

IMPLEMENTATION OF ELECTRONICALLY INTEGRATED DEPENDENT RIGHTS REGISTRATION IN BUKITTINGGI CITY

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Abstract: *Dependent Rights are collateral rights imposed on land rights as referred to in the Basic Agrarian Law, along with or not and other objects are integral to the land, for the repayment of certain debts, which gives priority to certain creditors over other creditors. Along with the development of the times and sophisticated technology based on Ministerial Regulation Number 5 of 2020, the registration of Dependent Rights is carried out electronically, but in its implementation there are several problems that occur in the Implementation of Electronically Integrated Dependent Rights Registration in Bukittinggi City.*

Key Words: *Implementation, Dependent Rights, Electronic Liability Rights.*

1. INTRODUCTION:

Implementation of Integrated Electronic Mortgage Registration (HT) makes a change, namely a Mortgage registration system, which so far the registration has been carried out conventionally which causes many queues at the land office, and the completion time for Completion of Mortgage registration is uncertain, therefore the government deems it necessary that the registration of Mortgage Rights be carried out in an integrated manner, meaning that the system built is located at the center, namely from the Ministry of Agrarian Affairs to the regions and the process in this area is also monitored or supervised by the center, so that the center can do several things regarding activities -activities in this HT Registration, which aim to provide convenience, provide certainty regarding the rates/fees that must be charged, to prevent or avoid corruption, collusion and nepotism.

2. THEORITICAL FRAMEWORK:

a. Legal Effectiveness Theory Effectiveness

Implies the effectiveness of the influence of the effect of success or efficacy or efficacy.[1]

b. Theory of Authority

Juridically the notion of authority is the ability granted by laws and regulations to cause legal consequences[2]

3. LITERATURE REVIEW:

The Electronic HT System is administered by the Land Office, what is meant here is the implementation of it in stages according to the readiness of the supporting data by the applicant before registering mortgage rights electronically. Not only that, the Electronic HT system is also implemented reliably and safely and is responsible for the operation of the electronic system itself.

4. METHOD:

The method used in this study is an empirical juridical approach, namely an approach based on field research methods, namely examining applicable legal provisions and what is happening in people's lives.[4]

5. DISCUSSION:

Electronic Integrated Mortgage Services which aim to improve services that meet the principles of openness, timeliness, speed, convenience and affordability for public services but in reality these principles have not been running smoothly because services with this electronic system are carried out by all parties involved such as the Law -Law No. 5 of 1960 concerning Agrarian Principles (UUPA), creditors and land offices, and the use of this system is also used throughout Indonesia, which often results in network/system errors.

6. ANALYSIS:

A. Implementation of Integrated Electronic Mortgage Registration in the city of Bukittinggi

The development of an Information System within the scope of Land, better known as the Land Information System (SIP), in the ministry of ATR/BPN has gone through several stages. The main factors supporting the development of information systems are the existence of user needs on the one hand, and the availability of supporting resources on the other. One of the land services that is integrated electronically is the Electronic Mortgage service (Registration of Mortgage, transfer of Mortgage, change of creditor's name, removal of Mortgage and data correction).

B. Legal Consequences and sanctions against users of electronically integrated Mortgage System Services who provide their account passwords to other parties

There is no correlation or sharing of detailed information from the Data and Information Center (PUSDATIN) to each Land Office. This makes there is no effectiveness of the Law against the Sanctions contained in the regulation, which results in the continued occurrence of things that are prohibited by the Regulation. Therefore, in order to create legal effectiveness in accordance with applicable regulations, the Ministry of Agrarian Affairs/National Land Agency as law enforcers/agencies that implement/apply the law are more critical of strict sanctions if users violate the provisions that have been made.

C. Factors Inhibiting Registration of Mortgage Rights Integrated Electronically at BPN Bukittinggi City

The readiness of the Minister of Agrarian Affairs in carrying out land activities electronically has not been optimal. It can be seen in the increase in data quality, which aims to improve the quality of land data to be valid both physically and juridically. One of the things that has not been optimal in electronic land services is that the textual data and spatial data of land parcels in the Computerized Land Office (KKP) have not been fully validated. Textual data is a land book record regarding information on land parcels with rights to the land as well as events and legal actions that have been carried out on said land parcels, while spatial data is the form of the land parcels which have the size and coordinates that have been adjusted and validated against the Registration Map. at the MPA. Thus, if complete validation is not carried out, it can cause errors in the process and results of the HT-el service. Errors that can be fatal for creditors include, among other things, the wrong ranking order of Mortgage on the certificate to be charged, the absence of records on the cancellation of Mortgage rights in full or partial, or updating data on the KKP according to the records in the land book. A commitment is needed from the executor at the Land Office so that every service that requires recording either manually in the land book or digitally through the KKP, must be filled in completely before validation is carried out. This is done to avoid errors that come from implementation in the implementation later.

7. CONCLUSION :

From the discussion as explained earlier, several conclusions can be drawn, including:

- 1) Implementation of Integrated Electronic Mortgage Registration in the City of Bukittinggi has not gone well, there are still obstacles that often occur, such as the unpreparedness of the Ministry of Agrarian regarding the quality of electronic networks/systems, because one system owned by the Ministry of Agrarian is used by all Land Offices, PPATs, and Creditors throughout Indonesia, According to the Minister of Agrarian Regulation article 27, one of the preparations carried out by the Land Office includes data validation, while at the Land Office of the City of Bukittinggi many certificates have not been validated.

- 2) Legal Consequences and sanctions against users of electronically integrated Mortgage System Services who provide their Username and password accounts to other parties According to Article 23 of the Minister of Agrarian Regulation Number 5 of 2020 concerning Electronic Mortgage Services are Temporary or Permanent Closing of Access Rights, Cancellation of HT Certificates -el and/or reported to law enforcement officials, however, the Bukittinggi City Land Office has not imposed sanctions on creditors who provide Usernames and/or Passwords to PPAT, because the Land Office obtains information regarding this matter from the Land Data and Information Center (PUSDATIN)) so, only PUSDATIN knows how many and the names of PPATs operating Accounts Owned by Creditors. Based on this, there is no correlation or sharing of detailed information from the Data and Information Center (PUSDATIN) to each Land Office. This makes there is no effectiveness of the Law against the Sanctions contained in the regulation, which results in the continued occurrence of things that are prohibited by the Regulation.
- 3) Factors that become obstacles in the implementation of Electronic Mortgage Registration are the *first* that the Defense Services are not optimally integrated Electronically, this is indicated by the National Land Agency's preparations in Electronic services that are not yet mature, such as preparations regarding validation, network problems and frequent errors, *Both* Sources Human Resources (HR), which is one of the supporting factors for Electronic Mortgage services, requires HR who are skilled in its implementation, and the presence of officers.

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