



Received: 04-07-2024
Accepted: 14-08-2024

ISSN: 2583-049X

The Existence of the Sub-district head as a Temporary Land Deed Maker in the Municipality of Banda Aceh

¹ Fahmi Riza, ² Suhaimi, ³ Siti Rahmah

¹ Postgraduate Student of Master of Notary, Faculty of Law, Universitas Syiah Kuala, Indonesia

^{2,3} Faculty of Law, Universitas Syiah Kuala, Indonesia

Corresponding Author: **Suhaimi**

Abstract

This written study is intended to discuss the existence of the sub-district head as a temporary land deed maker in the Municipality of Banda Aceh. The sub-district head as PPATS because his position actually has a noble goal, namely to serve the community in making PPAT deeds in areas where there are not enough PPATs and to assist in the implementation of land registration in the subdistrict area by paying attention to existing regulations, even though the assignment and authority is temporary because he is ex officio as Head of Sub-District. The subdistrict head as PPATS is appointed to serve the community in making land deeds in villages where there are not enough PPATs in the area or the PPAT formation is not yet sufficient and research has been carried out in advance regarding the need for community services in making deeds in remote areas by the Head of BPN. However, the current condition is that there have been many PPAT appointments spread throughout

almost all districts in Indonesia, so it is necessary to re-examine the decision to appoint PPATS. In 2022 in the Municipality of Banda Aceh there will be 6 (six) subdistrict heads, namely Leung Bata subdistrict head, Meuraxa subdistrict head, Banda Raya subdistrict head, Kuta Alam subdistrict head, Kutaraja subdistrict head and Baiturrahman subdistrict head, appointed and sworn in by the Head of the Banda Aceh Municipal Land Office as PPATS. Meanwhile, developments are occurring in society today where educational institutions have produced many notary program graduates who ultimately graduate and in accordance with the applicable requirements and procedures can be appointed as PPATs. However, it turns out that the position of the subdistrict head as PPATS is still maintained, so that specific questions often arise regarding the existence of the subdistrict head as PPATS.

Keywords: Sub-District Head as PPATS, Temporary Land Deed Making Official (PPATS)

Introduction

The role of land resources as a very important need for humans can be seen from the fact that humans cannot possibly be separated from the need for land. Various human activities are always related to land and are carried out on the land. Therefore, in the territory of the Republic of Indonesia, land is one of the main natural resources, which is increasingly diverse in nature and increases from time to time.¹

In practice, there is uncontrolled use and utilization of land which tends to lead to minimal access to ownership and weak protection of community rights to land which then results in problems in its implementation. Land issues are something that must be addressed because land use is a cross-sector issue that influences the development of this country.²

Land issues are becoming increasingly complex in line with the increase in population and the development of various fields that require land, as well as the development of strategic problems at national regional and sectoral levels as well as developments in economic and technological globalization which have implications for various political, economic, social and land law activities.³

¹ Boedi Harsono, *Menuju Penyempurnaan Hukum Tanah Nasional*, Jakarta: Universitas Trisakti, 2007, hlm. 3.

² Muhajir Utomo, *Ilmu Tanah Dasar-Dasar dan Pengelolaan*, Jakarta: Predana Media Grup, 2018, hlm. 150.

³ Soedjarwo Soeromihardjo, *Mengkritisi Undang-Undang Pokok Agraria*, Jakarta: Cerdas Pustaka, 2009, hlm. 27.

The large population growth rate in Indonesia which increases every year is almost evenly distributed in every region, both in districts/cities, this encourages land control and ownership and results in greater demand for land. The importance of this land does not preclude the possibility of various conflicts of interest arising which of course require control and regulation in its use. To avoid this conflict of interest, it is necessary to establish an institution that is given the authority to regulate and maintain legal order regarding the use of land, including a legal rule as a norm to organize every legal action regarding land rights so that it occurs safely, orderly and smoothly, and under control.

Regulations in the field of land law itself have been enacted in Law No. 5 of 1960 concerning Basic Agrarian Regulations or often called the Basic Agraria Law (UUPA). According to Article 2 (1) of the UUPA, earth, water and space, including the natural wealth contained therein, are controlled at the highest level by the state (known as the Right to Control the State). The state controls the earth, water and space as intended here as an organization of power for all the people, whose aim is to achieve people's prosperity and increase the standard of living of Indonesian citizens.⁴

The meaning of being controlled by the state is certainly different from the meaning of being owned by the state, because being controlled has an element of authority to regulate. With this regulatory nature, there is also an understanding of policy in terms of regulating (regelen) in question, which will specifically be made in the form of Laws, Government Regulations (PP) and other regulations at a lower level. According to Boedi Harsono, the existence of an element of control as intended in Article 2 (1) of the UUPA is the duty of authority in the public sector, one of whose authorities is to carry out land registration. The land registration referred to is of course land registration throughout Indonesia.⁵

PP No. 24 of 1997 explicitly states that the government agency that carries out land registration throughout Indonesia is BPN and in Article 6 paragraph (1) of PP No. 24 of 1997 it is emphasized that the task of carrying out land registration is carried out by the Head of the Regency/Land Office (Kakantah). Municipality.⁶ Land registration cannot be carried out completely without the involvement of PPAT, which in this case is making a deed regarding the transfer of land rights. It is the deed that proves that a legal act has occurred regarding the plot of land.⁷ The legal act in question is such as buying and selling land rights, exchange, grant and other types of transfer of land rights.

⁴ Della Rafiq Utari, Suhaimi, Pendaftaran Tanah Yang dikuasai Oleh Tempat-Tempat Ibadah Umat Islam Di Kecamatan Kuta Alam Banda Aceh, *Syiah Kuala Law Journal*, Vol.4(3) Desember 2020, pp. 310-322.

⁵ Agus Rusianto, *Dampak Peran Strategis Kepala Desa dalam Pendaftaran Tanah secara Sporadik*, Jakarta: Renvoi, 2004, hlm. 21.

⁶ Nur Fitri Ayu, "Kajian Pembuatan Akta Jual Beli Dari PPATS Sebelum Dan Sesudah Perkaban No. 8 Tahun 2012" *Jurnal Hukum Kenotariatan Otentiks*, Vol. 4 No. 1, Januari 2022.

⁷ Wirantia, Darmawan, & Suhaimi, PPAT'S Legal Responsibility for the Creation of Empty Deed, *Syiah Kuala Law Journal*, Vol.4(3), Desember 2020, pp.351-368.

In carrying out land registration, Kakantah is assisted by the Land Deed Drafting Officer (PPAT) and other officials who are assigned to carry out certain activities.⁸ According to PP no. 24 of 1997 and related laws and regulations, the PPAT in question is appointed and dismissed by the minister, and there are Temporary Land Deed Making Officials (PPATS) appointed by the minister who are assigned to villages in remote areas.

The statutory regulations governing PPATs as public officials and their authority to make deeds relating to land are confirmed in Article 37 (1) PP No. 24 of 1997 in conjunction with Article 1 (4) of Law No. 4 of 1996 concerning Mortgage Rights over Land and objects related to the land Jo Law No. 16 of 1985 concerning Flats.⁹

To strengthen the authority of the PPAT, the government issued provisions regarding the position of PPAT which further received more specific, complete and detailed regulations as regulated in PP No. 37 of 1998 concerning Position Regulations for Officials Making Land Deeds and the provisions for their implementation which are contained in the Regulation of the Head of the National Land Agency (Perkaban) No. 1 of 2006 which contains the provisions of a code of ethics and a juridical basis as the legal basis for the appointment of a PPAT.¹⁰

Regarding the authority of PPAT, it is regulated in Article 3 and Article 4 of PP No. 37 of 1998 that in carrying out its main duties it has the authority to make authentic deeds for all legal acts regarding land rights and ownership rights to apartment units located in its work area.

The development of land law in our country is in line with the need for order in making deeds of transfer of land rights as expected by the community, of course it cannot be separated from the role and existence of PPAT, and to facilitate the needs of people in remote areas where there is no PPAT in carrying out legal actions regarding land, PPATS can be appointed. PPATS are Government Officials appointed because of their position to carry out PPAT duties by making Temporary PPAT deeds in areas where there are not enough PPATs. The temporary PPAT is the Head of the District.¹¹

The existence of the subdistrict head as PPATS because of his position is actually a noble goal, namely to serve the community in making PPAT deeds in areas where there are not enough PPATs and to assist in the implementation of land registration in the subdistrict area by paying attention to existing regulations, even though the assignment and authority is temporary because it is ex officio as Head of District. Appointment as a Temporary PPAT is to serve in making deeds in areas where there are not enough PPATs or where the PPAT formation has not been fulfilled and research has been carried out in advance regarding the need for community services in making deeds in remote areas by the Head of BPN.

Separate provisions regarding applicable PPAT formation are regulated in Article 5 (3) PP No. 37 of 1998 as amended by PP No. 24 of 2016 stated in Article 1 point 2 of PP

⁸ Sulhan dkk, *Profesi Notaris dan Pejabat Pembuat Akta Tanah*, Jawa Barat: Mira Wacana Media, 2018, hlm. 45.

⁹ Peraturan Pemerintah Nomor 37 Tahun 1998 tentang Peraturan Jabatan Pejabat Pembuat Akta Tanah.

¹⁰ Sihombing, *Sistem Hukum PPAT Dalam Hukum Tanah Indonesia*, Jakarta: Predana Media Grup, 2019, hlm. 44.

¹¹ Santoso, *Op.Cit*, hlm.327.

24/2016, PPATS is a Government official appointed because of his position to carry out PPAT duties by making PPAT deeds in areas where there are not yet enough PPATs. Therefore, the authority of the subdistrict head as a temporary PPAT carrying out PPAT duties is the same as the authority of PPAT as regulated in Article 2 PP No.37 of 1998.

Seeing the current conditions where there have been many PPAT appointments spread across almost all districts in Indonesia, it is necessary to re-examine the decision to appoint PPATS. In 2022 in the Municipality of Banda Aceh there will be 6 (six) subdistrict heads, namely the Leung Bata subdistrict head, the Meuraxa subdistrict head, the Banda Raya subdistrict head, the Kuta Alam subdistrict head, the Kutaraja subdistrict head and the Baiturrahman subdistrict head, appointed and sworn in by the Banda Aceh Municipal Land Office as PPATS.¹²

Meanwhile, developments are occurring in society today where educational institutions have produced many notary program graduates who ultimately graduate and in accordance with the applicable requirements and procedures can be appointed as PPATs. However, it turns out that the position of the subdistrict head as PPATS is still maintained so that specific questions often arise regarding the existence of the subdistrict head as PPATS.

Based on what has been briefly described, it is interesting to examine in more depth the "Existence of the Subdistrict Head as an Official for Making Temporary Land Deeds in the Municipality of Banda Aceh."

Research Methods

This research is empirical juridical research (field research), namely examining applicable legal norms or rules by looking at the reality that occurs in society.¹³

This empirical juridical research uses primary data obtained directly from the first source related to the problem to be discussed. This was obtained by conducting structured interviews with both respondents and informants. Meanwhile, secondary data is in the form of library materials. The function of secondary data is to support primary data. Secondary data related to this research can be in the form of legal materials and legal documents including legal issues related to the research to be studied.¹⁴

The location in this research is in the PPATS working area in the Municipality of Banda Aceh. The respondents and informants in this research are as follows:

Respondent:

1. PPATS in Banda Aceh Municipality (1 person);
2. Community using PPATS services in the Municipality of Banda Aceh (1 person);
3. Aceh Land Agency Regional Office Official (1 person);
4. Officials of the Banda Aceh City Land Office (1 person).

¹² Kecamatan Lueng Bata, < <https://luengbata.kec.bandaacehkota.go.id/2022/02/18/camat-lueng-bata-resmi-dilantik-sebagai-pejabat-pembuat-akte-tanah- sementara-ppats/> > [diakses 10 Maret 2023].

¹³ Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktek*, Jakarta: Rineka Cipta, 2012, hlm. 126.

¹⁴ Abdulkadir Muhammad, *Hukum dan Penelitian Hukum*, Bandung: Citra Aditya Bakti, 2004, hlm. 134.

Informant:

1. Notary/PPAT in Banda Aceh Municipality (1 person);
2. Syiah Kuala University academics (1 person).

After collecting primary data and secondary data, it is then processed and analyzed using qualitative analysis methods based on applicable regulations.¹⁵ Qualitative analysis is data processing through the stages of data collection, clasifying, connecting with existing theoris and problem. Then draw conclusions to determine the answer to the problem. This analysis is a step towards all the data that the researcher has obtained and by maintaining the legal basis relating to the problem under study.¹⁶

Results and Discussion

1. Factors that cause the people of Banda Aceh Municipality to still use PPATS services in making deeds

Considering the vast territory of the State of Indonesia with its population on the one hand and the demands for implementing community development in various fields, the Minister of Home Affairs on behalf of the Central Government delegates his authority to regional/regional officials to carry out community development in various fields. The officials in question are regional heads who are the sole rulers of their region. They are an extension of the Central Government and are not the result of popular elections. One of the regional heads that will be discussed is the subdistrict head. In the General Indonesian Dictionary, a subdistrict head is a civil service employee who heads a subdistrict.¹⁷

The subdistrict head who, in carrying out his duties, obtains the delegation of some of the authority of the Regent/Mayor to handle some of the regional autonomy affairs. The manifestation of the delegation of some of the authority of the Regent/Mayor, as regulated in Article 126 (3) of Law No. 32 of 2004 concerning Regional Government (hereinafter referred to as the Regional Government Law), namely: Coordinating community empowerment activities; maintaining public order and tranquility; law enforcement and implementation; maintenance of facilities and infrastructure as well as public facilities; administration of government at the su-district level; fostering the administration of village and subdistrict government; carry out community services which are within the scope of their duties and/or which cannot yet be implemented by the village or subdistrict government;

A subdistrict is a Regency/Municipality regional apparatus led by a Subdistrict Head who is appointed by the Regent/Mayor on the recommendation of the Regency/Municipality Regional Secretary from Civil Servants (PNS) who master technical knowledge and fulfill the requirements in accordance with statutory regulations, in accordance with Article 126 (4) Regional Government Law. In carrying out his duties, the subdistrict head is assisted by subdistrict officials and the subdistrict head is responsible to the Regent/Mayor through the Regency/Municipality Regional Secretary, based on Article 126 (5) of the Regional Government Law. Meanwhile, subdistrict officials are

¹⁵ Ronny Hanijito soemitro, *Metodologi penelitian hukum dan jurimetri* ublisher: Jakarta: Ghalia Indonesia, 1990. hlm.59.

¹⁶ *Ibid.*

¹⁷ Poerwodharminto, *Kamus Besar Bahasa Indonesia*, Jakarta: Balai Pustaka, 1991, hlm. 181

responsible to the subdistrict head, this is based on Article 126 (6) of the Regional Government Law. Civil servants as District Officials who fill the District Work Organization Structure are further regulated by Regent/Mayor Regulations guided by Government Regulations, as regulated in Article 126 (7) of the Regional Government Law.

The legal basis for the subdistrict head as a PPAT is Article 5 (3) PP No.37 of 1998, which, among other things, states that for areas where PPATs are not yet available, to serve certain communities in making PPATs, the Minister can appoint the officials below as PPATS or special PPAT: subdistrict head or village head to serve in making deeds in areas where there are not enough PPATs, as PPATS. With the ATR/BPN Ministerial Regulation No.1 of 1998, the authority to appoint and dismiss subdistrict heads as PPATS was delegated to the Provincial BPN Office. Whereas for an area that has not yet met the formation for appointing a PPAT, the subdistrict head can be appointed as PPATS.

Banda Aceh Municipality, as the capital of Aceh Province, has a rich history and culture. In the midst of changing times and the dynamics of modernization, many people in Banda Aceh Municipality still entrust the services of the subdistrict head as PPATS in making land deeds, even though notaries and PPATs are widely available. There are several positive factors that cause this phenomenon to occur:

1. Social and Cultural Proximity:

Subdistrict heads have a unique closeness to local communities because they often come from the same area and understand local culture and traditions. This social closeness makes the community feel more comfortable and safe in dealing with the subdistrict head as PPATS. Cultural familiarity and understanding of local wisdom are important added values for the community.

2. Trust and Reputation:

The position of subdistrict head is often seen as a position of high authority and trust in the eyes of the community. The subdistrict head's long history of service in local government affairs adds to the public's confidence in the subdistrict head's credibility and integrity in making land deeds. This good reputation encourages people to continue using the services of the subdistrict head as PPATS.

3. Ease of Access and Affordable Costs:

Subdistrict heads' offices are usually more accessible to the public compared to notary or PPAT offices which may be in more commercial and busy locations. In addition, the fees charged by subdistrict heads as PPATS tend to be more affordable, providing a more economical alternative for people from various economic backgrounds.

4. Efficiency and Fast Service:

The administrative processes carried out by subdistrict heads as PPATS are often faster and more efficient. The subdistrict head's experience in handling various public administration matters allows them to provide responsive and timely services. This is very important for people who need quick solutions in making land deeds.

5. Sustainability and Sustainability of Services:

Subdistrict heads often provide sustainable and consistent services over the long term. They not only help in making land deeds but also various other administrative matters, making the subdistrict head a central figure who is always ready to help the community with various administrative needs.

6. Existence of Government Network:

The subdistrict head has a strong network within the local

government structure. This makes it easier to coordinate and resolve problems that may arise in the process of making a land deed. Support from various government agencies strengthens the subdistrict head's ability to provide comprehensive and reliable services.¹⁸

With these various positive factors, it is not surprising that many people in Banda Aceh Municipality still entrust the making of land deeds to the subdistrict head as PPATS. The existence of subdistrict heads as PPATS is not only about convenience and cost, but also about the sense of trust and comfort they offer to the community. This phenomenon reflects how the role of the subdistrict head is still very relevant and important in the dynamics of life in the Banda Aceh community which continues to develop. Another factor is why the people of Banda Aceh Municipality still use the services of the subdistrict head as PPATS, the subdistrict head is still very much needed by the community in the land registration process in Banda Aceh Municipality for several reasons, including:¹⁹

1. The location of the subdistrict office is close to local housing so that transportation costs are easy to reach.
2. The people who will deal will not hesitate, because the subdistrict head and the residents already know each other.
3. Local people think that if one day there is a problem with their land, it will be resolved amicably because the subdistrict head, who is the PPATS, is also a respected and highly respected person.²⁰

Based on the results of the author's interview with Karyono Utomo, S.Sos., as the Temporary Subdistrict and PPAT Head in Sambu District, Boyolali Regency, information was obtained that the land registration requirements in Boyolali Regency are the same as the registration requirements in other areas, namely:

1. Application for Land Registration for first conversion, recognition, confirmation of rights:
 - a. Application letter;
 - b. Power of Attorney if authorized;
 - c. Photocopy of applicant's identity;
 - d. Proof of land ownership;
 - e. Photocopy of the current year's PBB Tax Return which has been matched by the counter officer;
 - f. Attach proof of SSP/PPH in accordance with the provisions.
2. Issuance of Certificate of Decree Granting Land Rights:
 - a. Application letter;
 - b. Original decree granting land rights;
 - c. Proof of repayment of income money to the state if income money is charged;
 - d. BPHTB even though it is nil;
 - e. Applicant's identity (photocopy of representative ID card and photocopy of deed of establishment of legal entity) by showing the original.

Based on the results of interviews with TM. Syukri, as a Notary/PPAT in Banda Aceh, received information that one

¹⁸ Wawancara, TM. Syukri, selaku Camat dan PPATS Kecamatan Syiah Kuala Kota Banda Aceh, 22 Mei 2024.

¹⁹ Wawancara, TM. Syukri, selaku Camat dan PPATS Kecamatan Syiah Kuala Kota Banda Aceh, 22 Mei 2024.

²⁰ Wawancara, Sukmawati, selaku Camat dan PPATS Kecamatan Lueng Bata Kota Banda Aceh, 22 Mei 2024.

of the requirements for land registration is a Deed of Transfer of Land Rights. The official authorized to make the deed is a Notary/PPAT, Temporary Subdistrict Head/PPAT. (appointment of the Head of Central BPN regarding large credits).²¹

The legal basis for the authority of a Notary/PPAT to make a Deed of Transfer of Land Rights is PP No. 37 of 1998. According to TM. Syukri as the subdistrict head and PPATS in Lueng Bata District, Banda Aceh, the subdistrict head has the authority to make deeds of transfer of land rights. Before the subdistrict head becomes a PPATS, the person concerned applies to the Head of the Banda Aceh Municipal BPN as a PPATS. Based on this submission, the subdistrict head was then given guidance regarding the transfer of land rights for 1 day at the Provincial BPN. After that, he was then appointed by the BPN at the Banda Aceh Municipality level to further serve as PPATS. The legal basis for the authority of the subdistrict head as PPATS is to make a deed of transfer of land rights, namely PP No. 24 of 1997.²²

Looking at the main duties and functions, it is clear that PPATS plays a very important role in the land registration process, because here PPATS's duties are closely related to recording juridical data on land parcels and recording changes to previously recorded juridical data, as well as assisting the land office in maintaining land registration data.

2. Consequences of the appointment of the subdistrict head as temporary land deed making official in the work area where the formation of land deed making officials has been fulfilled

The appointment of subdistrict heads as PPATS was carried out in order to meet the needs of communities in remote areas of Indonesia where there are not yet enough PPATs to fulfill land rights transfer activities. The appointment of the subdistrict head as PPATS is to support the smooth running of administrative tasks within his work area. The subdistrict head as PPATS is appointed by the Head of the Agency or Minister who is then sent to the Head of the local ATR/BPN Regional Office.²³

The appointment of subdistrict heads is part of the state's administrative authority in the realm of public law. In State Administrative Law, authority is obtained in three ways, namely through attribution, delegation and mandate. The authority of the subdistrict head as PPATS is obtained directly by means of attribution, namely authority given directly by the makers of laws and regulations to community organs. The attribution authority obtained by the subdistrict head here is in order to assist Kakantah in making authentic deeds related to land deeds.²⁴

The roles of PPATS and PPAT are basically interrelated. PPAT and PPATS have a mutual role. However, in an area where there are quite a lot of PPAT and PPATS formations,

this will give rise to business competition between the two. Business competition is the impact resulting from the appointment of subdistrict heads as PPATS in work areas where the PPAT formation has been fulfilled. Business competition here takes the form of service competition between subdistrict heads as PPATS and PPAT Notaries, service competition here is competition in terms of services to the community in terms of making authentic documents for maintaining land data. Service competition can also be related to competition, which is competition that shows more of a competitive nature in the conditions it is experiencing (Hafidhuddin & Tanjung, 2019). Competition here can also be interpreted in another sense, namely directed at the readiness and ability to achieve progress and welfare of the parties.²⁵

The positive and negative impacts of business competition between PPATS and PPAT (Notaries) can be in the form of (Hafidhuddin & Tanjung, 2019):²⁶

1. Positive Impact
 - a. Escalation of types of products produced;
 - b. Guaranteed availability of the products produced;
 - c. Developing the quality of human resources;
 - d. Efficiency which then results in price fairness;
 - e. Improving the quality of the products produced;
 - f. The technology used also increases.
2. Negative Impact
 - a. Ethical violations;
 - b. The difficulty of the new PPAT to compete;
 - c. Price war;
 - d. Monopoly in wild competition.

However, PPATS in the Banda Aceh Municipality area is still designated as PPAT because the rules are still regulated and have not been revoked, this is regulated in Article 5 (3) PP No. 24 of 2016, which states that subdistrict heads can be appointed as PPATS by the Minister of ATR/Head of BPN. This appointment is made if there are not enough PPATs in the area to serve the needs of the community.²⁷

In practice, there are still subdistrict heads who apply to be appointed as PPATS so that the Aceh Regional BPN Office continues to receive and conduct training to develop subdistrict heads to become PPATS. The subdistrict head is considered a competent official in his area and who understands the conditions and characteristics of the area, which really helps the Land Office to complete land administration tasks. So the role of the subdistrict head as PPATS is basically still needed, but in areas where the PPAT formation has been fulfilled it will later give rise to business competition. Therefore, regulations are needed to regulate PPATS duties and policies so that they do not cause competition or harm other parties.²⁸

²¹ Wawancara, TM. Syukri, selaku Camat dan PPATS Kecamatan Syiah Kuala Kota Banda Aceh, 22 Mei 2024.

²² Wawancara, TM. Syukri, selaku Camat dan PPATS Kecamatan Syiah Kuala Kota Banda Aceh, 22 Mei 2024.

²³ Nurhayati dan Linus, E. "Kajian Hukum Terhadap Camat Sebagai Pejabat Pembuat Akta Tanah (PPAT) Sementara Ditinjau Dari Peraturan Pemerintah Nomor 37 Tahun 1998 Tentang Peraturan Jabatan Pejabat Pembuat Akta Tanah. Yuriska." *Jurnal Ilmiah Hukum* Vol 5 No.1, 2013.

²⁴ Ridwan, *Hukum Administrasi Negara*, Depok: Rajagrafindo Persada, 2020, hlm. 125.

²⁵ Wawancara, Ahmad Rifqi, Notaris di Kota Banda Aceh, 24 Mei 2024.

²⁶ Wawancara, Ahmad Rifqi, Notaris di Kota Banda Aceh, 24 Mei 2024.

²⁷ Wawancara, Teuku Pitra Mulia, Penata Pertanahan Muda pada Bidang Penetapan Hak dan Pendaftaran Kantor Wilayah Badan Pertanahan Nasional Provinsi Aceh, 22 Mei 2024.

²⁸ Wawancara, Teuku Pitra Mulia, Penata Pertanahan Muda pada Bidang Penetapan Hak dan Pendaftaran Kantor Wilayah Badan Pertanahan Nasional Provinsi Aceh, 22 Mei 2024.

Conclusion

The people of Banda Aceh Municipality still use the services of the subdistrict head as PPATS in making land deeds because of several main interrelated factors. First, the social and cultural closeness between the community and the subdistrict head creates a high sense of trust, where the subdistrict head is often seen as a more trustworthy and respected local authority. Second, the existence of the subdistrict office which is more easily accessible and the costs are more affordable compared to professional notary or PPAT services makes people prefer PPATS. In addition, the subdistrict head often provides faster and more efficient services, and has a strong network with other government agencies that supports the smooth process of making land deeds. These factors show that the role of the subdistrict head as PPATS is still very relevant and important for local communities, especially in the context of accessibility and trust in public services.

The appointment of the subdistrict head as PPATS in Banda Aceh Municipality is still relevant and important, especially to increase the accessibility of land services in areas where the number of formal PPATs is not sufficient. The existence of the sub-district head as PPATS allows the community to get land deed making services more easily, quickly and cheaply, especially in areas that are remote or have limited infrastructure. However, in areas where PPAT formation has been fulfilled, the appointment of sub-district heads as PPATS can cause unhealthy business competition with formal PPATs, which can have negative impacts such as price wars and monopoly.

Suggestions

To improve services in making land deeds, it is recommended that the government and related agencies strengthen coordination between professional PPATs and PPATS, such as subdistrict heads, to ensure the same quality standards and legal certainty in all regions. In addition, ongoing training and guidance for PPATS needs to be improved so that they remain updated with the latest regulations and are able to provide competent and reliable services. It is hoped that improving the quality of service will not only maintain public trust, but also help reduce the gap in access to land services between urban and rural areas. To ensure that the appointment of subdistrict heads as PPATS does not disrupt healthy competition in areas that already have sufficient PPAT, it is recommended that the government re-evaluate and more strictly regulate PPATS appointments. The government needs to establish clear criteria regarding the conditions under which subdistrict heads can be appointed as PPATS and limit this appointment to areas that truly require additional PPAT services. In addition, there needs to be more intensive training and supervision of subdistrict heads appointed as PPATS to ensure they can provide quality services and in accordance with applicable legal standards.

References

1. Boedi Harsono. Menuju Penyempurnaan Hukum Tanah Nasional, Jakarta: Universitas Trisakti, 2007, 3.
2. Muhajir Utomo. Ilmu Tanah Dasar-Dasar dan Pengelolaan, Jakarta: Predana Media Grup, 2018, 150.
3. Soedjarwo Soeromihardjo. Mengkritisi Undang-Undang Pokok Agraria, Jakarta: Cerdas Pustaka, 2009, 27.
4. Della Rafiqqa Utari, Suhaimi. Pendaftaran Tanah Yang Dikuasai Oleh Tempat-Tempat Ibadah Umat Islam Di Kecamatan Kuta Alam Banda Aceh. *Syiah Kuala Law Journal*. 2020; 4(3):310-322.
5. Agus Rusianto. Dampak Peran Strategis Kepala Desa dalam Pendaftaran Tanah secara Sporadik, Jakarta: Renvoi, 2004, 21.
6. Nur Fitri Ayu. Kajian Pembuatan Akta Jual Beli Dari PPATS Sebelum Dan Sesudah Perkaban No. 8 Tahun 2012. *Jurnal Hukum Kenotariatan Otentiks*. 2022; 4(1).
7. Wirantia Darmawan, Suhaimi. PPAT'S Legal Responsibility for the Creation of Empty Deed. *Syiah Kuala Law Journal*. 2020; 4(3):351-368.
8. Sulhan dkk. Profesi Notaris dan Pejabat Pembuat Akta Tanah, Jawa Barat: Mira Wacana Media, 2018, 45.
9. Peraturan Pemerintah Nomor 37 Tahun 1998 tentang Peraturan Jabatan Pejabat Pembuat Akta Tanah.
10. Sihombing. Sistem Hukum PPAT Dalam Hukum Tanah Indonesia, Jakarta: Predana Media Grup, 2019, 44.
11. Santoso. Op.Cit, hlm.327.
12. Kecamatan Lueng Bata. < [https://luengbata.kec.bandaacehkota.go.id/2022/02/18/camat - lueng - bata - resmi - dilantik - sebagai - pejabat - pembuat - akte - tanah - sementara - ppats / >](https://luengbata.kec.bandaacehkota.go.id/2022/02/18/camat%20lueng%20bata%20resmi%20dilantik%20sebagai%20pejabat%20pembuat%20akte%20tanah%20sementara%20ppats/) [diakses 10 Maret 2023].
13. Suharsimi Arikunto. Prosedur Penelitian Suatu Pendekatan Praktek, Jakarta: Rineka Cipta, 2012, 126.
14. Abdulkadir Muhammad. Hukum dan Penelitian Hukum, Bandung: Citra Aditya Bakti, 2004, 134.
15. Ronny Hanijito soemitro. Metodologi penelitian hukum dan jurimetri ublisher: Jakarta: Ghalia Indonesia, 1990, 59.
16. Ibid.
17. Poerwodharminto. Kamus Besar Bahasa Indonesia, Jakarta: Balai Pustaka, 1991, 181.
18. Wawancara TM. Syukri, selaku Camat dan PPATS Kecamatan Syiah Kuala Kota Banda Aceh, 22 Mei, 2024.
19. Wawancara TM. Syukri, selaku Camat dan PPATS Kecamatan Syiah Kuala Kota Banda Aceh, 22 Mei, 2024.
20. Wawancara, Sukmawati. selaku Camat dan PPATS Kecamatan Lueng Bata Kota Banda Aceh, 22 Mei, 2024.
21. Wawancara TM. Syukri, selaku Camat dan PPATS Kecamatan Syiah Kuala Kota Banda Aceh, 22 Mei, 2024.
22. Wawancara TM. Syukri, selaku Camat dan PPATS Kecamatan Syiah Kuala Kota Banda Aceh, 22 Mei, 2024.
23. Nurhayati dan Linus E. Kajian Hukum Terhadap Camat Sebagai Pejabat Pembuat Akta Tanah (PPAT) Sementara Ditinjau Dari Peraturan Pemerintah Nomor 37 Tahun 1998 Tentang Peraturan Jabatan Pejabat Pembuat Akta Tanah. *Yuriska. Jurnal Ilmiah Hukum*. 2013; 5(1).
24. Ridwan. Hukum Administrasi Negara, Depok: Rajagrafindo Persada, 2020, 125.
25. Wawancara, Ahmad Rifqi. Notaris di Kota Banda Aceh, 24 Mei, 2024.
26. Wawancara, Ahmad Rifqi. Notaris di Kota Banda Aceh, 24 Mei, 2024.
27. Wawancara, Teuku Pitra Mulia. Penata Pertanahan Muda pada Bidang Penetapan Hak dan Pendaftaran Kantor Wilayah Badan Pertanahan Nasional Provinsi

Aceh, 22 Mei, 2024.

28. Wawancara, Teuku Pitra Mulia. Penata Pertanahan Muda pada Bidang Penetapan Hak dan Pendaftaran Kantor Wilayah Badan Pertanahan Nasional Provinsi Aceh, 22 Mei, 2024.