

## THE ROLE AND FUNCTION OF NOTARIES/PPAT IN LAND REGISTRATION DATA MAINTENANCE

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**Abstract:** Land has an important role in people's lives, so it is necessary to guarantee legal certainty through orderly land registration. Notaries/Land Deed Making Officials (PPAT) play an important role in maintaining land registration data, especially in ensuring the accuracy of physical and juridical data. This study uses a normative juridical method with a qualitative approach. The results of the study show that PPAT not only functions as an authentic deed maker, but also as a liaison between the community and the Land Office in maintaining the order of land administration. However, there are still obstacles such as limited digital infrastructure, lack of understanding of electronic systems, and administrative barriers. Therefore, increasing the professionalism and coordination of PPAT with land agencies is very necessary to realize legal certainty

**Keywords:** Notary/Land Deed Making Officer (PPAT), Land Registration, Land Data Maintenance, Legal Certainty, Land Administration

### Introduction

Land is an asset that has economic, social, and cultural value that is very important for the community. Because land is a limited natural resource, the management and utilization of land must be carried out wisely and in accordance with the provisions of applicable law. (Nida Nadilatunnisa, 2025)

Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles, in Article 19 paragraph 1, provides an order for the implementation of Land Registration in order to guarantee the legal guarantee. The agency appointed to carry out land registration services is the National Land Agency, which basically has the main task as a service agency in the land sector, both to the community and in inter-agency services. Meanwhile, the implementer of land registration in the regions is the Head of the Land Office or other officials.

The Head of the Land Office was accompanied by PPAT because in the process of registering the transfer of rights and encumbrances, proof in the form of a deed made by PPAT is required. In this case, PPAT is a partner of the Head of the Land Office in carrying out duties in the field of land registration, especially in land registration data maintenance activities which include the transfer of rights, division of rights, and division of joint rights.

The Head of the Land Office in carrying out the task of land registration is assisted by the Land Deed Making Officer (PPAT) and other officials who are assigned to carry out certain activities. (Article 6 paragraph 2 of Government Regulation Number 24 of 1997). Examples of these activities include the making of temporary PPAT or PPAT deeds, the preparation of auction minutes, adjudication in systematic land registration by the adjudication committee, and so on.

The implementation of land registration as stipulated in Government Regulation Number 24 of 1997 has a very important role, and the duties of the Land Deed Making Officer are the main source in efforts to maintain and maintain land registration data.

All information recorded in the land registration file at the land office must always be in accordance with the real conditions or circumstances of the land plot. This includes all physical data of land parcels, as well as legal or juridical data related to them. Especially in terms of recording changes in juridical data, the role of the Land Deed Making Officer (PPAT) is very important. As has been stated, the activities of the Land Deed Making Officer (PPAT) are in the context of maintaining land registration data, namely when there is a change in the juridical data due to the act of transferring certain rights or imposing rights with other rights. to enable human beings to live a reasonable life according to their dignity.

Legal certainty about land is an absolute thing that must exist in order to maintain the stability of land use in development and realize legal certainty on land ownership for fellow communities who want to relate to the land. The legal certainty intended in land registration will result in the issuance of a certificate of proof of rights to anah (certificate) by BPN as the institution administering state administration to those who are entitled, and the owner of his property can be relied upon to act as a strong proof of a person's land rights. This is in accordance with Article 1 number 1 of Government Regulation Number 24 of 1997 concerning Land Registration, which is referred to as land registration. (Ramdhani, 2021)

## Method

The research method is a process of collecting and analyzing data that is carried out systematically, to achieve certain goals. Data collection and analysis are carried out naturally, both quantitative and qualitative, experimental and non-experimental, interactive and non-interactive. The research method used is normative juridical research, which is legal research conducted by examining literature materials or secondary data The analysis of legal materials is carried out using qualitative analysis methods used to explain legal events, legal materials or legal products in detail to facilitate legal interpretation. (Ramadhani, 2024). (Faisal, 2022)

## Results And Discussion

### 1. The Role of Notaries/PPAT in Land Registration Data Maintenance

Land registration data maintenance is a land registration activity to adjust physical data and juridical data in registration maps, land lists, name lists, survey letters, land books, and certificates with changes that occur later. Maintenance of land registration data is carried out if there is a change in the physical data or juridical data of the land registration object that has been registered by recording it in the general register. The holder of the right concerned is obliged to register the changes with the Land Office (Article 1 of Government Regulation No. 24 of 1997).

Physical data is information about the location, boundaries and area of land plots and registered flats, including information about the existence of buildings or parts of buildings on them. Changes in physical data occur when there is a separation, split, or merger of land parcels that have been registered. Changes in juridical data occur, for example, if there is a charge or transfer of rights to land parcels that have been registered.

Maintenance of land registration data is the second part in the process Land Registration in accordance with the rules in Article 11 Government Regulation number 24 of 1997. Maintenance of land registration data Involve Recording all actions or events Law that occurs on lands that already have rights (already certified) (Ramadhani, 2024).

It is essential to have a land rights certificate to protect and provide legal certainty to land ownership. Certification of land rights will also help achieve the goal of the Basic Agrarian Law,

which is to create a basis for providing legal certainty. This has been emphasized in Article 19 paragraph (2) of the Basic Agrarian Law (UUPA) Number 5 of 1960 that "to ensure legal certainty by the Government, Land Registration is held throughout the territory of the Republic of Indonesia in accordance with the provisions regulated by Government Regulations. The land registration in question is an activity that includes; a. measurement, mapping, and proof; b. registration of land rights and transfer of land rights and transfer of land rights; c. Provision of valid proof of rights as strong evidence. (Onny Medaline, 2023)

According to the provisions of Article 1 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration, what is meant by land registration is: "Land registration is a series of activities carried out by the Government continuously, continuously and regularly, including the collection, processing, bookkeeping and presentation as well as maintenance of physical data, and juridical data in the form of maps and lists regarding land plots and apartment units, including the issuance of certificates as proof of rights for plots of land that already have rights and ownership rights to flats and certain rights that burden them."

Roles can be equated with status, which means the external level that is the source for the emergence of certain roles. Meanwhile, "role" is the same as a function, which is a self-use, both in the sense of one's self-use for oneself for oneself and that person's self-use for others. So what is meant by "role" in this study is a person's function in his position as PPAT.

The implementation of land registration involves various related agencies, including Urban Villages, Districts, Regency/City Land Offices and also Land Deed Making Officials (PPAT) in the event of a transfer of land rights carried out by community members. The function of PPAT in the series of land registration implementations is to assist the Head of the Land Office as the implementer of land registration, by providing data (evidence) that will be used as a basis for the registration of changes in certain land registration data. Therefore, the accuracy of the certainty and correctness of the information contained in the deed made by PPAT is very decisive for the registration process to obtain protection of land rights for citizens, so that PPAT in addition to being responsible for the certainty and correctness of the contents of the deed, is also obliged to submit the deed signed along with other documents to the Land Office within a period of seven working days from the signing of the deed.

PPAT is a public official who is authorized to make authentic deeds regarding certain legal acts regarding land rights or Property Rights to Apartment Units. PPAT deed is a deed made by PPAT as evidence of the implementation of certain legal acts, PPAT's authority to make authentic deeds is only limited to matters related to objects- Maintenance of Land Registration Data 5 fixed objects (immovable objects) in the form of: Land Rights, and Property Rights to Flats Units.

The function of PPAT in his position as a General Officer is his obligation as a PPAT. One of the obligations of PPAT as determined in Article 19 of Government Regulation No. 37 of 1998 jo Article 45 of the Regulation of the Head of BPN No. 1 of 2006 is to carry out his position in real life after taking the Oath of Office. The actual implementation in this case is the main task as PPAT, which is to carry out part of the Land Registration activities by making a "deed" as a certain legal act has been carried out regarding land rights and Property Rights to Flats Units, which is used as the basis for changes in land registration data as a result of certain legal acts. This means that the main task of PPAT is to make an authentic land deed regarding certain legal acts against land rights and property rights over Flats Units.

The role of the Land Deed Making Officer (PPAT) in assisting the land registration task has a role, namely carrying out part of the land registration task, namely in terms of maintaining land registration data, especially by making deeds as evidence of the implementation of legal acts regarding land rights or Property Rights of Flats Units. PPAT also plays a very important

role in the orderly administration of Land by matching the data in the certificate with the lists in the Land Office, before making the deed and after the deed is made, PPAT is obliged to register it for the continuity of the land registration process. In addition, PPAT also has a role in state revenue from the tax sector by checking whether or not it has paid the Income Tax (PPH) and Land and Building Rights Acquisition Duty (BPHTB).

Some of the land registration data maintenance activities are as follows: (Rahmat Ramadhani, 2024)

#### 1. Shifting Rights

The transfer of land rights and ownership rights to the Flats can occur due to transfer or because of transfer, there is also an opinion that states that the transfer of land rights can occur due to legal acts and due to legal events. Transfers of rights due to legal acts consist of buying and selling, exchanging, grants, income/merger/merger in the company and other legal acts of transfer of rights, except through auction can only be registered if proven by a deed made by the authorized Land Deed Making Officer (PPAT).

However, in certain circumstances, the head of the land office can register the transfer of rights to the land parcel of ownership carried out among individual Indonesian citizens as evidenced by a deed made by PPAT, according to the assessment to the land office the level of truth is considered sufficient to be registered. Meanwhile, the transfer of rights due to legal events consists of the transfer of rights due to inheritance, where when the holder of the rights in question dies, then the heirs become new rights holders. Registration of transfer of rights must be registered in order to provide legal protection to the heirs and for the sake of the orderliness of the land registration administration and the accuracy of the juridical data of the land in question.

#### 2. Encumbrance of Rights

Registration of the imposition of dependent rights on land rights such as property rights, property rights on flats units, encumbrances of building use rights, use rights, lease rights for buildings on property rights or other encumbrances on land rights or property rights over flats units determined by laws and regulations, can be registered if proven by a deed made by the authorized PPAT in accordance with the provisions of the applicable laws and regulations.

#### 3. Changes in Land Registration Data

The registration of changes in land registration data includes 7 activities: Extension of the term of land rights; Splitting, separating and combining land parcels; Distribution of common rights; The abolition of land rights and property rights to flats; Transition and removal of land plot dependents; Changes in land registration data based on court decisions or determinations; The name change is regulated in Articles 47 to 57 of Government Regulation number 24 of 1997.

#### 4. Issuance of Substitute Certificates

The issuance of a replacement certificate on the basis of the application of the right holder can be issued a new certificate as a substitute is regulated in the provisions of Articles 57 to 60 of Government Regulation number 24 of 1997, which are as follows; Issuance of replacement certificates due to damage (Article 57); Issuance of a replacement certificate for replacing old blanks (Data update) (Article 58); issuance of a replacement certificate for loss (Article 59); issuance of substitute certificates due to auction (Article 60).

## 2. The Problem of Strengthening the Role of Notaries/PPAT in the Maintenance of Land Registration Data

The problem of strengthening the role of Notaries/PPAT in Data Maintenance is caused by several obstacles, namely:

#### a. Technical and system issues

- 1) Digital infrastructure is not ready: The servers and human resources at the Land Office are not yet ready to handle the digital system as a whole, resulting in the need for physical documents.
  - 2) Technical errors: Many problems are caused by file upload errors (e.g., uploading non-original photocopies) because PPAT does not yet fully understand the electronic system.
  - 3) Uneven socialization: The dissemination of information and training on electronic systems has not reached all PPATs equally, leading to a lack of digital understanding and skills. (Saraswati, 2016)
- b. Human resource problems and procedures
- 1) Limited human resources: Both the Land Office and PPAT still have limited human resources who understand electronic systems in depth, especially for programs aimed at the wider community.
 

The people who own land and will buy and sell who come to PPAT do not have complete requirements and there are still many who have land that has not been certified. This causes difficulties experienced by PPATs. For now, PPAT will firmly refuse if any party who wants to buy and sell land does not complete the requirements and documents required for the process of making a sale and purchase deed. (Yosita Erva Yanti, 2023)

Many people consider that selling bells in front of authorized officials requires a large amount of money while the community itself is needing money for primary needs. Furthermore, ignorance of the law and the function of land registration, so that many buying and selling are carried out under the hand.
  - 2) Procedural negligence: PPAT sometimes neglects standard procedures, such as not ensuring the presence of parties and witnesses, or not explaining the contents of the deed in detail, which can lead to data validity issues.
 

In practice, Notaries and PPATs are often late in submitting documents. Research in various regions shows that up to 80% of PPATs experience delays when submitting or registering documents related to the transfer of rights, such as sale and purchase deeds, grants, or joint rights distribution, to the Land Office. The factors causing this delay are varied, ranging from administrative constraints, completeness of documents, PPAT workload, to lack of understanding or discipline of applicable regulations. In addition, the PPAT monthly reporting system also often experiences delays, with an average of 10 to 15 PPATs each month not submitting reports on time.

However, the delay in submitting the deed to the Land Office does not necessarily cause the deed to be null and void. On the contrary, this can weaken the legal position of the parties in the administrative process or in the event of a dispute in the future. Therefore, PPAT must comply with the provisions of the deed submission time, improve professionalism, and continue to keep up with changes in land regulations to reduce legal risks and increase public trust in the national land administration system. (Maharani, 2025)
  - 3) Abuse of authority: It is possible for PPAT to make a deed outside its work area, resulting in the deed being invalid and cannot be used as a basis for registration.

### 3. Efforts to Increase the Role of Notaries/PPAT in Overcoming Land Registration Data Maintenance Problems

Notaries/PPAT have an important role in maintaining the accuracy of land data. Here are the various efforts that PPAT can make to minimize existing problems: (Ferika Nurfransiska, 2025)

#### a. Process and Technology Optimization

- 1) Utilization of electronic systems: PPAT needs to adapt to the advancement of digital technology implemented by the Ministry of ATR/BPN, including the use of the online PPAT system for deed registration. Mastering this system can speed up the process and reduce the risk of human error.
- 2) Timely delivery of deeds: PPAT is obliged to send the deed that has been made to the Land Office no later than seven days after signing (Article 40 of Government Regulation Number 24 of 1997 concerning Land Registration). PPAT must also provide written notification to the rightholder that the application for registration of the transfer of rights along with the deed and file has been received by the Land Office. The purpose of this obligation is to expedite the land administration process, ensure that the parties have legal certainty, and prevent disputes that occur due to negligence or delays in the registration process.(Maharani, 2025)
- 3) Neat document management: Implement an efficient document management system, both digital and physical, to facilitate the tracking and storage of deed files. Based on PP RI No. 24/2016 which amends PP No.37/1998 concerning the Position of Land Deed Making Officials, Article 1 Paragraph (5), the PPAT protocol is defined as a set of documents that must be neatly compiled and duplicated by PPAT, namely:(Oris Suprianja, 2024)
  - a) List of deeds;
  - b) Original deed;
  - c) Supporting documents of the deed;
  - d) Report archives;
  - e) Agenda; and
  - f) Other letters.

#### b. Education and Communication

- 1) Provide education to clients: PPAT can provide education to parties regarding procedures, required documents, and risks in the event of data mismatches. This helps increase the legal awareness of the community. (Oris Suprianja, 2024)PPAT assists clients in the maintenance of land registration data, including those related to the transfer of land rights and regular data updates at the Land Office. PPAT also acts as a legal counselor, providing clients with an understanding of the procedures and importance of correct land registration. Thus, clients will have valid documents and avoid potential legal problems in the future.
- 2) Coordinate with BPN: Establish good communication with Land Office officers to overcome technical obstacles or unclear procedures . (Nida Nadilatunnisa, 2025)This coordination is carried out through various activities, such as work meetings to discuss work programs and supervision, as well as establishing good communication to solve obstacles in the field. Coordination also aims to ensure the professionalism and integrity of PPAT in providing services to the community.
- 3) Become a mediator: If a data dispute arises, PPAT can act as a mediator between the parties to find a fair and legal solution.

#### c. Reporting and Accountability

- 1) Electronic reporting: PPAT must report all deeds made through the electronic system provided by the Ministry of ATR/BPN.(Kamal, 2023)
- 2) Legal liability: PPAT must be aware of the legal consequences if it is proven to be negligent or violating its duties, including the possibility of civil lawsuits if it causes losses. An act is considered an unlawful act if it meets the cumulative requirements of unlawful acts, namely:(Bekti Farahtika Sari, 2021)
  - a) There are acts against the law;
  - b) There is an error;
  - c) There are disadvantages;
  - d) There is a causal relationship between the act and the loss.

PPAT needs to actively provide legal counseling to the community related to the administrative obligations of land registration, including obligations in submitting documents and legal consequences if the administrative process is not fulfilled. This counseling is important to reduce public misunderstanding of the land registration process and accelerate the maintenance of accurate data. This approach is reflected in studies that show the role of PPAT in minimizing administrative errors through education and document verification. (Hadiyanto, 2024)

The high demands of professionalism require PPAT to always comply with the professional code of ethics and the provisions of laws and regulations. Consistent development and enforcement of the code of ethics, accompanied by strong internal supervision, can minimize administrative errors and violations in the maintenance of land data. Research that discusses compliance with the code of ethics and the importance of supervision of PPAT can be the foundation for the development of an internal control system. (Moestajab, 2022)

### Conclusion And Suggestions

Notaries/PPAT have a strategic role in ensuring administrative order and legal certainty in the land sector through land registration data maintenance activities. As a public official authorized to make authentic deeds, PPAT functions to ensure that every transition, encumbrance, and change of land rights is correctly recorded in the land administration system. In addition, PPAT also acts as a liaison between the community and the Land Office to maintain the compatibility between physical data and land juridical data, so as to support the creation of a transparent and accountable administrative order.

However, the implementation of PPAT's tasks still faces a number of obstacles, such as limited digital infrastructure, lack of understanding of electronic systems, as well as human resource constraints and procedural negligence. Therefore, it is necessary to strengthen the professional capacity of PPAT, optimize the use of information technology, and increase coordination with the Land Office and the Ministry of ATR/BPN. These efforts are important to ensure that the entire land data maintenance process runs efficiently, accurately, and is able to provide maximum legal protection for land rights holders.

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