

# Complexities in Drafting Land Transfer Deeds After the Implementation of Electronic Land Certificates (A Study of Land Deed Officials in Bekasi)

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## Abstract

Land registration aims to ensure legal certainty and protection of land rights through the issuance of certificates. Along with technological developments, the Indonesian government has implemented electronic land certificates to improve efficiency in land administration. Nevertheless, this transition has generated new complexities for Land Deed Officials (PPAT) in drafting land transfer deeds. This study aims to analyze the complexity that arises in drafting land transfer deeds after the implementation of electronic land certificates, and how PPATs respond to these challenges in practice. The methodology employed is an empirical juridical approach; this research is based on interviews with PPATs in Bekasi City. The findings indicate that electronic certificates present significant challenges in ensuring the accuracy of both legal subjects and objects in land transfer deeds, primarily due to data limitations and inconsistencies. These complexities hinder PPATs in fulfilling their responsibilities to guarantee legal validity and certainty. The study concludes that the current implementation of electronic certificates has not yet fully achieved its intended objective of legal certainty, thereby underscoring the need for stronger data integration and institutional coordination to support a reliable and accountable land transfer process.

## Keywords

Electronic Certificate; Land Title Transfer Deed; Legal Certainty; PPAT

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## 1. INTRODUCTION

Land registration is crucial because it aims to provide both legal certainty and certainty of rights to the land through the issuance of a Land Rights Certificate. (Tehupeiory, 2012) Land registration in Indonesia has been established since the Dutch colonial era, through the Agrarische Wet (Agrarian Law) of 1870, which introduced a cadastral system for systematically implementing and managing land rights records in an orderly manner. (Hutagalung et al., 2012)

Currently, land registration, which falls under the agrarian affairs, is regulated by the Basic Agrarian Law Number 5 of 1960 (UUPA), with the provisions for its implementation stated in Article



19. Furthermore, the technical implementation related to the mandate of UUPA Article 19 is further implemented in Government Regulation Number 24 of 1997 concerning Land Registration. The presence of this regulation clarifies legal certainty for land rights holders. It regulates the land registration process in detail. It provides comprehensive information on the physical and juridical data of the relevant land in the form of certificates, which serve as legitimate proof of land ownership. (Waskito & Arnowo, 2019)

Along with the passage of time, which drives digital transformation, land administration has undergone significant changes to modernize land services. Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia officially enacted Ministerial Regulation ATR/BPN Number 3 of 2023 concerning the Issuance of Electronic Documents in Land Registration Activities.

This regulation governs the transformation of land certificates from a physical (analog) form to a digital (electronic) form. This transition marks a substantial shift in the characteristics, accessibility, and management of land data. Its main objectives are to accelerate public services in the land sector, improve ease of doing business, and optimize the use of information and communication technology through the implementation of electronic-based land services. (Arsyilla & Allagan Pitta, 2022)

The Land Deed Official (PPAT), in their capacity as a partner of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN), has specific responsibilities in the land sector, particularly in the creation of authentic deeds related to land rights, both during the initial registration and during transfers. Based on Article 97 paragraph (1) of the Head of BPN Regulation Number 3 of 1997, a PPAT is required to check the conformity of the certificate before preparing an authentic deed. This obligation is intended to ensure that the PPAT carefully verifies the data in the certificate. This allows for the identification of any changes in data related to the respective land object before the transfer of rights over the land occurs. Moreover, to avoid mistakes or defects in the creation of authentic deeds that may lead to legal disputes. (Nurudin, 2016)

The conversion of physical (analog) certificates into electronic certificates raises several practical challenges, particularly for Land Deed Officials (PPAT), who are authorized to prepare and draft authentic deeds related to the transfer of land rights. PPATs are legally obliged to verify the conformity of certificate data before preparing deeds, as stipulated in Article 97 paragraph (1) of the Head of BPN Regulation Number 3 of 1997. (Hatta Isnaini, 2020)

One of the issues that arises as a challenge for PPATs regarding electronic certificates is that they contain less data compared to analog certificates, as land location recording only displays the subdistrict and district without detailed boundaries, such as block or lot numbers. This is in accordance with the

"Technical Guidelines for the Procedure of Issuing Electronic Certificates Version 1.0 No. 3/JUKNIS-HR.02/III/2024 dated March 1, 2024." (Kementerian Agraria dan Tata Ruang Badan Pertanahan Nasional, 2024) Another legal issue arising from electronic certificates is that they can only be accessed by the rights holder, allowing the holder to transfer the rights to another party before the transfer deed is signed. This issue was raised during a legal discussion organized by the Indonesian Notary Association (INI) Bekasi City Branch & the Land Deed Officials Association of Bekasi City at Graha Hartika Wulan Sari, Bekasi, on August 28, 2024. (INI dan IPPAT Kota Bekasi, 2024)

Based on these conditions, this research was conducted to examine various forms of complexity that arise in the process of preparing land transfer deeds after the implementation of electronic land certificates, as well as to analyze how Land Deed Making Officials (PPAT) handle and adapt to these complexities in practice after the implementation of electronic certificates.

## **2. METHOD**

The study employed an empirical juridical method, involving direct data collection from the research subjects (field research). The research data consisted of primary data obtained through interviews using purposive sampling with 7 PPAT officials in Bekasi City, namely Dr. Sahat Hangoluan Maruli Tua Sinaga, S.H., M.Kn., Tutut Aji Susanti, S.H., M.H., M.Kn., Dinarsi Raharjanti, S.H., Alifah Septiana, S.H., M.Kn., Savitri Irma Mulia, S.H., Nevy Herawaty, S.H., M.Kn., and Muhammad Suhudi, S.H., M.Kn., who served as the Secretary of IPPAT Bekasi City—employed with semi-structured interviews to allow for flexibility in exploring participants' experiences and perspectives (Kamaruddin et al., 2023), while still following a consistent set of guiding questions. (Waluyo, 2002)

The informants were selected using purposive sampling, a method that involves the deliberate selection of individuals based on specific criteria relevant to the research focus. (Sugiyono, 2022) The criteria included expertise, experience, and direct involvement in handling land transfer processes. Informants were chosen because they frequently handle a significant number of land transfers, making them capable of providing comprehensive and representative information regarding the complexities of drafting land transfer deeds following the implementation of electronic certificates.

Ethical considerations were strictly observed in this study. All participants were provided with a consent form that clearly explained the purpose of the study (Pangaribuan et al., 2023), the voluntary nature of participation, and the confidentiality of their responses. Each informant signed the consent form prior to the interview, ensuring that ethical standards were maintained throughout the research process.

The study also utilized secondary data, which included primary legal materials, such as legislation, as well as secondary legal materials, including books, government documents, journals, internet

sources, and other relevant sources. Additionally, tertiary legal materials were sourced from the Kamus Besar Bahasa Indonesia (Indonesian Dictionary). The data analysis technique used in this study employed qualitative analysis to process both primary and secondary data in addressing the research problem. (Syahrums, 2022)

### **3. FINDINGS AND DISCUSSION**

#### **3.1 The Complexity of Creating Land Rights Transfer Deeds Following the Implementation of Electronic Certificates**

The digital era has transformed land administration from conventional to electronic systems, producing land registration results in the form of electronic data and information, no longer in conventional form. (Sugianto & Handoko, 2019)

The Ministry of Agrarian Affairs and Spatial Planning of the Republic of Indonesia has implemented electronic certificates, guided by the "Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 1 of 2021 concerning Electronic Certificates." This regulation was replaced by the "Regulation of the Minister of ATR/BPN Number 3 of 2023 on the Issuance of Electronic Documents in Land Registration Activities," which regulates the digitization of conventional (analog) land certificates into electronic certificates. This policy aligns with the government's direction for modernizing public service and digital transformation. (Maruli Tua Sinaga, 2025)

Referring to Article 26 paragraph (1) of Law No. 5 of 1960 concerning the Basic Agrarian Principles, legal acts regarding land rights include buying and selling, exchanging, gifting, bequeathing, giving based on custom, as well as other legal actions to transfer ownership rights. The execution of these legal acts requires an authentic deed made by or authentic deed made by an authorized official, namely the Land Deed Official (PPAT). (Hutagalung et al., 2012)

The procedure for transferring land rights in Bekasi City from the beginning is carried out via PPAT that includes collecting the documents of the parties who will carry out the transfer of land rights; verifying the certificate; payment of the purchase price (if any) and payment of Income Tax (PPh) and the Land and Building Rights Acquisition Fee (BPHTB); (Utami, 2019) validation of PPh at the Bekasi City Regional Revenue Agency Office (Bappenda) and the Tax Office; signing of the deed of transfer of rights; registration of the. Deed of transfer of rights at the Land Office (BPN); and finally, the land rights certificate in the name of the recipient is issued. (Shafira, 2021)

The transition to electronic certificates creates several new challenges for PPATs. Electronic certificates provide minimal juridical and physical data, making verification and preparation of deeds more complex, which can affect the efficiency, legal certainty, and reliability of the transfer process.

Several aspects of differences between analog certificates and electronic certificates can be identified, namely in terms of recording of physical land data, ownership rights, land plot maps, and access to the certificate. Furthermore, the differences in characteristics between electronic certificates and analog (conventional) certificates can be seen in the following discussion.

### 3.1.1 Analysis of Physical Land Data in Electronic Land Certificates

**Table I.** Recording of Physical Land

| No. | Recording of Physical Land Data | Analog Certificate  | Electronic Certificate  |
|-----|---------------------------------|---|---|
| 1.  | Location of Land Parcel         | The area, address, including the urban village and district, as well as the plot number or block, is clearly and completely stated. | Only the area, district, subdistrict, and province (administrative regions) are listed. |

Source: Interview with Tutut Aji Susanti, PPAT Bekasi City, dated August 4, 2025.

The difference between analog certificates and electronic certificates in the table above indicates that the land plot registration is not detailed enough to confirm the accuracy or appropriateness of the location of the land plot to be transacted using the electronic certificate. Based on an interview with Dinarsi Raharjanti, PPAT Bekasi City, in cases of certificate splitting, the lack of detailed registration regarding the land's location in the electronic certificate poses a risk of administrative errors. These errors can include the submission of incorrect official copies (secure paper) of electronic certificates or wrong NOP SPPT PBB to the PPAT during the transaction. If this occurs, it can result in errors in BPHTB payments (wrong object), potentially lead to ownership disputes, and cause losses for both the landowner and the developer. (Astuti, 2024)

In addition, the recording of land data that is not detailed in this electronic certificate makes it difficult for the Land Deed Official (PPAT) to prepare the deed of transfer, especially in reflecting it in the content of the deed, namely the part concerning the legal object being transacted. In the drafting of a land deed by a PPAT, it is certainly mandatory to include the section on the legal object, because the legal object is the core of the deed, which serves as authentic evidence of a legal action concerning the object. The legal object referred to is the right to land or ownership, as well as the rights to a condominium unit, which serve as the basis for the transfer or encumbrance of rights. (Citasari et al., 2024)

Based on the requirements for the validity of an agreement as stipulated in Article 1320 of the Civil Code, the legal object in the deed must be clearly stated, including the location, area, land status, or

other identity related to the object. The more detailed the identity of the object is included in the deed, the more ideal the deed becomes as evidentiary proof, as it provides legal certainty and reduces the potential for disputes in the future.

Thus, the clarity of the legal object is not only ideal but also strengthens the evidence of a perfect, authentic deed. (Moechtar, 2024) Regarding the recording of land data that is not detailed in this electronic certificate, it will be difficult to include or may even be left blank, especially for the street name, plot number, or even the RT/RW numbers (for neighborhood and community). Therefore, if a deed fails to clearly state or leave blank the information about a certain object, it lacks legal validity and may potentially lead to disputes or be declared legally null and void. (Nugroho, 2025)

Furthermore, based on an interview with Tutut Aji Susanti, PPAT of Bekasi City, the complexity arising from incomplete land parcel data recording is the rejection (pending) of validation approval by the BAPPENDA (Regional Revenue Agency) for BPHTB (Land Acquisition Duty) taxes that have already been paid. The BAPPENDA agency still requires a copy of the analog certificate for tax validation. If the PPAT does not upload a document in the form of a scanned color copy of the old analog certificate that can show the exact location of the land parcel being transacted, validation cannot be carried out. Consequently, the signing of the deed of land rights transfer or the land transfer process itself cannot proceed.

**Table 2.** Field Map

| No. | Picture of Land Plot<br>Location | Analog Certificate   | Electronic Certificate   |
|-----|----------------------------------|--|--|
| 1.  | Picture of Land Plot Location    | The image of the land plot location is directly printed on the Certificate according to its actual position. | First, scan the QR Code directed to OpenStreetMap to view the land plot coordinates. |

Source: Interview with Alifah Septiana, PPAT Bekasi City, on July 22, 2025

Based on the comparison table above and the interview with Mrs. Alifah Septiana, PPAT of Bekasi City, it is often found in practice that the boundaries of land plots in electronic certificates are unclear and do not match the actual location of the land plots based on scanning results. This has the potential to lead to future land ownership disputes.

This demonstrates that the validity of land ownership data in Indonesia does not depend solely on the Ministry of Agrarian Affairs and Spatial Planning, as it is interconnected with other institutions whose data also affect the reliability of the land administration system, particularly population and civil registration records. In reality, data on land ownership in Indonesia remain inadequately updated

(Suhattanto et al., 2021), thereby requiring certainty of data validity nationwide to ensure reliable land data. Therefore, prior to implementing electronic certificates, all relevant institutions must ensure the accuracy and validity of their respective data, so that effective integration can be achieved without causing future legal issues. (Madiong & Tira, 2023)

As shown in Tables 1–2, the findings highlight that, according to Article 97 paragraph (1) of the Head of BPN Regulation Number 3 of 1997, PPATs are legally required to verify all certificate data prior to drafting an authentic deed. The limited detail in electronic certificates poses a direct challenge to this statutory duty, as PPATs must ensure that the legal object is accurately and completely described.

In addition, a PPAT must first examine the existence of the relevant documents, which constitutes a primary requirement as stipulated in Article 103 paragraph (2) of the Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency Number 3 of 1997, as an implementing regulation of Government Regulation Number 24 of 1997 on Land Registration, namely:

- a. Proof of identity of the party transferring the rights (seller);
- b. Proof of identity of the transferee (buyer);
- c. Proof of payment in full of the Duty on the Acquisition of Land and Building Rights (Bea Perolehan Hak atas Tanah dan Bangunan);
- d. Proof of payment in full of Income Tax (PPh); and
- e. The land title certificate (SHM) or Ownership Right to a Condominium Unit (Hak Milik atas Satuan Rumah Susun) is being transferred.

As a public official, as explained above, a PPAT has the obligation to ensure that all documents and certificates comply with the applicable requirements. A PPAT acts as a partner of the Land Office, playing a role in drafting deeds and registering them to ensure legal certainty regarding a person's status as the subject of land rights. (Swandewi et al., 2016)

If there is any lack of due care on the part of the Land Deed Official (PPAT) in drafting the deed, or if the deed contains legal defects arising from errors in the procedure of its preparation or execution, legal disputes may still arise in the future. (Adelia & Wahyuni, 2023) These findings underscore the academic rigor of the study by demonstrating a clear link between regulatory obligations and the practical difficulties faced by PPATs, indicating that failure to fulfill this verification process may render deeds legally defective and expose PPATs to administrative liability or disputes. (Citra Febrianti, Ramlani Lina S, 2024)

### 3.1.2 Analysis of Ownership Data in Electronic Land Certificates

Table 3. Ownership

| No. | Ownership | Analog Certificate | Electronic Certificate |
|-----|-----------|--------------------|------------------------|
|-----|-----------|--------------------|------------------------|

|    |  |  |   |
|----|--|--|---|
| 1. | Marital Status of the Rights Holder          | Includes addressing. Miss (for those who are unmarried), Mrs. (for those who are married), and Widow (for those who are divorced or whose spouse has died) | The marital status of the rights holder is not included.                                    |
| 2. | History/Events of Acquisition of Land Rights | The history of rights transfer is recorded on a single page in the certificate.  | Only the most recent land acquisition events are visible. Previous ones cannot be accessed. |

Source: Interview with Savitri Irma Mulia, PPAT of Bekasi City, on July 23, 2025, and Nevy Herawaty, PPAT of Bekasi City, on July 21, 2025.

Based on the table above, it is evident that the marital status of the rights holder is not listed on the electronic certificate regarding ownership. Compared to the analog certificate, the marital status of the rights holder is clearly stated. For a female rights holder, if the acquisition occurs before marriage, 'Miss' is indicated; if the acquisition occurs after divorce or after the husband of the rights holder has passed away, 'Mrs. Widow' is indicated on the analog certificate. The absence of the holder's legal status on the electronic certificate during land acquisition can lead to complexities, which is one reason errors may occur when the PPAT records or creates this information in the comparison section of the deed of rights transfer.

The comparative section, which contains the identities of the parties, not only lists their full names but also includes titles such as Mr., Mrs., or Miss, which indicate the status of the parties appearing. (Adhi & Maruliana, 2022) It is essential to verify the status of the parties appearing in a deed comparison to confirm that they are indeed the individuals listed in the relevant deed and to prevent potential issues, particularly in relation to fraud and other matters.

Furthermore, the omission of the marital status of the rights holder in the electronic certificate creates complexities in preparing the deed of transfer of rights, particularly in drafting the comparison section of the deed. The comparison section plays a crucial role, as it not only determines the capacity of the parties appearing before the deed but also whether they are authorized to perform legal actions related to what is stated in the deed. (Kie, 2007) The complexity that arises for the PPAT is the difficulty in analyzing and classifying an asset as either separate property or joint property.



Article 35 of the Marriage Law (Law No. 1 of 1974) regulates marital property, stipulating that: (1) assets acquired during the marriage constitute joint marital property, whereas (2) separate property, namely assets owned individually by each spouse prior to the marriage, as well as assets obtained through gifts or inheritance remain under the ownership of each respective spouse, unless otherwise agreed upon by the parties. This provision essentially distinguishes between personal property and joint marital property, serving as the legal basis for property division in the event of divorce. (Siringoringo et al., 2023)

Article 36 of the Marriage Law regulates the management of joint marital property and separate property. In essence, with respect to joint marital property (*harta bersama*), either the husband or the wife must obtain the consent of the spouse to perform legal acts such as selling or encumbering the property, whereas with respect to separate property (*harta bawaan*), including property acquired by gift or inheritance, each spouse has full authority to manage and dispose of such property independently, unless otherwise stipulated in a marital agreement. (Pratama, 2018)

According to Article 1330 of the Indonesian Civil Code (KUHPerdata), a married woman is considered legally incapacitated to perform legal acts independently, unless a marital agreement exists that provides for the separation of property. (Subekti, 2003)

This difficulty is closely related to marital property law provisions, which distinguish between separate property acquired before marriage or through inheritance and joint property acquired during marriage. In such cases, legal actions generally require the consent of both spouses. (Irawan, 2018) Difficulties in classifying these assets have the potential to cause errors by the PPAT in making comparisons regarding the commingling or ownership of a husband's and wife's personal assets in the deed of transfer of rights. (Kie, 2007)

This misunderstanding relates to legal acts of selling, mortgaging, or other legal actions concerning land, whether it is necessary to obtain the spouse's approval or not. Especially if the rights holder is not honest when informing the Land Deed Official (PPAT) about their marital status, either intentionally or unintentionally, and the rights holder does not promptly update their marital status in the Identity Card (KTP) according to the actual condition. This has the potential to lead to disputes or conflicts in the future if the PPAT makes a mistake when preparing the deed of transfer of rights in the deed's comparison section.

In addition, whenever there is a recording of data changes or maintenance of data changes on electronic certificates (e-certificates), the latest edition of the certificate will be issued. By issuing the

latest edition of the e-certificate each time data is changed, the previous edition becomes invalid, and only the registration record of the latest edition is written in the certificate. (Monalu et al., 2023)

This is related to the previous explanation where a PPAT (Land Deed Official) will have difficulty in drafting a deed of transfer of rights because it is hard to analyze the history of land acquisition (chronology) which may have come from sale and purchase, grants, inheritance, exchange, and others, as there may no longer be any records in the new electronic certificate edition. This can also be one of the reasons for mistakes by the PPAT when analyzing the origin of land acquisition or determining who is authorized over the land plot. Furthermore, errors can also occur when compiling this information in the comparison section of the deed of transfer of rights.

3.1.3 Analysis of Access and Storage of Electronic Land Certificates

Table 4. Access and Storage Certificate

| No. | Access to Certificate          | Analog Certificate  | Electronic Certificate   | Comparative Practice (Malaysia & Australia)   |
|-----|--------------------------------|---|--|---|
| 1.  | Certificate Access and Storage | Analog (physical) certificates are susceptible to duplication or transfer to other parties without the owner's knowledge. | Stored in a digital vault; only rights holders can access it through the Sentuh Tanahku app. | Use Secure Paper, even though electronic documents exist; a physical certificate remains as a secure reference, while the electronic system facilitates record-keeping. |

Source: Interview with Muhammad Suhudi, Secretary of IPPAT Bekasi City, on July 17, 2025.

Comparative studies on Malaysia and Australia’s electronic land services.

Based on the certificate access aspect shown in the table above, only the owner (seller) can access the electronic certificate in the electronic safe. This provides legal certainty and security for the electronic certificate.

However, the characteristics of this electronic certificate can also be misused by the owner (seller), as only the owner can access it, making it easy for them to transfer it to a third party. This situation has the potential to cause disputes, especially in sales transactions where the certificate requires prior processing, such as the cancellation of a mortgage, transfer of an inheritance name, or division. (Noormansyah & Taupiqurrahman, 2023)

A comparative perspective highlights alternative approaches to managing access control. In jurisdictions such as Malaysia and Australia, although electronic land administration systems have been developed to enhance efficiency and transparency, physical certificates or secure paper-based references

are still retained as part of the system. These jurisdictions adopt a hybrid model, where electronic records facilitate administrative processes, while physical certificates continue to function as an additional layer of legal security and public trust. (Liliana Tediosaputro, Retno Mawarini Sukarningsih, 2023)

### **3.2 Efforts to Overcome the Complexity of Creating Land Title Transfer Deeds Following the Implementation of Electronic Certificates**

Based on the results of previous discussions, the implementation of electronic certificates has apparently created complexities that can hinder the needs of the public and the authority of PPAT in conducting the process of transferring land rights, from the moment of receiving documents to processing, drafting, and registering the transfer deed.

Therefore, the Land Deed Official (PPAT), as a public officer authorized to make authentic deeds regarding land rights, is required to remain responsible for carrying out their duties professionally and must be able to provide solutions or legal counseling, breakthroughs to, and even overcome these obstacles in order to ensure material truth in the deeds. (Yani & Taupiqurrahman, 2021) legal certainty and trust in the applicants or the community. With the principles of obedience and caution, a PPAT can avoid and prevent mistakes that could lead to problems in making an authentic deed. (Farahzita et al., 2022)

The efforts made by PPAT in addressing this complexity, such as attaching supporting letters or documents—for example, a Statement of Responsibility for the Validity and Accuracy of Documents (Yusuf et al., 2024) are essentially aimed at providing legal certainty regarding deeds of transfer of land rights that have valid legal force and can be held accountable.

#### **a. Specifications for Recording of Land Plots Physical Data**

The complexity in this aspect is addressed by the PPAT, which first synchronizes the data of the object before the deed creation process. This form of synchronization is carried out by transferring the NOP (Property Tax Object Number) of the Land and Building Tax (PBB) owned by the applicant to adjust the land area in the PBB Tax Return (SPPT-PBB) according to the area listed in the certificate. In the event of any discrepancies or incomplete records regarding the location of the land plot, the PPAT requests that the applicant create and sign a Statement of Absolute Responsibility (SAR) declaring that the rights holder indeed owns the object being sold and that this declaration corresponds to the facts.

#### **b. Aspect of Land Parcel Layout Map**

Complexities arise regarding the aspects of images and the location of land plots because the visual display of land locations in electronic certificates is only presented in the form of QR Code

scans, and therefore, does not always reflect the actual conditions in the field. To address this issue, the Land Deed Official (PPAT) conducts further verification of the land plot locations through the Sentuh Tanahku application to ensure the correspondence between digital data and the physical location on the ground.

This verification is then reconfirmed directly with the rights holder to prevent the designation of land that differs from the actual object. If any discrepancies in location are found, the PPAT requests that the rights holder make changes to the data on the electronic certificate at the Land Office prior to the sale and purchase transaction proceeding. In addition, under certain conditions, the PPAT may require additional documents in the form of a letter from the village or sub-district office (Taupiqurrahman et al., 2023) (for example, a PM1 Letter) to strengthen confidence regarding the existence of access roads, land ownership, or other relevant physical boundaries. This step is taken to ensure that the land object being transferred corresponds to the actual conditions on the ground and can be legally accounted for.

c. Ownership Aspect

In terms of ownership, the PPAT clarifies the legal status of the marriage of the parties as of the time of the deed's signing. It is necessary to ensure that the identity of the appearing parties as legal subjects in the deed is valid, as well as to ensure the legality and completeness of the documents related to the object of the agreement. (Resvina, 2019) This clarification is conducted by examining the identity data recorded in the Identity Card and Family Card. To ensure the accuracy of the marital status of the rights holders, the PPAT requests the parties to present a marriage certificate if they are married, or proof of widowhood or divorce if they are divorced or widowed. Furthermore, for parties who are not yet married, this can be reinforced by making and signing a written statement declaring their marital status in the form of a Not Yet Married Statement. (Moechtar, 2024)

Furthermore, to address the limitations of electronic certificates that no longer display the history of rights acquisition, the PPAT requests that the applicant attach a photocopy of the old analog certificate (if still available) as additional verification material. The PPAT also requests documents of previous acquisition deeds (such as Sale and Purchase Deeds, Grant Deeds, or Inheritance Certificates) so that the chronology of rights acquisition can still be traced. All of these clarifications are then explicitly recorded in the deed comparison section as a form of formal accountability for the validity of the legal subject and the rights over the land.

**Table 5.** Summary of PPAT's Efforts to Overcome the Complexity

| Aspect | Complexity Identified | PPAT Efforts |
|--------|-----------------------|--------------|
|--------|-----------------------|--------------|

|  |   |  |
|--|---|--|
| Specifications for Recording of Land Plots Physical Data | Incomplete juridical and physical data on the object  | Synchronization of land object data through mutation/transfer of NOP (PBB); adjustment of SPPT-PBB data; requirement for Statement of Absolute Responsibility (SPTJM) from the applicant   |
| Aspect of Land Parcel Layout Map                         | Land location displayed only via QR Code; digital data may not reflect actual field conditions.                                 | Verification of land location through the Sentuh Tanahku application; reconfirmation with rights holder; request for data correction at the Land Office if discrepancies are found; requirement of supporting documents (e.g., village/sub-district letter, such as PM1) |
| Ownership Aspect   | Electronic certificates do not display a history of rights acquisition; uncertainty regarding marital status affects ownership. | Verification of marital status through identity documents and supporting certificates; written statements for unmarried parties; request for old analog certificates and previous acquisition deeds  |

Source: Elaborated by the Author, 2025

#### 4. CONCLUSION

The implementation of electronic certificates creates complexity in the drafting of deeds for the transfer of land rights, particularly in detailing the legal subjects (comparison) and objects in the deed, because electronic certificates do not contain detailed information such as the precise location of the land plots, the marital status of the rights holder, and the history of land rights acquisition. This makes the deed prone to errors, its evidentiary value less than perfect, and even potentially void by law. Moreover, access to electronic certificates, which are only held by the rights holder, can create the potential for transfer to other parties.

These complexities demonstrate that the electronic certificates have not fully accommodated the practical needs of PPAT in ensuring the material truth and legal certainty of land transfer deeds. The reliance on additional verification measures outside the electronic certificate system indicates structural limitations in the existing regulatory framework, particularly in guaranteeing the completeness of physical and juridical data as well as preventing unauthorized transfers.

The government needs to review Ministerial Regulation of ATR/BPN No. 3 of 2023, particularly regarding electronic certificate data. Electronic certificates must contain important information, such as

physical and legal data, including detailed land physical data, marital status, and a history of rights transfers. At a minimum, they must be integrated with the Electronic Land Book (BT-el) via a QR Code, allowing the related data to be fully visible and easily accessible. Additionally, data integration between agencies such as BPN, BAPPENDA, Disdukcapil, and PPAT is necessary to facilitate a faster, more accurate, and transparent process for transferring rights.

## REFERENCES

- Adelia, A., & Wahyuni, R. (2023). Keabsahan perjanjian jual beli tanah dari objek tanah warisan yang belum dibagi berdasarkan kuhperdata. *Jurnal Interpretasi Hukum*, 4(3), 691–698.
- Adhi, Y. P., & Maruliana, K. R. (2022). Analisis Bentuk Komparisi Dalam Akta Autentik Dan Pengaruhnya Dalam Pembuktian. *Diponegoro Private Law Review*, 9(2), 133–144.
- Arsyilla, D., & Allagan Pitta, M. T. (2022). PERAN PEJABAT PEMBUAT AKTA TANAH DALAM ADMINISTRASI PERTANAHAN MELALUI SERTIPIKAT TANAH ELEKTRONIK. *Pakuan Law Review (PALAR) Journal*, vol. 8, pp. 91–106.
- Astuti, U. N. (2024). Ketidaksesuaian objek tanah hasil pemecahan sertipikat oleh developer di kantor pertanahan nasional kota tangerang selatan. UNIVERSITAS ISLAM SULTAN AGUNG (UNISSULA) SEMARANG.
- Citasari, M., Nafsiatun, & Asikin, U. (2024). PERLINDUNGAN HUKUM TERHADAP PEJABAT PEMBUAT AKTA TANAH (PPAT) DALAM PEMBUATAN AKTA PERALIHAN HAK ATAS TANAH YANG OBJEKNYA MENGALAMI TUMPANG TINDIH. *Tanjungpura Acta Borneo Journal*, 2(2), 150–174.
- Citra Febrianti, Ramlani Lina S, P. H. (2024). *Jurnal Penelitian dan Pengkajian Ilmiah*. 1(9), 650–671.
- Farahzita, N., Arsin, F. X., Kenotariatan, M., & Indonesia, U. (2022). PERAN PEJABAT PEMBUAT AKTA TANAH DALAM MENDUKUNG IMPLEMENTASI TRANSFORMASI DIGITAL LAYANAN. *Jurnal Ilmu Hukum "The Juris,"* V(1), 113–126.
- Hatta Isnaini, W. U. (2020). *Memahami Peraturan Jabatan Pejabat Pembuat Akta Tanah*. Kencana.
- Hutagalung, A. S., Verstappen, L. C. A., Kolkman, W. D., & Bosko, R. E. (2012). Hukum pertanahan di Belanda dan Indonesia. In *Denpasar: Pustaka Larasan*.
- INI dan IPPAT Kota Bekasi. (2024). *Memahami Lebih Dalam Tentang PPJB, Kuasa Jual & Perjanjian Sewa Tanah Dikaitkan dengan Berlakunya Sertipikat-el*.
- Irawan, Y. (2018). KEPEMILIKAN HAK ATAS TANAH DALAM PERKAWINAN SEBAGAI HARTA BERSAMA. 3(1), 119–128.
- Kamaruddin, I., Firmansah, D., Zulkifli, A. O., P. A., N., & Haerudin Samad, A. M. (2023). *Metode Penelitian Kuantitatif*. PT Global Eksekutif Teknologi.

- Kementerian Agraria dan Tata Ruang Badan Pertanahan Nasional. (2024). *Petunjuk Teknis Tata Cara Penerbitan Sertipikat Elektronik*.
- Kie, T. T. (2007). *Studi Notariat & Serba-Serbi Praktek Notaris*. PT Ichtiar Baru van Hoeve.
- Madiong, B., & Tira, A. (2023). *PENYELESAIANNYA DI KOTA MAKASSAR Analysis of Obstacles In The Implementation of Electronic Certificates And Efforts To Resolve Them In Makassar City*. 6(1), 97–105. <https://doi.org/10.35965/ijlf.v6i1.3817>
- Maruli Tua Sinaga, S. H. (2025). KEHADIRAN SERTIPIKAT TANAH ELEKTRONIK DALAM PERKEMBANGAN HUKUM PEMBUKTIAN SEBAGAI DAMPAK KEMAJUAN TEKNOLOGI INFORMASI DAN KOMUNIKASI. *Jurnal Hukum To-Ra*, 11(2), 478–497.
- Moechtar, O. (2024). *Hukum Kenotariatan : Teknik Pembuatan Akta Notaris*. Kencana.
- Monalu, T. J., Sumakul, T. F., & Sondakh, M. T. (2023). Artikel Skripsi Mahasiswa Fakultas Hukum Unsrat, NIM 18071101217 3 Fakultas Hukum Unsrat, Doktor Ilmu Hukum. *Lex Privatum*, 9(2), 10.
- Noormansyah, N. A., & Taupiqurrahman. (2023). Penerapan Asas Keseimbangan Pada Perjanjian Pengikatan Jual Beli Rumah Sebagai Perlindungan Hukum Pembeli Atas Wanprestasi Developer. *Acta Comitas*, 8.
- Nugroho, R. S. (2025). *PERAN PEJABAT PEMBUAT AKTA TANAH DALAM RENCANA PENERAPAN PEMBUATAN AKTA TANAH DI ERA DIGITAL TERHADAP PELAYANAN PENDAFTARAN TANAH ELEKTRONIK*. UNIVERSITAS ISLAM SULTAN AGUNG (UNISSULA) SEMARANG.
- Nurudin. (2016). URGENSI PENETAPAN LIMITASI WAKTU PEMERIKSAAN KESESUAIAN SERTIPIKAT HAK ATAS TANAH DI KANTOR PERTANAHAN SEBELUM PEMBUATAN AKTA OLEH PPAT. *Jurnal Neliti*, 22.
- Pangaribuan, A., Hukum, F., & Indonesia, U. (2023). Metode Wawancara dalam Penelitian Hukum Doktrinal dan Sosio-Legal. *Undang: Jurnal Hukum*, 6(2), 351–383. <https://doi.org/10.22437/ujh.6.2.351-383>
- Pratama, A. (2018). Implementasi Percampuran Harta Bersama dan Harta Bawaan Dalam Perkawinan (Studi Kasus Putusan Pengadilan Agama NOMOR : 0189/PDT.G/2017/PA.SMG). *Journal Ius Constituendum*, 3(April), 14.
- Resvina, A. V. (2019). PRINSIP KEHATI-HATIAN PEJABAT PEMBUAT AKTA TANAH DALAM PEMBUATAN AKTA JUAL BELI BERKAITAN DENGAN ALAS HAK DAN KETERANGAN PALSU. *Jurnal Cahaya Mandalika*, 1858–1873.
- Shafira, A. (2021). Peran Ppat Selaku Pengguna Layanan Pengecekan Sertipikat Secara Elektronik Sebagai Upaya Perlindungan Bagi Para Pihak Yang Melakukan Peralihan Hak Milik. *Indonesian Notary Journal UI*, 3.
- Siringoringo, P., Saragi, P., & Januar, I. (2023). Hasil Dari Harta Bawaan , Hadiah dan Warisan Dalam.

- Honeste Vivere Journal*, 33(2), 142–151.
- Subekti. (2003). *Pokok-Pokok Hukum Perdata*. Intermasa.
- Sugianto, Q. F., & Handoko, W. (2019). *DAN TANTANGAN CALON NOTARIS DALAM MENGHADAPI*. 12, 656–668.
- Sugiyono. (2022). *Metode Penelitian Kualitatif*. Alfabeta.
- Suhattanto, M. A., Sarjita, S., & Mujiburohman, D. A. (2021). KUALITAS DATA PERTANAHAN MENUJU PELAYANAN SERTIFIKAT TANAH ELEKTRONIK. *Jurnal Widya Bhumi*, 1(2), 87–100.
- Swandewi, N. L. P., Murni, R., & Dharmawan, N. K. S. (2016). PENGGUNAAN BLANKO AKTA PEJABAT PEMBUAT AKTA TANAH DENGAN DITERBITKANNYA PERATURAN KEPALA BADAN PERTANAHAN NASIONAL NOMOR 8 TAHUN 2012. *Acta Comitatus*, 10, 10.
- Syahrum, M. (2022). *PENGANTAR METODOLOGI PENELITIAN HUKUM KAJIAN PENELITIAN NORMATIF, EMPIRIS, PENULISAN PROPOSAL, LAPORAN SKRIPSI DAN TESIS* (Irfan Marhani (ed.)). DOTPLUS Publisher.
- Taupiqqurrahman, H. S., & Zaifa, G. A. (2023). *Peran Pemerintah Desa Dalam Pendaftaran Tanah : Sebuah Perlindungan Hukum Kepada Pemegang Hak Atas Tanah*. 7(2), 337–346.
- Tediosaputro, L., & Retno Mawarini, S. (2023). Electronic Land Certificate Versus Analog Land Certificate in Proof of Ownership Certainty. *Proceedings of the International Conference On Law, Economics, and Health*, 150–156.
- Tehupeiory, A. (2012). *Pentingnya Pendaftaran Tanah di Indonesia*. Raih Asa Sukses.
- Utami, P. S. (2019). Pertanggungjawaban Notaris / PPAT terhadap Akta Pemindahan Hak atas Tanah dan / atau Bangunan yang BPHTB-nya Belum Dibayar. *Wawasan Yuridika*, 3(2), 235–250. <https://doi.org/10.25072/jwy.v3i2.282>
- Waluyo, B. (2002). *Penelitian Hukum dalam Praktek*. Sinar Grafika.
- Waskito, & Arnowo, H. (2019). *Penyelenggaraan Pendaftaran Tanah Di Indonesia*. Kencana.
- Yani, A., & Taupiqqurrahman. (2021). Veteran Law Review for Violation of the Notary's Code of Ethics. *Veteran Law Review*, 4(1), 1–13.
- Yusuf, A. M. R., Padjadjaran, U., Kurniati, N., Padjadjaran, U., Rukmana, Y. Y., & Padjadjaran, U. (2024). PELAKSANAAN PENDAFTARAN TANAH SECARA ELEKTRONIK PADA BADAN PERTANAHAN NASIONAL DAN PEJABAT PEMBUAT AKTA TANAH. *Acta Diurnal*, 7, 271–289.