

LIABILITY OF LAND DEED OFFICIAL (THE *PPAT*) ON FALSIFYING DOCUMENT UNDER INDONESIAN LAND REGULATIONS

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ABSTRACT

Falsifying documents in land registration administrative consist of fraud, forgery and tax evasion. The party doing some fraud and forgery to gain some benefit for financial interest. Head of Sub-District as Temporary Land Deed Official in daily practice often ignores some regulations regarding deed, such as not reading the authentic deed so the party cannot understand the content the deed. Therefore, in the contents of the document there are many data that are left blank so that doubts about the legal authentication of the deed. Based on the the identification of the problem carried out are how the land deed official liability the under Government Regulation No. 37 of 1998 concerning Land Deed Officials, how to protect the parties in making authentic deeds by the sub-district head as the official maker of temporary land deeds are associated with Government Regulation No. 37 of 1998 concerning officials of Land Deed and How to Settle due to the Sub-District's negligence in making authentic deeds by Camat as temporary land deed official. The specification of the research carried out is descriptive analytical, namely research by describing systematically, accurately, actually and comprehensively regarding the authentic deed on land. Method The approach used is normative juridical, namely research on legal principles carried out with legal norms which is a benchmark for behaving. The research phase used is through library research and field research. The Results show that the subdistrict head as the land deed official is liable for the harmed of the authentic deed he made made by fraud and forgery under Government Regulation No. 37 of 1998 concerning the Acting Officer of Land Deed. The sanction is reimbursement of costs, interest and compensation, and the are responsible for all losses suffered by the parties. The legal protection of the parties govern Government Regulation No. 37 of 1998 concerning Land Deed Official. Under this the office is liable for all losses suffered by the parties. Therefore, the parties are obliged to obtain legal protection from legal products issued by the Hub of Subdistrict as temporary land deed official.

Keywords: Liability, fraud, forgery and falsifying document.

INTRODUCTION

Development in the field of law, especially land law in Indonesia, can be seen from the existence of Law of the Republic of Indonesia Number 5 of 1960 concerning Basic Agrarian Regulations, which are published in the State Gazette of the Republic of Indonesia Number 104 of 1960, Supplement to the State Gazette of the Republic of Indonesia Number 20 thereafter. Referred to as Land law which regulates the earth, water and space including the natural resources contained therein. The presence of the Land Law is the basis for the issuance of implementing regulations that specifically regulate land registration, namely Government Regulation Number 24 of 1997 concerning Land Registration.

The main task of the Land Deed Official (here in after called *PPAT*) is to carry out some of the activities of the National Land Agency regarding land registration by making land deeds as evidence of certain legal actions regarding land rights, which will be used as the basis for registering changes to *PPAT* data divided into 3 (three) categories, namely:

Ordinary *PPAT*, namely *PPAT* appointed to serve the community in terms of making land deeds, which have met the stipulated requirements. Ordinary *PPAT* can hold concurrent positions as Notary or Legal Advisor; Provisional *PPAT*, namely *PPAT* appointed to serve the community in terms of making land deeds in areas where *PPAT* does not yet exist. Temporary *PPAT* can hold concurrent positions as Head of Sub-District or Village Head; Special *PPAT*, namely National Land Agency Officials appointed because of their positions to carry out *PPAT* tasks by making certain *PPAT* deeds, specifically in implementing certain government programs or tasks.

Based on Article 5 paragraph (3) Government Regulation Number 37 of 1998 concerning Regulation of Land Deed Making Officials as amended by Government Regulation Number 24 of 2016 concerning Amendments to Government Regulation Number 37 of 1998 concerning Regulation of Land Deed Making Officials, it is stated that: The Camat can be appointed as Land Deed Official ("*PPAT*") by the Minister who administers government affairs in the agrarian / land sector (Minister of Agrarian Affairs and Spatial Planning / Head of the National Land Agency - "Minister") if there is not enough *PPAT* in the area to serve community in making *PPAT* authentication deeds.

The authority of the Camat as a Temporary *PPAT* who carries out *PPAT* duties is the same as the authority of *PPAT* as stipulated in Article 2 of Government Regulation Number 24 of 2016 concerning Amendments to Government Regulation Number 37 of 1998 concerning Regulations on the Position of Land Deed Officials, namely:

1. *The PPAT* has the main task of carrying out some land registration activities by making deeds as evidence of certain legal actions regarding land rights or property rights over apartment units, which will be used as the basis for registering changes to land registration data as a result of such legal actions
2. The legal actions as intended in paragraph (1) are as follows:
 - a. Buy and sell;
 - b. Exchange;
 - c. Grant;
 - d. Entry into the company (inbreng);
 - e. Sharing of joint rights;
 - f. Granting of Building Use Rights / Use Rights to Freehold land;
 - g. Granting Mortgage Rights;
 - h. Granting of power to impose Mortgage Rights.

Based on Article 7 paragraph (2) Government Regulation Number 24 of 1997 concerning Land Registration, the existence of the Camat as a Temporary *PPAT* is "For villages in remote areas the Minister can appoint a Temporary *PPAT*."

CONCEPTUAL FRAMEWORK

Indonesia is a state based on law as stipulated in Article 1 paragraph (3) of the 1945 Constitution. 4. Reviewing the provisions of Article 1 paragraph (3) of the 1945 Constitution which confirms that "the State of Indonesia is a State of Law", this means that within the Unitary State of the Republic of Indonesia law is the lifeblood of all aspects of life. Law functions as a protection for human interests.

National development carried out in Indonesia refers to the 1945 Constitution, hereinafter written the 1945 Constitution which has undergone four amendments and in Chapter I Article 1 Paragraph (3) it is stated that Indonesia is a state of law, thus the Indonesian state

adheres to the principle of legal certainty. The principle of legal certainty aims to achieve order and justice (*sociale gerechtigheid*) for all people. According to Apeldoorn, legal certainty has two aspects. First, regarding the matter of determining (*bepaalbaarheid*) the law in matters of concrete money. This means that those seeking justice want to know what the law is in a particular case, before starting a case. Second, legal certainty means legal security. This means protection for the parties against the judge's arbitrariness.

Legal certainty is "*sicherheit des Rechts selbst*" (certainty about the law itself). There are four things related to the meaning of legal certainty. First, that law is positive, meaning that it is legislation (*gesetzliches Recht*). Second, that the law is based on facts (*Tatsachen*), not a formulation of an assessment that will be carried out by the judge, such as "goodwill", "decency". Third, that the facts must be formulated in a clear manner so as to avoid confusion in meaning, as well as being easy to implement. Fourth, the positive law must not be changed frequently. One of the main elements of a rule of law is equality before the law and the supremacy of law. Article 27 paragraph (1) of the 1945 Constitution states that: "All citizens shall have the same position before the law and government and are obliged to uphold the law and government without exception".

One form of legal certainty in Indonesia is an agreement. The Agreement Law in effect in Indonesia is the provisions contained in Book III of the Civil Code, hereinafter referred to as the Civil Code. The agreement made by the parties creates an engagement between the two of them. However, the engagement does not only arise based on the agreement, based on the provisions of Article 1233 of the Civil Code, the engagement is born based on the provisions of the law.

The provisions regarding the agreement are subject to the general provisions contained in Book III of the Civil Code, hereinafter referred to as the Civil Code. Provisions regarding the definition of an agreement that can have legal consequences are contained in the provisions of Article 1313 of the Civil Code which states: "An agreement is an act in which one or more people bind themselves to one or more other people."

Based on this formula, Abdul Kadir Muhammad concluded that in his definition there are the following elements:

1. There are parties, at least two people (subjects);
2. There is an agreement between the parties (consensus);
3. There are objects in the form of objects;
4. There is a material purpose (regarding assets);
5. There are certain forms, spoken or written.

In this relationship, in order to fulfill the validity of an agreement, the conditions for the validity of the agreement must be fulfilled based on the provisions of Article 1320 of the Civil Code, which reads:

For the validity of an agreement, four conditions are required:

1. To agree with those who bind themselves;
2. The ability to make an engagement;
3. A certain thing;
4. A cause that is lawful.

The agreements regulated in the Civil Code, one of which is the Sale and Purchase Agreement which is determined based on the provisions of Article 1457 of the Civil Code

which states that "Sale and purchase is an agreement whereby one party binds himself to deliver an item, and the other party to pay the price. promised. "One of the products of the agreement is a sale-purchase agreement for land rights. As is well known, one of the legal actions relating to land is to register land according to the procedures stipulated in Government Regulation Number 24 of 1997 concerning Land Registration. Based on the provisions of Article 1 point 1 of Government Regulation Number 24 of 1997 concerning Land Registration, it is determined that: Land registration is a series of activities carried out by the Government continuously, continuously and regularly, including collection, processing, bookkeeping, and presentation and maintenance of physical data and data. juridical, in the form of maps and lists, regarding land parcels and apartment units, including the issuance of certificates of proof of their rights for land parcels for which there are already rights and ownership rights over apartment units and certain rights that impose them.

Article 9 of Law Number 5 of 1960 stipulates that only Indonesian citizens can obtain land rights, in other words as rights holders, which is confirmed in the provisions of Article 1 number 9 of the Regulation of the State Minister for Agrarian Affairs / Head of the National Land Agency Number 3 of 1997 Regarding the Implementing Provisions of Government Regulation Number 24 of 1997 concerning Land Registration, which states that: "Rightsholders are persons or legal entities who have rights to land, ownership rights to apartment units or management rights, or nadzir in the case of waqf land, either registered or unregistered. "

Based on the provisions of Article 5 in conjunction with Article 6 paragraph (1) Government Regulation Number 24 of 1997 concerning Land Registration, it is determined that the implementation of land registration is carried out by the National Land Agency by the Head of the Land Office. The provisions of Article 6 paragraph (2) Government Regulation Number 24 of 1997 concerning Land Registration stipulate that in carrying out land registration, the Head of the Land Office is assisted by **PPAT** and other Officials assigned to carry out certain activities according to this Government Regulation and laws and regulations concerned.

Based on the provisions of Article 1 number 24 Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Article 1 number 1 Government Regulation Number 24 of 2016 concerning Amendments to Government Regulation Number 37 of 1998 concerning the Position Regulation of Land Deed Making Officials that "Land Deed Making Officials are hereinafter referred to as PPAT is a public official who is given the authority to make certain land deeds."

The authority of the Camat as a Temporary PPAT who carries out PPAT's duties is the same as the authority of PPAT as regulated in Article 2 of Government Regulation Number 24 of 1997 concerning Land Registration, namely:

1. The PPAT has the main task of carrying out some land registration activities by making deeds as evidence of certain legal actions regarding land rights or property rights over apartment units, which will be used as the basis for registering changes to land registration data as a result of such legal actions.
2. The legal actions as intended in paragraph (1) are as follows:
 - a. Buy and sell;
 - b. Exchange;
 - c. Grant;

- d. Entry into the company (inbrenng);
- e. Sharing of joint rights;
- f. Granting of Building Use Rights / Use Rights to Freehold land;
- g. Granting Mortgage Rights;
- h. Granting of power to impose Mortgage Rights.

Based on this, it can be said that PPAT is a public official who is authorized to make land deeds which are used as the basis for obtaining land rights and transferring rights to land that already have rights through the land registration process at the competent agency.

METHODOLOGY

In conducting this research, researchers used the following research methods:

1. Research Specifications

The research specification used by the researcher is descriptive analytical, which describes the applicable laws and regulations, which is then linked to legal theory and positive law enforcement practices, regarding the responsibility of the sub-district head as a temporary deed maker due to negligence in making authentic deeds.

2. Approach Method

The research approach method used by researchers is juridical normative by using methods of approaches / theories / concepts and methods of analysis that are included in the dogmatic discipline of law. Emphasize research on secondary data in the form of primary legal materials such as statutory regulations, secondary legal materials such as articles and judges' decisions. This research is also supported by field research which aims to review and research field data relating to the implementation of applicable laws and regulations.

3. Research Stage

a. Library Research

is used in an effort to find theoretical foundations and information related to the object of research using primary data, namely binding legal materials, secondary legal materials and tertiary legal materials.

- 1) Primary Legal Materials which are binding on the issues to be examined in the form of statutory regulations consist of:
 - a) Basic norms of Pancasila
 - b) The 1945 Constitution
 - c) Civil Code
 - d) Law No. 5 of 1960 concerning Basic Agrarian Principles
 - e) Government Regulation Number 10 of 1961 concerning Land Registration
 - f) Government Regulation Number 24 of 1997 concerning Land Registration
 - g) Regulation of the Minister of Agrarian Affairs / Head of BPN Number 3 of 1997 concerning Provisions for Implementing Government Regulations on Land Registration.
- 2) Secondary Legal Materials, are legal materials that are closely related to primary legal materials, to help analyze and understand primary legal materials, which consists of:
 - a) Scientific work of scholars
 - b) Research results in journal form
 - c) Expert articles

- 3) Tertiary Legal Materials, namely materials that provide information about primary and secondary legal materials, including law, language dictionaries, articles.
 - a) Field Research
To support and complement secondary data by means of interviews, field research will be carried out in relevant places and agencies that are related to the object of research so that the various existing data can be analyzed the facts of what happened, what should be with what happened (between das sollen and das sein)
4. Data Collection Techniques A data collection technique used in a study basically depends on the scope and objectives of the study. According to Ronny Hanitijo Soemitro, data collection techniques consisted of literature study, observation (interview) and use of a list of questions (questionnaire). Based on the scope, objectives and approach in this study, the data collection techniques used in this study are:
 - a. Document Study
Document study is a data collection tool that is used through written data. The writing conducts research on documents that are closely related to the object of research to obtain theoretical reasons and to obtain information in formal form and official data regarding the problem under study, namely by:
 - 1) Inventory of Indonesian positive law;
 - 2) Inventory of legal principles;
 - 3) Inventory of philosophical theories, especially those related to legal developments;
 - 4) Analyze the extent of synchronization and harmonization of legal rules both horizontally and vertically;
 - 5) Legal history;
 - 6) Comparative law;
 - 7) Find, collect and re-understand all rules and theories and legal views.
 - b. Interview (interview) Interviews are a way to obtain information by asking directly to the source as the party being interviewed. The interview is a process of interaction and communication. The results of the interview are determined by several factors that interact and influence the flow of information. These factors are the interviewer who is interviewed, the research topic contained in the list of questions and the interview situation. The interviewer submits questions to the interviewee, the source can influence the results of the interview because the quality of the answers given depends on whether he can capture the content of the question well. Research topics can affect the smoothness and results of the interview because the willingness of the resource person to answer depends on whether the resource person is interested in the problem or not.
5. Data Collection Tools
 - a. Tool is the means used. Data collection tools used by researchers based on normative research are records of document review results, and log books (notes during the research process), as well as interviews from resource persons.
 - b. Data collection tools in field research in the form of a list of questions made based on problem identification, recording devices, cameras, flash drives, laptops.

6. Data Analysis

Analysis can be formulated as a systematic and consistent process of breaking down certain symptoms. The data analysis method used by the writer is qualitative normative. Normative, because research is based on existing norms, principles and legislation as positive legal norms, while qualitative is an analysis of data and information obtained qualitatively from a legal perspective.

7. Research Location To obtain the necessary data, field research was carried out, among others:

- a. Library of the Faculty of Law, Universitas Pasundan Jl. Lengkong Besar Number 68, Bandung City;
- b. Library of the Faculty of Law, University of Padjajaran Jl. Dipatiukur No.35 Kota Bandung;
- c. Library of the Faculty of Law Unisba Bandung Jl. Ranggagading No.8 Bandung City;
- d. West Bandung Regency National Land Agency Office.

DISCUSSION

1. Responsibilities of the sub-district head as the official land deed maker for the parties who suffer losses due to negligence in making authentic deeds.

Land registration is a State obligation that is carried out by the Government for the benefit of the people throughout the Territory of the Republic of Indonesia, as regulated in Article 19 paragraph (1) of the UUPA, namely: "To ensure legal certainty by the government, land registration is held throughout the Territory of the Republic of Indonesia according to the provisions stipulated in regulated by Government Regulation".

If the provisions above are examined in the following articles, it turns out that for certain land rights there are obligations imposed on the right holder as instructed by Article 23 UUPA so that every land that can be registered for rights becomes land rights under the name of the person who registers it, but its implementation is still carried out by the government. Government Regulation Number 24 of 1997 explicitly states that the Government agency that organizes land registration throughout the territory of the Republic of Indonesia according to Article 5 is the National Land Agency (BPN). Furthermore, Article 6 paragraph (1) states that in the context of carrying out such land registration, the head of the Regency / City Land Office shall carry out the implementation task.

The Official for Making Land Deeds (*PPAT*) has a very important role in land registration, namely helping the Head of Regency / City Land Offices to carry out certain activities in land registration. The word "assisted" in Article 6 paragraph (2) of Government Regulation Number 24 of 1997, does not mean that the *PPAT* is subordinate to the National Land Agency which can be governed by it, but *PPAT* has independence and is impartial in carrying out its duties and authorities.

As it is known, the main tasks of *PPAT* in assisting the implementation of land registration by the Head of the Land Office are stipulated in Article 2 of Government Regulation Number 37 of 1998 concerning the Position Regulations for Land Deed Making Officials, namely:

1. The *PPAT* has the main duty of carrying out some land registration activities by making deeds as evidence of certain legal actions regarding land rights or property rights over apartment units which will be used as the basis for registering changes to land registration data as a result of this legal act.

2. The legal actions as intended in paragraph (1) are as follows:
 - a. Buy and sell;
 - b. Exchange;
 - c. Grant;
 - d. Entry into the company (inbreng);
 - e. Sharing of joint rights;
 - f. Granting of Building Use Rights / Use Rights to Freehold land;
 - g. Granting Mortgage Rights;
 - h. The power of attorney imposes Collateral Rights.

Based on the main duties and authority of the Temporary Land Deed Making Official, the Camat as the Temporary *PPAT* holds a big responsibility, so that if he commits an act that is detrimental to the parties in the deed making, then the Camat is responsible for all losses suffered as a temporary *PPAT* because Basically, the parties (parties involved in making deeds other than *PPAT*) do not know, let alone understand the ins and outs or procedures for making deeds. So the absolute responsibility when there is a loss caused by the negligence of the *PPAT* in making the deed is the responsibility of the *PPAT*.

The negligence made by the Temporary *PPAT* in making the sale and purchase deed will have a direct impact on the losses that will be suffered by its clients, mistakes and negligence made in the making of the deed of transfer of land rights carried out by the Temporary *PPAT* resulting in the Temporary *PPAT* having to be responsible for what has been done .

1. Job Responsibilities

Based on legal provisions, officials only carry out functions and powers, officials do not have authority because those who have and are attached to authority are positions. under the Constitutional Law, it is the position that is burdened with obligations, which is given the authority to carry out legal acts. Authority and office continue, regardless of changes in officials. Because the authority is attached to the position, while the responsibility in the public sector is related to the authority, the burden of responsibility is basically also attached to the position.

2. Personal Responsibility

Regarding the temporary *PPAT* limitation in PP Number 37 of 1998 article 27 paragraph (2) which stipulates that "a temporary *PPAT* that stops as a temporary *PPAT* submits the protocol to the temporary *PPAT* that replaces it". From the provisions of the article, it is implied that although the Camat no longer serves *as PPAT*, the liability for those who are covered knows no time limit. If the deed drawn up by the head of the sub-district is challenged in court while the Camat is no longer within his jurisdiction, the judge must believe that the deed was made based on what is true. Because basically the sub-district head must make a deed based on what the parties want, unless the Camat *as PPAT* commits mal administration, then the responsibility shifts to personal responsibility.

2. **Legal protection of parties in the making of authentic deeds by the sub-district head as the official land deed maker**

The Official for Land Deed Official (*PPAT*) has a very important role in land registration, namely helping the Head of Regency / City Land Offices to carry out certain activities in land registration. Based on the results of research conducted by the author in Bandung City, by interviewing several Land Deed Officials (*PPAT*), Temporary Land Deed Making Officials (Camat) and Land Registration Officers at the Bandung City Land Office, that

without the existence of Land Deed Officials (*PPAT*) it is very difficult to be able to carry out land registration data maintenance activities.

The Land Deed Making Official also functions to increase state revenue in the tax sector, in this case the Land Deed Making Official plays a significant role because it is assigned to check that Land and Building Tax (PBB) has been paid, Income Tax (PPh) from income due to the transfer of rights to land and Fees for Acquisition of Land and Building Rights (BPHTB) before making the deed. Seeing the considerable role of Land Deed Making Officials in this taxation sector, in fact there are land deed maker officials who use their positions to obtain personal benefits, one of which is by "playing" with their clients in determining the amount of tax payable by lowering prices. selling the actual tax object, which is stated in the deed he draws.

The cautionary attitude of a Land Deed Making Official is an attitude of work professionalism that must be shown to clients. It is this attitude of work professionalism that is supported by the legality of work that will make clients feel comfortable and safe in handing over land management to the Land Deed Making Official.

3. Settlement efforts due to negligence of the sub-district head in making authentic deeds by the subdistrict head as the official land deed maker

Assessing administrative malfeasance which mean bad or bad service or management. Based on Article 1 number (3) Law no. 37 of 2008 concerning the Ombudsman of the Republic of Indonesia, what is meant by administrative malfeasance are: Behavior or actions against the law, exceeding authority, using authority for purposes other than those for which the authority is intended, including negligence or neglect of legal obligations in the provision of public services carried out by state administrators and governments that cause material and / or immaterial losses to society and people individual.

To carry out government affairs in which there is an element of mal-administration and detrimental to citizens, the responsibility and accountability shall be borne by the individual who commits the maladministration act. Above it has been stated that Law No. 5 of 1986 regarding PTUN and its implementing regulations adopts the theory of job responsibilities, but in its development, especially after the amendments to the PTUN Law No. 9 of 2004 concerning Amendments to Law No. 5 of 1986, it is also adopted. personal responsibility.

Camat is appointed as a Temporary PPAT only if the PPAT formation in an area is insufficient. This means that in this area the sub-district head is trusted to help the community in his sub-district area to realize legal confidence in their land rights. Therefore. The sub-district head must understand what needs to be checked or prepared in making a sale and purchase deed. Because also, if one of the conditions is ignored, it can result in defects in a deed made by the camat as the temporary PPAT.

Failure of the sub-district head in making the deed will result in a legal flaw in the deed as a strong means of evidence in the future which may turn the deed into an underhand deed. Failure to do so by the camat as a temporary PPAT in making a deed of transfer of land rights that is legally flawed can result in the deed being null and void or can be canceled, as referred to in Article 1320 of the Civil Code regarding the validity of an agreement. The conditions for an agreement and the skill to make an agreement are subjective conditions which, if they are violated, the deed can be canceled. In other words, the parties related to the deed can submit a request for cancellation of the deed before the head of the sub-district

as a temporary PPAT if in making the deed there is no agreement between the parties or the parties are incapable of entering into a sale and purchase agreement. On the other hand, a deed can be said to be null and void if in its preparation it does not meet the objective requirements of the validity of an agreement, namely a certain thing and a valid cause.

The sub-district head can be held accountable if the deed of transfer of land rights, in this case the sale and purchase deed, is legally flawed which can result in the deed being canceled or null and void by law. The responsibility of a Camat as a temporary PPAT based on Government Regulation Number 37 of 1998 is personal responsibility or *fautes de personalles*, so that a Camat as a temporary PPAT must bear the accountability for his unlawful act.

CONCLUSIONS

Conclusion

1. The responsibility of the sub-district head as the official making the temporary land deeds to the parties that are harmed due to negligence in making the authentic deed is linked to Government Regulation No. 24 of 2016 concerning amendments to Government Regulation No.37 of 1998 concerning the Position Regulations for Land Deed Making Officials, which are fundamentally the main duties and powers of the Temporary Land Deed Officials, the Camat as the Temporary PPAT holds absolute responsibility for negligence which results in other people experiencing losses, so that if he commits an act that is detrimental to the parties in making the deed, then the sub-district head is responsible for all the losses suffered as a temporary PPAT because basically the parties (parties involved in the deed other than PPAT) do not know, let alone understand, details or procedures for making deeds. So absolute responsibility when there is a loss caused by negligence of PPAT while making authentic deeds.
2. Legal protection of the parties in making authentic deeds by the Head of the Sub-District as the official making the temporary land deeds linked to Government Regulation No. 24 of 2016 concerning amendments to Government Regulation No.37 of 1998 concerning Land Deed Making Officials Regulation is that the Head of the Sub-District as the head of the region has the task and authority in order to advance his area, but based on Government Regulation Number 37 of 1998 concerning Land Deed Making Officials The Camat is given the authority to make authentic deeds, this is due to the legalization of the Camat as a temporary land deed maker, thus it is obligatory for parties to get legal protection from legal products issued by the Camat as the official making the temporary land deeds.
3. Settlement efforts due to the Camat's negligence in making the authentic deed by the Camat as the official making the temporary land deeds is that they can be held accountable for negligence which resulted in other people experiencing losses, a form of responsibility by receiving civil sanctions. The form of this civil sanction is reimbursement of expenses, interest and compensation.

Suggestion

1. The head of the sub-district as a temporary PPAT must be careful in making deeds, accuracy starts from receiving the parties, checking the location, the process to BPN, this is to minimize the occurrence of deeds making errors that will result in losses, this is a form of professionalism of the sub-district head as PPAT While.
2. The community as a person or legal entity must monitor the progress of the deed making, this can be used as a learning medium while avoiding mistakes made by the deed maker which will result in losses.

3. The National Land Agency must actively supervise the performance of PPAT, including the Temporary PPAT (Camat) to avoid negligence of work from PPAT, in this case the Temporary PPAT in making deeds of sale and purchase of land rights.

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Wawancara dengan Notaris Hendry Samudra Gamal di Kantor Notaris Hendry Samudra Gamal pada tanggal 4 Januari 2018 Jam 09:00

