

ABSTRACT

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LEGAL PROTECTION FOR LANDOWNER WITH DOUBLE CERTIFICATION BASED ON LAND REGULATION IN INDONESIA

(xiii+191 pages, 2 appendixes)

This thesis will discuss double certificates dispute, the role of land registration to provide legal certainty to the holders of land rights, the legal protection for the buyer who has a good faith as a landowner and how the judges' consideration and judgement in this court decision number 129/Pdt.G/2015/PN Skh. Sometimes, conflict over ownership of the land may arise when there is more than one certificate for a parcel of land whereas there should only be one document as a proof of ownership to assure the legal certainty. It's called a double certificates, which is the legal problem in this thesis. The concept of double certificates in this thesis is when there are two different numbers of certificates with the same owner's name for a same parcel of land. Then, each certificate is transferred to different persons, so in the end, each certificate is owned by different persons. In case if a double certificates conflict happens, so one of that certificate has to be canceled. In this thesis, the Writer used a legal research method to did the research. Furthermore, from the research, it is apparent that both certificates are issued by the competent authority. Hence, one of the parties brings the case to the court to prove who is the real owner of the land and which certificate is valid according to the law. From this research, we may know the court resolved this issue by gathering evidence and witnesses as well as implementing the rule of the law based on Government Regulations Number 24 of 1997 about Land Registration to determined who is the right landholder. In conclusion, a buyer who has a good faith received the legal protection in terms of land ownership and the judges' decision in this court decision number 129/Pdt.G/2015/PN Skh contains legal certainty with regards to the validity of the certificate and the rightful landowner according to the law.

References : 62 (1986-2018)

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