certificate Checking; Transfer of Land Rights; Legal Events; Land Office.

INTRODUCTION
Indonesia is a rule of law country. This is reflected in Article 1 paragraph (3) of the Law the Constitution of the Republic of Indonesia of 1945 which explicitly states that "the State of Indonesia is a State of law" (Usman, 2020). One of the principles that is closely related to the land aspect is the Principle of Legal Certainty where people really need legal certainty regarding the land they own (Murni et al., 2022). This can be realized by having a certificate of title which acts as strong evidence or better known as a Certificate of Land Rights issued by the National Land Agency (BPN) (Mahardika et al., 2022).

The government carries out land registration for the benefit of the people in order to guarantee legal certainty in the land sector (Chandra, 2019; Permadi, 2023; Wajdi & Ramadhani, 2022; Yasa et al., 2021). Legal subjects in land registration at the National Land Agency (BPN) office which is assisted by the Land Deed Making Officer (PPAT) in the context of making deeds in the district/city area (Prilia, 2022). So as a form of land registration carried out by legal subjects, the government, in this case the National Land Agency, will issue a certificate as a strong means of proof (Sirait & Sitanggang, 2023).
The land rights registration system, in its recording, describes a detailed summary regarding the occurrence of property ownership and changes thereto, or other transactions that affect a property right (Low & Mik, 2020). According to AP Protection, land registration comes from the word *cadaster*, which is a technical term for a record, which shows the area, value and ownership (or other rights) of a plot of land (Artanto & Hadiyanto, 2022). A certificate of land rights is proof of ownership/control of land and is a strong proof of rights, in the sense that as long as it cannot be proven otherwise the physical data and juridical data contained therein must be accepted as correct data (Mashdurohatun et al., 2023). The physical data and juridical data contained in the certificate must be in accordance with the data contained in the relevant land book and measuring letter, because the data is taken from the land book and measuring letter, as stated in the explanation of Article 32 paragraph (1) of the Law. Number 24 of 1997 concerning Land Registration. Adjustment of physical and juridical data is then known as the certificate checking process (FA & Silviana, 2023; Hansen, 2023; Pratama et al., 2021; Sitorus, 2023).

Checking certificates is carried out by PPAT as the official who has the authority to make deeds for every legal act that results in the transfer of rights and aims to ensure that the land that will be used as the object of transfer is not in legal dispute, is not being guaranteed, or is not being confiscated by the authorities (Sari et al., 2022). The problem in this research is what the legal consequences will be if you do not check the certificate for the transfer of rights and whether the certificate checking activities for the transfer of rights due to legal events at the National Land Agency of South Tangerang City are in accordance with the applicable laws and regulations (Ginting & Djaja, 2023)(Tanawijaya & Velisia, 2022). The purpose of this research is to find out whether there are legal consequences if you do not check the certificate and to find out the system for checking certificates in the context of transferring rights due to legal events at the South Tangerang City National Land Agency.

The theory that the author uses is as follows: (1) Legal protection theory, the researcher uses legal protection theory on the grounds that the law protects a person's interests by allocating power to him, to act in the framework of his interests, and these interests are the target of rights. Legal protection achieved through legislation has an underlying legal principle. Likewise, legal protection is achieved through efforts to create and include steps through legislation that have objectives and a planned scope through strategies and policies. All of these things can be found in every major piece of legislation which is carried out with the same goal, namely legal protection; and (2) The theory of legal certainty, legal certainty contains two meanings, namely first, the existence of general rules so that individuals know what actions they may or may not carry out, and second, in the form of legal security for individuals from government arbitrariness because of the existence of rules that general in nature, individuals can know what the State can impose or do on individuals.

**RESEARCH METHODS**

This research uses a normative research system, namely research that refers to the analysis of legal norms, both legal in the sense of statutory regulations, an in-depth understanding of norms based on laws (Yuliartini, 2021). Then it is systematically compiled and presented in analytical descriptive form. The data sources used are (1) primary data, namely data sourced directly from the original source in the form of interviews, opinion polls from individuals or groups (people) or observation results from an object, event or test result (object); (2) secondary data, namely research data sources obtained through intermediary media or indirectly in the form of books, notes, existing
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Data collection activities were carried out through literature study of secondary data, by reading books, dissertations, and conducting interviews with sources related to creating questionnaires. Then the data that has been obtained is analyzed qualitatively. Data analysis is carried out by organizing the data, describing it into units, synthesizing it, arranging it into patterns, choosing what is important and what will be studied and making conclusions that can be shared with others. Research instruments include questionnaires, interviews, observations and focus group discussions. Conclusions are drawn using deductive understanding, meaning it is a method of drawing specific conclusions from general statements.

RESULTS AND DISCUSSION
Procedure for Checking Electronic Certificates in the Context of Registration of Transfer of Land Rights

A. Authorized Public Officials carry out checks

The public officials who have the right to check land title certificates are PPAT and Notary, in accordance with what is contained in the legislation which states that PPAT and Notary have the authority to make certain authentic deeds, what differentiates the two is that there is a legal basis that regulates both. PPAT is regulated in UUPA PP No. 24 of 1997 and PP no. 37 of 1998, while Notary Officials are regulated in Law Number 30 of 2004 concerning Notary Positions (hereinafter abbreviated to Law No. 30 of 2004). This difference has a clear description of the legal institution responsible for appointing and dismissing, its duties and authority in the context of making certain authentic deeds, as well as the system of guidance and supervision of Notaries and PPATs.

Based on Article 1 PP no. 37 of 1998 concerning Position Regulations for Land Deed Officials (PPAT) states that:

1. The Land Deed Making Official, hereinafter referred to as PPAT, is a public official who has the authority to make authentic deeds regarding certain legal acts, namely regarding land rights or ownership rights over condominium units.
2. Temporary PPAT is a government official appointed based on his position to carry out PPAT duties, namely making PPAT deeds in areas where there are not enough PPATs.
3. Special PPAT is an official of the National Land Agency who is appointed based on his position to carry out PPAT duties by making certain PPAT deeds specifically in the context of implementing certain programs or tasks of the Government.

PPAT carries out its duties and authority through part of the land registration activities with the task of making authentic deeds as proof that certain legal acts have been carried out regarding land rights or ownership rights to apartment units which are used as the basis for registering changes in land registration data resulting from those legal acts. In the working area determined by the government (absolute competence), namely the district or city in the same region as the working area of the Land Office.

In Article 3 of the Minister of Agrarian Regulation Number 10 of 1961 concerning the Appointment of Officials as referred to in Article 19 of Government Regulation Number 10 of 1961 concerning Land Registration, it is stated that those who can be appointed as officials are:

1. Notary Public;
2. Employees and former employees within the Department of Agrarian Affairs are believed to have sufficient other knowledge regarding land registration regulations and other regulations related to the issue of transferring land rights.
3. Civil service employees who have carried out the duties of an official.
4. Other people who have passed the exam held by the Minister of Agrarian Affairs.

Based on the description above, it can be concluded that the public officials who have the authority to check land title certificates are Notaries and PPATs. PPAT and Notaries have absolute authority in creating, checking, validating, copying and matching original data related to authentic deeds in the process of checking certificates of transfer of land rights.

B. Validity of Data Validity Check Results via Electronic System

Checks are carried out directly, namely by coming to the land office in several districts or cities. However, now there is a shift in the checking system from manual to electronic system to make it easier to check the validity of the data being checked. There are 4 (four) digital services that have been implemented by the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), namely Electronic Mortgage Rights, Roya, Certificate Checking and Land Value Zone (ZNT). The implementation of the checking system via an electronic system is based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 5 of 2017 concerning Electronic Land Information Services (hereinafter Minister of ATR/Head of BPN Regulation No. 5 of 2017).

Certificate checking, which has been implemented through an electronic checking system, namely via the website, states that PPAT must be responsible for the authenticity of certificates uploaded into the application system. If it turns out that the certificate uploaded into the system is fake, of course this will cause legal problems for PPAT. Therefore, checking certificates through the electronic checking system is only carried out by PPAT, even though PPAT itself does not know whether the certificates it receives from clients are genuine or fake.

Checking certificates of land rights or ownership rights to apartment units through a direct checking system at the land office which is carried out manually in accordance with procedures, then the original physical certificate will be written/stamped with a statement from the local land office "Has been checked and is in accordance with the land book at the City/Regency land office......, which was requested by......as PPAT, date...... ", in this case PPAT fully submits the validity of the data resulting from checking the certificate of land rights or ownership rights to the unit the flat to the BPN agency. Proof of the sentence stamp provides certainty regarding the validity of the certificate so that the BPN agency is believed to have confirmed the information through verification of physical data and juridical data on the certificate.

C. Electronic Land Certificate Checking Service Process

Service Checking Certificate carried out by carrying out checks regarding suitability Certificate of Land Rights or Ownership Rights of a House Unit Arrange those concerned with the lists in the Office Land. Service Checking Certificate aim for ensure Suitability Data Physique and Data Juridical on the Certificate with the data is on base data. Implementation checking certificate done by PPAT before implemented it making deed which become basis for legal acts of transfer/assignment of land rights. Checking service certificate held with use fund Which sourced from public Alone (applicant) in accordance provisions of Republic of Indonesia Government Regulation Number 128 2015 concerning Types and Tariffs for Types of State Revenue Not a Tax
that Applies to the Ministry of Agrarian Affairs and Administration Space/Body National Land Affairs.

User Which can register on application Which provided by the Ministry, including: a) Individuals; b) PPAT; c) Legal Entity; d) Government Agencies; e) Parties other in accordance with provision regulation legislation invitation. Service Checking Certificate by Electronic can accessed by:

1. Applicant Which has registered as user on applications provided by the Ministry such as Applications Ministry Partner for PPAT users, Legal Entities And Institution Government, or Application Touch My land For user individual, with submit servicethrough application; or
2. Applicant Which Not yet registered as user on application which provided by Ministry, with submit service direct through Office Land.

Service Checking Certificate by Electronic can be submitted in 2 (two) ways that is:

1. Through Application Partner Ministry, For applicant PPAT in framework for making a PPAT deed; or
2. Through application in a way direct in Office Land local, for applicant holder Right On Land.

Based on Instruction Technical about Service checking certificate in a way electronics that are in take it out by Ministry of Agrarian Affairs and Spatial Planning/National Land Agency Number 3/Juknis-HK.02/IV/2022 About Service Checking Land Registration Certificate and Certificate (SKPT). Electronic, Service Checking Certificate Electronic:

1. Service Checking Certificate By Electronic can submitted by PPAT or party besides PPAT like individuals, legal entities, government agencies or parties other interested parties who are rights holder on land;
2. Service Checking Certificate By Electronic Which submitted by PPAT is part from obligation PPAT before carry out making deed about transfer/transition or loading Right On Land or Right of ownership On House Unit Arrange;
3. Service Checking Certificate By Electronic Which submitted by party besides PPAT No can made as condition making deed about transfer/transition or loading Right On Land or Right Owned by On Unit House Arrange by PPAT;
4. Electronic Certificate Checking Services are carried out to check the suitability of the Land Rights Certificate or Right Owned by Above Units House Arrange the relevant ones with lists Which There is in Office Land. This service aims to ensure the suitability of Data Physical and Juridical Data on the Certificate with existing data on the database;
5. Service Checking Certificate by Electronic No can be applied to land rights that have been extinguished, the term has expired, been canceled or released his rights.

D. Electronic Land Certificate Checking Service Process with PPAT Applicants

1. Open address website : https://intan.atrbpn.go.id/, Then enter the menu Service, Then login
The website page contains log-in notes that must be provided or filled in by the certificate owner. Logging into the website can be done by clicking on the Services page and clicking on the blue log in section. You must log in using a valid ownership account related to the land title certificate you want to check.

2. Input Name user or *user* And password

After going to the log in menu, participants can enter the correct username and password to access the National Land Agency (BPN) checking page. Make sure to enter the username and password correctly so that it doesn't repeat itself several times or even block the ownership account.

3. Enter menu *File I*, click *Process File*, click *New File*, then select *Check Certificate*, and click *Process*

*Figure 1.* Display Page Service *website:* https://intan.atrbpn.go.id/

*Figure 2.* Display Page Service *website:* https://intan.atrbpn.go.id/

*Picture 3.* Appearance Page Service *website:* https://intan.atrbpn.go.id/
After entering the file on the website service page, wait a few minutes to complete the process of checking the file you want to check. The checking system may take several minutes so we should not leave the page until the system carrying out the checking has finished the checking process.

4. Inputs data certificate, among others:
   a. Province;
   b. district/city;
   c. Sub district;
   d. Ward;
   e. Type Right;
   f. Number Certificate;
   So click Save and Upload or Upload Certificate Document Colored
The uploaded document is in the form of a colored certificate of ownership. Before that, input the requested ownership data completely and correctly to check whether it is valid, then follow the instructions correctly. Then click save, the uploaded document will be automatically saved into the system.

5. Upload or *Upload Documents*, covers:
   a. Form Application;
   b. Letter Power;
   c. Letter Validity Document;
   d. Identity Applicant;
   e. Letter Task;
   f. Certificate.
   After that, click next.

![Image 1](image1.png)

*Picture 7.* Appearance Page Service *website:* https://intan.atrbpn.go.id/

6. Furthermore *Confirmation File And Validation File*

![Image 2](image2.png)

*Picture 8.* Appearance Page Service *website:* https://intan.atrbpn.go.id/

After all the files have been uploaded, ensure the correctness of the documents by validating the files. Then wait a few moments for the ownership data to be validated. The validity of the data can be seen by checking the information that has been uploaded to the page. If the file has been successfully validated and data conformity is found, the next step is to click on the data conformity statement and then click continue.

7. If the file has been validated, click *Declaration of Conformity Data*, then click *Carry on*
8. Once the application is received, it will automatically appear in the Electronic System publish Letter Order Deposit (SPS) cost service, the applicant must be required do payment through bank perception most slow 3 (three) day calendar since letter order deposit published. If in period time the No do payment so file application canceled in a way automatic by System Electronic and Applicant can submit application new.


9. After did it payment, Status Payment load information about Number NTPN, Date Payment, Payment Amount, Name of Payer, Codebilling, Date Code Billing, Expired Code Billing. Payment must be made in accordance with the due date and instructions on the website page, this is useful to avoid invalidating the data that has been obtained.

Picture 10. Appearance Page Service website: https://intan.atrbpn.go.id/

10. If this notification appears, you have to wait for the results from BPN, if there are improvements, then within 7 days repairs must be carried out immediately, if after 7 days, will be rejected and must input from the start.

![Image](image12.jpg)

**Picture 12.** Appearance Page Service website: https://intan.atrbpn.go.id/

11. Issuance of certificate results, then conformity checking is carried out data from checking results with existing documents in Upload on moment did it process certificate checking in a way electronic.

![Image](image13.jpg)

**Picture 13.** Appearance Page Website services: https://intan.atrbpn.go.id/

12. If there is data Which No in accordance so click *Clarification Information Products Land* and submit Prompt correction of data deemed inappropriate.

![Image](image14.jpg)

**Picture 14.** Appearance Page Website services: https://intan.atrbpn.go.id/

**E. Effectiveness of Electronic Certificate Checking in the Land Rights Transfer Process**
The effectiveness of the electronic certificate checking system is still a concern. Effective as a source of information and a juridical basis for various parties who have interests related to land rights. Therefore, it is appropriate that the effectiveness of implementing electronic checks be explored further.

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Sumber: Kantor Pertanahan Kota Tangerang Selatan, Dikeluarkan, Tahun 2017

**Figure 15.** Census Sector Presentation Results regarding Legality of Land Rights

Through the 2017 results data, it can be said that there are still sub-districts where applications have not been submitted for all plots of land. So from these data it can be stated that South Tangerang City still has high complexity in land issues. However, several main things that cause this to happen are: (1) use and control of land rights; (2) the validity of a land right; (3) procedures for granting and registering land rights, including the transfer and issuance of legal evidence of the land.

Furthermore, after the electronic checks were carried out, it was basically effective in preventing disputes or unclear ownership of the land. According to researchers, based on the things mentioned above, there are still gaps where checking will have the effect of being ineffective in providing legal certainty regarding the juridical data and physical data on the land title certificate.

Then, there is a benchmark for quality satisfaction in services not only from the party providing the service but also from the recipient of the service. The satisfaction felt by the community is one of the determining factors in determining service quality. It can be said that in order to create public satisfaction with the public services provided, there must be improvements provided in the service system so that it is better, more advanced and reflects excellent service.

The implementation of this strategy then has a fairly good direct influence on the plots of land that will be and have been registered. As regulated in Article 12 of the Government Regulation which states that land that has been assigned to it will become land rights, management rights, and ownership rights over flats, mortgage rights or waqif land which are registered via an electronic system and issued in the form of an e-certificate.

**CONCLUSION**

Based on the urgency of the problem, the system for checking and registering land title certificates is carried out using an electronic system. Implementation checking certificate done by PPAT before making it deed Which become basis for legal acts of transfer/assignment of land rights. PPAT has the authority to check, copy, validate and register land title certificates as regulated in UUPA PP No. 24 of 1997 and PP no. 37 of 1998. The output of this system is in the form of printed documents in electronic form. In this case, the electronic document referred to is an electronic certificate or e-certificate.
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