



LEGAL PROTECTION FOR GRANT RECIPIENTS FOR DELAY IN REGISTRATION OF PPAT DEEDS IN TRANSFER OF LAND RIGHTS

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Abstract

A grant is a free gift from the grantor to the grantee made while both parties are still alive. The grant agreement is the authority of the Land Deed Making Officer (PPAT) which is also stated in Article 40 of Government Regulation Number 24 of 1997 concerning Land Registration that the PPAT has an obligation to register the deed of grant he made and submit the deed along with the relevant documents to the Land Office no later than 7 (seven) working days from the date of signing the deed in question. However, there are still PPATs who are negligent in complying with these regulations, resulting in delays in registering the deed of grant to the Land Office, of course, this negligence causes losses for the grantee. This study aims to analyze the legal consequences of the delay in registering the deed of grant by the Land Deed Making Officer (PPAT) on the status of transfer of land rights and to examine the form of legal protection for the grantee regarding the delay in registering the deed of grant. The research method used is normative juridical legal research with a statutory approach and a case approach with this research being prescriptive. The results of the study indicate that the delay in registering the deed of gift results in the inability to transfer land rights, so that the transfer of rights is not recorded administratively with the land rights still registered in the name of the grantor. This also has an impact on the weak legal position of the grantee and has the potential to cause disputes such as blocking the grant object by the grantor, in this case the grantee does not get legal certainty because the transfer of rights cannot be continued. Although the deed of gift has been signed, it remains valid despite the delay in registration, but the deed has not yet transferred rights, therefore the grantee does not have legal force over the grant object. Furthermore, this negligence can result in the opportunity for disputes because the grantee has not been legally registered as the owner of the rights to the grant object legally. Legal protection for grantees consists of preventive and repressive protection. Preventive protection is obtained through the existence of regulations regarding registration obligations by PPAT within a predetermined time period, while repressive protection is provided by filing a lawsuit with the court and demanding compensation against the PPAT for his negligence. Thus, it is necessary to increase awareness of compliance by PPAT in carrying out his duties and authorities, including his obligations, as well as legal protection for grantees.

Keywords: Grants, Land Registration, PPAT, Legal Protection, Transfer of Rights

INTRODUCTION

Based on the 1945 Constitution of the Republic of Indonesia, land is the main capital for development in forming a just, prosperous and prosperous society as stated in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that, "the earth, water, space and the wealth contained therein are controlled by the State and used as much as possible for the prosperity of the people". Land which has an important meaning must be used and utilized as much as possible for the welfare and prosperity of the people and is also required to be maintained for its

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sustainability.¹ The function of land which has now grown as a capital asset because land has grown into a very important economic object with limited land supplies and increasing needs for land can have a big impact on society with land values also increasing. This can give rise to various conflicts related to land, so a legal system is needed, both administratively and orderly, in order to provide guarantees of certainty and legal protection for the Indonesian people in ownership, carrying out transfers and land allocations, of course, fairly and comprehensively. The establishment of Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA) with the aim of providing legal certainty related to land rights for all Indonesian people. This is explained in Article 19 paragraph (1) of UUPA, in order to realize legal certainty through the implementation of land registration by the government throughout the territory of the Unitary State of the Republic of Indonesia, land registration is carried out. In guaranteeing legal certainty by the government, land registration is carried out in a *recht-cadastral manner*.² Land registration is important in addition to reflecting legal certainty, every right to land can be registered by being proven through strong evidence, namely a certificate owned by the holder of the rights to the land. The transfer and encumbrance of land rights can be registered if proven by a deed from the Land Deed Making Officer (PPAT) whose land registration is carried out by the Head of the Land Office.³

The definition of PPAT is stated in Article 1 number 1 of the Government Regulation of the Republic of Indonesia Number 37 of 1998 concerning the Regulations on the Position of Land Deed Making Officials, it is stated that Land Deed Making Officials, hereinafter referred to as PPAT, are public officials who are given the authority to make authentic deeds regarding certain legal acts regarding land rights or ownership rights to apartment units. With certain legal acts referred to as the duties and authorities of PPAT are explained in Article 2 paragraph (2) of the Government Regulation concerning PPAT, namely regarding sales and purchases, exchanges, gifts, income into the Company (inbrengr), distribution of joint rights, granting building use rights/use rights over land ownership rights, granting mortgage rights and granting encumbrances of mortgage rights. Based on the government regulation, PPAT has the authority to make authentic deeds regarding gifts with the object of the gift being land.

A grant is a gift to someone free of charge and cannot be withdrawn which is made while both parties are still alive. The provisions regarding grants are regulated in the third book of the Civil Code with the definition of a grant listed in Article 1666, namely an agreement with the grant of something by the grantor for the benefit of the grantee during his lifetime free of charge and cannot be withdrawn. A deed of gift which is an authentic deed is made by complying with all applicable laws and regulations because an authentic deed has perfect evidentiary power. It is stated in Article 1868 of the Civil Code which states that an authentic deed is a deed made and determined by law by being made before authorized public officials for the place where the deed or agreement is made. The validity of an authentic deed if it meets two conditions, namely being made in a form determined by law and being made before an authorized public official, in this case the one authorized to make the deed of gift is the PPAT.

The obligation of the PPAT in addition to making an authentic deed, the PPAT has other obligations after the deed of gift has been made, based on Article 37 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration which states that the transfer of land rights through gifts can only be registered if proven by a deed made by an authorized PPAT according to the provisions of applicable laws. It is understandable that the PPAT has other obligations besides making an authentic deed, namely registering the deed made to transfer land rights. Furthermore, it is explained in Article 40 paragraph (1) and (2) of Government Regulation Number 24 of 1997 concerning Land Registration which states that the PPAT is obliged to register and submit the deed he made along with the relevant documents to the Land Office no later than 7 (seven) working days from the date of signing the relevant deed and in paragraph (2) it is stated that the PPAT is obliged to submit written notification regarding the submission of the deed as referred to in paragraph (1) to the relevant parties. Registration of the deed is considered very important to provide legal certainty and also legal protection for the recipient of the grant so that they can continue the transfer of rights to the land grant. It is understandable that within this period the PPAT is required to register with the Land Office in order to achieve certainty over the deed he made, but the problem is when there is negligence from a PPAT which results in a delay in registering the deed with the result that negligence gives rise to a new case, namely the blocking that occurs by the grantor

¹ Achmad Rubaie, (2007), *Law on Land Acquisition for Public Interest*, Malang, Bayumedia Publishing.

² Boedi Harsono (2007), *Indonesian Agrarian Law, History of the Formation of the Basic Agrarian Law, Contents and Implementation*, Jakarta, Djambatan.

³ Widhi Handoko, (2014), *Land Law Policy: A Reflection of Progressive Legal Justice*, Thafa Media, Yogyakarta, pp. 160-161

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to the Land Office against the object of the grant so that it creates uncertainty for the recipient of the rights because the process of transferring rights to the land cannot be continued. The Land Deed Making Officer in this case should pay attention that all legal actions carried out must be in accordance with applicable procedures and laws that can then lead to consequences from his negligence, both losses to the recipient of the grant and even to the PPAT himself. The deed of gift which in this case has been signed and is legally valid and which then wants to carry out the process of changing the name of the object of the gift cannot be done because the deed has not been registered or has not been registered by the PPAT which gives rise to a new dispute in this case which is very detrimental to the recipient of the gift because they cannot enjoy the benefits of the object of the gift, the weak legal position of the recipient of the gift due to the negligence of the PPAT so that legal certainty is not achieved and they do not receive legal protection is also a problem that is often caused by the delay in registration of the deed by the PPAT.

Formulation of the problem:

1. What are the legal consequences of late registration of a deed of gift on the status of land title transfer?
2. What Form of Legal Protection is Provided to Grant Recipients Due to Delays in Registering Deeds of Grant Regarding the Status of Transfer of Land Rights?

Research purposes:

1. To Analyze the Legal Consequences of Delays in Registering Deeds of Gift on the Transfer of Land Rights.
2. To examine the form of legal protection for grant recipients due to delays in registering deeds by land deed officials.

Benefits of research:

1. Theoretical Benefits:
It is hoped that this writing will be able to contribute ideas to the development of legal science, especially to provide input for the development of notaries in Indonesia.
2. Practical Benefits:
This research is expected to provide practical contributions to PPAT in carrying out their duties, providing an understanding of the obligations, authorities and responsibilities of the position that have been determined in laws and regulations and becoming a consideration for policy makers in compiling or revising regulations related to PPAT's authority.

Research methods:

The research method used in this study is a normative juridical research method, based on applicable laws and regulations relevant to the problem of legal protection for grant recipients due to delays in registering deeds by Land Deed Making Officials in the transfer of land rights. This research is prescriptive, meaning the object of legal science is the coherence between legal norms and principles, the coherence between legal rules and norms, and the coherence between individual behavior and legal norms.⁴The approach used is the statutory approach and the case approach. The approach taken by examining all laws related to the legal issues in this study is related to legal protection for grant recipients due to delays in registering grant deeds by Land Deed Making Officials in the transfer of land rights. This study uses legal materials, namely primary legal materials regarding legislation related to this research, secondary legal materials consisting of books written by experts, legal journals, articles, and tertiary legal materials in the form of legal dictionaries, the Indonesian dictionary.

II. DISCUSSION RESULTS

1. Legal Consequences of Delays in Registering Deeds of Gift on the Status of Transfer of Land Rights
 - a. Transfer of Land Rights through Grants

Based on the Civil Code Article 1666, the definition of a grant is stated as an agreement during the life of the grantor to freely and irrevocably hand over objects for the needs of the recipient of the grant. It can be understood that the conditions for a grant to be said to be valid according to the Civil Code if both parties have agreed because a grant is an agreement so that both parties must have reached an agreement by following the valid conditions of the agreement based on Article 1320 of the Civil Code. The grantor during his life has been capable of carrying out a legal act, voluntarily granting his property which also the grantor's rights are not limited by a reason, the

⁴ Marzuki, PM (2014) *Legal Research Revised Edition* . Jakarta: Kencana Prenada Media Group

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object of the grant must be an existing object if the grant includes an object that will only exist in the future then the grant is void as stated in Article 1667 of the Civil Code.⁵ The recipient of the grant in this case gives consent to receive the grant, then the recipient of the grant must be legally competent, but if he/she is not an adult, it is permissible to have guardianship with parents or guardians and the recipient of the grant must already be present, if the child is still in the womb, it is permissible to receive but is born alive at a later date. A grant that has been given cannot be cancelled or withdrawn with the exception as regulated in Article 1688 of the Civil Code, namely;

- a. Grant requirements are not met.
- b. The grantee has been guilty of committing a crime with the intent and purpose of taking the life or threatening the life of the grantor.
- c. If the grantor becomes poor and the grantee refuses to provide maintenance to the grantor.

Grants are required to use a notarial deed in accordance with Article 1682 of the Civil Code. Grants with the object of the grant being land, in this case, fall under the authority of the Land Deed Official (PPAT), as regulated in Article 2 of Government Regulation Number 24 of 2016 concerning Amendments to the Government Regulation concerning Land Deed Officials.

Transfer of land grant rights is a legal act carried out with the intention of intentionally transferring land rights from the grantor to the grantee legally. Based on Article 37 of Government Regulation Number 24 of 1997 concerning Land Registration, the transfer of land rights and ownership rights to apartment units through grants can only be registered if proven by a deed made by an authorized PPAT according to the provisions of applicable laws. So that in making a grant, it is required to be made by a PPAT which after the deed of grant is completed and signed, is intended to carry out the transfer of land rights from the previous rights holder, namely the grantor to the grantee, the PPAT is required to register the deed he made at the land office.

b. Obligations to Register Grant Deeds

Registration of land transfer rights is a legal obligation that must be carried out in every transfer of rights, including those that occur through gifts. Transfer of rights is not sufficient to be carried out simply by an agreement between the parties or simply by making a deed of gift, but must be followed up with registration at the land office, in this case the National Land Agency (BPN). Land registration is carried out in order to guarantee legal certainty for the people of Indonesia. By carrying out registration, the transfer of land rights has been officially transferred and recorded in the Indonesian land administration system, which can also have full legal force.

In the implementation of the registration, of course the PPAT has a very important role. The PPAT is not only authorized to make authentic deeds, but is also obliged to submit the deed in the form of documents to the land office for registration as regulated in Article 40 of Government Regulation Number 24 of 1997 concerning Land Registration which also states that no later than 7 (seven) working days from the signing of the deed of gift, the PPAT is obliged to immediately register the deed, which is then further explained in paragraph (2) that the PPAT is also required to provide written notification regarding the delivery of the deed as referred to in paragraph (1) to the parties concerned. This time period was made with the intention of preventing delays that could be detrimental to the parties, especially in this case the recipient of the gift. If there is a delay in registration, it will cause various legal consequences such as delays in changes to the transfer of rights and can give rise to the potential for disputes in the future. Land registration also aims to provide legal protection to the recipient of the gift. The importance of legal protection is to prevent disputes from other parties who intend to take over the rights to the land. So this land registration system functions to protect the rights of the holder of the rights to the land which are officially recognized by the state.

The relationship between a PPAT deed and land registration is very close and inseparable. In this case, the PPAT deed serves as the legal basis for registering the transfer of land rights. The existence of the deed is not sufficient to complete the transfer of rights. The deed must be followed by registration so that the transfer of rights is officially recognized in the land law system. Thus, it can be understood that the PPAT deed, which serves as evidence of a legal act, and land registration, which serves to provide legal recognition and protection, are two interrelated elements in the process of transferring land rights. If one of these stages is not carried out, specifically in this case, registration, the transfer of rights will not have strong legal force. Therefore, the obligation to register

⁵ R. Subekti, R. Tjitrosudibio. Civil Code. Pradnya Paramita. Jakarta. 1979, p. 436.

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land is crucial to ensure certainty and legal protection. The existence of regulations regarding the registration period demonstrates the importance of compliance, accuracy, and the principle of prudence that must be implemented by authorized officials, in this case PPAT. This is in line with the purpose of establishing land registration, which emphasizes its role as an instrument in creating legal order. Therefore, delays in registration not only have administrative impacts, but can also have significant legal consequences for the parties, especially the grant recipients.

c. Position of Grant Deed Due to Late Registration

In practice, delays in registering deed of gift by the Land Deed Official (PPAT) often occur, which raises questions regarding the legal standing of the deed. Furthermore, in this case, a new problem arises due to the delay, namely blocking by the grantor, which prevents the transfer of land rights. It is important to understand the difference between the validity of a deed of gift and its status in the land law system. In civil law, a deed of gift is considered valid as long as it meets the requirements for a valid agreement as stipulated in Article 1320 of the Civil Code, namely:

- There is an agreement between the parties
- The capacity of the parties to make an agreement
- Regarding a specific object
- If there is a lawful cause, it must not conflict with the law, order and morality.

Once these requirements are met, a gift agreement can be executed under civil law. The gift must be made in the form of an authentic deed in accordance with applicable laws and before a Land Deed Official (PPAT). After the deed is signed, the deed is binding on both parties. In land law, a gift deed that has not been registered or is late in registration does not automatically result in a transfer of land rights. This is because the Indonesian land registration system adheres to the principle that every transfer of rights must be registered to obtain legal recognition and force. Therefore, even if a gift deed has been made without registration, changes in legal data regarding land ownership have not been administratively recorded and there has been no change of name on the certificate of the object of the gift.

Delays in registering a deed of gift weaken the legal standing of the deed, weakening its evidentiary standing. In this case, a deed of gift is only legally binding on the two parties, the donor and the recipient. However, until registration occurs, the name listed on the certificate remains in the name of the donor, so administratively, the recipient is not recognized as the legal holder of the gifted object. This situation creates legal uncertainty for the recipient, as their rights have not yet received full legal protection. Therefore, a deed of gift that is registered late remains valid under civil law, but does not yet have full legal force in the land law system.

d. Legal Consequences of Late Registration, Especially for Grant Recipients

In Government Regulation Number 24 of 1997 concerning Land Registration, it is stated that every transfer of rights must be registered to ensure legal certainty and protection. The land system in Indonesia is a negative tendent positive negative system which means that strong evidence is the holder of the land rights to the certificate holder with the intention that if there is no third party who files an objection regarding the certificate. However, if in this case, there is a third party who files an objection and is able to prove that the land in the certificate is his, then the certificate is just ordinary evidence that can be revoked. So the purpose and system of land registration is implemented with the aim of providing legal certainty in the land sector, also the publication system uses a negative system but which contains positive elements because it will produce proof of rights that serve as strong evidence.⁶

registration is important to be carried out in accordance with the applicable regulations regarding the registration period stated in Article 40 paragraph (1) and (2) of Government Regulation Number 24 of 1997 concerning Land Registration which states that the PPAT is obliged to register and submit the deed he made along with the relevant documents to the Land Office no later than 7 (seven) working days from the date of signing the deed in question and in paragraph (2) it is stated that the PPAT is obliged to provide written notification regarding the submission of the deed as referred to in paragraph (1) to the relevant parties. This is emphasized that the period given is 7 (seven) working days from the signing of the deed of gift after which the PPAT is given a further obligation, namely to register the deed of gift that has been completed with the Land Office. The purpose of providing this time period is to avoid delays and minimize the occurrence of disputes resulting from negligence which can give rise to other consequences. Registration of a deed of gift that is delayed or even not registered has legal consequences that are not only administrative but also have a direct impact on the legal standing of the recipient of the gift.

⁶ Urip Santoso. 2011. *Registration and Transfer of Land Rights*. Jakarta Kencana. p. 7

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Some of the consequences arising from late registration or even failure to register a deed of gift by the Land Deed Making Officer regarding the transfer of land rights include;

- There is no transfer of land rights

One of the main consequences of the delay in registration is that after the creation of a deed of gift, which is legally valid and effective since the deed of gift was signed by the parties, of course the recipient of the gift wants to transfer the rights to the land that was originally listed in the name of the donor. However, in accordance with Article 37 of Government Regulation Number 24 of 1997 concerning Land Registration which states that the transfer of rights to land and ownership rights to apartment units through sale and purchase, exchange, grant, income in the company and other legal acts of transfer of rights, except for the transfer of rights through auction can only be registered if evidenced by a deed made by an authorized PPAT according to the provisions of applicable laws and regulations. It is understandable that the transfer of rights to land through a gift must be registered through a deed made by a PPAT. In this case, the PPAT is not only obliged to make an authentic deed but also obliged to register the deed of gift that he made for the process of transferring rights to the land. This registration is carried out to obtain certainty and official recognition that the object of the gift has been transferred from the donor to the recipient of the gift. Without registration, the transfer of rights is not recorded. Administratively, the rights to the gifted object are still registered in the name of the grantor. Therefore, the transfer of rights is not considered to have occurred, indicating that registration is a crucial element in finalizing the transfer of land rights. This can be detrimental to the grantee, who will not receive the benefits of the gifted object.

- Weak legal position of the grant recipient

Delays in registration also weaken the legal standing of the grantee. Although the deed of grant has been signed, without registration, the rights that the grantee should have are not yet owned or legally binding. Essentially, an authentic deed is a perfect piece of evidence, which in this case must also be followed by land registration, which can provide legal protection to the grantee. If the grantee has not registered the land, the grantee has the potential to lose rights to the land. This weakens the grantee's legal standing, impacting the grantee's ability to take legal action against the grant object.

- The emergence of new disputes

An equally important consequence is the potential for new disputes. Failure to register a deed of gift opens the door to legal conflict between several parties. These disputes may include blocking the grantor's right to the gift at the Land Office, which prevents the transfer of land rights, the grantor transferring the gift to another party, or even conflict with the grantor's heirs claiming the land as part of the inheritance. Unregistered deed weakens the recipient's position, making it difficult to defend the land due to the lack of strong administrative evidence within the land system. This can then lead to court proceedings, which require considerable time, money, and effort. These disputes reflect the suboptimal performance of Land Deed Officials in carrying out their duties and authorities. Negligence by Land Deed Officials (PPAT) in timely registration of gift deeds can result in various consequences and losses, both for the recipient and for the PPAT itself, both legally and professionally.

2. Legal Protection for Grant Recipients Due to Delays in Registering Grant Deeds Regarding the Status of Transfer of Land Rights

a. The Concept of Legal Protection

Legal protection according to Philipus M. Hadjon is a protection of the dignity and recognition of human rights owned by legal subjects based on legal regulations from arbitrariness or as a collection of provisions or rules used to protect one thing from another.⁷ It can be understood that legal protection is an effort to protect every human dignity and dignity from the arbitrariness that occurs. The theory of legal protection according to Philipus M Hadjon consists of two forms of legal protection as its means, namely preventive legal protection and repressive legal protection. Preventive legal protection has the aim of preventing disputes so that the government in this case must be careful in making decisions based on discretion while repressive legal protection has the aim of resolving disputes such as general courts as one form of handling this legal protection.⁸ The grantee in this case is the party who obtains the rights to the object of the grant. Viewed from a civil law perspective regarding

⁷ Philipus M. Hadjon, *Legal Protection for the People in Indonesia*, Special Edition, First Printing, Peradaban Publisher, Surabaya, 2007, pp. 2-5.

⁸ *Ibid.*

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the position of the grantee since the signing of the deed of grant which is legally valid, however, if viewed in land law, the position of the grantee in this case is not fully strong or still weak due to delays or even no registration of the transfer of rights to the land so that the transfer of rights is not recorded which also has not received official legal recognition in the land system in Indonesia. The grantee does not have legal power that binds third parties so that legal actions against the object of the grant cannot be carried out. After the registration is carried out and then the transfer of rights to the land occurs, the grantee obtains the position as the holder of legal rights both administratively and juridically.

b. Forms of preventive legal protection

Preventive legal protection for grant recipients is realized through various provisions with the aim of preventing disputes or losses due to delays in registration. One form of preventive protection for grant recipients is the Government Regulation Number 24 of 1997 concerning Land Registration in Article 40 which emphasizes the obligation of the PPAT to register the deeds they have made no later than 7 (seven) working days from the signing of the deed they made and submit the deed and its documents to the Land Office. It is further emphasized that the PPAT is obliged to provide written notification regarding the submission of the deed to the relevant party. This obligation is intended to ensure that the transfer of rights is immediately recorded within a specified time period, becoming a form of preventive protection carried out by the government which also provides legal certainty to the parties. Every change to the land status must be officially recorded so that it is carried out transparently to avoid potential disputes in the future. However, in practice in society, this preventive protection does not always run optimally. This often occurs due to negligence by the PPAT in carrying out its obligation to register the deed which becomes an opportunity for legal conflicts.

c. Repressive forms of legal protection

Repressive legal protection is a last resort (*ultimum remedium*) to obtain justice if preventive protection in this case is not fulfilled. This repressive legal protection can be understood as a form of protection provided after a legal violation or dispute has occurred to restore the rights of the injured party. This protection becomes important when the grantee has not obtained legal certainty due to the unregistered transfer of land rights. In the case of delays in registration due to negligence by the Land Deed Official (PPAT) who does not fulfill his/her obligations, one form of repressive legal protection that can be carried out is re-registration or subsequent registration of the deed of gift that was previously registered late. This action is considered an effort to improve the legal situation of the grantee who is considered weak due to the unregistered transfer of rights in the land registration system. Re-registration is a form of restoration of the grantee's rights so that the grantee regains legal certainty and receives protection for his/her rights. However, re-registration can occur if there is no other dispute caused by the negligence of the PPAT, with the delay in registration creating the opportunity for disputes due to the failure to immediately transfer land rights. The emergence of disputes such as blocking by the grantor of the object of the grant at the land office makes it impossible to re-register. This has an equally important consequence for the grantee because it causes a significant amount of losses that must be borne by the grantee. Therefore, repressive legal protection can be carried out by filing a lawsuit to obtain legal certainty and recognition of their rights with the deed of grant as evidence that shows the existence of a valid legal act between the parties. However, re-registration does not immediately erase the losses experienced by the grantee, both material and immaterial losses. Therefore, repressive legal protection through re-registration is more of an effort to restore limited legal status rather than a solution to completely restore the situation to its original state. Repressive legal protection can also be carried out by filing a claim for compensation. The grantee can demand accountability from the PPAT caused by his negligence in carrying out his obligations.

d. PPAT's responsibility for late registration

Basically, as a PPAT as a public official who is given the authority to make authentic deeds regarding certain legal acts, one of which is a grant. Of course, in carrying out his duties, the PPAT has the responsibility to make deeds that can be used as a strong basis for the implementation of the transfer of rights registration, regarding the elements of fulfilling the capacity and authority of the parties including the validity of legal acts, he is also responsible for the documents used as a basis to fulfill legal certainty in accordance with applicable

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provisions.⁹The form of PPAT's responsibility adheres to the principle of error so that in making authentic deeds if there is a violation of the deed made, but if there is an error made by the parties, the PPAT is not responsible for it. PPAT's responsibilities are categorized into 2 (two) things, namely; legal responsibility and ethical responsibility. Legal responsibility can be divided into 3 (three) types, namely administrative, civil and criminal legal responsibility. This is related to the negligence of the PPAT by ignoring his obligations through the delay in registering the deed he made, which is clearly stated in Article 40 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration, which states that no later than 7 (seven) working days from the date of signing the deed in question, the PPAT is obliged to submit the deed he made along with the relevant documents to the Land Office for registration and paragraph (2) the PPAT is obliged to provide written notification regarding the submission of the deed as referred to in paragraph (1) to the relevant parties. So that the responsibility of the PPAT by violating the provisions of Article 40 is subject to sanctions in the form of a written warning up to dismissal from his position as PPAT, in addition to that the PPAT can be sued for compensation by parties who suffer losses due to his neglect of the provisions stated in Article 62 of Government Regulation Number 24 of 1997 concerning Land Registration.

CONCLUSION

Based on the discussion regarding legal protection for grant recipients due to delays in registering the deed of grant in the transfer of land rights, the following conclusions can be drawn;

1. The legal consequences of the delay in registering the Deed of Grant on the status of the transfer of land rights that arise are that the transfer of land rights cannot be carried out which are administratively still registered in the name of the grantor. In addition, the legal consequences that arise are the weak legal position of the grantee because they do not get certainty and recognition of the rights they have obtained, especially in this case there are other consequences, namely the opportunity for disputes to occur because the transfer of rights is not immediately carried out, such as blocking by the grantor of the object of the grant. Of course, the consequences that arise are very detrimental to the grantee because they cannot enjoy the benefits of the grant object, do not get legal certainty and legal protection that should be obtained by the grantee because in this case the deed of grant has been valid and binding.
2. The Form of Legal Protection for Grantees Due to Delays in Registering Deeds of Grant Regarding the Status of Transfer of Land Rights has a very important role in ensuring certainty and justice for grantees. This legal protection can be realized in two forms, namely preventive legal protection which in the Government Regulation on Land Registration has been realized to prevent disputes by making regulations regarding the registration period stated in Article 40 of Government Regulation Number 24 of 1997 concerning Land Registration no later than 7 (seven) working days since the signing of the deed of grant. Then in practice there are still delays in registration which cause grantees in this case to not receive legal protection because of their weak position due to the non-recognition of the transfer of rights. Repressive legal protection becomes important with efforts to restore the rights of grantees. With one form that can be done is re- registering the deed of grant that was registered late. However, if a dispute has occurred due to the length of the delay that occurred, the grantee can take legal action through the courts and demand accountability from the PPAT for negligence that caused the loss. It can be concluded that legal protection for grant recipients due to late registration of deed of grant is not yet optimal, therefore there is a need to increase compliance and caution from PPAT in carrying out their obligations as well as awareness of the parties to immediately carry out registration to ensure certainty and legal protection in the transfer of land rights.

⁹ Yovita Christian Assikin, Lastuti Abubakar, and Nanda Anisa Lubis, "Responsibilities of Land Deed Officials Regarding the Cancellation of Sale and Purchase Deeds in the Light of Applicable Laws and Regulations." *Acta Diurnal*, Vol. 3 No. 1, December 2019, p. 90

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