

ABSTRAK

Jual beli hak atas tanah menurut UUPA merupakan suatu perbuatan hukum yang disengaja untuk memindahkan hak atas tanah kepada pihak lain. Pelaksanaan jual beli hak atas tanah yang sering kita temui adalah jual beli hak atas tanah yang sudah bersertipikat, di kehidupan sehari-hari sudah jarang ditemui jual beli hak atas tanah yang belum bersertipikat berkat adanya reforma agraria. Namun kenyataannya masih ditemukan beberapa hak atas tanah yang belum didaftarkan sehingga belum bersertipikat. Penulisan hukum ini membahas tentang jual beli hak atas tanah yang belum bersertipikat di Kelurahan Wonorejo, Kecamatan Pringapus, Kabupaten Semarang.

Penulisan hukum ini memiliki dua tujuan. Pertama, menjelaskan proses pelaksanaan jual beli hak atas tanah yang belum bersertipikat di Wonorejo Kecamatan Pringapus Kabupaten Semarang. Kedua, mengetahui apa saja hambatan dan solusi dalam proses pelaksanaan jual beli hak atas tanah yang belum bersertipikat di Wonorejo Kecamatan Pringapus Kabupaten Semarang.

Metode yang digunakan dalam penelitian ini adalah metode empiris, spesifikasi penelitian deskriptif analitis, metode populasi sampling, pengumpulan data primer dan sekunder serta analisis data kualitatif. Pengumpulan data primer dilakukan wawancara dengan responden yaitu warga Kelurahan Wonorejo dan pihak PT Delta Merlin yang melaksanakan jual beli hak atas tanah yang belum bersertipikat di Kelurahan Wonorejo serta Notaris/PPAT Lisawati yang menangani jual beli hak atas tanah yang belum bersertipikat.

Hasil penelitian ini menunjukkan bahwa dalam pelaksanaan jual beli antar perorangan atas tanah yang belum bersertipikat sebagian besar sudah melalui PPAT, namun masih terdapat warga yang melaksanakan jual beli di bawah tangan karena beberapa faktor. Kemudian jual beli hak atas tanah yang belum bersertipikat antara perorangan dengan badan hukum langkahnya diawali dengan pemberian panjer lalu barulah jual beli dilakukan di hadapan notaris/PPAT. Kemudian hambatan yang dihadapi pada pelaksanaan jual beli hak atas tanah yang belum bersertipikat antara perorangan dengan badan hukum diantaranya adalah permasalahan ahli waris dan perbedaan ukuran yang tertera di letter C dan ukuran sebenarnya.

Kata Kunci: *Jual Beli, Tanah, Belum Bersertipikat*

ABSTRACT

The sale and purchase of land rights under UUPA is a deliberate act of law to transfer land rights to other parties. Implementation of the sale of land rights that we often meet is the sale and purchase of land titles that have been certified, in daily life is rarely found the sale of land rights that have not been certified yet because of the agrarian reform. But the fact there are some rights of land that have not been registered so as not yet certified. This legal writing discusses the sale and purchase of land rights that have not been certified in Wonorejo, District Pringapus, Semarang regency.

This legal writing will have two purpose. Firstly, explain the process of conducting the sale and purchase of land rights that have not been certified in Wonorejo, Pringapus Sub-district, Semarang Regency. Secondly, knowing what are the obstacles and solutions in the process of conducting the sale of land rights that have not been certified in Wonorejo, Pringapus Sub-district, Semarang Regency

The method used in this research is juridical empiric method, analytical descriptive research specification, population sampling method, primary and secondary data collection and analysis and qualitative data. The primary data collecting was interviewed by respondents who were residents of Wonorejo Urban Village and PT Delta Merlin who execute the sale and purchase of land titles that have not been certified in Wonorejo Village and Notary / PPAT Lisawati who handle the sale of land rights that have not been certified.

The results of this study indicate that in the execution of buying and selling among individuals on land that has not been certified most have been through PPAT, but there are still people who carry out the sale and purchase under the hands because of several factors. Then the sale and purchase of land rights that have not been certified between individuals with legal entities step begins with the provision of panjer ago then the sale is done in the presence of notary / PPAT. Then the obstacles faced in the implementation of the sale and purchase of land titles that have not been certified between individuals with legal entities such as heirs and differences in size issues listed in letter C and the actual size.

Keywords: Sale and Purchase, Land, uncertified