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IMPLEMENTATION OF A SYSTEMATIC LAND REGISTRATION POLICY (PTSL) IN
BARRU REGENCY

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ABSTRACT

Implementation of a Systematic Land Registration Policy (Ptsl) in Barru Regency. This study aims to determine: describe and analyze the Implementation of a Systematic Complete Land Registration Policy (PTSL) in Barru Regency. Penelitian ini adalah penelitian yang menggunakan pendekatan deskriptif kualitatif. Deskriptif Kualitatif ini berupakan kata – kata tertulis atau lisan dari orang-orang dan perilaku yang diamati. Yaitu Bertujuan Untuk Mengetahui Bagaimana Implementasi Kebijakan Pendaftaran Tanah Sistematis Lengkap (PTSL) di Kantor Pertanahan Kabupaten Barru The focus of research in this thesis is regarding the Implementation of the Systematic Complete Land Registration Policy (PTSL) in Barru Regency

Keywords: Policy, Land, Registration, Implementation, system



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A. INTRODUCTION

In essence, humans have primary, secondary and tertiary needs. Primary needs are the basic needs needed by humans which consist of clothing, food and shelter. Secondary needs are needs that are complementary to primary needs, for example entertainment, sports and recreation. Tertiary needs are needs that are met after primary and secondary needs are met for example, cars or motorcycles, household appliances, and jewelry. Soil is one of the most important components in human life and land is included in the board group or means primary needs because humans themselves need a place to live .

Aside from being a place to live, land also functions as a place of livelihood for someone. As in Indonesia, which is an agricultural country, most of the livelihoods of the population are farming and gardening. Another function of the land is for the growth and development of social and political society, and the development of a culture in society.

According to the Big Indonesian Dictionary, Soil is the surface of the earth or the top layer of the earth. In Indonesia, land is often the object of disputes or disputes in society, one example of the causes of conflicts related to land is the sale and purchase of land that often occurs in the community or land that is used as collateral in financial institutions, namely banks, and in the end it is the heirs who will be involved. in the problems that occur. The problem is that there will be parties who will prove the rights to the land, thus it is necessary to have certainty over land ownership rights which are regulated on the legal basis of Article 4 paragraph (1) of the Basic Agrarian Law, which reads:

"On the basis of the state's right to control over land as referred to in Article 2, it is determined that there are various rights to the surface of the earth, called land, which can be given to and owned by people, either alone or together with other people and legal entities".

In Law Number 5 of 1960 concerning the basic regulations on Agrarian Principles, or what is often referred to as the Basic Agrarian Law (UUPA) which is the basis for providing legal guarantees regarding land rights for all Indonesian people. In addition, the meaning of Agrarian and Agrarian Law in Law Number 5 of 1960 concerning the basic regulations on Agrarian Principles is interpreted very

broadly, the meaning of Agrarian includes Earth, water, and the natural wealth contained therein. In order for the community to obtain legal certainty and certainty over land rights, the community must register the land and obtain a certificate of land rights. One of the functions of a land certificate is to serve as a strong means of proof of land ownership.

The Basic Agrarian Law stipulates that land rights that can be registered are property rights, business use rights, building use rights, usufructuary rights and rental rights for buildings that are not required to be registered. In the development of the mandate of Article 19 of the Basic Agrarian Law in its implementation, Government Regulation Number 24 of 1997 was formed from amendments to Government Regulation Number 10 of 1961 concerning land registration, in which the object of land registration was regulated, namely in the form of Property Rights, Use Rights Enterprises, Building Use Rights, Use Rights, Land Management Rights, Waqf Land, Ownership Rights on Flat Units, Mortgage Rights and State Land. This change in government regulation is considered to have a very strategic and decisive position, not only as an executor but also as the backbone on which land administration runs as one of the orderly programs on land and land law in Indonesia.

Technological developments and socio-economic changes in society will affect the provisions in land registration. Economic growth and lifestyle give rise to vertical housing mixed with various commercial mix uses. Waskito (2019: 28) Mira Nova, (2019: 48). Several regulations governing the acceleration of land registration aim to realize the implementation of land registration throughout Indonesia, which is now known as Complete Systematic Land Registration. One of the goals is to guarantee legal certainty. This of course really needs support from the government itself. This support can be in the form of the role of the National Land Agency, in this case also the role of the Land Office. Land registration was first carried out through systematic and sporadic registration. Where the systematic registration was carried out on the idea of the Badan National Land Affairs of the Republic of Indonesia which is based on a long-term and sustainable work plan. For sporadic land registration it is carried out at the request of the party in need, namely the party entitled to land or the community in need. Then the land registration will produce two kinds of data, the first is physical data and the second is juridical data. This physical data is data related to information on the location of the land, the boundaries and area

of the land parcel and for the second, juridical data is information about the legal status of the land parcel, as well as other burdens that burden it.

In order to be able to carry out the mandate of agrarian reform to every region, the National Land Agency of the Republic of Indonesia began to take action requiring all land area offices in Indonesia to be obliged to carry out agrarian reform. In Law Number 5 of 1960 concerning the basic regulations on Agrarian principles which explains that all people who own a plot of land are required to have a land certificate, however the implementation of the Law does not run as smoothly as expected. This is because the village community does not know much about the importance of land certificates.

In order to realize legal certainty guarantees for land rights and as a follow-up and implementation of the mandate of Article 19 paragraph (1) of the Basic Agrarian Law which states: "to guarantee legal certainty by the government land registration is held throughout the territory of the Republic of Indonesia according to the provisions – the provisions regulated by Government Regulations. So the government issued a Decree of the Minister of Home Affairs Number 189 of 1981 concerning the National Agrarian Operations Project (PRONA).

In principle, the complete systematic land registration (PTSL) for all land parcels such as customary land, government land (school/kelurahan office), disputed land, nature reserve land, all of which can be certified through a complete systematic land registration. In a systematic land registration complete with a large number, making certificates is facilitated, and financed by the State. The process is carried out through counseling, collecting physical data, juridical data, registration up to the issuance of certificates is borne by the government, but the fulfillment of the requirements for installing stakes and stamps is borne by society. "Administration costs such as stamp duty and others are borne by the community, for KTP requirements, Land Certificates and PBB for the current year

B. RESEARCH METHOD

This research is a research that uses a qualitative descriptive approach. This qualitative descriptive is in the form of written or spoken words from the people and observed behavior. That aims to find out how the Complete Systematic Land Registration (PTSL) Policy is Implemented at the Barru District Land Office. The descriptive method is a method used to analyze or describe a research result but is not used to make broader

conclusions .Descriptive research studies everything that involves society, situations in society, activities and influences in phenomena.In carrying out this research the authors use data collection techniques with observation, documentation and interviews.Observation is the initial observation of the conclusion of the problem, Documentation is Data collection techniques are sourced from journals, books and scientific articles, and so on. Interview is the collection of data from the results of direct interviews with informants regarding what you want to ask.

According to Sugiyono (2018: 213) the qualitative research method is a research method based on philosophy, which is used for scientific conditions (experiments) where researchers as instruments, data collection techniques and analyzed qualitatively emphasize meaning. Qualitative research method aims to analyze and describe the phenomenon or object of research through social activities, attitudes and perceptions of people individually and in groups.

In determining the location of the research, the best way that needs to be taken in determining the location of the research is by considering the substantive theory and by studying and exploring the focus and formulation of the research problem. Meanwhile, geographical and practical limitations such as time, cost, manpower, need to be considered in determining the location of the research. This is done in a qualitative descriptive manner, namely research that seeks to describe something to explain thoroughly the problem to be examined and observed.

C. RESEARCH RESULTS AND DISCUSSION

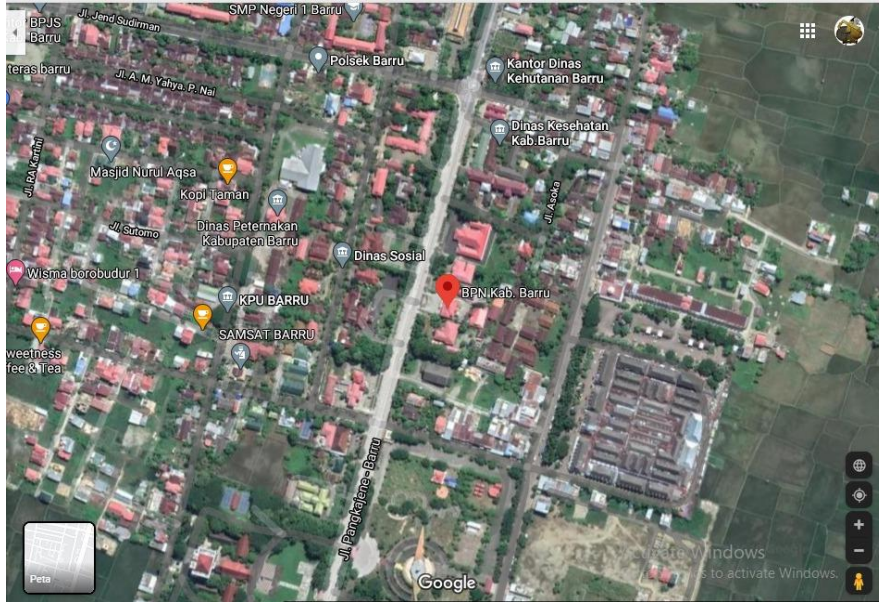
1. The meaning and meaning of the symbol of the National Land Agency



Image: Emblem or Logo

Coat of arms of the Ministry of Agrarian Affairs and Spatial Planning/Agrarian Agency

2. Maps of Research Locations



Location of the Barru District Land Office
Jl. Sultan Hasanuddin No.19 Tuwung Village, Barru Regency

A. Research Results

1. Observation

There are 3 indicators used as guidelines for making observations

a. Collection of Juridical Data and Physical Data on land parcels.

On November 16-17, to be precise, on Monday-Tuesday, the writer made observations at the Barru Regency Land Office, the writer saw that before the officers collecting physical data and juridical data on land plots carried out data collection in the field, they were first given direction or careful planning needed so that the data collection could run smoothly. effective. Briefing is a very important step in collecting physical data and juridical data in the field, guided by the Service Standards in accordance with the provisions of the applicable laws and regulations.

1) Collection of Juridical Data

The Juridical Data Collection Officer has collected data and collected supporting documents regarding land tenure in the form of rights bases, photocopies of ID cards, photocopies of KK, and copies of the most recent PBB. The completion target given to the Collection of Physical Data and Juridical Data on land parcels for 7 months has been running. The Team for collecting Juridical data The team formed consists of the Chairperson, Secretary and Members. Data collection in the village/kelurahan is divided into several Teams, in the Team established consisting of ASN and PPNPN in the Team consisting of 3 to 4 people in the Team which are again divided based on their respective duties and responsibilities.

2) Collection of Physical Data

The Physical Data Collection Officer has carried out measurements according to the data provided by the Juridical Data collection officer and according to the land boundary/stakes instructions that have been installed by the land/land owner. The Physical Data Collection Team consists of the Team Leader, Measurement Officer and Measurement Assistant. established consists of ASN and PPNPN. After carrying out measurements in the field the measuring officer calculates the area and draws the plot of land from the drawing, a Field Identification Number (NIB) is issued and handed over to the Puldadis officer who will be linked and ready to be announced.

- b. Announcement of Physical Data and Juridical Data of land parcels and proof of rights.

On November 18 – 19, to be precise, on Wednesday – Thursday, the writer made observations at the Barru District Land Office, the writer saw that the length of time for the announcement of Physical Data and Juridical Data for land parcels was carried out simultaneously, the length of the announcement was 14 days (calendar), the purpose of the announcement for those who object or have an interest in the land to be certified.

- c. Bookkeeping and issuance of Land Title Certificates, and Submission of Land Title Certificates.

On November 26-27, to be precise on Thursday-Friday, the writer made observations at the Barru Regency Land Office, the writer saw the bookkeeping done by the secretary after the announcement for 14 days after the end of the announcement period and there were no

objections to the land being certified, followed by issuing the right number. Property and number DI307 (filling list) DI 208 (list of completion of land registration work) then DI 301A (handover bookkeeping), after issuance a handover is made to the applicant.

Interviews were carried out using a non-probability sampling technique, which is a sampling technique that does not provide equal opportunities for each element or member of the population to be selected as a sample. By determining the special characteristics that are in accordance with the research objectives, it is expected to be able to answer the researchers' problems with 6 key informants conducted at the Barru District Land Office. The resource persons who were successfully interviewed were intensively interviewed with the following names, namely Irma Hijrahwati, S.SiT Head of the Land Acquisition and Development Section as Head of PTSL Barru District Land Office, Hamda M.Y S.T., MH. Head of Section for Determination of Rights and Registration as Deputy Head of PTSL Barru District Land Office, Zahra Indradewi Palaguna, S.H. (39) Coordinator of Financial Management Analyst as Secretary of PTSL Barru District Land Office.

2. Interview Results

a. Informant 1

The results of the author's interviews with informants related to complete systematic land registration were conveyed by Irma Hijrahwati, S.SiT (42) Head of the Land Acquisition and Development Section as Chair of the PTSL Barru District Land Office by asking several questions regarding the following indicators:

1) What is the PTSL Policy?

"If the PTSL policy talks about a definite policy, this must be in accordance with the rules. As for matters that need to be considered, if the timeframe is certain, the timeframe may be more about document collection, the period for document collection, and if the grounds for rights cannot be considered, then it is set in stone. policies are more on the basis of rights cannot be discussed, the time period is certain, maybe to the tax, but the tax is BPHTB stamped, so the PTSL policy is more related to BPHTB payments where we can help convey to the relevant agencies, what is the payment system, he doesn't you have to pay once maybe that's the policy that can be implemented like that because right now the tax BPHTB is no longer burdensome to the people they directly have to pay maybe like that if PTSL maybe

they can repay it but this policy is more for the regional government if others can't be wise” (Interview Monday 23 November 2020 at 11:00 WITA)

From the quote above, Ms. Irma Hijrahwati, S.SiT, as Chairperson of the PTSL of the Barru District Land Office, said that for the complete systematic land registration program, it takes quite some time to process documents but makes it easier for the community because the PTSL is free of charge. This policy is also a policy of the regional government so that it can be said that apart from relief payments which can be made in installments, there are no other policies.

2) What is the strategy carried out by the Barru District Land Office in accelerating PTSL?

"The first is definitely communication, coordination with the local government who intends, then face-to-face meetings and meetings are held repeatedly with the community who still don't understand and need a solution in terms of completeness of the grounds of rights and the community doesn't just stay" my documents are not complete ii "Come on, he also doesn't know what needs to be completed, and as soon as he conveys this, this is my document. Until now, we are going back to the community.

Mrs. Irma Hijrahwati, S.SiT also said that in accelerating the complete systematic land registration, the ATR/BPN communicated well to the public regarding the completeness of the documents that should be fulfilled so that the management is no longer constrained by incomplete files simply because of the lack of public knowledge about completeness document.

3) Has the target implementation been achieved?

"Alhamdulillah, yes, everything has been achieved according to the target because we also don't just manage the files, but we also provide the public with information about what the documents are lacking and are also given directions on a number of things that are constraining the community in the process of completing the documents"

In terms of implementation, Mrs. Irma Hijrahwati, S.SiT also said that it was running according to the target because the PTSL program had been announced and explained in detail regarding management, so that the implementation of the intended targets had been achieved.

4) In the PTSL process, what land conditions can be registered and the area determined?

"All land conditions except the disputed lands, if the area is in the PTSL Perkaban there is no minimum land area limit as long as the land can be completed in accordance with the provisions and there are no disputes it can be handled according to what is stated in PERMEN complete systematic land registration"

So specifically in terms of minimum area boundaries and measurable land conditions, Ms. Irma Hijrahwati, S.SiT said there are no standard criteria for land area, so no matter how small the land is, you can still process complete land registration as long as the land is managed by someone. concerned is not in a state of conflict or dispute.

5) What is the understanding and participation of the community in completing the PTSL requirements procedure?

"The community's understanding of the community's level of understanding is still lacking and still needs to be improved anyway, but if they are enthusiastic about collecting enthusiastic files why are they enthusiastic because they think these certificates are cheap, so even if the community doesn't understand they ask and we will inform and explain in as much detail as possible, so they are also more enthusiastic in managing it because we do our best to provide good service and understanding"

In terms of public understanding, it can also be said that it is lacking, according to what was conveyed by Mrs. Irma Hijrahwati, S.SiT that some people still don't understand even though it has been explained several times, but they are still enthusiastic about processing the files because they complete the documents as best they can especially because PTSL is fairly cheap.

6) What are the factors that hinder the PTSL policy?

"So far there isn't any, if we talk about taxes, taxes are also indirectly forced that people have to pay after the people pay taxes, they don't exist and I understand that the community has no obstacles in PTSL, they just accept it, fine okay, so far, why is it because the condition of our people in Indonesia wants cheap and fast service and PTSL is part of such a service, why is it said to be cheap because the government is facilitating, helping people to no longer pay measurement fees, PNPB of the committee and all kinds because if the people want to apply themselves to the land office for such costs they still have to

determine to the State while this PTSL has been borne by the State so automatically if you want to ask about the level of success, be successful because we Indonesians like free things”

According to Mrs. Irma Hijrahwati, S.SiT, the factors that hindered the PTSL policy, to this day, do not exist because in this policy the government has abolished land surveying costs so that the community is enthusiastic about arranging documents and complete files because with the program to write off the costs, the community feels they are not there are inhibiting factors because the documents have been explained and the costs have been borne by the state.

b. Informant 2

Meanwhile the same question was asked by Mr. Hamda M.Y S.T., MH. (52) Section Head of Determination of Rights and Registration as Deputy Chairperson of the PTSL Land Office of Barru Regency that:

1) What is the PTSL Policy?

"There is nothing that can be wise about a complete systematic land registration because everything has been regulated and there are also complete regulations, conditions and facilities that have been given to the community in managing this complete systematic land registration" (interview, Monday 30 December 2020 at 14:00 WITA) .

Mr. Hamda M.Y S.T., MH said that there was no longer a complete systematic land registration policy because everything had been determined and arranged systematically so the community had to complete the requirements and if the documents and files were complete then the person concerned would get convenience in terms of land measurement costs.

2) What is the strategy carried out by the Barru District Land Office in accelerating PTSL?

"The strategy used is that the first is to provide human resources. The second is to approach the community and related agencies such as the village head and the sub-district head. The third is good location planning, so we coordinate with parties in the sub-district and sub-district to provide explanations to the community so they understand better. ”

Mr. Hamda M.Y S.T., MH said that there were 2 steps to the strategy. The first was to communicate well with the sub-district and urban village to determine the location because it was the sub-district and urban village who knew and understood the people and locations in their respective areas. The second is to communicate well with the public so that the public understands the systematic management of this complete systematic land registration.

3) Has the target implementation been achieved?

"Yes, it has been achieved, because you can see that the people who take care of the complete systematic land registration here are all finished, so if someone doesn't understand, we will explain again, we will direct again what is lacking. So even though the community doesn't really understand it, it's not an obstacle for them to take care of PTSL"

So according to Mr. Hamda M.Y S.T., MH, the implementation of the target has been achieved because the community is enthusiastic about carrying out a complete systematic land registration, even though in terms of understanding some communities are constrained, the ATR/BPN continues to communicate in the form of explanations and directions for the completeness of the documents that must be fulfilled according to the requirements in complete systematic land registration that has been determined.

4) In the PTSL process, what land conditions can be registered and the area determined?

"All land conditions can be registered with a maximum area of 5 hectares for agriculture 3000 meters of housing, so if there is no minimum there is a maximum. So if the area is small, you can still manage PTSL, but if the maximum has been given, provisions regarding the maximum for agriculture and the maximum for housing"

According to what was conveyed by Mr. Hamda M.Y S.T., MH that in carrying out a complete systematic land registration there is no minimum limit set so that no matter how small the land or land is, it can carry out a complete systematic land registration. But for the maximum limit has provisions according to the rules set, namely for agriculture a maximum of 5000 meters and a maximum of 3000 meters for the housing category.

5) What is the understanding and participation of the community in completing the PTSL requirements procedure?

"Some people don't understand, they don't respond enough to complete their rights and show the boundaries of their land, some people also don't understand how much land they have, they usually say let me come here, even though you can't just do it like that because PTSL will have boundaries listed later and the area is in the form of numbers so it must be clear"

According to Mr. Hamda M.Y S.T., MH that some people seem confused and dizzy about determining the boundaries of their land or land areas and seem indifferent if they do not understand management, but the ATR / BPN continue to explain so that people understand that PTSL is not just registering of course, but includes the area and limits on a numerical scale so that it is not permissible to just make an estimate but must provide certainty.

6) What are the factors that hinder the PTSL policy?

"firstly the people who live outside the city, secondly, because many people do not have legal rights, thirdly, there is a lot of land that has not been divided from heirs, Electronic KTPs that are not yet valid, thirdly, there are no village operational costs because the Regent has not issued an SKB 3 Ministers"

According to Mr. Hamda M.Y S.T., MH, there were several obstacles in processing the registration of complete land certificates, such as electronic ID cards that were not yet valid, operational costs from the village were not issued, lands whose distribution was not clear from the heirs and also the location of the people in question who lived out of town.

c. Informant 3

Discussion

This complete systematic land registration program is quite time-consuming in processing documents but makes it easy for the community. The PTSL policy is also the policy of the regional government. Complete systematic land registration by the atr/bpn can be said to be successful because employees and officers communicate well to the public regarding the completeness of the files that should be fulfilled so that the management is no longer constrained by the incompleteness of the files just because of the lack of public knowledge about the completeness documents. It is the sub-district and kelurahan parties who know and understand better about the community and the location in their respective areas.

The second is to communicate well with the community so that the community understands the systematic management of this complete systematic land registration. Communities who are less knowledgeable can come to the land office directly to explain in more detail the PTSL procedures and requirements.

Implementation has gone according to target because the PTSL program has been announced and explained in detail regarding management, so that the target implementation has been achieved. BPN continues to communicate in the form of explanations and directions for the completeness of the documents that must be fulfilled according to the requirements in the complete systematic land registration that has been determined. The achievement of target implementation is proven by the large number of residents who have carried out this complete systematic land registration, and more and more people are asking for detailed information regarding the procedures that must be carried out if they want to carry out this complete systematic land registration.

D. CONCLUSIONS

A. Conclusion

The implementation of a complete systematic land registration policy in Barru Regency can be said to have been successfully achieved and right on target because with the regulation of a maximum limit of 5000 billion for plantations and 3000 billion for housing, the management of this free certificate program is right on target for people who really need it. In addition, employees and officers puldadis is very adept at helping people who are constrained and do not understand the completeness of files and procedures for registration of complete systematic land certificates. This policy of complete systematic registration makes the community feel very helped by the convenience, free fees and dexterity of employees in directing and providing information.

The factors that support the implementation of this complete systematic land registration policy are the dexterity of the staff in explaining and providing information regarding the existence of this PTSL program so that the information can quickly spread to the community. On the other hand, the swiftness of the puldadis staff and officers in explaining and directing the public to complete the documents and registration procedures is also the most influential factor in the implementation of this PTSL. The last factor is that the community is also carefully and quickly and easily invited to cooperate in completing the files so that when the files from the residents who take care of the PTSL are complete, the

employees swiftly manage and carry out land measurements at the location so that the process of issuing certificates does not take a lot of money and time and easy to reach because management is no longer carried out at the land office in the city of Barru Regency but can be taken care of at the village office according to the location of the land or land registered.

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