

ABSTRACT

Lily Kalyana's dissertation. with the title "LEGAL PROTECTION OF LAND DEED MAKING OFFICIALS IN MAKING AUTHENTIC DEEDS ACCORDING TO POSITIVE LAW" This dissertation is under the guidance of Prof. Dr. Faisal Santiago, S.H., M.M as promoter and Prof. Dr. St. Laksanto Utomo, S.H., M.Hum., as Ko. Promoter.

The main task and authority of the Land Deed Making Officer (PPAT) is to carry out some of the land registration activities by making deed as evidence that certain legal actions have been taken regarding land rights or ownership rights to apartment units, as a public official needs to get legal protection. However, the fact is that there is a lack of legal protection for Land Deed Officials (PPAT). In line with this, this study examines the effectiveness of Legal Protection for Land Deed Officials, especially in making authentic deeds and the responsibilities and legal sanctions that are imposed. 1. What is the authority of the Land Deed Official in making authentic deeds? 2. Why is legal protection needed for Land Deed Making Officials in carrying out their duties as authentic deed makers? 3. What is preventive legal protection for Land Deed Maker Officials in making authentic deeds that are valid in Indonesia?

This research is a normative-empirical legal research that examines primary, secondary and tertiary legal materials. This study uses descriptive data analysis. The theory used in this study uses the theory of legal protection pioneered by Philipus M. Hadjon. The theory teaches 2 important points in the legal protection of Land Deed Officials namely, preventive legal protection and repressive legal protection and besides that the theory also uses the theory of legal norms pioneered by Hans Kelsen and law enforcement theory pioneered by Soerjono Soekanto.

The results of this study indicate that the legal protection of PPATs as public officials still has inconsistencies in imposing legal sanctions on PPATs in criminal punishment decisions, as is the case with the Supreme Court's jurisprudence which states that PPATs are more appropriate to be subject to Administrative and ethical sanctions rather than criminal sanctions, then lack of legal protection carried out by IPPAT and the honorary council in fostering and supervising PPATs in cases of criminal acts involving PPATs, besides that there are no strict legal sanctions rules regulated in laws and regulations both criminal sanctions, civil sanctions, and administrative legal sanctions or ethical sanctions. Therefore, the suggestion in the research is that it is necessary to immediately establish a Position Law for PPATs specifically in the legal protection of PPATs in carrying out their duties and authorities in making authentic deeds.

Keywords: Legal Protection, PPAT, Authentic Deed.