

Juridical Analysis of Registration of Deed Mortgages Electronically To Realize One Integrated Data in the Agrarian Sector (Research Study at the Office of Rismanita Murtiani of Land Deed Maker's Office (PPAT) in Karimun District)

Sumiyati¹, Idham², Ramon Nofrial³

¹Student at Master of Notary

²⁻³Lecturer at Faculty of Law
Universitas Batam, Indonesia

ABSTRACT

Land Deed Maker's Office (PPAT) is a public official who is given the authority to make authentic deeds regarding certain legal acts regarding land rights or Ownership rights over apartment units, the Land Deed Maker Office deed (PPAT) is a tool to prove that a legal act has been done, before the deed is made first a check is done on the certificate especially for the binding of Dependent Rights in the Act of Granting Dependent Rights. The Land Deed Maker's Office (PPAT) has the authority and obligation to register Liens which is currently done online or also called HT-el, the application of electronic services is a concept E-government in the government domain, the Ministry of ATR/BPN to carry out service innovation in order to improve the quality of land services, especially regarding dependent rights that meet the principles of openness, punctuality, speed, convenience and affordability as well as adapting to the development of ICT (Information and Communication Technologies) and the needs of society that are developing at the moment as well as the application and registration procedures of the Grant of Dependent Rights Act (APHT) electronically in creating an integrated data registry, but in its implementation there are several obstacles starting from certificate checking, namely validation, mapping/plotting, territorial expansion, and differences in the results of checking and returning files so as to find a solution to these obstacles in order to complete the registration of Dependent Rights.

Keyword : *PPAT, Electronic Mortgage, Data Integrity.*

INTRODUCTION

In order to carry out the main task of the Land Deed Making Office (PPAT), which is the registration of land by making a deed as proof of having done a certain legal act, the certificate is first checked. The legal acts of the Land Deed Making Office (PPAT) in carrying out its main duties and authority in making deeds are found in article 2 paragraph (2) of the Government Regulation of the Republic of Indonesia Number 37 of 1998 regarding the Departmental Regulation of the Land Deed Making Office, Addendum to the State Paper of the Republic of Indonesia Number 3746 between other, namely:

1. Buy and sell;
2. Exchange;
3. Grants;
4. Insertion into the enterprise (inbrenng);
5. Division of common rights;

6. Grant of Building Use Rights/Use Rights on Ownership land;
7. Grant of Dependent Rights;
8. Grant of Power of Encumbrance of Dependents.

Act of the Office of the Land Deed Maker (PPAT) is a tool to prove that a legal act has been committed, in the Grant of Dependent Rights Act regulated in Law Number 4 of 1996 regarding Dependent Rights on Land and Land-Related Objects, State Gazette of 1996 Number 42, Supplement to State Gazette Number 3632 .

The Grant of Dependency Act is a deed of the Land Deed Maker's Office (PPAT) which contains the grant of Dependency Rights to certain creditors as a guarantee for the repayment of their receivables, and the act of Power of Attorney for Encumbrance of Dependency Rights (SKMHT) is a special authorization act to make a Deed of Encumbrance of Dependency Rights.

Binding occurs because of an agreement between the two parties, in the Civil Code (KUHP) article 1313 it is mentioned that an agreement is an act by which one or more people bind themselves to one or more people with the conditions contained in article 1320 that is (a) those who bind themselves agree; (b) ability to enter into an alliance; (c) a certain matter; and (d) a lawful reason. Dependency rights by nature is a follow-on or accessory agreement which is an additional agreement made based on the main agreement. Bonding generally occurs because between banks as financial institutions or parties that channel funds from parties that have an excess of funds (surplus of funds) to parties that need funds (lack of funds).

A credit agreement between a creditor and a debtor is an embodiment of the principle of freedom of contract and is given when the stipulated conditions have been met, one of which is by providing a guarantee, the guarantee is a means of subsisting payment that must have a value equal to or if necessary exceed the amount of debt and interest promised . Guarantees in the form of material and immaterial guarantees, material guarantees in the form of material rights such as guarantees on movable and immovable objects while immaterial guarantees are non-material guarantees .

The material security most used by creditors is land because land has proof of rights, is easy to sell, the price continues to rise, is difficult to embezzle and can be burdened with liens that give special rights to creditors. Proof of land rights in the form of a certificate, a certificate is a letter of proof of rights as referred to in article 19 paragraph (2) letter c of Law Number 5 of 1960 on the Basic Regulation of Agrarian Trees, State Gazette of 1960 Number 104, Supplement to State Gazette Number 2043 for land rights, management rights, waqf land, ownership rights over apartment units and dependent rights that have each been recorded in the relevant land book.

In article 4 paragraph (1) of Law Number 4 of 1996 on Lien Rights on Land and Things Related to Land, Gazette of 1996 Number 42, Supplement to Gazette of the Nation Number 3632, the right to land that can be encum The Grant of Dependency Rights Act (APHT) must be registered by the Land Deed Maker's Office (PPAT) in accordance with article 13 of Law Number 4 of 1996 regarding Dependency Rights on Land and Things Related to Land, National Gazette of 1996 Number 42, Supplement National Gazette Number 3632, Dependency Rights are born at the time of registration of Dependency Rights in the land book of rights over land burdened with Dependency Rights.

Registration of the Grant of Dependency Rights Act (APHT) is carried out at the Land Office which is a vertical agency of the national land body in the Regency/City that is under and directly responsible to the Minister through the Head of the BPN Regional Office, in its development through Presidential Regulation of the Republic of Indonesia Number 39 of 2019 , Gazette of the Republic of Indonesia Year 2019 Number 112 about One Data Indonesia as a government data governance policy to produce accurate, up-to-date, integrated and accountable data, as well as easily accessible and shared between central and regional agencies through the fulfillment of data standards, metadata , data interoperability, and using reference codes and master data following Government Regulation of the Republic of Indonesia Number 71 Year 2019, Gazette of the Republic of Indonesia Year 2019 Number 185 regarding System Maintenance and Electronic Transactions.

E-government simply interpreted by Budhiraja as giving citizens the choice of when and where they access government information and services, the application of electronic services is an E-government concept within the government domain, the ATR/BPN Ministry innovates services in order to improve the quality of land services, especially regarding dependent rights which fulfills the principles of openness, punctuality, speed, convenience and affordability as well as adapting to the development of ICT (Information and Communication Technologies) and the needs of society that are growing at the moment as well as the application and registration procedures of the Act of Granting Dependent Rights (APHT) electronically in creating a data set integrated.

Therefore, in accordance with the Regulation of the Minister of Agrarian and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 9 of 2019 regarding Electronically Integrated Dependent Rights Services which was later repealed by the Regulation of the Minister of Agrarian and Spatial

Planning/Head of the National Land Agency of the Republic of Indonesia Number 5 of 2020 regarding Services Dependent Rights Electronically, the registration of dependent rights is done electronically

LITERATURE SOURCE

Literature sources play a very important role in the analysis of the problem formulation that will be discussed in this study using grand theory, middle theory and applied theory.

Grand theory used in this research is the positive legal theory by John Austin which suggests that the law has 4 elements, namely: (a) commands; (b) sanctions (sanctions); (c) obligation (duty) and (d) sovereignty (sovereignty) in accordance with the Mortgage in providing legal certainty.

Middle theory applied to the legal system by Lawrence M. Friedman which explains that law consists of legal material in the form of rules, norms and behavior, the legal structure includes legislation in accordance with the type and hierarchy of statutory regulations and legal culture which is defined as a system. social moods and social forces that determine how the law is used, avoided or abused.

Applied theory used is the theory of happiness (utilitarianism) which is the theory of Jeremy Bentham, this theory says that all legal products will only have value for the community if the legal product when implemented (law enforcement) can and is able to provide guarantees and/or guarantees. to create a sense of happiness for the people

METHODOLOGY AND TYPES OF RESEARCH

The method comes from the word methodology which means a science that studies the types and forms of methods that will be used by a writer in carrying out a writing whose purpose is to find a truth, while research is an investigation or investigation that is managed, systematically based on data, critical, objective and scientific. to a specific problem aimed at finding alternative solutions to related problems.

The specifications of this research are analyzed to the level of detection, namely analyzing and presenting facts systematically so that they can be more easily understood and concluded. The specifications in this study are normative laws that are supported by sociological (empirical) laws. The data collection techniques in this study are:

1. library research (library research); Normative law is sourced and derived from secondary data that the author obtained from library research, including:
 - a. Primary legal materials;
 - Code of Civil law.
 - Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles, State Gazette of 1960 Number 104, Supplement to State Gazette Number 2043;
 - Law Number 4 of 1996 concerning Mortgage on Land and Objects Related to Land, State Gazette of 1996 Number 42, Supplement to State Gazette Number 3632;
 - Regulation of the Minister of Agrarian Affairs and Spatial Planning of the Head of the National Land Agency of the Republic of Indonesia Number 16 of 2021 concerning the Third Amendment to the Regulation of the State Minister of Agrarian Affairs/Head of the National Land Agency Number 3 of 1997 concerning Provisions for the Implementation of Government Regulation Number 24 of 1997 concerning Land Registration;
 - Government Regulation Number 37 of 1998 in conjunction with Government Regulation Number 24 of 2016 concerning Land Deed Maker Officials;
 - Government Regulation Number 71 of 2019, State Gazette of the Republic of Indonesia of 2019 Number 185 concerning the Implementation of Electronic Systems and Transactions;
 - Regulation of the Minister of Agrarian Affairs and Spatial Planning of the Head of the National Land Agency of the Republic of Indonesia Number 9 of 2019, State Gazette of the Republic of Indonesia of 2019 Number 686 concerning Electronically Integrated Mortgage Services;
 - Regulation of the Minister of Agrarian Affairs and Spatial Planning of the Head of the National Land Agency of the Republic of Indonesia Number 5 of 2020 concerning Electronic Integrated Mortgage Services;
 - Presidential Regulation Number 39 of 2019, State Gazette of the Republic of Indonesia of 2019 Number 112 concerning One Indonesian Data; and
 - (j) Presidential Regulation No. 23 of 2021 concerning Amendments to Presidential Regulation Number 9 of 2016 concerning Acceleration of the Implementation of the One Map Policy at the Level of Map Accuracy at a Scale of 1:50,000, State Gazette of the Republic of Indonesia of 2016 Number 28.

- b. Secondary legal materials/secondary data; legal materials that can help analyze and understand legal materials include the results of scientific/written works in the form of dissertations, theses, thesis manuals, journals, legal dictionaries and interviews..
- c. Tertiary legal materials; legal materials that provide instructions and explanations of primary and secondary legal materials including newspapers, internet, legal dictionaries and the large Indonesian dictionary.

2. Field studies

This research was conducted by interviewing related parties, including Land Deed Maker Officials (PPAT), Creditors (Bank Parties), and employees of the Karimun Regency Land Office

FORMULATION OF THE PROBLEM

Based on the description of the background of the problem above, the problems that will be raised in this writing are:

1. What is the legal arrangement for the registration of the deed of grant of dependent rights electronically to create an integrated data in the agrarian field?
2. How to implement the registration of the act of granting dependent rights electronically to create an integrated data in the agrarian field?
3. What factors are obstacles/constraints as well as solutions in the electronic registration of the deed of grant of dependent rights to create an integrated data in the agricultural field?

DISCUSSION

LEGAL ARRANGEMENTS FOR REGISTRATION OF DEEDS FOR GRANTING MORTGAGES ELECTRONICALLY TO REALIZE ONE INTEGRATED DATA IN THE AGRARIAN SECTOR

A. THE ROLE OF LAND DEED OFFICIALS (PPAT) IN MAKING MORTGAGE DEEDS (APHT)

Land Deed Making Official (PPAT) is a public official who is given the authority to make authentic deeds regarding certain legal actions regarding land rights or property rights over flat units, the legal arrangements for Land Deed Making Officials (PPAT) are for the first time regulated based on Regulations. The Government of the Republic of Indonesia Number 37 of 1998 concerning the Regulation of the Position of the Official for Making Land Deeds, State Gazette of the Republic of Indonesia Number 52 and subsequently amended by the Government Regulation of the Republic of Indonesia Number 24 of 2016 concerning Amendments to the Government Regulation Number 37 of 1998 concerning the Regulation of the Position of the Official Making the Land Deed, State Gazette of the Republic of Indonesia Year 2016 Number 120.

In carrying out his position, the Land Deed Making Officer (PPAT) has the main task and authority as a Land Deed Making Officer (PPAT), namely carrying out some land registration activities by making a deed as evidence that certain legal actions have been carried out regarding land rights or Property Rights to Flat Units. , which will be used as the basis for the registration of changes in land registration data resulting from the legal action .

The Land Deed Making Official (PPAT) in order to be able to carry out land registration activities/legal deeds must be appointed and stipulated as Land Deed Making Official (PPAT) by the Government in this case the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency who has set the conditions required. must be fulfilled by every candidate for Land Deed Making Official (PPAT) to be appointed as Land Deed Making Officer (PPAT). The requirements to become a Land Deed Making Officer (PPAT) have been stipulated in Article 6 of the Government Regulation of the Republic of Indonesia Number 24 of 2016 concerning Amendments to Government Regulation Number 37 of 1998 concerning the Regulation of the Position of Land Deed Maker Official, State Gazette of the Republic of Indonesia of 2016 Number 120 , among others:

1. Indonesian citizen;
2. at least 22 (twenty two) years old;
3. good behavior as stated by a certificate made by the local Police Agency;
4. has never been sentenced to imprisonment based on a court decision that has obtained permanent legal force for committing a crime punishable by imprisonment of 5 (five) years or more;
5. physically and mentally healthy;

6. holds a degree in law and a graduate of the notarial strata level or a graduate of the PPAT special education program organized by the ministry in charge of agrarian/land government affairs;
7. Passed the examination held by the ministry that administers government affairs in the agrarian/land sector; and
8. has undergone an internship or has actually worked as an employee at the PPAT office for at least 1 (one) year, after graduating from notarial education.

The Land Deed Making Officer (PPAT) is appointed for a certain work area, namely one working area of the Regency/Municipal Land Office and its authority in making a deed regarding land rights or property rights over flat units only located within their working area, Land Deed Maker Official (PPAT) before carrying out his office, he must first take his oath of office before the Minister or appointed official.

Land Deed Making Official (PPAT) who violates or is negligent in carrying out his/her position may be subject to administrative sanctions in the form of: (a) verbal warning; (b) written warning; (c) temporary dismissal from office, and (d) dismissal of office, while the Land Deed Making Officials (PPAT) registered in Karimun Regency are currently 22 (twenty-two) and 1 (one) werda/retired so that there are 23 (two) twenty three) people.

B. REGISTRATION OF THE DEED OF GRANTING MORTGAGE (APHT) ELECTRONICALLY.

The legal basis for Mortgage is Law Number 4 of 1996 concerning Mortgage Rights on Objects Related to Land, State Gazette of the Republic of Indonesia of 1996 Number 42, registration of Mortgage which is the Deed of Granting Mortgage Rights (APHT) at the Land Office of Karimun Regency must be carried out by the Deed Making Officer (PPAT) no later than 7 (seven) working days after the signing of the deed.

Based on developments and unstable world conditions due to covid 19 as well as changes to regulations/laws forcing humans to be more sophisticated by using electronic transactions as well as systematic registration of the Deed of Granting Mortgage is currently no longer carried out conventionally or manually but is implemented online, based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia Number 9 of 2019 concerning Electronic Integrated Mortgage Services, State Gazette of the Republic of Indonesia of 2019 Number 686 which was later revoked by Regulation of the Minister of Agrarian and Spatial Planning / Head of the Agency National Land Affairs of the Republic of Indonesia Number 5 of 2020 concerning Electronically Integrated Mortgage Services, State Gazette of the Republic of Indonesia of 2020 Number 349.

The application of the online registration of the Mortgage Deed (APHT) was applied to the Karimun Regency Land Office on 5 February 2020 based on the Electronic Mortgage Service Implementation letter Number 41.1/21.02.300/II/2020 dated 3 February 2020.

Electronically Integrated Mortgage Service, hereinafter referred to as HT-el Service, is a series of mortgage service processes in the context of maintaining land registration data organized through an integrated electronic system. the registration process, which the author can explain in the following table

Table : Difference between manual and electronic Mortgage

No	Manual	Electronic
1	Mortgage registration is carried out by PPAT through the Land Office.	The application for registration of Mortgage is submitted by the Creditor through the HT-el System. Registration is carried out on working days. Registration can be done on working days or other than working days.
2	Registration application documents in the form of	Registration application documents in the form of

	original documents and photocopies submitted to the Land Office	softcopy that have been scanned and uploaded into the HT-el System
3	Cover Letter of Deed is printed in 2 (two) copies	Cover Letter of Deed printed in 3 (three) copies
4	The second sheet of APHT is submitted to the Land Office along with other documents at the time of registration of Mortgage Rights and stored in the Land Office as an archive	The second sheet of APHT is uploaded by PPAT to the partner application and stored at the PPAT Office without submitting it again to the Land Office
5	Mortgage Certificate can be issued for more than 7 days	HT-el certificate is automatically issued on the 7th day after SPS payment
6	Mortgage Certificate in the form of a certificate document like other Land Rights certificates	Mortgage Certificate in the form of one sheet of electronic document affixed with an electronic signature
7	The land book date that falls on a holiday is changed to the date of the next working day	Date recording according to the 7th day according to the calendar even though it falls on a holiday
8	Records on land certificates and books are carried out by the Land Office. After the notes on the certificate are made, the certificate is returned to the creditor	Notes on certificates are printed using stickers and affixed by creditors, Minut notes on land books for HT Certificates are printed using stickers and affixed by BPN officers.

C. DATA INTEGRITY OF REGISTRATION OF DEED OF GRANTING MORTGAGE

The legal arrangements regarding data integrity are described in Presidential Regulation Number 39 of 2019 concerning One Indonesian Data, State Gazette of the Republic of Indonesia of 2019 Number 112. One data is the government's data management policy to produce data that is accurate, up-to-date, integrated, and accountable, and easily accessible and shared between Central Agencies and Regional Agencies through compliance with Data Standards, Metadata, Data Interoperability, and using reference codes and master data.

This Presidential Regulation is the government's breakthrough to regulate data management in order to support holistic development.

1. It is difficult to find government data because:

- a. A lot of data are held individually.
- b. Still in hardcopy.
- c. Data is still scattered and also closed.
- d. Lack of publication and socialization to the community.
- e. Requires personal connection in order to access sectoral data.
- f. The data format used is not open so it is difficult to process as in the form of JPG and PDF. Differences in statistical data between agencies

2. There are different definitions and concepts without metadata..

- a. Don't have a reference code
- b. There are differences in geospatial data between institutions or agencies

Based on Article 1 paragraph (4) of Presidential Regulation Number 39 of 2019 concerning One Indonesian Data, the State Gazette of the Republic of Indonesia of 2019 Number 112 states that geospatial as data on geographical locations, dimensions or sizes, and or characteristics of natural and/or man-made objects that are under, on, or above the earth's surface.

The use of geospatial is the government's commitment to continue the One Map Policy by issuing Presidential Regulation no. 23 of 2021 concerning Amendments to Presidential Regulation Number 9 of 2016 concerning Acceleration of the Implementation of the One Map Policy at the Level of Map Accuracy at a Scale of 1:50,000, State Gazette of the Republic of Indonesia of 2016 Number 28 promulgated on April 6, 2021 focused on 5 (five) action plans namely: (a) Formulation and determination of work mechanisms and procedures; (b) Embodiment of IGD and IGT; (c) Updating IGD and IGT; (d) Optimizing the dissemination of GI data through the One Map Policy Geoportal; and (3) Synchronization.

There are several websites related to electronic land services that have been implemented and used by both the public and the Land Deed Making Official (PPAT) of Karimun Regency, among others:

1. intan.atrbpn.go.id, applications that can be submitted include:
 - (a) Checking;
 - (b) Land Registration Certificate (SKPT); and
 - (c) Information on Land Value or Property Asset Value.
2. Mitra.atrbpn.go.id, a website for registration; (a) Deed of Granting Mortgage Rights (APHT); (b) Cessie's Deed, and (c) Subrogation Deed.
3. ebphb.karimunkab.go.id, is a website to access payment of taxes on land and building rights acquisition fees. .
4. Touch My Land App; This application can be used by Land Deed Making Officials (PPAT) and the wider community, in this application there are several features including: (a) File info; (b) Certificate info; (c) Plots of land parcels; (d) Service info

IMPLEMENTATION OF REGISTRATION OF DEED OF GRANTING MORTGAGE ELECTRONICALLY TO REALIZE ONE INTEGRATED DATA IN THE AGRARIAN SECTOR

A. AUTHORITY OF LAND DEED MAKER OFFICIAL (PPAT) IN ELECTRONIC SUBMISSION OF DEED OF GRANTING MORTGAGE RIGHTS (APHT).

Based on Law Number 4 of 1996 concerning Mortgage Rights on Land and Objects Related to Land, the assignment of mortgage rights is carried out in two stages, namely the making of the Deed of Granting Mortgage Rights (APHT) and followed by registration by the Land Office.

The procedure for making the Deed of Granting Mortgage (APHT) which takes place before the Land Deed Making Officer (PPAT) includes:

1. Check the certificate of land rights on the apartment unit with data at the Land Office by showing the original certificate.
2. The format used for the making of the deed.
3. If permission is needed for the transfer, then permission must be obtained before making the deed.
4. The making of APHT must be followed by parties who carry out legal actions or parties who are authorized through a written power of attorney based on the existing laws and regulations.
5. The APHT process must be attended by 2 witnesses.
6. The PPAT reads the deed of the related parties and explains the content and purpose of the deed, along with the process of registering the mortgage that will be carried out according to its provisions.
7. The contents of the APHT were read out to the parties and 2 witnesses were present before the signing of the two related parties, the witness and the PPAT.

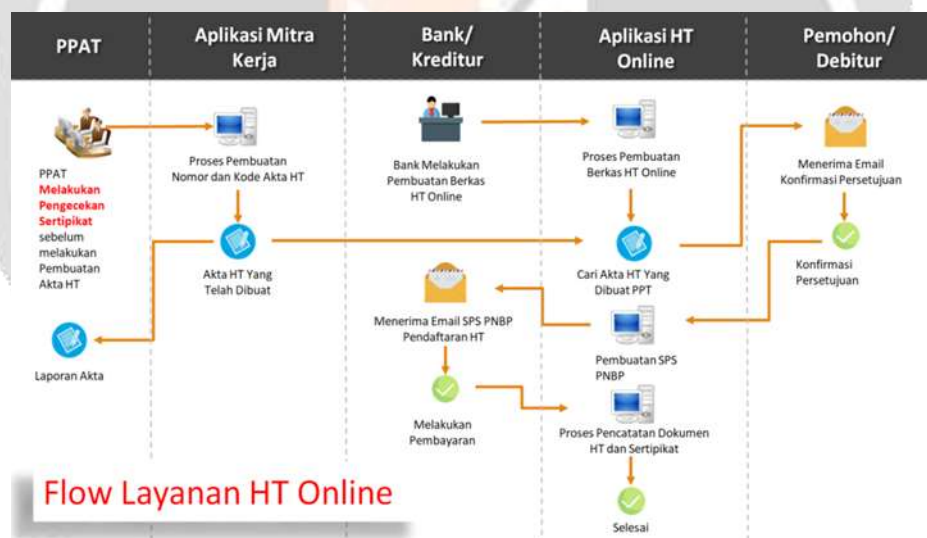
8. PPAT submits APHT which inputs the relevant documents into the ATR/BPN Partner Application to be registered in accordance with the Ministerial Regulation of ATR/Head of BPN No.5 related to Electronic Integrated Mortgage Services.

Based on Technical Instructions Number 3 of 2022 concerning Electronic SKPT Checks which are the implementation instructions of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 19 of 2020 concerning Electronic Land Information Services, it becomes the legal basis for the application of electronic systems for several land information services. such as Certificate Checking Services, Land Registration Certificate Services (SKPT), Land Value Services.

The stages of registration of the Deed of Granting Mortgage are as follows

1. The creditor/bank comes to PPAT to make APHT;
2. Checking the certificate/measurement letter of the object of guarantee of the Mortgage Rights manually and checked into the electronic system;
3. after checking and the results are appropriate, an APHT (Deed of Granting Mortgage Rights) will be made and signed by the bank and then returned to the PPAT;
4. The signed APHT is then scanned and inputted into the system together with other documents, such as KTP, certificate of object of HT guarantee, PNPB, bank authorization, SKMHT (if the basis is SKMHT), into the HT-el system;
5. After that download the cover letter of the deed and submit it to the creditor/bank.

Image : Electronic Mortgage Service



As for the ease of submitting electronic Mortgage registration at this time, Land Deed Making Officials (PPAT) no longer need to queue at the registration counter to deliver the registration file for the Mortgage Granting Deed (APHT) but on the other hand, Land Deed Maker Officials must keep double warrants either. for registration of Mortgage and Warkas of Land Deed Maker Officials (PPAT).

B. OBLIGATIONS OF CREDITORS IN REGISTRATION OF DEED OF GRANTING MORTGAGE (APHT)

Creditors as parties who are owed in a certain debt-receivable relationship in this case a financial institution, namely a bank, the bank provides credit to the debtor. Banks as one of the users of the HT-el system and

registered users have the right to use the HT-el system with all its supporting features and must comply with the terms and conditions stipulated in the HT-el system.

The mortgage service mechanism is integrated electronically by the creditor ;

1. Creditors apply for HT-el services through the HT-el system provided by the Ministry.
2. In the event that the application for HT-el services as referred to above is in the form of registration of Mortgage Rights or transfer of Mortgage Rights, the documents for the completeness of the requirements are submitted by the Land Deed Making Official (PPAT).
3. In the case of the right to apply for HT-el services as referred to above, it is in the form of a change in the name of the creditor, the abolition of the Mortgage right or correction of the data, the documents for the completeness of the requirements are submitted by the creditor.
4. The requirements for the application for HT-el services are in accordance with the laws and regulations and submitted in the form of an electronic document.

The bank as a registered user registers Mortgage through Mitra.atrbpn by using a Cover Letter submitted by the Land Deed Making Officer (PPAT), a cover letter containing information on the number and date of the registered deed as well as the value of the guarantee along with the deed code, the deed code is the code used for continue registration.

In carrying out the binding of Mortgage, the bank as the creditor first prepares a credit agreement that will bind the bank as the creditor and the customer as the debtor.

C. SUPERVISION OF THE LAND AGENCY ON ELECTRONIC MORTGAGE REGISTRATION

Supervision is an administrative activity that is preventive and repressive by the Minister which aims to keep PPATs in carrying out their positions in accordance with the provisions of laws and regulations, one of the supervision of Land Deed Maker Officials (PPAT), namely Land Deed Maker Officials (PPAT) are obliged to submit report on the work on the deed that has been made no later than the 10th of the following month.

The implementation of the guidance and supervision of PPAT carried out by the Head of the Land Office is regulated in the Regulation of the Head of the National Land Agency Number 1 of 2006 concerning Provisions for the Implementation of Government Regulation Number 37 of 1998 concerning the Regulation of the Position of the Land Deed Maker Official chapter IX concerning Guidance and Supervision in Article 66 paragraph (3) declare the Guidance and Supervision of PPAT carried out by the Head of the Land Office as follows :

1. Assist in conveying and explaining land policies and regulations as well as technical instructions for the implementation of PPAT duties that have been determined by the head of the agency and statutory regulations;
2. Examine the deed made by the PPAT and notify in writing because the PPAT concerned is found to have a deed that does not meet the requirements for use, as the basis for registering his rights.
3. Conducting inspections regarding the implementation of PPAT's operational obligations.

The Karimun Regency Land Office has provided guidance to Land Deed Making Officials (PPAT) in a budget year, although the guidance is not carried out in its entirety to the 22 (twenty-two) Land Deed Making Officials (PPAT) that exist at this time but have been carried out on several Land Deed Maker Officials. Land deeds (PPAT) that are close due to the limited budget available.

The implementation of HT-el registration at the Karimun Regency Land Office for the period January-September 2022 totaled 1,049 registered Mortgage Deeds (APHT), for supervision of submissions and registration of Mortgage Deeds (APHT) by Land Deed Maker Officials (PPAT) and Banks has been implemented and resolved properly.

OBSTACLES / CONSTRAINTS AND RELATED SOLUTIONS IN THE ELECTRONIC REGISTRATION OF THE DEED OF GRANTING MORTGAGE TO REALIZE ONE INTEGRATED DATA IN THE AGRARIAN SECTOR

A. CONSTRAINTS AND SOLUTIONS IN CHECKING CERTIFICATES

Electronic Checking is something that is always a concern in providing services to the community, checking land parcels is part of the Maintenance of Land Registration Data, Land Registration Data Monitoring Activities include Registration of Transfers and Assignment of Rights and Registration of Changes to Land Registration Data, maintenance of land registration data is carried out if there is a change in the physical data and juridical data of the registered Land Registration object.

Checks are necessary and must be carried out by the Land Deed Making Official before the legal action is carried out in this case the making of the Deed of Granting Mortgage Rights (APHT). There are several obstacles and solutions when checking, namely:

1. Validation; Validation can be done by directly bringing the land certificate to the Karimun Regency Land Office.
2. Plotting/mapping; To carry out plotting/mapping, the Land Deed Making Officer (PPAT) registers the certificate at the counter and waits for the land staff to come down to the location to take the coordinates of the land location.
3. Regional expansion; Regional expansion or also known as changing villages is an activity to change/merge certain areas and to carry out the Land Deed Maker Official (PPAT) registers a certificate with the Land Office along with a certificate from the local village regarding the existence of the land in that area.
4. Differences in checking results; Differences in the results of checking almost often occur, both on the date of issuance, name and DI (Data Fill) on the certificate where improvements can be made by clarifying the results of checking on the intan.atrbpn checking website which will be forwarded to the pusdatin (Data and Information Center).

Although the problems in this checking have a solution, it takes time for completion so that it hinders the making of the Deed of Granting Mortgage directly and causes the customer to incur more costs/budgets because the binding is carried out first by using the deed of Power of Attorney to impose Mortgage.

B. CONSTRAINTS AND SOLUTIONS IN THE REGISTRATION OF MORTGAGE RIGHTS AND FILE RETURNS

Submission of Mortgage registration that has been submitted by the Land Deed Making Officer (PPAT) sometimes has scanned documents that are not clear and result in the HT-el being returned by the Land Office and will be forwarded again if the Land Deed Making Officer (PPAT) has made improvements. and forward/return the file to the Land Office by uploading the latest cover letter according to the day the repair is carried out.

HT-el registration cannot be continued by the bank because the Land Deed Maker Officer (PPAT) entered the bank code incorrectly and to correct it, the Land Deed Making Officer (PPAT) corrected the bank code re-input and an error occurred in the HT-el rating that must be done repair of HT-el data that must be requested by the bank.

Integrated HT-el registration between Land Deed Making Officials (PPAT), Banks and local Land Offices. However, sometimes these are not the only problems that occur when there is a network problem and at the Pusdatin the local Land Office cannot do anything because all servers are directly connected to the center. In dealing with obstacles in the registration of Mortgage Rights, communication is an important point in its implementation, if an error occurs or returning the file will cause losses to both the Land Deed Maker Official (PPAT) and the Bank.

CONCLUSIONS AND RECOMMENDATIONS

1. CONCLUSIONS

1. Legal arrangements regarding the registration of Mortgage are contained in Law Number 4 of 1996 concerning Mortgage on Land and Objects Related to Land, State Gazette of 1996 Number 42, Supplement to the State Gazette Number 3632 but based on technological developments of Mortgage registration has been carried out online/electronically in accordance with the Regulation of the Minister of Agrarian Affairs and Spatial

Planning of the Head of the National Land Agency of the Republic of Indonesia Number 5 of 2020, State Gazette of the Republic of Indonesia of 2020 Number 349 concerning the Electronic Integrated Mortgage Service which has been applied to Land Deed Making Officials (PPAT) and Banks as financial institutions and have been carried out in binding transactions.

2. The implementation of Mortgage registration has been implemented and implemented throughout Indonesia, starting with socialization activities carried out by the local Land Office so that the implementation of Mortgage registration has been achieved in accordance with what is aspired.
3. Obstacles/obstacles as well as solutions in the registration of Mortgage begins with the process of checking the certificate which is the basis before legal action is carried out and solutions to the checking can be carried out, unclear documents, wrong bank code input and wrong Mortgage rating so you have to make data corrections .

2. SUGESTION

1. Regarding the legal arrangement of Mortgage Rights so that it can be further socialized, both for registered users in this case banks as financial institutions and Land Deed Making Officials (PPAT) because at any time there are replacements or additions of human resources in this field as well as the general public.
2. Regarding the implementation of the registration of Mortgage for the storage of Warkah by the Land Deed Making Officer (PPAT) to pay more attention to it considering that these documents are one piece of evidence and pay attention to the scanned documents to improve the quality of registration.
3. Regarding the constraints/obstacles, the implementation of the repairs is expected to have a definite time limit so that the Land Deed Making Officer (PPAT) and the Bank do not need to check the website data repeatedly and for the deadline for repairs that fall on holidays, it can be moved forward to a working day so that there is no loss in the Payment of Non-Tax State Revenue (PNBP).

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