

ABSTRAK

IMPLEMENTASI PENGECEKAN SERTIPIKAT SECARA ONLINE PADA PENDAFTARAN HAK TANGGUNGAN ELEKTRONIK (Studi di Kantor Pertanahan ATR/BPN Kota Semarang)

Sejak diberlakukannya Hak Tanggungan terintegrasi secara elektronik, maka terdapat perubahan peran PPAT dalam pelaksanaannya yaitu mewajibkan PPAT melakukan pengecekan sertipikat secara elektronik menggunakan akun mitra ATR/BPN melalui website HT-el sebelum didaftarkan hak tanggungan. Jangka waktu pengecekan sertipikat secara elektronik saat ini berlaku 7 (tujuh) hari. Pelaksanaan pengecekan sertipikat secara elektronik ditemukan berbagai hambatan oleh PPAT dan kantor pertanahan selaku pengguna layanan informasi elektronik.

Penelitian ini bertujuan untuk mengkaji dan menganalisis implementasi pengecekan sertipikat secara online dalam penerapan pendaftaran hak tanggungan elektronik serta mengkaji dan menganalisis konsep ideal pengecekan sertipikat online pada pendaftaran hak tanggungan elektronik.

Metode pendekatan yang digunakan dalam penelitian ini adalah pendekatan *social legal*. Spesifikasi penelitian yang digunakan adalah deskriptif analitis, dan penelitian ini menggunakan metode wawancara dan studi kepustakaan. Wawancara dilakukan terhadap Pejabat Pembuat Akta Tanah (PPAT) Kota Semarang, Kepala Sub Seksi Pendaftaran Hak Kantor Pertanahan Kota Semarang, Kepala Sub Seksi Pemeliharaan Data Hak Tanah dan Pembinaan PPAT Kantor Pertanahan Kota Semarang. Metode analisis data yang digunakan adalah metode analisis data kualitatif terhadap data primer dan sekunder.

Hasil penelitian menyimpulkan bahwa perlunya PPAT melakukan pengecekan sertipikat secara elektronik yaitu untuk menjamin kepastian hukum pemegang hak dengan menyesuaikan data fisik dan data yuridis tanah dengan data yang ada di kantor pertanahan. pengecekan sertipikat merupakan *standar operasional prosedur* dari PPAT, namun pelaksanaan pengecekan sertipikat ditemukan hambatan yuridis dan hambatan teknis. Ditinjau dari peraturan dan implementasinya pengecekan sertipikat elektronik sudah ideal, sehingga untuk kedepannya pemerintah akan memberikan solusi kemudahan dalam layanan informasi pertanahan secara elektronik berupa inovasi lebih berkembang.

Ditemukannya hambatan saat pengecekan sertipikat dirasa kurang memberikan kepastian hukum terhadap pemegang hak dan penggunaan layanan elektronik yang rentan disadap dan dipalsukan, maka diperlukan kantor pertanahan yang profesional dan diperlukannya sinkronisasi hukum agar terciptanya pelayanan elektronik publik yang efektif.

Kata Kunci: PPAT, Hak Tanggungan Elektronik, Pengecekan Sertipikat Elektronik

ABSTRACT

THE IMPLEMENTATION OF ONLINE CERTIFICATE CHECKING ON THE REGISTRATION OF ELECTRONICAL MORTGAGE (*HAK TANGGUNGAN*)

**(Study in Agrarian and Spatial Planning Land Office/
National Land Agency Semarang City)**

Since the enactment of Mortgage (*Hak Tanggungan*) that is electronically integrated, thus there is a change of the role of Land Deed Officers in the implementation namely obligating Land Deed Officers to perform certificate checking electronically using Agrarian and Spatial Planning Land Office/ National Land Agency partner account through the HT-el website before registering mortgage (*hak tanggungan*). The period for checking the certificate electronically is currently 7 (seven) days. The implementation of electronic certificate checking has found several obstacles by Land Deed Officers and land office as the electronic information service user.

This research has the purpose to evaluate and analyze the implementation of online certificate checking in the implementation of electronic mortgage (*hak tanggungan*) registration on a land as well as to evaluate and analyze the ideal concept of online certificate checking on electronic mortgage (*hak tanggungan*) registration.

The approach method utilized in this research is social legal approach. The research specification utilized is analytical descriptive, and this research utilizes interview method and literature study. The interview was conducted with Land Deed Officers (*Pejabat Pembuat Akta Tanah / PPAT*) of Semarang City, Head of Subsection of Rights Registration of Land Office of Semarang City, Head of Subsection of Data Care of Land Rights and Land Deed Officer Development of Semarang City. The data analysis method is utilized is the qualitative data analysis method on primary and secondary data.

The research result concludes that the Land Deed Officers is required to perform certificate checking electronically namely to ensure the certainty of law of the land rights holder by examining the physical data and land juridical data with the existing data in land office. The certificate check is a standard operational procedure from the Land Deed Officers, but the implementation of certificate checking has found juridical and technical obstacles. In terms of its regulation and implementation, the electronic certificate checking has been ideal so that in the future the government would provide solution of convenience in land information services electronically in the form of more developed innovations.

The obstacles found during the certificate checking is seen to not provide legal certainty toward the land rights holder and the use of electronic service that is prone to be tapped and falsified, thus requiring land office to be professional and the need of legal synchronization so that the public electronic services could be effective.

Keywords: Land Deed Officers (PPAT), Electronic Mortgage (*Hak Tanggungan*), Electronic Certificate Checking