



Juridical Analysis of Electronic Making of Building Use Right Certificates

Raekhansyah Iskandar; Salim HS; Arismunandar

Notary Masters Study Program, Faculty of Law, University of Mataram, Indonesia

E-mail: Reyhangarcia@icloud.com

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Abstract

This study aims to regulate and procedures for making electronic building use rights certificates as well as the strength of electronic building use rights certificates as proof of land ownership rights. This research is a type of normative legal research using statutory and conceptual approaches. The results of this study are: First, the procedure for land registration to obtain an electronic certificate must refer to Permen ATR/BPN No. 1 of 2021 concerning Electronic Certificates in accordance with the provisions of article 2 regarding the implementation of electronic land registration and also explained in Article 6 for land that has not been registered and changing certificates to electronic certificates for those that have been registered and clarified further in PP No. 18 of 2021 concerning Management Rights, Land Rights, Flats Unit and Land Registry, article 84 jo. Article 87 specifically regulates the implementation of land registration, but for land that has not been registered and does not yet have a certificate, the registration process refers to PP No. 24/1997 concerning Land Registration because only that regulation regulates land registration for the first time and systematic land registration up to sporadic land registration for the purpose of making data easier when registered electronically. Second, electronic certificates can be used as legal evidence in accordance with the provisions of the procedural law in force in Indonesia because they are included in the type of documentary evidence whose validity is recognized by laws and regulations.

Keywords: *Land Bank; Land Rights; Public Interest*

Introduction

Land is a gift from God Almighty, on the basis of the right to control from the State, it is the obligation of the government to carry out land registration throughout the territory of the Republic of Indonesia. According to the Basic Agrarian Law which is religious individualistic communalistic, besides aiming to protect land it also regulates legal relations of land rights through the submission of certificates as proof of land rights for the holder (Chandra, 2003).

UUPA has mandated the implementation of land registration to obtain proof of rights in the form of certificates of land rights as a guarantee of legal certainty and this is further regulated in Government Regulation no. 10 of 1961 concerning Land Registration which has been replaced by Government Regulation No. 24 of 1997 concerning Land Registration.

The concept of land rights contained in the National Agrarian Law divides land rights, one of which is primary land rights, namely land rights that can be owned or controlled directly by a person or legal entity who has time. old and can be transferred to other people or their heirs. In the UUPA there are several primary land rights, one of which is the Building Use Rights (HGB) (Supriadi, 2007).

Building use rights are one of the primary land rights, in addition to ownership rights, usufructuary rights and land use rights. The development of building use rights is a primary right that has the second important role, after the right to cultivate. This is due to the fact that Right to Build is a support for the construction of housing, shops, and so on, which are currently growing rapidly. This regulation on Building Use Rights was made in line with the rapid development of both the government and the private sector. One of the most fundamental issues in granting Building Use Rights is the existence of legal certainty regarding the time period for granting them. In connection with the granting of an extension of the period when the building use rights have expired, then the building use rights over state land,

In the implementation of Agrarian Reform, the government issues land title certificates electronically. Agrarian reform is also known as agrarian reform. Agrarian reform should rearrange the structure of ownership, control and use of agrarian resources, especially land for the benefit of the common people. The problem is, currently there is still a lot of land that has not been registered at the BPN.

Although the policy of changing analog certificates to electronic ones will make it easier for the public to save certificates from the threat of damage, flooding, loss or misuse due to changing hands. However, it cannot be denied that there are some drawbacks that still raise pros and cons in society with the emergence of this electronic certificate. This policy came out when there were still many people who did not have land certificates on their own land.

From a legal point of view, do these electronic land certificates have the same legal force as conventional (physical) certificates, namely as proof of land rights. According to Article 84 of Government Regulation Number 18 of 2021 Concerning Management Rights, Land Rights, Flats Units and Land Registration it states that the implementation and implementation of land registration can be done electronically. Furthermore, electronic data and information can then become valid legal evidence.

It is not easy to implement the electronic land certificate program in Indonesia. Indonesia's territory is so vast that the process of change will certainly take a very long time. In terms of priority, this step is considered not something urgent. The target of issuing free land certificates was also not achieved in 2020. Because systematic land registration in all regions of Indonesia has also not been completed, both forest area land and non forest area land. The news of the implementation of this electronic certificate appeared without sufficient socialization, suddenly it appeared in the media that BPN would withdraw the land certificate from the owner which is proof of ownership. This is a very sensitive issue, involving the interests of almost all citizens who own land.

The existence of Article 15 paragraph (2) letter f of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Office of a Notary (hereinafter referred to as UUJN) regarding the authority of a Notary to make deeds related to land has given rise to various interpretations. The provisions of Article 15 paragraph (2) letter f UUJN give authority to Notaries to make Deeds related to land but do not explicitly regulate the limits of Notary's authority on the PPAT's

authority, especially in the process of making Deeds related to the Granting of Building Use Rights. The blurring of norms in interpreting the meaning of the article also creates a conflict of authority in its implementation.

In Article 38 of Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration it states in paragraph (3) “Building rights on freehold land occur through the granting of rights by the holder of property rights with deed made by the Land Deed Official.” Furthermore, paragraph (4) states that deed made by PPAT can be made electronically.

Based on the description above, there is a blurring of norms regarding the authority in making deed of Building Use Rights, in Article 15 paragraph (2) letter f of the UUJN it says the authority of a Notary, while in Article 38 paragraph (3) PP 18 of 2021 concerning Management Rights, Rights Land, Flat Units, and Land Registration state the authority of the PPAT, moreover in the PP it also states that HGB deed can be made electronically which raises various interpretations.

Based on the background described above, the formulation of the problem in this study is as follows: how are the arrangements and procedures for making electronic building use rights certificates and how are the strengths of electronic building use rights certificates as proof of ownership of land rights.

Method

The type of research in this research is normative research, namely research conducted on legal principles, legal principles in the sense of values (norms), concrete legal regulations and the legal system, which are related to the material under study. Normative legal research or also called doctrinal legal research (Amirudin and Asikin, 2012). In this type of research, law is conceptualized as what is written in laws and regulations (law in books) or law is conceptualized as rules or norms which are benchmarks for human behavior that are considered appropriate (Marzuki, 2017).

The approach method used in this study is a) Statute approach, carried out by examining all laws and regulations related to the issues discussed, in the statutory approach method it is necessary to understand the hierarchy and principles in statutory regulations -invitation (Marzuki, 2017), b) Conceptual approach (conceptual approach), carried out by examining the views/concepts of experts regarding the issues discussed. This approach is carried out when the rule of law does not exist or does not yet exist so that the views of experts become one of the bases in analyzing research results.

Results and Discussion

Legal Rules and Procedures for Making Building Use Rights Certificates Electronically

Certificate Right to Build or abbreviated as SHGB is a type of certificate that is legal in the eyes of the law. Based on its definition, a Building Use Right Certificate is a certificate whose holder has the right to own and construct a building on land that does not belong to the building owner.

The land can be in the form of land directly controlled by the state, or land controlled by individuals or legal entities. Therefore, a Building Use Right Certificate has a term of ownership of 30 years, and can be extended for up to 20 years.

The occurrence of Building Use Rights is due to three clauses as follows:

- 1) Building use rights over state land are granted with a decision granting rights by the Minister or an appointed official.
- 2) Building use rights over land management rights are granted with a decision to grant rights by the Minister or an appointed official based on the proposal of the holder of management rights.
- 3) Provisions regarding procedures and conditions for applications and grants are further regulated by presidential decree.

The granting of Building Use Rights as referred to above is registered in the land book at the Land Office. Building use rights over state land or over land with management rights occur from the time they are registered by the land office. As proof of rights, the holder of the Building Use Right is given a certificate of land rights.

Land Registration Procedures to Obtain Electronic Certificates

SystemLand registration based on regulations issued by the government, namely PP No. 24 of 1997 concerning Land Registration (PP 24/1997) aims to guarantee legal certainty because then the process of land registration must be considered properly according to what is regulated by law which is the reference in the land registration process. Registration of each plot of land in Indonesia is known to have several ways or processes for registering land, in this case to achieve administrative order in the field of national land, and then to guarantee legal certainty.

In accordance with the aim of carrying out land registration, the statutory regulation which became the beginning of land registration was Law Number 5 of 1960 concerning Main Agrarian Basic Regulations, abbreviated as UUPA, however, the implementing regulations for land registration which are currently still in effect are PP 24/997 concerning Land Registration, when we discuss this matter, is inseparable from these rules, even up to the land registration process. To get a certificate / proof of rights. Because it is still in effect today based on PP 24/1997 concerning Land Registration which the author will clarify and sharpen in the discussion of this research in accordance with the provisions of the applicable laws and regulations.

The current government has issued Regulation of the Minister of Spatial Planning/Head of the National Land Agency (Permen ATR/BPN) Number 1 of 2021 concerning Electronic Certificates, then enacted Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Registration Soil, so when we want to carry out an assessment, it must be in the right direction and a review of legislation that will be used as legal material.

Besides that, the existing regulations also explain in detail the procedure for land registration to obtain a land certificate, which in this case is in electronic form and replaces an analogue certificate. Thus, there are several procedures for land registration and the process of issuing certificates, including the following:

a) Land Registration for the First Time to Obtain a Land Certificate

In the process of registering a plot of land that is owned for the first time, of course, it must be based on what is determined and with written procedures where this is the beginning of the data collection process based on regulations regarding land registration, namely Article 12 PP 24/1997 concerning Land Registration mentions several procedures for registering land for the first time. some of them are as follows:

- (1) Activity and processing of physical data;
- (2) Proof of rights and bookkeeping;
- (3) Certificate Issuance;

- (4) Presentation of physical and juridical data;
- (5) Storage of general registers and documents;

b) Procedure for Land Registration to Obtain a Land Certificate

In the provisions of PP 24/1997 concerning Land Registration, it is stated that there are several processes carried out to obtain land certificates including:

- 1) Measurement and Mapping
- 2) Making a Basic Registration Map
- 3) Land Register
- 4) Measurement Letter Making
- 5) Proof of Rights and Bookkeeping
- 6) Certificate Issuance

c) Management of Physical and Juridical Data and Storage of Land Certificate Documents

When you have received the certificate, in this case the data collected as a land registration requirement is presented in the form of physical data and juridical data in accordance with the provisions of Articles 33 and 34 PP 24/1997, which reads as follows:

- (1) In order to present physical data and juridical data, the Land Office organizes land registration administration in a general register consisting of registration maps, land registers, measurement papers, land books and name lists.
- (2) The form, method of filling out, storing, maintaining and replacing registration maps, land registers, measurement letters, land books and name lists shall be stipulated by the Minister.

In the provisions of Article 34 it is stated as follows:

- (1) Every interested person has the right to know the physical data and juridical data stored in registration maps, land registers, measuring papers and land books.
- (2) Physical data and juridical data listed in the list of names are only open to certain government agencies for the purposes of carrying out their duties.
- (3) Requirements and procedures for obtaining information regarding data as referred to in paragraph (1) and paragraph (2) shall be stipulated by the Minister.

d) Procedure for Land Registration to Obtain an Electronic Certificate

The procedure for electronic land registration is regulated in the Regulation of the Minister of Agrarian Affairs of the Head of the National Land Agency Number 1 of 2021 concerning Electronic Certificates and is explained in Government Regulation Number 18 of 2021 concerning Management Rights over Land for Flats Units and Land Registration.

Electronic certificates are expected to be effective in national land management which can minimize the duplication of certificates, falsification and illegal land transactions by the land mafia and also reduce the risk of losing fire, rain and theft of physical documents.

Regarding the implementation of electronic land registration in accordance with the provisions of Chapter 2 of Permen ATR/BPN Number 1 of 2021 concerning Electronic Certificates, electronic land registration is carried out in stages and determined by the minister taking into account the readiness of infrastructure, facilities and infrastructure and technological readiness.

Electronic land registration has several stages in it in accordance with applicable laws and regulations which will currently replace analog land certificates according to the existing procedure, in this case described in Chapter II of the Ministerial Regulation of ATR/BPN Number 1 of 2021 by the National Land Agency represented by the leadership regarding the e-Certificate include the following:

- a) Registering owned land can be done electronically to make it easier.
- b) In carrying out the registration of land owned by the electronic method as set forth in paragraph (1) among others:
 - (1) The first time to register the land owned; And
 - (2) Maintain data related to land registration.
- c) As referred to in paragraph 2 is carried out based on electronics in the system.
- d) It is carried out in a tiered manner regarding registration, which has been regulated by the Minister.

Legal Certainty Regarding the Application of Electronic Certificates as Proof of Land Ownership in Indonesia

Limitations of the Notary's authority over the authority of the PPAT in the process of Granting Building Use Rights over Freehold Land, namely that the Notary is only authorized to make the Deed of Preliminary Agreement for the Granting of Building Use Rights over Freehold Land. Then the meaning of article 15 paragraph (2) letter f is that a notary has the authority to make deeds related to land. The authority of a notary in making a land deed is as long as and as long as it is not a land deed which so far has become the authority of the PPAT, in other words the notary is not authorized to make deed of transfer of land rights, transfer of ownership rights to flats, and encumbrance of land rights.

Land certificates in the form of physical documents or what are called analog certificates, in its development until now there are still various problems, namely that even though they have received recognition in the BAL, this certificate does not guarantee legal certainty for the owner because the regulations themselves provide an opportunity where as long as there are other parties who feel that they own the land, they can sue the party whose name is listed on the certificate in a civil manner to the General Court, or sue the Head of BPN/Head of the Land Office in question to the Administrative Court of the State, or lawsuits related to the technical administration of the issuance (Purwaningdyah, MW, & Wahyudi, 2014) .

Based on Article 32 paragraph (1) of Government Regulation Number 24 of 1997, the publication of land registration adopted is a negative publication system, namely the certificate is only a letter of proof that is strong and not an absolute right of evidence. This means that the physical data and juridical data contained in the certificate have legal force. Furthermore, Article 32 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration has weaknesses, namely the state does not guarantee the correctness of the physical data and juridical data presented and there is no guarantee for owners of analog certificates because at any time they will get a lawsuit from other parties who feel aggrieved by the issuance of the certificate (Hartanto, A., The Problems of Buying and Selling Uncertified Land, Laksban Media Tama, Jakarta, 2009, p. 39).

Then, along with the times, in this technological era, the Government through the Ministry of Agrarian Affairs, the Head of the National Land Agency, made a new breakthrough that was able to keep pace with the development of technology that was all digital, more effective and efficient and more modern because when there was a change in society, of course, the legal needs of the people also wanted a change. especially in the land sector and this can no longer be prevented.

In addition, in order to realize the modernization of land services, the Government through the Ministry of Agrarian Affairs of the National Land Agency implements electronic-based land services, up to the point where the documents produced are in the form of electronic documents.

The launch of the electronic land certificate policy starts in 2021 with the issuance of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 1 of 2021 concerning Electronic Certificates, which was signed by the Minister of Agrarian Affairs Sofyan Djalil on January 12 2021. This policy is in order to further implement the provisions in the Job Creation Law (UU No.11 of 2020 in the Land cluster, that services in the land sector are transferred in electronic form including document proof of rights in electronic form).

As we all know, the land registration agency in Indonesia only appeared after the issuance of Government Regulation No. 10 of 1961 which regulates land registration. The Belaid is an implementation of the contents of the provisions of Article 19 of the UUPA. Land registration is carried out through land registration for the first time and maintenance of land registration data. The first land registration is land registration for land parcels that have never been registered according to PP 10 of 1961 and PP 24 of 1997. Meanwhile, maintenance of land registration data is land registration with the aim that the data stored at the Land Office is in accordance with the data in the field (accurate).

Apart from the theoretical meaning that refers to the theory of legal certainty, furthermore it is necessary to understand that in the end the output of a regulation must be able to provide guarantees of legal certainty for the community if in the future problems arise related to the output of the regulation. As is the case with analog certificates where legal certainty for the parties holding certificates of proof of land rights in the form of certificates is guaranteed by law.

Legal Power of Building Use Rights Certificate Electronically

Proof of an authentic deed as proof of ownership of land must be based on what is specified in legally valid statutory regulations, the strength of deed proof is divided into 3 (three) of them as follows:

- (1) Strength of Proof of Birth (*uitwenduge bewijskracht*) This proof is based on the physical form of the deed, namely a letter whose physical form is like a deed is authentic until it can be proven against it. This outward evidence confirms that an authentic deed outwardly has strength in proving its legitimacy as an authentic deed.
- (2) Strength of Formal Proof (*formal bewijskrecht*) Provision of evidence based on the truth written by the issuer on the authentic deed, validity related to the time the deed was issued, validity regarding the signature listed on the deed, validity related to the identity of the individuals related to the deed and the place publication. This listed evidence guarantees the validity of what is written on the deed, regarding the matters stated and the signatures of the parties involved in it. Meanwhile, regarding the proof of truth proven through an authentic deed, the parties who are related to the making of the deed,
- (3) Strength of material proof (*materielle bewijskracht*) In proving the validity of the contents of statements that have been affixed with signatures regarding whether an authentic deed is true or not is called material evidence. Whatever type of legal case is listed through an authentic deed is something whose truth can be ascertained, so that the certainty of the deed material can be proven. So that proof comes from the hope that other people recognize that the contents of the deed and for whom the statements in the deed are used, state things that are valid and have the purpose of being able to serve as a source of evidence for the owner, thus the deed can only state evidence for the other party. -Parties whose names are listed in the deed concerned.

To find out whether a deed is authentic or not, you must refer to Article 1868 of the Civil Code which states that the statement listed is in the form of an authentic deed, prepared based on the provisions

stipulated by law and its making witnessed by parties who have authority and work in the institution where the deed was issued.

In this is in line with what was conveyed by M. Hadjon, it was stated regarding the requirements for the authenticity of the deed, namely as follows:

- (1) The format is based on what is determined by law.
- (2) Prepared by and witnessed by the relevant officials.

For knowing how a deed is said to be authentic and the implementation or fulfillment of all the conditions in this case Irwan Soerojo stated, there are three main things that must be fulfilled as a formal provision for an authentic deed namely (Irawan Soerodjo. Legal certainty of land rights in Indonesia, Surabaya: Arloka, 2003):

- (1) The making of the deed was carried out and witnessed by an official related to the making of the deed.
- (2) The making of the deed must be based on the provisions of the law.
- (3) The authority over the making of the deed is held by the public official or anyone who witnesses the making of the related deed.

This means that a deed according to notarial practice must make a deed regarding the minutes of the event, including a statement from the notary so that the actions and activities carried out can be contained in the form of a notarial deed. So it can be concluded that based on article 165 HIR (article 285 Rbg, 1868 BW) authentic deed can be divided into several forms:

- (1) Type of deed issued by an authorized official and;
- (2) Type of deed issued by related parties.

The proving strength of analog Certificates and Electronic Electronic Certificates is described as follows:

a) The Proof of Analog Certificates

Article 19 of the UUPA states that the certificate of ownership obtained from the registration of land acts as strong and valid evidence in the eyes of the law.

As described above, the various types of written evidence or letters according to the Civil Procedure Code, namely letters in the form of deed and letters that are not deed. This letter in the form of a deed is grouped into two groups, namely what is called an authentic deed and a deed under the hand. Deeds whose format has been determined by regulations in force in Indonesia such as laws or other regulations that have strong and valid legal force are referred to as authentic deed.

A land title certificate whose form is determined according to regulations and issued by an institution that has authority, namely the BPN, if we connect it with the elements of an authentic deed, then this land title certificate is an authentic deed.

Then how about the strength of proof of the land title certificate itself, as in an authentic deed, this land title certificate provides between the parties and their heirs and those who get rights from them a perfectly binding evidence. Binding in the sense that what is explained in the certificate must be trusted by the judge about the truth, in the event that what is untrue about the certificate cannot be proven. Perfection means no additional proof is needed. Provisions of Article 19 in conjunction with Article 23 of the UUPA which states, "that a certificate of land rights is a strong means of proof". From the history of the formation of Article 23 of the UUPA, it is not desired to use a positive publication system person is absolutely allowed the truth of the information contained in the certificate. The opposite is a negative

system, in this system the government does not guarantee the accuracy of the data contained in the deed it registers. When registering, be passive.

In the land registration system according to the UUPA, even if the government does not use a positive system, the land registration officer will not be passive, as stated in Article 19 Jo. Article 23 UUPA, that certificates and registration are strong evidence tools. However, the government does not guarantee that the information presented in the certificate is absolutely correct, so the system we adhere to can be called a negative system with positive elements.

b) The Proof of Electronic Certificates

Article 1 point 8 of Permen ATR/BPN Number 1 of 2021 describes an electronic certificate, namely a written property right, issued using an electronic system and in the form of a systemized document. Regarding the power of electronic certificates, a similar explanation is also explained in Law no. 11 of 2008 concerning Information and Electronic Transactions in article 5 paragraph (2) is valid proof of ownership based on legal procedural provisions in Indonesia.

In terms of the strength of electronic certificates, it can be seen from several opinions of legal experts regarding the meaning of authentic evidence, according to Sudikmo Menokusumo, he stated, "everything that uses punctuation marks with the aim of expressing feelings or expressing ideas and ideas as well as evidence is called written evidence or letter". From the explanation above, it is explained that as written evidence or letters it is required to have the following elements:

- (a) One that uses legible markings
- (b) Aims to express feelings and ideas;
- (c) Used as evidence.

In accordance with the explanations of experts and based on statutory regulations, electronic certificates are included in authentic deeds, even if they are in electronic form, but electronic certificates contain electronic signatures.

Based on the information above, it can be concluded that a signature is an identity that functions as a sign of approval of the obligations attached to the deed. Likewise, in an electronic certificate, it is known as an electronic signature or (digital signature) which is a substitute for a manual signature that is electronic and has the same function as a manual signature. An electronic signature is a series (bits) created by conducting electronic communication in the field that will be addressed, in this case the National Land Agency.

Based on the provisions of article 1 number 12 of Law no. 11 of 2008 concerning Electronic Information and Transactions, what is meant by an electronic signature is a signature consisting of electronic information attached in association with or related to other Electronic information that is used as a Verification and Authentication tool. The association in question is that the electronic information that you want to sign becomes data for making electronic signatures, so that between electronic signatures and electronic information being signed becomes closely related, meaning like paper functions.

In line with this, electronic signatures are very important and become something that is certain and has strong legal force and still, electronic signatures have characteristics that are authentic, meaning that they cannot be written or imitated by other people, messages and electronic signatures can be evidence, so the signatory cannot deny that he never signed it in the past.

Authenticity is needed in communicating on the internet because the responsibility of a legal subject depends on its identity, this need for authenticity can be achieved by using digital certificates,

electronic signatures can be classified into two forms:

- 1) Electronic Signature (ordinary) is a signature addressed to the signatory, which is done with electronic media, such as a conventional signature (written) which is then scanned. Then the result of the scan will become an electronic document, usually in the form of an image file, pasted on an electronic document. This is included in the scope of ordinary electronic signatures.
- 2) A secure electronic signature is an electronic signature that must meet certain requirements, so that in the context of similarity, it can be equated with a conventional signature.

In the same way as the definition of a deed as valid evidence in proving an Electronic Certificate, what is meant by a deed is a writing made intentionally to be used as evidence of an event which forms the basis of a legal relationship right (*prikatan*) and is signed by the maker, then what becomes an important element the secret is the intention to make it as evidence and of course the current signature is using an electronic signature.

The current procedure for issuing electronic certificates still refers to regulations governing procedures for issuing analogous certificates and the application of land registration using an electronic system is a second alternative in the process of land registration in Indonesia and is carried out voluntarily so that land registration using the electronic system is *imi*. considered capable of reducing the number of damage and loss of certificates, especially reducing disputes in court and for the strength of this electronic certificate is legal evidence. In accordance with article 8 article 5 paragraph (2) of the 2008 Law concerning electronic transaction information. Electronic Documents are an Extension of valid evidence.

Conclusion

The land registration procedure for obtaining an electronic certificate must refer to Permen ATR/BPN No. 1 of 2021 concerning Electronic Certificates in accordance with the provisions of article 2 regarding the implementation of electronic land registration and also explained in Article 6 for land that has not been registered and changing certificates to electronic certificates for those that have been registered and clarified further in PP No. 18 of 2021 concerning Management Rights, Land Rights, Flats Units and Land Registration, article 84 jo. Article 87 specifically regulates the implementation of land registration, but for land that has not been registered and does not yet have a certificate, the registration process refers to PP No.

Electronic certificates can be used as legal evidence in accordance with the provisions of the procedural law in force in Indonesia because they are included in the type of documentary evidence whose validity is recognized by the applicable laws and regulations, namely in Stb. 1941 Number 44 (HIR) and KUHPdt (BW) and written evidence or letters regulated in 138, 165 and 167 HIR/164, 285 and 306 RBg/Stb 1867 Number 29 and articles 1867 up to article 1894 BW which become binding force on the certificate Electronic signatures are electronic signatures described in Article 11 of Law 19/2016 concerning Amendments to Law 11/2008 concerning ITE and which have recognized the validity and strength of electronic certificates as legal evidence as proof of ownership of land rights.

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