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# Implementation of Financing for Complete Systematic Land Registration (PTSL) Program in Sidayu Village, Batang Regency

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## Abstract

*A national project called the Complete Systematic Land Registration Program (PTSL) aims to provide legal certainty to the general public regarding their land rights. Its implementation at the village level is often hampered by funding issues that are not aligned with central regulations. The purpose of this study is to examine how PTSL funding is carried out in Sidayu Village, Batang Regency, and to identify the factors that influence the calculation of charges above the normative standard. The research method used was descriptive qualitative with a juridical-empirical approach. Primary data were obtained through interviews with 17 informants from village government elements, the Batang Regency Land Office, and the community. Secondary data were collected through documentary studies of regulations, internal committee documents, as well as program achievement data from the Batang Regency Land Office for 2022–2025. The study found a disparity in the PTSL*

*preparation costs in Sidayu Village of IDR 350,000, exceeding the maximum limit of IDR 150,000 set in the 2017 Joint Regulation of 3 Ministers. This practice is influenced by the absence of a Regent Regulation, the topographical conditions of the area, and high field operational costs. The implication is that the principle of legal certainty is weakened because the determination of costs is only based on informal agreements without a valid regional legal basis. It is recommended that the Batang Regency Government immediately issue a Regent Regulation to provide legal legitimacy, transparency, and legal protection for both implementers and program participants.*

## Keywords

*PTSL; Village Financing; Legal Certainty; Illegal Levies; Agrarian*

## A. Introduction

Land is a natural resource that is very important for human survival because it serves as a place to live, a source of income, and capital for development. In addition to being considered an economic asset, land is also regarded as a means of ensuring the welfare of the community.<sup>1</sup> Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia states that the earth, water, and natural resources contained therein are controlled by the state and used for the greatest prosperity of the people.<sup>2</sup> Therefore, in order to achieve the welfare of the people, the ownership, control, use, and utilization of land must be managed fairly and sustainably.

To obtain legal protection for land rights and legal certainty, land rights owners are required to register their land so that the state recognizes these rights as their own in order

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<sup>1</sup> Tiara Dwi Rahayu, Yani Pujiwati, and Betty Rubiati, "KEPASTIAN HUKUM KEPEMILIKAN HAK ATAS TANAH SETELAH MENGALAMI LIKKUIIEFAKSI TANAH," *LITRA: Jurnal Hukum Lingkungan Tata Ruang Dan Agraria* 2, no. 2 (2023): 248–64.

<sup>2</sup> The Constitution of the Republic of Indonesia of 1945.

to maximize the value of these rights.<sup>3</sup> Furthermore, as quoted in Yulia (2022), Yoyon (2016) stated that to prevent legal problems or reduce future risks, it is very important to carry out land certification and transfer ownership to the certificate holder.<sup>4</sup> To provide legal certainty for land rights holders, Article 19 of the Basic Agrarian Law requires national land registration, which is carried out by the government throughout the territory of the Republic of Indonesia.<sup>5</sup> These provisions are further explained in Government Regulation Number 24 of 1997 concerning Land Registration, which states that land registration aims to ensure legal certainty and legal protection for holders of land rights through the issuance of certificates.

The government has implemented the Complete Systematic Land Registration Program (PTSL) which is regulated by the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 6 of 2018 concerning Complete Systematic Land Registration, in order to accelerate the land registration process and improve public access to asset legalization. Several tasks, including mapping and identifying land, collecting information and documents related to land ownership, as well as issuing land certificates, are used to implement PTSL.<sup>6</sup> The Complete Systematic Land Registration Program (PTSL), as a major government

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<sup>3</sup> Gianni Putrisasmita, "Kedudukan Program Pendaftaran Tanah Sistematis Lengkap Dalam Kerangka Reforma Agraria Untuk Mewujudkan Kepastian Hukum Pertanahan Di Indonesia," *LITRA: Jurnal Hukum Lingkungan, Tata Ruang, Dan Agraria* 3, no. 1 (2023): 18–36, <https://doi.org/10.23920/litra.v3i1.1466>.

<sup>4</sup> Yulies Tiena Masriani, "Pentingnya Kepemilikan Sertifikat Tanah Melalui Pendaftaran Tanah Sebagai Bukti Hak," *Jurnal USM Law Review* 5, no. 2 (2022): 539–552.

<sup>5</sup> Nahdliya Farhani and Asmarani Ramli, "ANALISIS HUKUM TERHADAP KEABSAHAN SERTIFIKAT TANAH BENGKOK DALAM KASUS PENYEROBOTAN TANAH DI DESA SETUPATOK KABUPATEN CIREBON," *Rewang Rencang : Jurnal Hukum Lex Generalis* 6, no. 9 (2025): 1–21.

<sup>6</sup> Bambang Suharto and Supadno, "HAMBATAN-HAMBATAN DALAM PELAKSANAAN PROGRAM PENDAFTARAN TANAH SISTEMATIK LENGKAP (PTSL)," *IJPA - The Indonesian Journal of Public Administration* 9, no. 1 (2023): 27-42.

program in Indonesia, aims to provide legal certainty over land ownership nationally. This initiative aims to address land ownership issues, which often cause conflicts, especially related to land that has not been officially registered.<sup>7</sup> As a national program that involves technical and administrative activities on a large scale, the implementation of PTSL is inseparable from the aspect of financing.

Regarding PTSL financing, Article 40 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 6 of 2018 stipulates that PTSL financing can come from the Ministry's Budget Implementation List, Regional Revenue and Expenditure Budget, cooperation with other parties, as well as public funds through Mass Self-Support Certificates in accordance with the provisions of laws and regulations. However, these provisions do not regulate in detail the mechanism for determining the amount of PTSL preparation fees charged to the community at the village level. Therefore, in practice, a Joint Decree of the Minister of Agrarian Affairs and Spatial Planning/Head of BPN, the Minister of Home Affairs, and the Minister of Villages, Development of Disadvantaged Regions, and Transmigration in 2017 concerning Financing for the Preparation of Complete Systematic Land Registration is used, which sets the maximum preparation cost for PTSL in the Java and Bali regions at IDR 150,000 per land plot.

In reality, the normative provisions that have been established are not always followed during the implementation of PTSL financing at the village level. One example is the PTSL financing fee in Sidayu Village, Bandar District, Batang Regency, amounting to IDR 350,000 per plot of land, where this cost exceeds the upper limit of IDR 150,000 set in the Joint Decree of Three Ministers in 2017.<sup>8</sup>

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<sup>7</sup> Fatahussalam Zaenuddin, Hemalia Zahra, and Inka Febby Rahmayanti, "Optimizing Systematic Land Registration (PTSL) to Enhance Legal Certainty of Land Ownership Rights: Collaboration with Religious Value in Indonesia," *Religion and Policy Journal* 2, no. 1 (2024): 33–40, <https://doi.org/10.15575/rpj.v2i1.934>.

<sup>8</sup> Ahmad Ghozali, "Dugaan Pungli PTSL di Desa Sidayu, Kecamatan Bandar, Kabupaten Batang," *Liputan KPK*, October 2, 2025, accessed January 28, 2026, 11:16 a.m., <https://www.liputankpk.com/dugaan-pungli->

This cost calculation raises the question of whether the PTSL financing method at the village level complies with the applicable regulations.

The absence of a Regent Regulation in Batang Regency specifically governing the financing of PTSL preparation at the village level contributes to the incomplete implementation of normative PTSL financing provisions in their implementation in villages. The lack of such local regulations provides room for village governments to set financing based on internal agreements. Setting costs without being based on written regulations has implications for weakening the principles of legal certainty and legal protection for the community as PTSL participants.

Research by Siti Humairoh Habibatul Karimah et al. with the title "Analysis of the Imposition of Complete Systematic Land Registration Fees in Perbup No. 16 of 2022 (Case Study in Manyar District, Gresik Regency)" uses an empirical method to examine the imposition of PTSL fees based on the Gresik Regent Regulation Number 16 of 2022. The research results indicate that although the basic fee is set at IDR 150,000.00 with a maximum additional fee of IDR 350,000.00 per plot, in practice there are still obstacles such as the inability of some people to pay and indications of data manipulation, so its implementation does not fully reflect justice and legal certainty. The study "Implementation of Systematic Land Registration (PTSL) Fees at the City/Regency Level" by Ardo Yoga Pradana examines the PTSL fee policy by observing and analyzing legislation and regulations. Based on the study's findings, local governments are required to adjust their fee-setting practices in accordance with the Joint Decree of Three Central Government Ministers that regulates the determination of PTSL fees. To prevent illegal levies and ensure policy synchronization, this study emphasizes that regions setting fees higher than the stipulated amounts must include them in written regulations and publish them. Research by Astarina Ayu Primastya entitled "PTSL Fee Imposition: A Review of Banyuwangi Regent Regulation and Mashlahah Mursalah"

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[ptsl-di-desa-sidayu-kecamatan-bandar-kabupaten-batang/](#)

examines the practice of charging PTSL fees in Sambimulyo Village, which sets a fee of IDR 450,000.00 per land plot, exceeding the provisions of Banyuwangi Regent Regulation Number 11 of 2018. The research results indicate a normative violation of the cost limit, but the practice is considered justifiable from the perspective of *mashlahah mursalah* as long as it aims for effectiveness and public welfare.

Based on the above description, this study was conducted to analyze the implementation of PTSL financing at the village level and the factors that influence the determination and imposition of PTSL costs in Sidayu Village, Bandar District, Batang Regency. This study aims to examine the conformity between PTSL financing practices and the applicable normative provisions as well as their implications for legal certainty and justice for the community as PTSL participants. This study is novel because it examines the implementation of PTSL financing at the village level that is carried out based on informal agreements in the absence of financing regulations at the regional level, and analyzes its implications for legal certainty and protection for the community.

This research uses a juridical-empirical approach with a descriptive qualitative method aimed at revealing the reality of the implementation of financing for the Complete Systematic Land Registration Program (PTSL) at the village level through in-depth exploration of primary and secondary data. The juridical approach is applied to analyze the conformity of financing practices with the national normative framework (Joint Decree of 3 Ministers 2017, Minister of Agrarian Affairs/Head of BPN Regulation No. 6/2018) and its implications for the principle of legal certainty, while the empirical approach is used to collect field facts through in-depth interviews and documentary studies in Sidayu Village, Bandar Subdistrict, Batang Regency. The research location was chosen purposively considering the practice of setting a PTSL fee of IDR 350,000 per plot, which exceeds the maximum limit of IDR 150,000 as regulated in the 2017 Joint Regulation of 3 Ministers, as well as the absence of a Regional Regulation of the Regent of Batang Regency as a

legal basis for technical financing. The primary data collection technique was conducted through semi-structured interviews with 17 key informants consisting of the Secretary of Sidayu Village, Members of the Sidayu Village Consultative Body, the Head of RT 16 RW 04 Dukuh Sogo Sidayu Village, the Administrative Analyst and Legal Data Collector of Sidayu Village at the Batang Regency Land Office, and 12 PTSL participants.

Secondary data were collected through a documentary study of legislation regulations, the decree on the appointment of the PTSL committee, as well as program achievement data from the Batang Regency Land Office for the period 2022–2025. Data analysis was conducted interactively using data reduction, data presentation, and drawing conclusions based on the Miles and Huberman model, followed by normative juridical analysis to assess the conformity of empirical findings with the principles of legal certainty and legal protection in the national land system.

### ***B. Implementation of PTSL Financing in Sidayu Village Based on the National Normative Framework***

The first land registration for all land registration objects in a village, sub-district, or other comparable area throughout the Republic of Indonesia is known as Complete Systematic Land Registration (PTSL).<sup>9</sup> Through the simultaneous collection, measurement, and issuance of certificates in one village or district, the government hopes to provide legal certainty regarding land ownership.

In Batang Regency, this program shows implementation that took place continuously during the 2022–2025 period. Based on achievement data from the Land Office (ATR/BPN) of Batang Regency, the total plots successfully certified through the PTSL program for the 2022-2025 period reached 85,118 plots.

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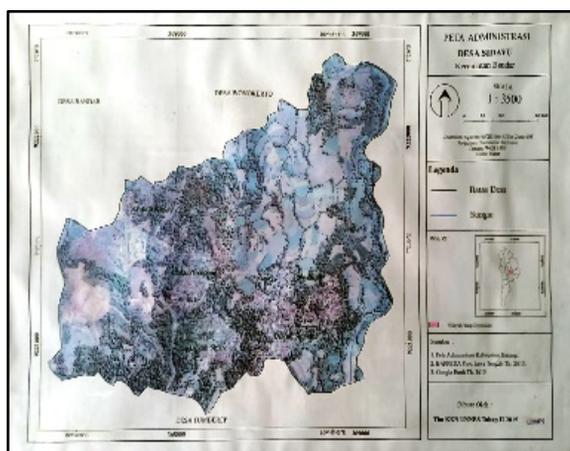
<sup>9</sup> Masnah, Sampara Lukman, and Ali Hanafiah Muhi, "Implementasi Kebijakan Pendaftaran Tanah Sistematis Lengkap (PTSL) Di Kabupaten Muaro Jambi," *Jurnal Renaissance* 6, no. 02 (2021): 783–801, <http://www.ejournal-academia.org/index.php/renaissance>.

*Table 1 Data on the Number of Land Plots Certified per year 2022-2025 by the Batang Regency Land Office*

| Period | Number of Land Parcels Certified Through PTSL |
|--------|---|
| 2022   | 23.783  |
| 2023   | 24.975  |
| 2024   | 19.840  |
| 2025   | 16.520  |

*Source: Batang Regency Land Office, 2026*

One of the villages in Batang Regency that will implement PTSL in 2025 is Sidayu Village. The Village Head's decision regarding the Formation of the PTSL Committee, which is tasked with supporting administrative processes, collecting participant data, and coordinating activities with the Batang Regency Land Office, marks the beginning of PTSL implementation in the village.



*Figure 1 Map of Sidayu Village Location*  
*Source: Researcher's Documentation, 2026*

At the implementation level, the execution of PTSL in Sidayu Village cannot be separated from the dynamics of financing charged to program participants. In practice, the mechanism for determining costs at the village level is adjusted to local realities and needs, even though the government sets normative limits on the cost components

that can be borne by the community. This raises questions about the compatibility between the national normative framework and the practices that have developed in Sidayu Village.

### **1. Comparison of Rate IDR 350,000 (Sidayu Village) VS Maximum Limit IDR 150,000 (Joint Decree of 3 Ministers 2017)**

Complete Systematic Land Registration (PTSL) is a national program that is extensive and directly involves the community, so its implementation cannot be separated from the financing aspect, especially the initial costs borne by the participants. The government does not cover all the costs of the PTSL program, so some financing components are charged to the participants.<sup>10</sup>

Joint Decree of the Minister of Agrarian Affairs and Spatial Planning/Head of BPN, Minister of Home Affairs, and Minister of Villages, Development of Disadvantaged Regions, and Transmigration of 2017 regarding Financing for the Preparation of Complete Systematic Land Registration stipulates financing provisions for preparation to support its implementation, setting the preparation cost for Java and Bali at IDR 150,000 per land plot. The purpose of this fee is to support the administrative preparation aspects in the implementation of PTSL, which ultimately aims to provide legal certainty over land rights.<sup>11</sup> The nominal set for Java and Bali indicates the national financing standard as a guideline for the implementation of PTSL, although the phrase 'maximum limit' is not specifically used in the wording of the joint decision.

In reality, PTSL participants in Sidayu Village, Bandar District, Batang Regency, are charged a fee of IDR 350,000 per plot of land. Based on an interview with Mr. Bejo

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<sup>10</sup> Biru Bara Nirvana Cahyadi and Ertien Rining Nawangsari, "EFEKTIVITAS PROGRAM PTSL SEBAGAI PERLINDUNGAN HUKUM HAK ATAS TANAH," *Jurnal Kebijakan Publik* 13, no. 4 (2022): 369–75.

<sup>11</sup> Astarina Ayu Primastya, "Pembebanan Biaya Pendaftaran Tanah Sistematis Lengkap (PTSL) Tinjauan Peraturan Bupati Banyuwangi Dan Mashlahah Mursalah," *Journal of Islamic Business Law* 4, no. 2 (2020): 1–15.

Purwanto, Secretary of Sidayu Village, the village discussion leading to this decision involved the Village Consultative Body (BPD), community leaders, and representatives of PTSL participants. During the discussion, it was decided that the IDR 150,000 limit set in the Joint Decree of 3 Ministers was not sufficient to cover field operational costs in preparation for PTSL.

According to the data from the Detailed Budget Plan (RAB) for the Complete Systematic Land Registration in 2025 for Sidayu Village, the financing covers several items, such as socialization costs, procurement of stamps, procurement of boundary stakes, distribution of boundary stakes, installation of stakes, preparation of initial C excerpt documents, accommodation for committee meetings, operational costs for plot/data map equipment, operational costs for survey assistance, honorarium for the Village Consultative Body (local wisdom), stationery, data/application entry and filing, overtime meals, as well as accommodation and consultation fees. The topographical condition of the area, which includes fairly steep terrain, is also taken into account in calculating these expenses. Administratively, this additional expenditure is considered a response to the actual needs of program implementation at the village level.

*Table 2 Comparison of PTSL Financing Components Between Normative Provisions and Implementation in Sidayu Village*

| Component             | 2017 3 Ministers Joint Decree (IDR 150,000) | Implementation in Sidayu Village (IDR 350,000) | Description                 |
|-----------------------|---|--|-----------------------------|
| Socialization         | Excluded                                    | Included                                       | Additional cost             |
| Procurement of Stamps | Included (1 pcs)                            | Included (6 pcs)                               | There is an additional cost |
| Procurement of        | Included (3                                 | Included (4                                    | There is an                 |

|  | pcs)     | pcs)     | additional cost        |
|--|----------|----------|------------------------|
| Boundary Stakes                                  | Excluded | Included | According to standards |
| Distribution of Boundary Stakes                  | Excluded | Included | Additional cost        |
| Installation of Stakes                           | Included | Included | According to standards |
| Document Preparation                             | Excluded | Included | Additional cost        |
| Committee Meeting Accommodation                  | Included | Included | According to standards |
| Operational Equipment for Data/Block Map, Parcel | Excluded | Included | Additional cost        |
| Measurement Assistance Operations                | Excluded | Included | Additional cost        |
| Honorarium for BPD                               | Excluded | Included | Additional cost        |
| Office Stationery                                | Excluded | Included | Additional cost        |
| Application Input/Filling and Documentation      | Excluded | Included | Additional cost        |
| Overtime Consumption                             | Excluded | Included | Additional cost        |
| Accommodation and Consultation                   | Excluded | Included | Additional cost        |

*Source: Researcher Analysis, 2026*

The difference between the nominal IDR 150,000 set in the 2017 Joint Ministerial Decree and the IDR 350,000 cost in Sidayu Village shows that the implementation of village policies varies. Without formal regulatory support at the regional level, the amount is decided through discussions at

the village level and recorded in the minutes of agreement. This situation raises questions about how the implementation of the PTSL Program as a national land policy can maintain its consistency, especially regarding funding standards in Java and Bali.

## *2. The Absence of Written Legal Basis (Regent Regulation/Regent Decree) as Legitimacy for Fee Determination*

The existence of legitimate law plays an important role in maintaining good governance in the implementation of public policy.<sup>12</sup> Local governments have the authority to make regulations as a tool to implement policies in their regions within the framework of decentralization and regional autonomy. This authority gives regions the freedom to adjust the implementation of national policies to fit local conditions.<sup>13</sup> Article 61 of Government Regulation No. 24 of 1997 concerning Land Registration<sup>14</sup>, which stipulates that the Minister must determine the amount of land registration fees and the method of payment, serving as a normative reference in the implementation of land registration. Theoretically, this means that the central authority is responsible for standardizing land registration fees, including those that are systematic (PTSL), and that regulatory synchronization is necessary for implementation in the regions to maintain legal certainty.

Based on the search on the Legal Documentation and Information Network (JDIH) of Batang Regency, no Regent Regulations or other written policies specifically regulating the financing of PTSL preparation were found. An interview

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<sup>12</sup> Yunita Nurfadilla and Yana Sahyana, "Peran Aturan Hukum Dalam Menciptakan Tata Pemerintahan Yang Membangun Partisipasi Demokratis Yang Berkelanjutan," *Jurnal Pemerintahan Dan Politik* 9, no. 4 (2024): 259–64, <https://doi.org/10.36982/jpg.v9i4.3715>.

<sup>13</sup> Ari Wibowo, Asep Rohman Dimyati, and Junaedi Junaedi, "Mewujudkan Sistem Hukum Nasional Yang Adil Dan Efektif: Urgensi Penataan Regulasi Dalam Perspektif Politik Hukum Di Indonesia," *Journal of Contemporary Law Studies* 2, no. 3 (2025): 223–36, <https://doi.org/10.47134/lawstudies.v2i3.3793>.

<sup>14</sup> Government Regulation No. 24 of 1997 concerning Land Registration.

conducted with Mr. Artianto Prihatmojo, who serves as an Administrative Analyst at the Batang Regency Land Office, further supports this conclusion. He stated that unlike several other regions that have established similar regulations, Batang Regency currently does not have technical regulations related to PTSL funding.

The absence of this regulation creates challenges in standardizing the implementation of PTSL financing at the local level. Mr. Bejo Purwanto, as the Secretary of Sidayu Village, in an interview stated that the practice in Sidayu Village of charging IDR 350,000 per plot is not based on a formally established Regent Regulation, but rather on the minutes of internal agreements and village deliberation processes. This situation indicates that the village government is handling regulatory gaps at the regional level through discretionary measures. However, the collection of fees through village deliberation has a weak normative position because it is not accommodated within the hierarchy of legally recognized regulations at the district level, considering that the land registration procedure is an attributive authority in accordance with Government Regulation No. 24 of 1997 concerning Land Registration.

Regulations at the regional level serve as a bridge between national provisions and administrative implementation at the local level.<sup>15</sup> The absence of official regulations that can serve as a basis for determining the legitimacy of fee-setting at the village level is due to the lack of applicable regional regulations. This condition indicates that there are no technical guidelines established to connect local practices with national regulations in the context of land policy. As a result, the decision of Sidayu Village to charge a fee of IDR 350,000 per plot is based on the village deliberation process recorded in the minutes of internal agreement, not on regional norms that have been formally established in writing.

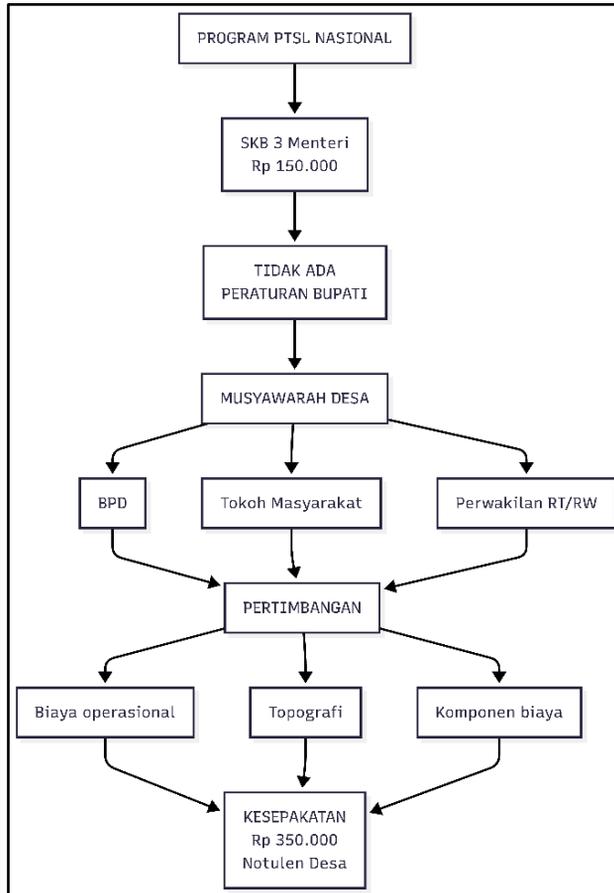
The absence of regional regulations at the district level also means the lack of uniform reference standards or cost

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<sup>15</sup> Lita Tyesta Addy Listya Wardhani, "KONSTRUKSI PROGRESIF SISTEM PERATURAN PERUNDANG-UNDANGAN DAERAH," 2023, 755–84.

calculation methods. Policies can vary between regions because each village can make policies based on its own internal reasons. This condition shows that in the absence of rules explicitly set by the local government, the interpretation and internal policies of the village government play an important role in the implementation of national initiatives at the local level.

*Chart 1 Determination of PTSL Costs in Sidayu Village*



*Source: Researcher Analysis, 2026*

According to the Policy Implementation Theory (George Edward III, 1980, cited in Tiwa, Posumah, & Londa, 2023), policy implementation is an important process because, regardless of how good a policy is, its objectives will not be achieved if it is not planned and executed properly.<sup>16</sup> George Edwards III stated that four elements, namely communication, resources, disposition, and bureaucratic

<sup>16</sup> Rizky Cristiano Tiwa, Johnny H. Posumah, and Very Y. Londa, "IMPLEMENTASI KEBIJAKAN DALAM MENANGANI KEKACAUAN ANTAR DESA DI KECAMATAN TOMPASO BARU KABUPATEN MINAHASA SELATAN," *Jurnal Administrasi Publik JAP* 3, no. 9 (n.d.): 339–50.

structure, have an influence on the success of implementation.<sup>17</sup>

In Batang Regency, the lack of technical requirements at the regency level for PTSL indicates obstacles in the bureaucratic system, which forces village governments to use local policies to fill regulatory gaps. The decision to charge IDR 350,000 per plot, taking into account the characteristics of the area and operational needs, reflects the disposition of implementers in Sidayu Village who focus on reaching certification targets, even though it requires modifications beyond what is allowed by the Joint Decree of the Three Ministers. Limited resources, both in terms of finances and operational facilities in the field, are the rational reasons behind the cost adjustments. Thus, the implementation of PTSL in Sidayu Village is a form of field discretion that arises from the weak synchronization of bureaucratic structures between the central and regional governments, which ultimately can affect the consistency of legal certainty for program participants.

### *3. Juridical Analysis of Article 40 of ATR/BPN Regulation No. 6 of 2018 and Its Implications on Village Authority*

The legal basis for the implementation of PTSL can be seen in the Regulation of the Minister of ATR/BPN Number 35 of 2016, which was later amended by the Regulation of the Minister of ATR/Head of BPN Number 1 of 2017, and subsequently amended again by the Regulation of the Minister of ATR/BPN Number 6 of 2018 concerning Complete Systematic Land Registration. The PTSL regulation was updated because the previous regulation still required substantial improvements to align with the provisions of land registration and land rights.<sup>18</sup> Regulation of the Minister of

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<sup>17</sup> Sunarto Sunarto, "IMPLEMENTASI PERATURAN PEMERINTAH REPUBLIK INDONESIA NOMOR 28 TAHUN 2012 TENTANG KEARSIPAN PADA LEMBAGA LAYANAN PENDIDIKAN TINGGI WILAYAH II," *Jurnal Ilmu Administrasi Dan Studi Kebijakan (JIASK)* 3, no. 2 (2021): 97–112, <https://doi.org/10.48093/jiask.v3i2.50>.

<sup>18</sup> Ahmad Suhaimi et al., "ANALISIS PERATURAN MENTERI ATR/KA. BPN NOMOR 6 TAHUN 2018 TENTANG PENDAFTARAN TANAH SISTEMATIS LENGKAP SEBAGAI DIKRESI PEMERINTAH MEMBERIKAN JAMINAN

Agrarian Affairs/The Head of BPN Number 6 of 2018 concerning Complete Systematic Land Registration has governed everything from the implementation of PTSL, subjects and objects, adjudication committee, PTSL stages, to financing.

Article 40 of the Regulation of the Minister of Agrarian Affairs/National Land Agency No. 6 of 2018 concerning Complete Systematic Land Registration regulates financing in the implementation of Complete Systematic Land Registration (PTSL). Article 40 paragraph (1) letters a-e states that the sources of PTSL financing can come from the Ministry's Budget Implementation List (DIPA), Provincial, Regency/City Regional Revenue and Expenditure Budget (APBD), Corporate Social Responsibility (CSR), State-Owned Enterprises/Regional-Owned Enterprises, private legal entities, community funds through the Mass Self-Funded Certificate (SMS) in accordance with the provisions of the legislation or other legitimate receipts in the form of grants, loans from private legal entities, or other forms through the State Revenue and Expenditure Budget mechanism and/or Non-Tax State Revenue.<sup>19</sup> However, it should be emphasized that the clause only limits the source of funding and does not give the village government the authority to decide on its own how much fees will be charged.

The village government is not specifically given the authority to determine the amount of fees to be paid by the community in accordance with Article 40 of the Minister of Agrarian Affairs/Head of BPN Regulation No. 6 of 2018 concerning Complete Systematic Land Registration. The village does not have a clear normative basis to set independent fees because the regulation only governs the sources of funding in general.

The 2017 Joint Regulation of 3 Ministers serves as a national guideline that sets the nominal cost standards for

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KEPASTIAN DAN PERLINDUNGAN HAK ATAS TANAH" 11, no. 2337 (2023): 112–28.

<sup>19</sup> Article 40 paragraph (1) letters a-e of the Regulation of the Minister of Agrarian Affairs/National Land Agency No. 6 of 2018 concerning Complete Systematic Land Registration

PTSL preparation in the Java and Bali regions. However, the practice of setting a cost of IDR 350,000 per plot in Sidayu Village shows an adjustment that exceeds the aforementioned nominal standard. This situation raises issues regarding the certainty of PTSL preparation costs because the operational adjustments were made without alignment with the established national cost standards.

#### *4. Legal Risk: Potential to be Qualified as Illegal Levies (Article 12 of Law No. 31/1999 in conjunction with Law No. 20/2001)*

As previously mentioned, Minister of Agrarian Affairs/National Land Agency Regulation No. 6 of 2018 does not specifically grant authority to village governments to determine the amount of fees that must be paid by the community in the implementation of PTSL. The 2017 Three-Minister Joint Decree does provide guidelines for PTSL preparation funding, including the amounts in the Java and Bali regions, but these guidelines are not followed by more detailed technical regulations at the regional level.

In reality, the fee of IDR 350,000 per plot imposed by the Village of Sidayu indicates a change that exceeds the nominal limit set in the Joint Decree of 3 Ministers. The legitimacy of such a levy from the standpoint of orderly land registration administration is questioned when the change is not supported by clear normative authority.

Illegal levies are a common phenomenon in society, reflecting actions that harm others. The act of seeking or receiving money or goods without a clear legal basis or in violation of applicable laws and regulations is conceptually known as illegal levies.<sup>20</sup> Article 12 of Law Number 31 of 1999 jo Law Number 20 of 2001 concerning the Eradication of Corruption Crimes regulates the prohibition of receiving payments that are not legally valid in Indonesia.<sup>21</sup>

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<sup>20</sup> Marselinus Goa and Hudi Yusuf, "Praktik Pungutan Liar (Pungli) Di Lingkungan Masyarakat," *Media Hukum Indonesia (MHI)* 3, no. 3 (2025): 963–71, <https://doi.org/10.5281/zenodo.16778160>.

<sup>21</sup> Article 12 of Law Number 31 of 1999 jo Law Number 20 of 2001 concerning the Eradication of Corruption Crimes.

This study does not intend to qualify the practices in Sidayu Village as criminal acts, but rather highlights the risk of legal certainty degradation if levies are imposed without adequate regulatory basis. Without clear and transparent regulations, unclear local authority in setting levies can lead to potential conflicts, oversight issues, or even allegations of violations. Therefore, the main issue in implementing PTSL fees at the village level is the lack of clarity or incompleteness of local legal infrastructure. The imposition of fees can not only create vulnerabilities for village officials but also affect the continuity of the PTSL program itself if national regulations, financial standards, and local regulations are not harmonized.

### *C. Factors Affecting the Determination of PTSL Fees Outside the Provisions of the 3 Ministers' Joint Decree*

#### *1. Regulatory Factor: The Absence of Regent Regulations in Batang Regency Opens the Space for Village Government Discretion*

One of the factors affecting the cost calculation in PTSL financing at the village level is the absence of the Regent Regulation of Batang Regency. Various Regional Regulations (Perda) and Regent Regulations (Perbup) are established as regulatory instruments at the regional level to implement the functions of regional autonomy and support in the management of local government.<sup>22</sup> The existence of technical regulations at the regional level functions as an operational guideline that connects central government regulations with administrative procedures in the field in the implementation of national programs such as PTSL. Without these standards, villages must adjust program implementation according to internal administrative considerations and local conditions. Villages must determine financing mechanisms independently in the absence of

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<sup>22</sup> Rizka Ifanka Amir, Nirwan Moh. Nur, and Asis Harianto, "Tinjauan Hukum Pelaksanaan Harmonisasi Rancangan Peraturan Bupati Pada Bagian Hukum Sekretariat Daerah Kabupaten Bangga," *Jurnal Yustisiabel* 5, no. 2 (2021): 144–57, <https://doi.org/10.32529/yustisiabel.v5i2.1269>.

comprehensive guidelines regarding the maximum amount and types of financing that can be imposed on the community.

Based on an interview with Mr. Bejo Purwanto, Secretary of Sidayu Village, the financing policy is not stipulated in the form of a Village Regulation due to the absence of reference regulations at the district level. The village deliberation process is used to determine costs, which are then documented in the minutes of the agreement. Furthermore, interviews with Mr. Mudi Wiharjo, Head of RT 16 RW 4, Sogo Hamlet, Sidayu Village, and Mr. Maftukhin, member of the Village Consultative Body (BPD), stated that costs are determined through discussions between the BPD, religious leaders, youth leaders, and representatives of the RT and RW. Before PTSL participants are charged, these discussions form the basis for a mutual agreement.

This condition indicates that the absence of technical regulations at the district level not only creates a vacuum in technical regulation but also encourages the development of legitimacy mechanisms based on mutual agreement. Law as a product must be able to provide legal certainty to the community.<sup>23</sup> In this context, Gustav Radbruch argued that for legal certainty to be achieved, law must function as a rule that must be obeyed, both in terms of the application of the rule and in terms of how the norm or content of the rule represents essential legal principles.<sup>24</sup> One of the fundamental aspects of the theory of legal certainty according to Gustav Radbruch is that law is a positive thing, which means that positive law is legislation.<sup>25</sup> Thus, the practice of setting costs based solely on village agreements reflects the lack of optimal legal certainty, even though it is used as a tool for administrative rationalization in

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<sup>23</sup> Isharyanto, *Teori Hukum: Suatu Pengantar Dengan Pendekatan Tematik* (Yogyakarta: Penerbit WR, 2016).

<sup>24</sup> Siti Halilah and Mhd. Fakhurrahman Arif, "Asas Kepastian Hukum Menurut Para Ahli," *Siyasah: Jurnal Hukum Tata Negara* 4, no. 2 (2021): 56–65.

<sup>25</sup> Ananda "Teori Kepastian Hukum Menurut Para Ahli", *Gramedia Blog*, accessed February 16, 2026, 10:11 a.m., <https://www.gramedia.com/literasi/teori-kepastian-hukum/>

determining costs.

Furthermore, the absence of regulations at the regional level is a form of non-compliance with the Ninth Dictum of the 2017 Joint Decree of 3 Ministers. According to this decree, the Minister of Home Affairs directs the Regents/Mayors to issue Regent/Mayor Regulations as a basis for charging the costs of PTSL preparation to the public if these costs are not budgeted in the Regional Budget (APBD).

The existence of technical regulatory gaps at the district level has resulted in the practice of determining PTSL financing in Sidayu Village being viewed as a field discretionary measure to fill the legal vacuum, rather than as an authority formally regulated within the land registration system. Legally, this condition indicates that in the implementation of PTSL financing, there are implications for the suboptimal legal certainty, particularly concerning the uniformity and clarity of the legal basis for financing, even though sociologically this policy is accepted by the community.

## **2. Technical-Administrative Factors: Non-Transparent Cost Components**

Technical and administrative factors are very important in the implementation of the PTSL program at the village level, especially in terms of determining, managing, and conveying information regarding financing. With regard to the clarity of cost components, the basis for calculation, as well as the mechanism for delivering it to the community, financial transparency is part of good governance. The main objective of PTSL, as a national program, is to provide legal certainty and protection for land rights holders, provide land information, and establish efficient land administration.<sup>26</sup> Transparency and administrative accountability must be supported at every level of its implementation, including

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<sup>26</sup> Nafa Anggreany Lette, Jacoba D. Niga, and Rouwland A. Benyamin, "Efektivitas Pelaksanaan Program Pendaftaran Tanah Sistematis Lengkap (PTSL) Dalam Rangka Pemberian Sertifikat Gratis (Studi Pada Kelurahan Manulai II)," *Kybernology Jurnal Ilmu Pemerintahan Dan Administrasi Publik* 3, no. 1 (2025): 330–46, <https://doi.org/10.71128/kybernology.v3i1.296>.

financial aspects.

Based on the archived invitation document from the Sidayu Village Office, the Sidayu Village Government held a PTSL socialization activity on February 19, 2025, which took place in the Sidayu Village Hall. The activity was attended by approximately 30 people, consisting of BPD members, RT leaders, village officials, PTSL participants, and the general public. This socialization served as an initial forum for conveying information related to PTSL procedures and costs to the community.



*Figure 2 Socialization of PTSL in Sidayu Village in 2025  
Source: Documentation by Sidayu Village Officials, 2025*

Based on interviews conducted with 12 PTSL participants, most respondents did not receive written information regarding the details of the fees paid. Mrs. Siti Maryam revealed that there was no explanation or breakdown of how these fees were used. Mr. Tarjui also made a similar statement, highlighting that the cost components were not explained. In fact, administrative communication barriers related to differences between state-subsidized registration fees at BPN and preparatory expenses at the village level are reflected in Mr. Taryono's comments about the assumption of the 'free' program.

Although some respondents such as Mr. Slamet Imroni and Ms. Siti Yakiyah mentioned that there were oral explanations in the socialization forum, these explanations

were not accompanied by written documents that could be accessed evenly by all participants. In addition, all respondents stated that they were not aware of any recognized national guidelines regarding PTSL preparation costs. This confirms that the transparency mechanism in Sidayu Village is still informal and oral and has not met official publication standards.

Thus, the technical-administrative factors in the implementation of PTSL in Sidayu Village are not solely based on the cost amount, but rather on the suboptimal system of classification and financing documentation that supports the principle of government administrative accountability. From the perspective of land registration, the lack of documented cost information places program participants at the risk of uncertainty and hampers the achievement of responsible land administration governance.

### *3. Socio-Economic Factors: Limited Village Budget Pressure and Public Perceptions Regarding the Usual Costs in Handling Land Administration*

The implementation of PTSL at the village level is also influenced by socio-economic considerations, especially related to financing. Mr. Bejo Purwanto, as the Secretary of Sidayu Village, explained that although IDR 150,000 is stated in the Joint Decree of 3 Ministers, this amount is considered insufficient if used as an operational standard in the field. He stated that when examined in depth, the costs associated with the implementation of PTSL in the village exceed the amount allocated by the regulation. Furthermore, these costs include the purchase and installation of boundary markers, stamps, operational support for actions, accommodation for committee meetings, and other administrative requirements listed in the internal budget plan of the PTSL committee. In addition, the steep topography of Sidayu Village is an additional technical factor that increases the workload and administrative facilitation costs in collecting physical and juridical data.

Based on interviews with several PTSL participants, the price of IDR 350,000 per plot is considered still reasonable and affordable for the community. Several

participants, such as Mr. Mohamad Samsul Muarif, Mrs. Sugiyati, Mrs. Kuswati, Mr. Yosi Aripriyanto, and Mrs. Suriyah, consider this fee to be reasonable. According to Mr. Slamet Imroni, a fee of IDR 350,000 is not too burdensome compared to the independent certificate processing, which has much higher costs. Mr. Tarjui also gave a similar assessment, describing the price as common for land administration procedures.

On the other hand, Mr. Casmanto and Mr. Muhammad Nur Khakim also hope that these prices will be lowered or even made free in the future, which signals that purchasing power remains a limiting factor. Mrs. Siti Yakiyah also hopes that the financing amount will not be increased further. This shows that people still expect lower expenditures if possible, even though the financing is considered adequate.

Socially, this situation indicates that there is a compromise between the reality of operational costs and the residents' need for land asset legality. As long as it is considered cheaper than the standard method and does not pose a significant financial burden, the community does not question the amount charged. The community's lack of knowledge about the nominal determination by the Government also affects this. The acceptance of PTSL financing in this context is influenced by socio-economic realities, the administrative processes that have developed within the community, and regulatory factors.

#### *4. Institutional Factor: Weak Supervision by the Batang Regency Land Office on the Determination of Costs at the Village Level*

The Land Office of Batang Regency plays a strategic role in the implementation of the Complete Systematic Land Registration (PTSL). There are several steps that must be taken to carry out the PTSL program, such as determining the location, preparation, forming and establishing an adjudication committee, socialization, collecting physical and juridical data, researching physical and juridical data in proving rights, announcing physical and juridical data along with submission, confirmation of recognition of rights conversion and granting rights, recording rights, issuing land

rights certificates, documentation and submission of activity results up to reporting.<sup>27</sup> The supervisory function of this institution is very important, especially in ensuring that the costs charged to the public do not deviate from the applicable requirements.



*Figure 3 Handover of PTSL Program Certificates for 2025  
By the Batang District Land Office*

*Source: Documentation by Sidayu Village Officials, 2025*

Based on an interview with Mr. Arga Yoansa Pradana, Legal Data Collector (Puldadis) for Sidayu Village at the Batang District Land Office, the National Land Agency (BPN) does not have direct authority to oversee the process of determining fees at the village level. In every outreach activity, the BPN emphasizes that PTSL preparation fees must refer to the provisions of the Joint Decree of Three Ministers, which sets a maximum limit of IDR 150,000 per plot for the Java and Bali regions.

He explained that the Land Office does not have the authority to supervise the fees set by the village government. The receipt and processing of administrative documents related to land registration is the main responsibility of the National Land Agency (BPN). Information regarding village-level financing is obtained through informal reports from the

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<sup>27</sup> Jhon Dearson Parapat, "IMPLEMENTASI PROGRAM PENDAFTARAN TANAH SISTEMATIS LENGKAP (PTSL) SEBAGAI UPAYA PERCEPATAN PENDAFTARAN TANAH DI PROVINSI JAWA TIMUR," *Publika* 9, no. 4 (2021): 355–68.

community and not through official monitoring mechanisms. BPN's actions in this situation are limited to reminding that the financing should be carried out in accordance with applicable regulations.

Furthermore, Mr. Arga Yoansa Pradana stated that the Batang Regency Land Office was never officially informed about Sidayu Village's practice of charging IDR 350,000 per plot. This is reinforced by the statement of Mr. Artianto Prihatmojo, an Administrative Analyst at the Batang Regency Land Office, who emphasized that the National Land Agency (BPN) does not have the authority to be involved in supervision or fee determination because these matters are outside the institutional authority of the BPN.

This condition indicates the institutional limitations of the National Land Agency (BPN) in supervising the financing of PTSL at the village level, which can provide relatively broad discretionary authority to village governments. Legal uncertainty for the community and the consistent application of national regulations are affected by the lack of active control mechanisms over cost implementation, indicating that supervisory weaknesses are a structural problem related to the authority and institutional functions of BPN, not the result of individual negligence.

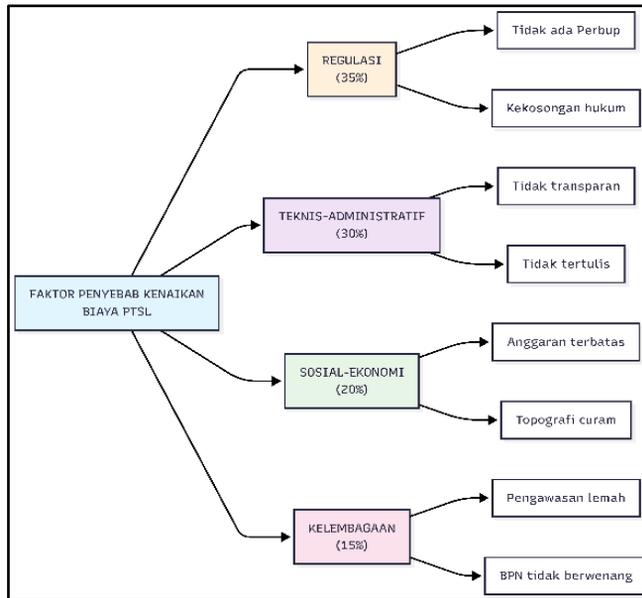
*Table 3 Factors Affecting the Determination of PTSL Costs*

| <b>Faktor</b>                    | <b>Dampak</b>                  | <b>Implikasi Hukum</b>                     |
|----------------------------------|--------------------------------|--|
| The Absence of Regent Regulation | Village government discretion  | The weakness of legal certainty            |
| Non-Transparent Cost Components  | Unwritten information          | Risk of uncertainty                        |
| Limited Village Budget           | Costs borne by the participant | The access of poor communities is hindered |
| Steep Terrain Topography         | Operational costs increased    | Cost adjustment                            |
| Lemahnya                         | Broad authority to             | There is no formal                         |

|                |             |         |
|----------------|-------------|---------|
| Pengawasan BPN | the village | control |
|----------------|-------------|---------|

Source: Researchers Analysis, 2026

Chart 2 Factors Contributing to the Increase in PTSL Costs



Source: Researcher Analysis, 2026

## D. The Implications of Financing Practices on Legal Certainty and Public Legal Protection

### 1. Weakening of the Principle of Legal Certainty Due to the Determination of Fees Based on Informal Agreements

Basically, legal protection according to Soerjono Soekanto is protection given to legal subjects through legal instruments. According to Soerjono Soekanto's theory of legal protection, there are five elements that influence the process of law enforcement besides the role of law enforcers.<sup>28</sup> Soekanto explained that in addition to the role of

<sup>28</sup> Iyah Faniyah and Syurya Alhadi. A, "Perlindungan Hukum Terhadap

law enforcers, there are five other factors that influence the law enforcement process and its protection, namely the legal factor, the law enforcer factor, the means or facilities factor, the community factor, and the cultural factor.<sup>29</sup>

Because there is no Regent Regulation that sets a maximum cost in the context of PTSL, the village government together with the PTSL committee must determine the price internally. Based on interview facts, although there is no clear legal framework, this internal deliberation mechanism serves as an operational basis. A fee of IDR 350,000 per plot is set based on practical factors in the field. This condition shows that the legal factor (written regulations) is not entirely the basis for decisions, thus weakening the principle of legal certainty.

The function of law enforcement and elements of society are also relevant from Soekanto's theoretical perspective. The role of formal legal certainty is not always replaced by social acceptance, even though villages use deliberation as a means of legitimacy. This emphasizes how, although it may be socially accepted, informal financing methods can reduce the legal protection that should be possessed by legal subjects.

## **2. *Inequality of Access: Poor Communities Have Difficulty Accessing Land Certification***

Mr. Bejo Purwanto, as the Secretary of Sidayu Village, stated that the cost of implementing PTSL in Sidayu Village is IDR 350,000 per plot, applied uniformly to all participants. Although this amount is considered reasonable by most participants, the collection mechanism, which does not differentiate based on participants' conditions or economic

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Konsumen Dalam Penarikan Objek Jaminan Fidusia Oleh Debt Collector Akibat Wanprestasi Pada Perusahaan Pembiayaan," *Unes Journal of Swara Justisia* 8, no. 1 (2024): 215–22, <https://doi.org/10.31933/ujsj.v8i1.499>.

<sup>29</sup> Tim Hukumonline, "Teori-Teori Perlindungan Hukum Menurut Para Ahli," *Hukumonline.com*, September 30, 2022, accessed February 16, 2026, 11:51 a.m., <https://www.hukumonline.com/berita/a/teori-perlindungan-hukum-menurut-para-ahli-lt63366cd94dcbc/?page=2>

capabilities, creates relatively uniform but rigid access, without flexibility for residents who may need adjustments.

This uniform cost provision is related to the factor of facilities and the legal factor within the framework of Soekanto's legal protection theory. Because the mechanism for cost differences is not officially regulated at the village or district level, the legal factor in this case is limited. On the other hand, the facility factor is related to the internal budget and uniform administrative practices, but it does not provide room for adaptation to the different conditions of the residents.

From the perspective of legal protection, the effectiveness of protection for legal subjects is limited by the absence of this differentiation mechanism. Participants with special needs have less than ideal rights to administrative protection and legal certainty because they do not receive proportional administrative treatment. These findings indicate that access barriers are not merely an issue of citizens' economic capacity, but rather a weakness in the administrative system that does not provide a special protection scheme. Since standard procedures align with local norms, the community supports them, yet from a legal perspective, this emphasizes the importance of adjustable mechanisms that ensure equal legal protection for everyone.

### ***3. Potential Horizontal Conflict Due to Inequitable Distribution of Cost Burden Among Residents***

Although the cost is considered reasonable, interviews revealed differences in perception among the participants. Some residents consider the rate of IDR 350,000 still affordable, while others hope that amount could be reduced. These differences in perception have the potential to cause horizontal conflicts if the distribution of information and understanding about the cost is uneven.

Regarding Soekanto's theory, this condition is related to social factors and cultural factors. Social factors include the acceptance of law by the social environment, that is, when some citizens feel it is fair while others feel it is lacking, acceptance of the law becomes inconsistent. Cultural factors influence perceptions of justice because

social norms and citizens' experiences with land administration shape their expectations of the costs.

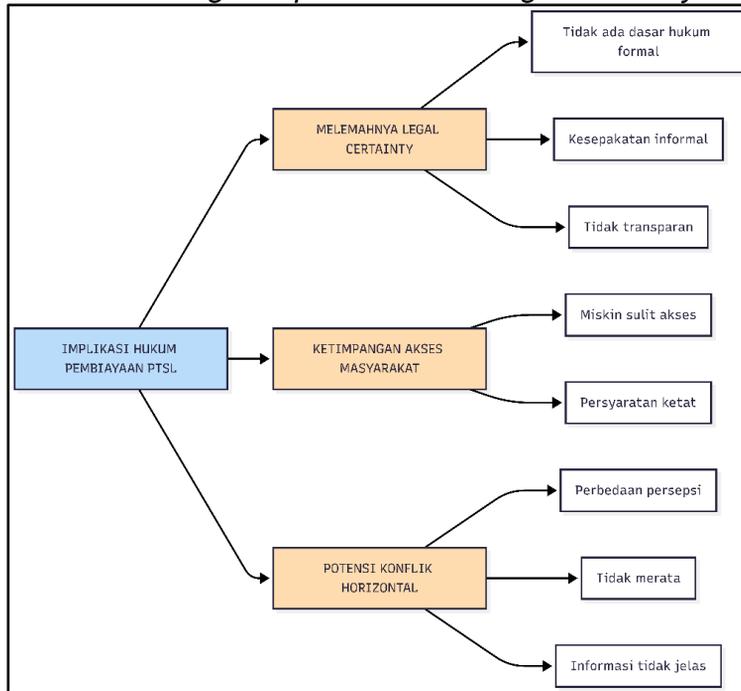
From the legal protection perspective, this phenomenon highlights the importance of communication and transparency regarding expenditures so that all citizens know how the money is used and how it is accounted for. Transparency ensures legal certainty for participants, increases the credibility of village governance, and reduces feelings of injustice.

Sociologically, the way society interacts with local law includes variations in expectations and interpretations of costs. The application of Soekanto's legal protection theory shows that societal factors are very important for enforcing the law and maintaining order. The more people understand the law, the more effectively the law will be enforced in society.<sup>30</sup> PTSL must consider these factors so that the likelihood of horizontal disputes can be reduced and legal protection remains guaranteed.

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<sup>30</sup> Mohd. Yusuf DM et al., "Faktor-Faktor Yang Mempengaruhi Penegakan Hukum Dalam Masyarakat," *JIHHP Jurnal Ilmu Hukum, Humaniora Dan Politik* 5, no. 4 (2025): 2866–71, <https://doi.org/10.38035/jihhp.v5i4.4234>.

*Chart 3 Legal Implications for Legal Certainty*



*Source: Researcher Analysis, 2026*

The chart above summarizes three main legal implications. First, because there is no clear legal framework and cost decisions are based solely on meeting minutes, legal certainty is weak. Second, a 'flat-rate' financing structure that ignores residents' economic conditions can lead to rigid procedures and unequal access. Third, because there are no official cost standards to refer to, this scenario increases the likelihood of horizontal conflicts or suspicion of village leaders within the community.

## **E. Conclusion**

The fee of IDR 350,000 charged to the community, which exceeds the maximum limit of IDR 150,000 set by the 2017 Joint Decree of Three Ministers on the Financing of Systematic Land Registration Preparation, indicates a disparity between national regulations and the real conditions in Sidayu Village. This situation occurs as a result of the

Batang Regency Government's non-compliance with the Ninth Dictum of the 2017 Joint Decree of Three Ministers, which mandates that if regional financing is not budgeted in the regional budget (APBD), a Regent Regulation should be issued as a technical basis for financing. As a result, a legal vacuum arises that forces the Sidayu Village Government to exercise independent discretion through village deliberations to cover the high operational costs. Since this practice is not based on formal and hierarchical legislation, its legal basis is weak.

The absence of written price transparency for the public and the lack of oversight from the National Land Agency (BPN) of Batang Regency both contribute to the insufficient legal infrastructure in the area. The lack of consistent reference standards and protection for less fortunate residents creates legal risks and administrative uncertainty, although sociologically the people of Sidayu Village accept these costs because they believe it is more efficient than handling matters independently. Therefore, concrete steps are needed from the Regency Government to immediately issue local regulations to ensure accountability, prevent potential abuse of authority, and provide maximum legal protection for all participants in the PTSL program.

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