

LEGAL RESPONSIBILITY OF LAND DEED OFFICIALS (PPAT) IN THE IMPLEMENTATION OF GOVERNMENT REGULATION IN LIEU LAW (PERPU) NUMBER 56 OF 1960 CONCERNING THE DETERMINATION OF AGRICULTURAL LAND AREA

Aslan Noor ^{a*)}, Ainul Mardiyah Salsabilla ^{a)}, Irviana Meutia ^{a)}, Nabila Djuliana Suria Subrata ^{a)},
Nabila Trina Saumah Saraswati ^{a)}

^{a)} Universitas Pasundan, Bandung, Indonesia

^{*)} Corresponding Author: aslan.noor@fh.unsika.ac.id

Article history: received 21 August 2025; revised 02 September 2025; accepted 04 October 2025

DOI: <https://doi.org/10.33751/jhss.v9i2.12732>

Abstract. Land reform policy is a strategic step towards creating equitable land ownership and eliminating agrarian inequality. In its implementation, Land Deed Officials (PPAT) play an important role because the deeds they draw up form the legal basis for the transfer or encumbrance of land rights. This study aims to analyse the role of PPAT, the form of their legal responsibility, and the obstacles in the implementation of land reform. This study uses a normative juridical method with a legislative, conceptual, and case approach. The results of the study show that PPATs have administrative, civil, and criminal legal responsibilities, but practices in the field face various obstacles, such as weak supervision, limited land data, and potential violations of the code of ethics. Therefore, strengthening regulations, digitising land administration, and improving the integrity of PPATs are necessary to achieve the objectives of land reform.

Keywords: PPAT, Land Reform, Legal Responsibility, Agrarian.

I. INTRODUCTION

Land is a resource that has a strategic position in national development because it is directly related to the economic, social, and political aspects of Indonesian society. However, the distribution of land ownership from the colonial era to post-independence still shows sharp inequalities, where a small group of people control large amounts of land while the majority of farmers only have limited land or no land at all (Harsono, 2005). This condition not only creates social injustice but also hinders efforts to improve the welfare of the people, especially in the agricultural sector.

In response to this problem, the government enacted Law No. 56 Prp of 1960 concerning the Determination of Agricultural Land Area, which became a milestone in land reform policy in Indonesia. This policy aims to limit excessive land ownership and redistribute land to the smallholders. The ultimate goal is to realise the principle of social justice as mandated in Article 33 of the 1945 Constitution. However, the implementation of land reform policies is not only a matter of regulation but also depends heavily on land administration and the officials in charge.

In this context, Land Deed Officials (PPAT) have a very strategic role. Based on legal provisions, PPATs are public officials who are authorised to draw up authentic deeds regarding certain legal actions related to land rights and ownership rights to apartment units (Government Regulation

No. 24 of 1997). This position places PPATs as important links between land redistribution policies and the legally valid land administration system. In other words, the role of PPATs is not only technical and administrative in nature, but also has direct implications for legal certainty in the implementation of land reform (Sembiring, 2018).

However, in practice, the role of PPAT is not without various obstacles. On the one hand, there are regulatory issues that still leave overlapping regulations. On the other hand, technical challenges in the field, such as limited land registration data and issues of integrity among some PPATs, also affect the quality of policy implementation. These obstacles raise fundamental questions: to what extent do the definition, functions, and authority of PPATs contribute to the implementation of land reform; what is the legal responsibility of PPATs in relation to Law No. 56 Prp of 1960; and what recommendations can be made to strengthen the role of PPATs so that they are more effective in supporting the equitable distribution of agrarian structures in Indonesia.

Therefore, this study is important to provide a comprehensive analysis of the position of PPAT in the implementation of land reform. Theoretically, this study enriches the agrarian law literature by placing PPAT as a central actor in land governance. Practically, the results of this study are expected to provide input for policy makers and land

institutions in order to strengthen the effectiveness of land reform implementation in Indonesia.

Definition of PPAT According to Government Regulation No. 24 of 1997 and PPAT Position Regulations

Article 1 point 24 of Government Regulation No. 24 of 1997 concerning Land Registration states that "*Land Deed Officials, hereinafter referred to as PPAT, are public officials who are authorised to make authentic deeds concerning certain legal actions relating to land rights or ownership rights to apartment units.*" This definition emphasises that PPATs hold the position of public officials who perform not only administrative functions but also provide legal certainty and protection for parties conducting legal acts in the field of land (Santoso, 2012).

Furthermore, Government Regulation No. 37 of 1998 in conjunction with Government Regulation No. 24 of 2016 concerning the Position of PPAT regulates the requirements, position, obligations, prohibitions, and work procedures of PPAT. With this legal framework, PPAT is positioned as an integral part of the national land law system. Deeds drawn up by PPATs form the basis for registering changes to data in land registers and land certificates at the Land Office (Harsono, 2008).

Thus, normatively, the existence of PPATs has clear legal legitimacy. They do not have the status of structural state officials, but rather are public officials who are specifically granted authority through legislation to support orderly land administration.

Functions and Authorities of PPAT

The main function of PPAT is to assist the government, particularly the National Land Agency (BPN), in some land registration activities by creating authentic deeds as the basis for the transfer and encumbrance of land rights. These functions include:

1. Administrative function: supporting orderly land administration through the creation of deeds as the basis for recording in the land register.
2. Legal function: providing legal certainty through authentic deeds as strong evidence.
3. Legal protection function: providing legal guarantees for the parties in the event of future disputes.
4. Social function: supporting the achievement of the social function of land rights as stipulated in Article 6 of the Basic Agrarian Law (Sumardjono, 2008).

The authority of the PPAT is limited (closed) as stipulated in Article 2 paragraph (2) of Government Regulation No. 37 of 1998 in conjunction with Government Regulation No. 24 of 2016. This means that the PPAT can only draw up deeds that are explicitly mentioned in the legislation. This authority includes:

1. Land Sale and Purchase Deed
2. Exchange Deeds
3. Deeds of Gift
4. Deeds of Contribution to a Company (*inbreng*)
5. Deeds of Division of Joint Rights
6. Deed of Grant of Right to Build or Right to Use on Freehold Land
7. Deed of Grant of Mortgage Rights (APHT) and SKMHT

With these powers, PPATs play an important role in ensuring the validity of transfers, encumbrances, and grants of land rights administratively and legally.

Definition of Land Reform According to Law No. 56 of 1960 and the Basic Agrarian Law (UUPA)

Law No. 56 of 1960 concerning the Determination of Agricultural Land Area is an important legal instrument as part of the implementation of the Basic Agrarian Law (UUPA) No. 5 of 1960. Land reform is defined as the restructuring of the control, ownership, use, and utilisation of agricultural land in order to comply with the principles of social justice and improve the welfare of the people (Harsono, 2008).

In the UUPA, although there is no explicit definition, the principle of land reform is reflected in several articles, such as Article 7 (prohibition of excessive land control), Article 10 (obligation to cultivate land), and Article 17 (determination of maximum and minimum land control limits). Thus, land reform is understood as a legal policy that aims to eliminate feudal agrarian practices, prevent land accumulation, and provide fairer access for small farmers (Santoso, 2012).

Objectives of Restricting Agricultural Land Area

The main objectives of land reform according to Law No. 56 of 1960 include:

1. Eliminating the landlord system that creates social injustice.
2. Limiting land ownership by setting maximum and minimum limits.
3. Realising land redistribution to tenant farmers.
4. To increase agricultural productivity and the welfare of the people (Sumardjono, 2008).

The Theory of Legal Responsibility and Its Application to Public Office

The theory of legal responsibility divides legal consequences into three forms, namely:

1. Administrative responsibility: PPATs may be subject to administrative sanctions (warnings, temporary dismissal, or permanent dismissal) if they violate their official duties, in accordance with Government Regulation No. 24 of 1997 and Regulation of the Head of the National Land Agency No. 1 of 2006.
2. Civil liability: PPATs can be sued under Article 1365 of the Civil Code if they are negligent and cause harm to certain parties, for example, by not checking the validity of documents (Santoso, 2012).
3. Criminal liability: PPATs can be prosecuted if they commit criminal acts such as forging deeds (Article 264 of the Criminal Code), gratification, or corruption (Harsono, 2008).

Thus, the legal responsibility of PPATs reflects their position as public officials who must uphold integrity, legal certainty, and protection of the community ().

II. RESEARCH METHODS

This type of research is normative legal research, which focuses on positive legal norms by examining relevant legislation, legal doctrines, and court decisions. Normative legal research is often referred to as library research because it

relies on secondary data sourced from legal materials, rather than field data (Soekanto & Mamudji, 2014). This approach was chosen because the issues examined are closely related to the norms, principles, and legal principles that govern the position and legal responsibilities of Land Deed Officials (PPAT).

The approach used is the statute approach by analysing various regulations that form the basis of the PPAT's authority, such as Law Number 5 of 1960 concerning the Basic Agrarian Law (UUPA), Law Number 56 Prp of 1960, Government Regulation No. 24 of 1997 concerning Land Registration, and Government Regulation No. 37 of 1998 in conjunction with PP No. 24 of 2016 concerning the Position of PPAT. In addition, this study also uses a conceptual approach through the exploration of agrarian law theory, legal responsibility theory, and academic doctrines. Furthermore, a case approach was used by examining court decisions related to PPAT position violations to gain an empirical understanding of the application of legal norms.

The data sources in this study consist of:

1. Primary legal materials, namely legislation and court decisions that have binding force.
2. Secondary legal materials, in the form of legal literature such as books, scientific journals, academic articles, and relevant previous research results (Harsono, 2008; Santoso, 2012; Sumardjono, 2008).
3. Tertiary legal materials, namely supporting materials such as legal dictionaries, encyclopaedias, and legal indexes that help provide an understanding of legal terms and concepts.

All of these legal materials were analysed using descriptive-analytical techniques. Descriptive analysis was conducted by describing the applicable legal provisions and the practice of PPAT duties. Meanwhile, analytical analysis was conducted by interpreting legal norms and relating them to doctrines and practices in court decisions. With this method, the study is expected to provide systematic and rational legal arguments, while also answering questions related to the role, authority, and legal responsibilities of PPAT in the implementation of land reform in Indonesia.

III. RESULTS AND DISCUSSION

The Theory of the Rule of Law

The rule of law can be interpreted separately, namely the state and the law. The state is an organisation that consists of a territory, a people, and a sovereign government. Meanwhile, the law is a set of rules made by institutions in the state to be applied either as commands or prohibitions, with consequences for violations. According to Socrates in his description of the meaning of the state, it has the duty to implement and enforce objective laws that contain justice for the public and do not only serve the needs of the state rulers (Asshiddiqie, n.d.).

Indonesia is a state based on the rule of law, as stated in Article 1 paragraph (3) of the 1945 Constitution. In the concept of a state based on the rule of law, ideally, it is the law that should be supreme in state affairs, not politics or economics. The law regulates everything, including the government and citizens (Anggriani, 2012).

According to Utrecht, a constitutional state (*Rechtsstaat*) is divided into a formal constitutional state and a material constitutional state. A formal constitutional state concerns a formal and narrow understanding of law, namely in the sense of written legislation. Meanwhile, a material constitutional state encompasses a more up-to-date or modern understanding of justice (Utrecht, 1962).

Indonesia is one of the countries that adheres to the European Continental legal system and has a concept of a state based on the rule of law that is founded on the nation's philosophy of life, namely Pancasila. There are several things regarding the concept of the Indonesian state based on the rule of law, namely:

1. It is based on Pancasila, which is *the grundnorm* because it encompasses all norms of Indonesian life, including Pancasila, which is the source of all sources of law (Mukti Ali, 2020).
2. The constitutional system or basic legal system, which is formally determined based on the 1945 Constitution as the written basic law (Anggriani, 2012).
3. People's sovereignty, which according to Jean Bodin is the highest power without restriction by law. This sovereignty is manifested in laws that must be implemented by state administrators or the government (Asshiddiqie, n.d.).
4. Equality before the law, meaning that every citizen has the same right to participate in the administration of the state (Anggriani, 2012).
5. Judicial power that is independent from other powers, which is the independent power to administer justice to uphold the law (Utrecht, 1962).
6. Laws are formulated by the House of Representatives as the legislative body and discussed with the President to obtain mutual agreement, and the President may propose draft laws (Asshiddiqie, n.d.).
7. Representative system or system of government, Indonesia adheres to a presidential system, which is a system of government in which the head of state is also the head of government, elected directly by the people as the executive body (Mukti Ali, 2020).

Theory of Agrarian Justice

The term agrarian is defined as agricultural land. In the Basic Agrarian Law, the term agrarian includes land, water, natural resources, and space, and is not limited to land alone. In general, agrarian law can be defined as a collection of guidelines/rules in the form of written and unwritten commands and prohibitions that regulate the orderly relationship with the earth, water, space, and the natural resources contained therein (Sitorus & Puri, 2014). Agrarian issues as regulated in the UUPA do not only regulate one set of laws, but also regulate rights of control over certain natural resources, including land law, water law, mining law, fisheries law, and laws governing control over energy and elements in outer space (Ramadhani, 2024; Supriadi, 2016).

The enactment of the UUPA had several objectives, including laying the foundations for the formulation of national agrarian law as a means of bringing prosperity, happiness, and justice to the people and the state, establishing unity and simplicity in land law, and providing legal certainty regarding

land rights for all (Republic of Indonesia, 1960a). Meanwhile, Article 33 paragraph (3) of the 1945 Constitution states that the earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people. The state must truly implement this article, not only as the sole controller of natural resources, but also in terms of how to use these natural resources for their intended purpose (Supriadi, 2016).

The state's right of control is aimed at achieving the prosperity of the people in the sense of welfare for all Indonesians. However, the interests of the people must still be subordinate to the interests of the nation and the state. If the interests of the nation and the state require the acquisition of land rights, then the holders of land rights must relinquish or surrender their land rights to the state. Conversely, the state is obliged to provide adequate compensation for the loss (Sudana et al., 2022).

Agrarian justice emerged after the reform, namely through MPR Decree No. IX of 2001 concerning Agrarian Reform and Natural Resource Management. Agrarian reform is interpreted as a continuous process of restructuring in order to reduce or eliminate inequalities in the control, ownership, use and exploitation of agrarian resources (Sutaryono, 2015). Currently, phenomena such as land grabbing, coastal fencing, dual ownership, and illegal exploitation of natural resources are rampant. These phenomena disrupt the continuity of state life because they cause social inequality and a sense of injustice; therefore, agrarian justice is pursued, among other things, through the enforcement of good law without discrimination (Syahyuti, 2025).

The Concept of PPAT Job Responsibility

Land issues are currently a frequent occurrence. Cases such as land grabbing by certain parties who claim to be landowners, even though the original landowners have legal validity in the form of land certificates, are common. However, not all land has a certificate as stipulated by the National Land Agency, but there is still a lot of land that has the status of customary land. When a problem arises, one of the proofs is that the strength of the evidence in the form of original legality must be shown (Supriadi, 2016).

In this case, the Land Deed Official (PPAT) is a public official who is authorised to draw up authentic deeds regarding certain legal actions concerning land rights or ownership rights to apartment units (Republic of Indonesia, 1997; 1998/2016). The PPAT must be independent in carrying out their duties and positions, be fair, have no personal or third-party interests in the transactions they handle, and ensure the validity of the deeds they create and not commit fraud (Hasibuan et al., 2023; Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, 2018).

As an official with the authority and responsibility to draw up deeds relating to transactions and transfers of land and building rights, PPATs play an important role in the process of drawing up deeds of sale and purchase or transfer of land rights. In addition, they are not only the makers of deeds of transfer of land rights, but also know and bear witness to the transfer of land rights to other parties in the event of a dispute or land dispute in court. PPATs must demonstrate the validity of the

transfer of land rights, such as by showing photographs of the signing of the deed by the seller and buyer, an attendance list of all parties, a signed copy of the deed, the identities of the parties, and proof of the certificate that has been transferred by the local BPN office (Fitri & Deni, 2022).

In addition, the PPAT is also responsible for storing archives of documents related to the land. These documents include copies of deeds, the identities of the parties (such as ID cards, family cards, marriage certificates, inheritance certificates, etc.), proof of tax payments, including the seller's income tax and Tax on Acquisition of Land and Building Rights (BPHTB), previous deeds of sale and purchase, deeds, building construction permits, PBB, and proof of certificate verification from the BPN. If needed at any time, the PPAT has these documents in archives stored at the PPAT office within its working area (Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, 2018).

The Technical Role of PPAT in Land Redistribution

In Article 2 paragraph (1) of Government Regulation Number 37 of 1998 concerning Regulations on the Position of Land Deed Officials, the PPAT has the main task of carrying out some land registration activities by making deeds as evidence that certain legal actions regarding land rights or ownership rights to apartment units have been carried out, which will be used as the basis for registering changes to land registration data resulting from those legal actions. Such legal actions include sale and purchase, exchange, grant, incorporation into a company, division of joint rights, granting of building rights or rights of use over freehold rights (), granting of encumbrances, and granting of power of attorney to impose encumbrances (Republic of Indonesia, 1998/2016).

The PPAT can be said to be the first party to carry out land administration in the case of transfer of land rights, because the deeds made by the PPAT are used as the basis for the transfer to be processed at the National Land Agency (BPN). There are several types of deeds made by the PPAT, including deeds of sale and purchase, deeds of gift, deeds of exchange, deeds of division of joint rights, and deeds of granting of encumbrances. The deeds drawn up by PPATs are authentic deeds (Republic of Indonesia, 1997).

In addition, PPAT also plays a role in increasing state revenue from taxes, such as checking that Income Tax (PPh) has been paid on income resulting from the transfer of land rights and that BPHTB has been paid before drawing up the deed. The parties are required to meet the payment requirements for both types of tax based on the sale value stated in the deed. In addition, the Land and Building Tax (PBB) on the land must be paid in full until the last year of the transfer of land rights (Supriadi, 2016).

Currently, the work of PPATs is aided by technological developments, namely the use of online applications. For example, in the case of land certificate checks. Before the use of online applications, certificate checks were carried out directly at the BPN office, which took a long time. However, currently, the PPAT only needs to *scan* the certificate and upload it to the application, then the BPN will process it (Ministry of ATR/BPN, 2018).

In the case of land that is still customary land, PPAT also plays a role in the land certification process. For land that is still in the form of *girik* when a sale and purchase occurs, PPAT also completes the land documentation to be submitted to the BPN so that a land title certificate can be issued (Supriadi, 2016).

Mechanism for Implementing Land Reform According to Perppu No. 56 of 1960 concerning the Determination of Agricultural Land Area and Government Regulation No. 224 of 1961 concerning the Implementation of Land Distribution and Compensation

According to Bachan Mustofa, *land reform* or *agrarian reform* is a change in the previous system of land ownership and control, which is replaced with a new land management system that is adapted to the changes and developments in a society that is actively pursuing economic development. Land reform includes:

1. Restrictions on the maximum area of land ownership;
2. prohibition of *absentee* or *guntai* land ownership;
3. redistribution of land exceeding the maximum limit, former *feudal* lands and state lands;
4. regulations on the return and redemption of mortgaged agricultural land;
5. rearrangement of agricultural land profit-sharing agreements;
6. establishment of a minimum area of agricultural land ownership accompanied by a prohibition on actions that result in the division of ownership into excessively small parts (Republic of Indonesia, 1961; Puspitasari, n.d.).

Government Regulation in Lieu of Law No. 56 of 1960 concerning the Determination of Agricultural Land Area explains that each person in a family is only allowed to control agricultural land, either their own or that of others, or controlled entirely, not exceeding 20 hectares, whether in the form of rice fields, dry land, or a combination of rice fields and dry land. This is intended to prevent any one person from owning an excessive amount of land, while the majority of others have no land or insufficient land to use as agricultural land (Republic of Indonesia, 1960b).

In the context of the *land reform* implementation mechanism, it is also stipulated in Government Regulation No. 224 of 1961 concerning the Implementation of Land Distribution and Compensation. The provisions regarding the land to be distributed according to this regulation are land that exceeds the maximum limit, land that falls to the state because the owner has violated the maximum limit provisions, land taken by the government because the owner resides outside the area, *autonomous* and former *autonomous* lands that have been transferred to the state, and other lands directly controlled by the state (Republic of Indonesia, 1961).

Furthermore, in the case of compensation to former landowners as stipulated in Article 6, the amount is determined by the relevant Regional Land Reform Committee Level II, based on the calculation of the average net yield for the last 5 years, which is determined per hectare according to *degrevisitet* (Republic of Indonesia, 1961).

Land reform aims to establish a fair and equitable distribution of the livelihoods of the peasantry in the form of

land, so that with this distribution, a fair and equitable distribution of income can be achieved. In reality, however, there are still many people who own land that exceeds the stipulated limits and do not want to transfer it to the state even though the state offers compensation, because the compensation offered by the state is considered not commensurate with the income earned by the landowners (Syahyuti, 2025).

Obstacles to the Implementation of Land Reform in the Field

The *land reform* programme aims to address the imbalance in land control and ownership among farmers. This programme is one of the agrarian reform activities in Indonesia that is part of the national strategic programme. However, in its implementation, there are various obstacles in the field, including:

1. Differences in public perception. Differences of opinion arise due to a lack of understanding about land redistribution and doubts about the certainty of the results of redistribution (Syahyuti, 2025).
2. Weak political elite and local government capacity. Under regional autonomy, local governments have authority, but *land reform* issues are generally the authority of the central government; bias in favour of private investors often occurs (Syahyuti, 2025).
3. The absence of strong and integrated farmer organisations. Weak farmer organisations hinder the implementation of *land reform* (Sutaryono, 2015).
4. Lack of availability of land and agricultural data. Data is often inaccurate, especially in remote areas (Sitorus & Puri, 2014).
5. Small budget availability and allocation, as well as the risk of corruption in the implementation chain (Syahyuti, 2025).

Types of Violations that PPATs Can Commit in the Context of Land Reform

Indonesian land reform is heavily based on the 1960 Basic Agrarian Law (UUPA) and was further refined by Perppu No. 56 of 1960 (maximum area restrictions) and the policy to accelerate agrarian reform through Perpres No. 62 of 2023 concerning the strategy for asset legalisation and land redistribution. In practice, PPATs play a role in downstream transactions/transfer of rights and encumbrance of rights, so that PPAT deeds become the integration point between *land reform* policies and land administration order (Republic of Indonesia, 1960b, 1961, 1998/2016).

PPATs, as public officials who have the right to draw up deeds in the transfer of land rights, have the position, duties and authorities as stipulated in Government Regulation No. 37 of 1998 as amended by Government Regulation No. 24 of 2016. Furthermore, the position, duties, and authorities of a PPAT are regulated in Minister of Agrarian Affairs and Spatial Planning/National Land Agency Regulation No. 2 of 2018, which regulates the framework for guidance and supervision, the PPAT Guidance and Supervisory Council, procedures for investigating alleged violations, and types of violations and sanctions (Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, 2018; Republic of Indonesia, 1998/2016).

Similar to notaries, PPATs must read the contents of the deed to the parties and understand the substance of the land/transfer. One important concept is the maximum limit and objects of redistribution in PP No. 224 of 1961: *absentee* land, *autonomous/former autonomous* land, and other land controlled by the state (Republic of Indonesia, 1961; Puspitasari, n.d.).

In the context of land reform, there are many things that a PPAT must pay attention to in order to avoid violations that could harm many parties. Some of the violations that are often committed by a PPAT in the context of land reform include:

1. Creating deeds that contradict land reform policies. For example, AJBs for redistributed land during the period when transfer without permission from the competent authority was prohibited, or AJBs that resulted in *absentee* ownership without fulfilling the requirements (Republic of Indonesia, 1961).
2. Ignoring the principles of prudence and formal-factual obligations. Not reading the deed, not checking the identity/authority of the parties, or not checking the status of the field (redistribution status, seizure/dispute, block), which has an impact on the weight of the deed's evidence (Fitri & Deni, 2022).
3. Violation of administrative reporting and form/format obligations. For example, not following up on warnings or continuing to practise while on temporary suspension/leave (Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, 2018).
4. Violation of professional ethics. Improper *fee sharing*, conflict of interest, lack of independence, coercion of weaker parties; ethical sanctions are imposed according to the IPPAT Code of Ethics (IPPAT Code of Ethics, n.d.).

Based on several types of violations in land reform, if a Land Deed Official (PPAT) is proven to have committed a violation, they may be subject to administrative sanctions. The type of sanction depends on the severity of the violation committed.

1. ATR/BPN Regulation No. 2 of 2018 concerning the Guidance and Supervision of PPATs.
 - a. This regulation details the types of sanctions for violations of PPAT obligations and prohibitions. The sanctions include:
 - b. Written warnings, usually issued by the Head of the Land Office for minor violations.
 - c. Temporary dismissal, imposed by the Head of the Regional Land Office for more serious violations. Honourable or dishonourable dismissal, imposed by the Minister on PPATs for serious violations. At this stage, an appendix to the Ministerial Regulation was issued containing a matrix of types of violations and sanctions, as well as the format for PPAT office inspections, such as minutes, deed lists, binding, and stamp conformity (Article 13 of Ministerial Regulation ATR/BPN No. 2 of 2018).
2. PPAT Code of Ethics (IPPAT)

The code of ethics affirms the moral and professional principles of PPAT, including the obligation to uphold honesty, prudence, independence, and the prohibition of

practices that demean the dignity of the position. Sanctions that may be imposed include warnings, suspension/deactivation of membership, and termination of membership (Code of Ethics of the Association of Land Deed Officials, n.d.).

The civil liability of PPATs is generally based on Article 1365 of the Civil Code concerning unlawful acts or breach of contract if there is a contractual relationship. Examples of violations in court decisions include:

1. Deeds that are void or defective due to subjective or objective requirements.
2. Negligence on the part of the PPAT in verifying the validity of the power of attorney or the identity of the parties.
3. Manipulation or forgery by third parties that violates the PPAT's principle of due diligence.
4. Responsibility for BPHTB/PPH deposits or document management (Fitri & Deni, 2022).

The sanctions that arise are usually in the form of deed cancellation, an order to record the cancellation, material compensation, or revocation of the deed's authentic evidentiary power.

In addition to civil sanctions, PPATs may be subject to criminal sanctions if they are proven to have committed forgery or fraud, such as intentionally including false information in a deed. Several provisions of the Criminal Code () are often used in the context of land reform violations, namely:

1. Article 263 of the Criminal Code concerning forged letters or documents.
2. Article 264 of the Criminal Code concerning aggravated forgery of documents for authentic deeds.
3. Article 266 of the Criminal Code concerning instructing the inclusion of false information in authentic deeds.
4. Articles 55 and 56 of the Criminal Code if the PPAT is proven to have participated in or instructed the act.

To prevent violations from occurring, the PPAT must implement several preventive measures, including:

1. Substantive due diligence on land reform
 - a. Checking the history of the land, redistribution status, transfer prohibition period, and potential disputes (Government Regulation No. 224 of 1961).
 - b. Verification of the owner's domicile in accordance with the absentee prohibition provisions.
 - c. Ensuring that the prohibition on the transfer of redistributed ownership rights is not violated, except with written permission from the Land Office.
2. Compliance with formal and notarial requirements
 - a. The presence of the parties, reading of the deed, identity checks, and completeness of supporting documents such as SPPT, land history, and non-dispute certificates.
 - b. Documentation protocol through land reform document archiving.
 - c. Administrative compliance through PPAT reporting, deed formats in accordance with regulations, and upholding the principle of prudence (Government Regulation No. 37 of 1998 in conjunction with Government Regulation No. 24 of 2016).

To strengthen the role of PPAT in land reform, the following steps can be taken:

1. Integration of absentee prohibition testing into the electronic system.
2. Standardisation of *land reform compliance clauses*.
3. Strengthening risk-based supervision.
4. Inter-agency coordination.
5. Establishment of synchronised tiered sanctions.

IV. CONCLUSIONS

Land Deed Officials (PPAT) have a strategic role in the implementation of land reform policies as stipulated in the 1960 Basic Agrarian Law (UUPA) and Government Regulation in Lieu of Law No. 56 of 1960 concerning the Determination of Agricultural Land Area. Their position as public officials makes them the link between land redistribution policies and orderly land administration through the authentic deeds they create. The legal responsibility of PPATs is comprehensive—covering administrative sanctions (warnings, temporary suspension, and permanent dismissal) for violating official regulations or the code of ethics; civil liability for losses arising from negligence or unlawful acts; and criminal liability for proven forgery, gratification, or abuse of authority. In practice, the implementation of land reform is still hampered by weak supervision, limited land data, minimal budgets, and resistance from landowners and local political actors. At the same time, PPATs are prone to violations such as neglecting the principle of prudence, creating deeds that contradict land reform policies, and violating the code of ethics. Therefore, strengthening the role of PPATs needs to be directed towards the digitisation of land administration, integration of the supervision system, improvement of professional integrity, and inter-agency coordination so that PPATs can truly fulfil their legal, administrative, and social functions optimally to promote equitable land ownership and the realisation of agrarian justice in Indonesia.

REFERENCES

- [1] Anggriani, J. (2012). State administrative law. Yogyakarta: Graha Ilmu.
- [2] Asshiddiqie, J. (n.d.). The idea of the Indonesian constitutional state. Accessed 21 August 2025, at 14:15 WIB, from https://pn-gunungsitoli.go.id/assets/image/files/Konsep_Negara_Hukum_Indonesia.pdf
- [3] Fitri, B. L., & Deni, F. (2022). Legal consequences of PPAT deeds of sale and purchase that are not read out in front of the parties. *Imanot: Journal of Law & Notary Studies*, 1(2), 540–542.
- [4] Hasibuan, P. H., et al. (2023). Notaries and PPATs in Indonesia: Application and theory of practice in deed drafting. Yogyakarta: Semesta Aksara.
- [5] Mukti Ali, M. (2020). Comparison of the concept of the rule of law. Jakarta: Legal Bureau of the Secretariat General of the Ministry of Maritime Affairs and Fisheries.
- [6] Puspitasari, D. A. (n.d.). Land redistribution as part of the land reform programme in accordance with Government Regulation No. 224 of 1961. Faculty of Law, Islamic University of Malang.
- [7] Ramadhani, R. (2024). Textbook on land law. Medan: UMSU Press.
- [8] Republic of Indonesia. (1960a). Basic Agrarian Law (UUPA) No. 5 of 1960.
- [9] Republic of Indonesia. (1960b). Government Regulation in Lieu of Law No. 56 of 1960 concerning the Determination of Agricultural Land Area.
- [10] Republic of Indonesia. (1960c). Explanation of Government Regulation in Lieu of Law No. 56 of 1960 concerning the Determination of Agricultural Land Area.
- [11] Republic of Indonesia. (1961). Government Regulation No. 224 of 1961 concerning the Implementation of Land Distribution and Compensation.
- [12] Republic of Indonesia. (1961). Explanation of Government Regulation No. 224 of 1961 concerning the Implementation of Land Distribution and Compensation.
- [13] Republic of Indonesia. (1997). Government Regulation No. 24 of 1997 concerning Land Registration.
- [14] Republic of Indonesia. (1998/2016). Government Regulation No. 37 of 1998 concerning PPAT Position Regulations as amended by Government Regulation No. 24 of 2016.
- [15] Republic of Indonesia. (1998/2016). Explanation of Government Regulation No. 37 of 1998 concerning PPAT Position Regulations.
- [16] Republic of Indonesia. (2018). Regulation of the Minister of Agrarian Affairs and Spatial Planning/National Land Agency Number 2 of 2018 concerning the Guidance and Supervision of Land Deed Officials.
- [17] Republic of Indonesia. (2018). Appendix to Minister of Agrarian Affairs and Spatial Planning/National Land Agency Regulation No. 2 of 2018 concerning the Development and Supervision of Land Deed Officials.
- [18] Sitorus, O., & Puri, W. H. (2014). Land law module. Yogyakarta: National Land College.
- [19] Supriadi. (2016). Agrarian Law. Jakarta: Sinar Grafika.
- [20] Sutaryono. (2015). Agrarian justice as the basis for Indonesian unity. Accessed 22 August 2025, at 09:00 WIB, from <https://repository.stpn.ac.id/3596/1/Keadilan%20Agraria%20Basis%20Persatuan%20Indonesia.pdf>
- [21] Syahyuti. (2025). Challenges in implementing land reform in Indonesia: An analysis of the conditions and development of various prerequisites for agrarian reform implementation. *Forum Agro Ekonomi*, 98. Accessed 22 August 2025, at 16:05 WIB, from <https://epublikasi.pertanian.go.id/berkala/fae/article/view/1405/1378>
- [22] Sudana, E. H., et al. (2022). The principle of justice in land acquisition for public interest development. *Notary Law Journal*, 1(1), 51.
- [23] Utrecht. (1962). Introduction to Indonesian Administrative Law. Jakarta: Ichtiar.