

Implementation of Mortgage Rights Installation Services According to Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 5 of 2020

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Article Info

Article history:

Received: 19 July 2024

Published: 1 September 2024

Keywords:

Mortgage right; Land Deed Making Official (PPAT); ATR/BPN Ministerial Regulation Number 5 of 2020

Abstract

In line with the increasing development of technology and information, one of which is in the fields of e-commerce and e-government, the government provides electronic services related to mortgage rights, installation of mortgage rights, which was previously done manually, where the PPAT had to come directly to the BPN office to represent the bank to take care of everything up to the issuance of the Mortgage Rights certificate, now the PPAT's task is only to submit the APHT via the electronic system and provide guarantees regarding the validity of the supporting documents contained in a statement letter sent via the electronic system. Therefore, the author wants to research about Implementation of Electronically Integrated Mortgage Rights Installation Services at the Office of the Land Deed Official (PPAT) according to Minister of ATR/BPN Regulation No. 5 of 2020 concerning Electronic Integrated Mortgage Rights Services at the Office of the Land Deed Making Officer (PPAT) and obstacles to registering mortgage rights carried out electronically by the Land Deed Making Official (PPAT). In this research the author uses a type of Normative Juridical research, normative law or normative juridical research which is descriptive in nature, using a statutory approach (State Approach). Data collection was carried out by taking secondary data by examining sources originating from books and scientific works as well as primary data originating from binding laws in this research. The results of this research show that: In terms of registration implementation after the enactment of ATR/BPN Ministerial Regulation Number 5 of 2020, it still depends on the readiness of each Land Office in implementing the electronic system, although the main aim of HT-el is to provide convenience in the service system, there are still many problems or obstacles that arise in the service and implementation of this HT-el system.

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1. INTRODUCTION

National development is a series of sustainable development efforts that cover all aspects of life in a society, nation and state. The main goal of national development is to realize the ideals of a just and prosperous society. One of them is by improving welfare in a society through improving public services provided by the government.

Of the several factors of rapid development in society, development in the economic sector is one of the most vital, along with increasing national development, nowadays business transactions are also increasing in Indonesia; to support these business activities of course funding is also needed for business activities, in this case related to funding does not escape credit activities.

Credit is one of the products of Bank financial institutions as stated in article 1 paragraph 2 of Law Number 10 of 1998 concerning Upper Change Invite- Law Number 7 of 1992 concerning Banking. Credit transactions require an agreement between the creditor and debtor.

The development of credit activities cannot be separated from the provision of credit and guarantees for credit repayment, due to the position of banks as financial institutions whose business activities are within the scope of collecting funds from the public and managing these funds.

Thus, in every credit or financing activity carried out by a financial institution, it is necessary to obtain certainty about the loan given to the debtor, namely through a guarantee for the payment of the receivables. Collateral that can be used can be in the form of movable or immovable objects.

In its development, it can be clearly seen from the birth of Law Number 4 of 1996 concerning Mortgage Rights over Land and Objects Related to Land (hereinafter referred to in the Mortgage Rights Law). In a guarantee agreement there is what is called a material agreement, which includes guaranteeing the Mortgage Rights, the object of the Mortgage Rights which is used as collateral is land, basically the imposition of the Mortgage Rights is required to be carried out personally by the person giving the Mortgage Rights and present in front of a notary or Land Deed Official. and Mortgage Rights.

The mechanism for electronic mortgage rights is that PPAT does not need to come to the office to submit the prepared files, just upload them into the system provided by the land office. PPAT is mandatory to use application provided by the Ministry of ATR/BPN. You do this by joining as a BPN partner, registering and creating an account via the link https://mitra.atrbpn.go.id/log_in/ in the browser. Next, PPAT submits a copy of the land certificate and deed to the Bank, then the Bank creates an electronic application file, PPAT pays the registration fee, and on the 7th, day receives the HT-el certificate in PDF form along with the digital signature. Then the creditor will print and attach the registration record to the Land Rights Certificate as a collateral object.

There are obstacles that arise in HT-el registration, especially for HT-el users, namely PPAT and creditors that need to be resolved. These obstacles or problems are related to the technical usage that the Ministry of ATR/BPN made on April 29 2020. These obstacles are related to the IT system and the HT-el service server. Both creditors and PPAT are required to always confirm IT problems with the organizer, namely the local defense office. In order to complete the granting of mortgage rights until the certificate is issued, the creditor and PPAT are required to have good abilities and skills in using the IT system because HT-el is only a system ordered by humans. Therefore, adequate human resources (HR) are needed in carrying out the HT-el registration, both from PPAT, creditors and human resources from the land office itself.

This transformation of mortgage services was triggered by advances in technology, especially information technology, which brought many changes to people's lives. In the government sector, the internet has triggered the growth of transparency in government implementation. The government has carried out many innovations, including through e-government and digital bureaucracy. This online service will force the bureaucracy to be transparent and accountable, it will also help to form a culture of various data and information among government agencies in decision making. Not only transparency, this is also an improvement and refinement of public services to improve service and efficiency.

A. Electronically Integrated Mortgage Rights Installation Services at the Office of the Land Deed Official (PPAT)

For PPAT, before carrying out the mortgage rights registration process, they must first register on the PPAT Work Partner Application at mitra.atrbpn.go.id and have validated the data and have it verified by the Land Office. The HT-el registration flow or mechanism is carried out from the application of <https://htel.atrbpn.go.id> by users

registered as PPAT and Financial Services. After logging in to the BPN partner application, the steps to be carried out are:

1. The creditor/bank comes to PPAT to make APHT;
2. Checking certificates/measurement letters for Mortgage Rights collateral objects manually and checking them into the electronic system;
3. after checking and the results are appropriate, an APHT (Deed of Granting Mortgage Rights) will be made and signed by the bank then returned to the PPAT;
4. The signed APHT is then scanned and input into the system along with other documents, such as KTP, HT collateral object certificate, PNBPN, bank authorization, power of attorney to charge mortgage rights or SKMHT (if the basis is SKMHT), into the HT-system. el;
5. After that, download the deed cover letter and submit it to the creditor/bank.

The process of electronically encumbering Mortgage Rights from the making of the APHT to the issuance of the Mortgage Rights Certificate can be seen in the picture of the Electronic Mortgage Encumbrance Flow/Process below:

Alur/Mekanisme Pemberian Hak Tanggungan Elektronik

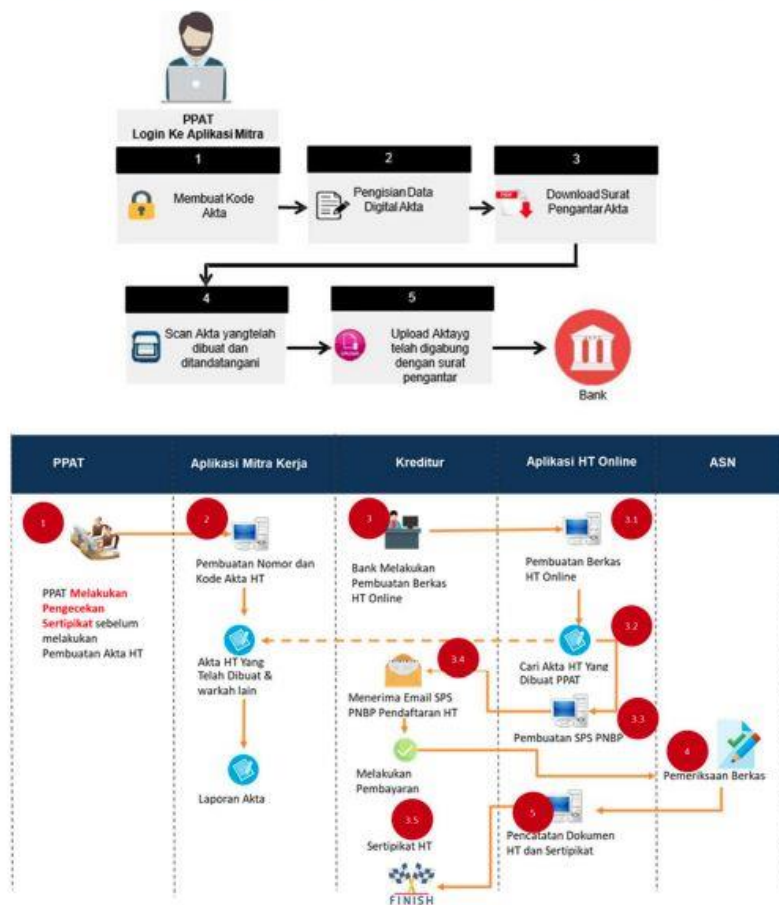


Figure 1. Electronic HT Flow/Process

Source: Ministry of Agrarian Affairs and Spatial Planning/BPN, 2020

B. Electronically Integrated Mortgage Rights Installation Services at the Office of the Land Deed Official (PPAT) According to Regulation of the Minister of

Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 5 of 2020

Implementation of the ATR/BPN Ministerial Regulation Number 5 of 2020 concerning Electronic Integrated Mortgage Services implemented by PPAT, it can be seen that the role carried out by PPAT is an imperative or coercive role because in Article 1 paragraph (4) of the ATR/BPN Ministerial Regulation Number 5 of 2020 concerning Electronic Integrated Mortgage Rights Services states that PPAT is a public official who is given the authority to make deeds of transfer of land rights, deeds of encumbrance of land rights, and deeds granting authority to impose Mortgage Rights according to the provisions of statutory regulations. In detail, his authority is to be a user of the Electronic Mortgage System which has the task of making APHT.

The implementation of the HT-el system is regulated in the Minister of ATR/BPN Regulation Number 5 of 2020 or called the Minister of HT-el Regulation. After these regulations were issued, Technical Instructions Number: 2/Juknis-400.HR.02/IV/2020 were issued which were used by the Land Office, PPAT, and creditors as a guideline in implementing HT-el. This aims to ensure that the implementation of the HT-el system at the land office can be structured in accordance with existing guidelines and instructions, so that the aim of providing these services can run optimally.

The scope of this Technical Instruction includes;

1. Users of the Electronic Mortgage System Service, in this case consist of three pillars, namely the Land Office, PPAT and Creditors;
2. Object of Mortgage Rights;
3. Preparation;
4. Implementation by PPAT and Creditors;
5. Implementation by the Land Office;
6. Advanced Manual Mortgage Services;
7. Resolving Land Rights Encumbered by Electronic Mortgage Rights

PPAT and the Bank in the Mortgage Rights registration process must be united so that the process can run smoothly. With the implementation of the Electronic Mortgage Rights system, PPAT and creditors do not need to come to the local land office. This really provides big benefits for PPAT and the creditors themselves. Other benefits include:

1. More efficient, saves time, and ensures timely registration of Mortgage Rights (seventh day after registration);
2. Because it is not carried out face to face, it greatly minimizes the occurrence of acts of corruption, collusion and nepotism;
3. There is monitoring of the Mortgage Rights registration process, so that the Bank and PPAT can monitor each other's progress on the Mortgage Rights and there is dual control between PPAT and the Bank regarding the transparency of the processing process.

It was stated that one of the obstacles in the Electronic Mortgage Rights service is that it cannot be used for land that has not been certified as stated in point d of the obstacles in the PPAT. If you look closely at the Mortgage Rights Law Number 4 of 1996 Article 10 paragraph (3) which reads:

"If the object of the Mortgage Right is a land right originating from the conversion of an old title which has met the requirements for registration but the registration has not been carried out, the granting of the Mortgage Right is carried out simultaneously with the application for registration of the land right in question."

The article above is very different from Article 15 of the ATR/BPN Ministerial Regulation No. 5 of 2020 where only certified land rights are regulated because the article reads:

1. "HT-el Service Results in the form of Electronic Documents issued by SistemHT-el, include:
 - a. HT-el certificate;
 - b. note of Mortgage Rights in the land book of land rights or Ownership Rights of Flat Units; And
 - c. record of Mortgage Rights on the Certificate of Land Rights or Ownership Rights of Flat Units;
2. The recording of Mortgage Rights in the land book of land rights or Ownership Rights of Flat Units as intended in paragraph (1) letter b is carried out in the Electronic Land Book by the Head of the Land Office or authorized official;
3. The recording of Mortgage Rights on the Certificate of Land Rights or Ownership Rights of Flat Units as referred to in paragraph (1) letter c is carried out by the Creditor on the Certificate of Land Rights or Ownership Rights of Flat Units which are pledged as collateral;
4. The records as intended in paragraph (3) become one unit with the Certificate of Land Rights or Flat Ownership Rights;
5. "The results of HT-el services are conveyed to creditors via the HT-el system/or via electronic domicile."

As for Procedure HT-el service according to ATR/BPN Ministerial Regulation No. 5 of 2020 that is:

1. "Creditors submit requests for HT-el services through the HT-el system provided by the Ministry;
2. Application for registration of Mortgage Rights or transfer of Mortgage Rights, complete required documents submitted by PPAT. Request for change of Creditor's name, deletion of Mortgage Rights, or correction of data, completeness of required documents submitted by the Creditor;
3. Requirements for requests for HT-el Services are in accordance with statutory provisions and submitted in the form of an Electronic Document;
4. PPAT submits deeds and documents completing the requirements through the working partner's electronic system which is integrated with the HT-el System, accompanied by a Statement Letter regarding the responsibility for the validity and correctness of the submitted Electronic Document data and all documents completing the requirements must be kept by PPAT;
5. HT-el Service Applications that have been received by the HT-el System are given proof of application registration issued by the system. HT-el services are charged according to the Non-Tax State Revenue (PNBP) applicable to the Ministry. Next, the application is processed after the application data and PNBP fees are confirmed by the HT-el System. If payment of PNBP fees is not confirmed by the HT-el System, the Bank can confirm directly to the Land Office or Complaints Service;
6. Before the results of the HT-el Service are published, the Head of the Land Office or an appointed official must check the conformity of the required documents and the concept of the HT-el Certificate through the HT-el System. If the inspection results contain incomplete or incorrect documents, the Bank and/or PPAT will be notified to immediately complete the documents and must be completed no later than the 5th (fifth) day after the service request is received by the HT-el System. If

the time period expires, the Bank and/or PPAT do not complete the documents, then the application is declared void and if the required documents are appropriate, the Head of the Land Office or appointed official gives approval for the upload of the required documents and the HT-el Certificate concept;

7. If the Head of the Land Office or appointed official does not carry out an inspection by the 7th (seventh) day and the results of the HT-el Service are published by the HT-el System, it is deemed to have given approval and/or validation as confirmation. "The Head of the Land Office or an appointed official is administratively responsible for the results of the HT-el Service."

The flow regarding the implementation of electronic mortgage registration is as follows:

- a. Before there were regulations regarding electronic mortgage rights, PPAT checked certificates between 2 (two) options, namely online and/or non-electronically by visiting the Land Office. However, starting July 8 2020 conventional registration services have been stopped so everything must be done electronically;
- b. PPAT submits the APHT online on the PPAT partner application page with the Office after the date the APHT is made, this must be done by PPAT. The second sheet of the PPAT deed, other documents are uploaded and also submit a copy of the deed along with the land certificate to the Bank. Reporting of the PPAT deed is carried out automatically after a Letter of Receipt is issued from the Land Office;
- c. If a creditor registers as a registered user, the creditor is required to upload several documents that are already available on the portal. These documents are a cover letter, application letter, deed of establishment of the creditor if this is a legal entity, letter of appointment of an administrator who is responsible for managing HT-el services if the creditor is a legal entity, photocopy of the identity card of the administrator appointed by the legal entity creditor. responsible for managing electronic mortgage services, operator appointment letters, and creditor NPWP;
- d. After registering, the creditor prints a registration form signed by the Bank's leadership and prints a central administrator data sheet (initialized by the Bank's leadership) then sends it via registered mail expedition to the Data and Information Technology Center of the Ministry of Agrarian Affairs and Spatial Planning / Head of the National Land Agency for validation. If the process is complete, the creditor will become a registered user and can implement the HT-el system;
- e. Bank officers create HT-el files by entering the deed number and code, then complete the APHT data created by PPAT and upload the application letter and other documents;
- f. The bank prints a Deposit Order containing full name information, payment billing code, list of fees and method of payment. If the billing code is past due by the system, namely within 3 (three) days, then the file cannot be executed and must be re-registered. The bank pays Non-Tax State Revenue (PNBP) and will receive a payment status containing information regarding the State Revenue Transaction Number (NTPN), payment date, payment amount, name of the payer, billing code, billing code date, billing code expiration;
- g. The Land Office checks the application files;
- h. Mortgage Rights are issued on the 7th (seventh) day after the verified application is submitted. Banks are required to print and attach a mortgage note sticker to the land title certificate.
- i. The electronic mortgage registration process is complete.

4. CLOSING

Based on the description of the research results and discussion in the previous chapter, it can be concluded that the answers to the statements in the formulation of this research problem include:

1. Electronically Integrated Mortgage Rights Installation Services at the Office of the Land Deed Official (PPAT) always begins with making a Deed of Granting Mortgage Rights (APHT) before the PPAT between the Mortgage Grantor (usually the Debtor) and the Creditor (usually the Bank). The APHT has met the qualifications as an Authentic Deed both in terms of Procedure, Substance and Authority of the PPAT which formalized it. The APHT is then registered by the PPAT at the local Land Office electronically no later than 7 days after the APHT is inaugurated, which is the basis for the issuance of an Electronic Mortgage Rights Certificate by the Land Office. The Mortgage Rights Certificate is requested and printed by the Mortgage Recipient Creditor by paying the determined PNBPN. The HT certificate can be printed by the Creditor after 7 days from the registration of the APHT by PPAT.

Resolving the obstacles and obstacles faced by Electronic Mortgage Rights Users, especially PPATs and Creditors, refers to the Technical Instructions made by the Ministry of ATR/KBPN, 29 April 2020 because basically these obstacles and obstacles are mostly related to the IT system and the Electronic HT Service server. Users (PPAT and Creditors) must always confirm the IT problem to the Electronic HT service provider, namely the local Land Office, so that Electronic Mortgage Service Users, in this case PPAT and Creditors, must be skilled and adequate in using all the tools needed to complete the granting of Mortgage Rights. until the electronic Mortgage Rights Certificate is issued, with the completion of a series of Electronically integrated Mortgage Installation services at the Office of the Land Deed Making Officer (PPAT), its effectiveness is categorized as effective, although there are obstacles but they can be overcome well.

2. Electronically Integrated Mortgage Rights Installation Services at the Office of the Land Deed Official (PPAT) According to Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 5 of 2020.

In the case of registration after the enactment of ATR/BPN Ministerial Regulation Number 5 of 2020, that is, when registering Mortgage Rights manually, the PPAT must come directly to the BPN office to represent the bank to take care of whole until the Mortgage Rights certificate is issued, now the PPAT's task is only to submit the APHT via the electronic system and provide guarantees regarding the validity of the supporting documents contained in a statement letter sent via the electronic system, as was the case with the Bank, namely before the existence of Minister of ATR/BPN Regulation Number 5 In 2020, the Bank did not play a role in binding Mortgage Rights, but currently the bank is also involved in the HT registration process via the electronic system.

However, there are still several articles that are not in accordance with practice, some of the articles that are not appropriate are:

- a. Article 1 paragraph (17) of Minister of ATR/BPN Regulation Number 5 of 2020, which in this article explains that days are calendar days, whereas in practice this prevents when a notice of improvement appears from BPN, on a PPAT office holiday, the PPAT cannot immediately repair the HT-el which can hinder the performance of the PPAT.

In article 26 of ATR/BPN Ministerial Regulation Number 5 of 2020 for refund of costs resulting from HT-el being cancelled, it is stated that if the creditor has paid the

service fee, the creditor can apply for a return of the previously paid fee which can be used to reimburse the HT service fee. -el with the provisions that the subject and object of registration are the same, but in practice the request for a refund of fees by the creditor is not realized, resulting in the HT-el with the same subject and object having to be re-registered by PPAT and paid back by the creditor.

5. BIOGRHPAY

Buku

- A.P. Parlindungan, *Pendaftaran Dan Konversi Hak-Hak Atas Tanah Menurut UUPA*, (Bandung: PT. Alumni), 1988
- A.P. Parlindungan, *Pendaftaran Tanah Di Indonesia*, (Bandung: Mandar Maju), 1999
- Abdurrahman dan Samsul Wahidin, *Beberapa Catatan Tentang Hukum Jaminan Dan Hak-Hak Jaminan Atas Tanah*, (Bandung: Alumni), 1985
- Adjie Habib, *Hak Tanggungan Sebagai Lembaga Jaminan Atas Tanah*, Mandar Maju, Bandung, 2000
- Arban, *Hukum Agraria Indonesia*, (Jakarta: Sinar Grafika) 2015
- Azheri Busyra, 2011, *Corporate Social Responsibility dari Voluntary menjadi Mandotary*, (Jakarta: Raja Grafindo Perss)
- Darus Badruzaman Mariam, *Perjanjian Kredit Bank*, (Bandung : Alumni), 1978.
- Darus Badzuzaman Mariam, *Serial Hukum Perdata Buku Kedua: Kompilasi Hukum Jaminan*, (Bandung: Mandar Maju), 2009.
- Dr. H. Salim HS., S.H., M.S, *Perkembangan hukum jaminan di Indonesia* Cetakan ke- 10, Raja Grafindo Perkasa, Jakarta, 2017
- Fuady Munir, *Hukum Jaminan Utang* , (Jakarta: Erlangga), 2013.
- H Salim HS, *Perkembangan Hukum Jaminan di Indonesia*, (Jakarta : PT. RajaGRafindo Persada), 2014
- H. Salim, *Perkembangan Hukum Jaminan Di Indonesia*, (Jakarta: PT Rajagrafindo Persada), 2008
- Handoko Priyo, *Menakar Jaminan Atas Tanah Sebagai Pengaman Kredit Bank*, (Jember: Center for society studies), 2006.
- Hanitijo Soemitro Ronny, *Metodologi Penelitian Hukum dan Jurimetri*, Ghalia, Jakarta Indonesia, 1990.
- Harsono Boedi, *Hukum Agraria Indonesia Sejarah Pembentukan Undang-Undang Pokok Agraria Isi dan Pelaksanaannya*, Edisi Revisi, Djambatan , Jakarta, 2005
- Harsono Boedi, *Hukum Agraria Indonesia, Sejarah Pembentukan Undang-Undang Pokok Agraria, Isi Dan Pelaksanaannya*, Jilid I, Edisi Revisi, Cetakan Kesebelas, Jakarta : Djambatan, 2008
- HR. Ridwan, *Hukum Administrasi Negara*, (Jakarta: Raja Grafindo Persada, 2006
- Husni Hasbullah Frieda, 2005, *Hukum Kebendaan Perdata: Hak-Hak yang Memberi Kenikmatan*, (Jakarta: IHC), 2009
- J. Satrio. *Cessie, Subrogatie, Novatie, kompensatie dan Percampuran Utang*. Bandung: Alumni, 1999.
- J.Satrio, *Hukum Jaminan, Hak Jaminan Kebendaan, Hak Tanggungan*, (Bandung: PT. Citra Aditya Bakti), 1997.
- Jimly Asshidiqie dan Ali Safa'at, *Teori Hans Kelsen tentang Hukum*, Cetakan Pertama (Jakarta: Sekretariat Jendral & Kepaniteraan Mahkamah Konstitusi RI, 2006
- Jose Sembring Jimmy, *Panduan Mengurus Sertipikat Tanah*, (Jakarta: Visimedia), 2010.
- Kartono Kartini, *Pengantar Metodologi Riset Sosial*, Bandung: Alumni, 1986.

- Kelsen (a) Hans, sebagaimana diterjemahkan oleh Somardi, *General Theory Of Law and State, Teori Umum Hukum dan Negara, Dasar-Dasar Ilmu hukum normative Sebagai Ilmu Hukum Deskriptif Empirik*, BEE (Jakarta: Media Indonesia), 2007
- Leny Agustan dan Khairuknas, *Tata Kelola Kantor Notaris/PPAT*, (Yogyakarta: UII Press), 2018
- Lubis Irwansyah dkk, *Profesi Notaris Dan Pejabat Pembuat Akta Tanah*, (Jakarta: Mitra Wacana Media), 2018.
- M. Bahsan, *Hukum jaminan dan Jaminan Kredit Perbankan Indonesia*, (Jakarta: PT Rajagrafindo Persada), 2008
- M. Bahsan, *Hukum Jaminan Dan Jaminan Kredit Perbankan Indonesia*, (Jakarta: Raja Grafindo), 2007.
- M. Khoidin, *Hukum Jaminan (Hak-Hak Jaminan, Hak Tanggungan, Dan Eksekusi Hak Tanggungan)*, (Surabaya: Laksbang Yustitia), 2017
- M. Yamin Lubis dan A. Rahim Lubis, *Hukum Pendaftaran Tanah*, (Bandung: Mandar Maju), 2008.
- Muhammad Abdulkadir, *Hukum Perusahaan Indonesia*, Citra Aditya Bakti, Jakarta, 2010
- Muljadi Kartini. *Hak Tanggungan*. Jakarta: Kencana, 2005.
- Ny. Soedewi Masjchoen Sofwan Sri, *Hukum Jaminan Di Indesia Pokok-Pokok Hukum Jaminan Dan Jaminan Perorangan*, (Yogyakarta: Liberty Yogyakarta), 1980.
- Nyoman Guntur I Gusti, *Pendaftaran Tanah*, (Yogyakarta: STPN Press), 2014
- O.P Simorangkir, *Seluk Beluk Bank Komersial*, Cetakan Kelima, Aksara Persada Indonesia, Jakarta, 1998.
- Oka Setiawan I Ketut, *Hukum Pendaftaran Dan Hak Tanggungan*, (Jakarta: Sinar Grafika), 2019.
- Persada Putera Andika, *Hukum Perbankan Analisis Mengenai Prinsip, Produk, Risiko Dan Manajemen Risiko*, (Surabaya: Scopindo), 2019
- Pramono Nindyo, *Hukum Perbankan I*, Laksbang Pressindo, Jogjakarta, 1999.
- Pratiknyo Hartono, SH., *Utang Piutang*, (Yogyakarta Mustika Wikasa), dalam bukunya R. Subekti, *Aneka Perjanjian*, (Bandung: Alumni 1982)
- Prof.R.Subekti, SH, *Hukum Perjanjian*, (Jakarta: PT. Intermassa), 1979.
- Purwahid Patrik dan Kashadi, *Hukum Jaminan*, Badan Penerbit Universitas Diponegoro, Semarang, 2009.
- Purwahid Patrik dan Kashadi, *Hukum Jaminan (Edisi Revisi dengan UUHT)*, (Semarang: Fakultas Hukum Universitas Diponegoro), 2008.
- Remy Sjahdeini Sutan. *Hak Tanggungan : Asas-Asas, Ketentuan-Ketentuan Pokok dan Masalah-Masalah Yang Dihadapi Oleh Perbankan*, Airlangga University Press, Surabaya, 1996.
- Rudi Indrajaya dan Ika Ikmassari, *Kedudukan Akta Izin Roya Hak Tanggungan Sebagai Pengganti Sertipikat Hak Tanggungan Yang Hilang*, (Jakarta: Visimedia), 2016.
- Santoso Urip, *Pendaftaran Dan Peralihan Hak Atas Tanah*, (Jakarta: Kencana), 2019
- Soerjono Soekanto dan Sri Mamudji. *Penelitian Hukum Normatif Suatu Tinjauan Singkat*. Cetakan ke-11. Jakarta: PT Raja Grafindo Persada
- Soerjono Soekanto, *Pengantar Penelitian Hukum*, Universitas Indonesia UI Press, Jakarta, 2008.
- Soimin Soedharyo, *Status Hak dan Pembebasan Tanah*, Sinar Grafika, Jakarta, 2001.
- Suharnoko. *Doktrin Subrogatie, Novasi, dan Cessie*. Kencana. Jakarta, 2005.
- Supramono Gatot, *Perbankan Dan Masalah Kredit*, (Jakarta: Djambatan), 1996

- susanto Urip, *Pejabat Pembuat Akta Tanah Perspektif Regulasi, Wewenang, dan Sifatakta*, Jakarta: Kencana, 2017
- Sutedi Andrian, *Hukum Hak Tanggungan*, (Jakarta:Sinar Grafika), 2012
- Suyatno Thomas dkk, *Dasar-Dasar Perkreditan Edisi Keempat*, (Jakarta: PT Gramedia Pustaka Utama),2007.
- Tan Thong Kie, *Studi Notariat Dan Serba Serbi Notaris*, (Jakarta: PT Ichtiar Baru Van Hoeve), 2011.
- Tehupeiory Aartje, *Pentingnya Pendaftaran Tanah Di Indonesia*, (Depok: Raih Asa Sukses), 2012
- Triwulan Tutik Titik, *Hukum Perdata Dalam Sistem Hukum Nasional*,(Jakarta: Prenadamedia Group), 2008.
- Untung Budi, *22 Karakter Pejabat Umum (Notaris dan PPAT) Kunci Sukses Melayani*,(Yogyakarta: Andi Offset)
- Untung H.Budi, *Kredit Perbankan Indonesia Edisi II*, Andi Offset, Yogyakarta, 2011
- Usman Rachmadi, *Aspek-Aspek hukum perbankan di indonesia*, (Jakarta: Gremedia pustaka Utama), 2003
- Usman Rachmadi, *Hukum Jaminan Keperdataan*, Sinar Grafika, Jakarta, 2011
- Usman Rachmadi, *Pasal-Pasal Tentang Hak Tanggungan Atas Tanah*, Djembatan, Jakarta, 1999.
- Wardoyo Ch. Gatot, *Sekitar Klausul-klausul Perjanjian Kredit Bank, Bank danManajemen*, (Nopember-Desember 1992)
- Waskito dan Hadi Arnowo,*Penyelenggaraan Pendaftaran Tanah Di Indonesia Edisi Pertama*,(Jakarta:Prenadamedia Group), 2019.
- Winahyu Erwiningsih dan Fakhrisya ZaliliSailan, *Hukum Agraria Dasar-Dasar DanPenerapannya Di BidangPertanahan*, (Yogyakarta: FH UII Press), 2019
- YLBH dan PSHK,*Panduan Bantuan Hukum Di Indonesia: Pedoman Anda MemahamiDan Menyelesaikan Masalah Hukum*, (Jakarta: Yayasan Obor Indonesia), 2007.

JURNAL

- I Dewa Ayu Widayani, Kepastian Hukum Sistem Publikasi Dalam Pendaftaran Tanah Di Indonesia Menurut Uu Ri Nomor 5 Tahun 1960 Tentang Pokok-Pokok Agraria, *Jurnal Hukum tôrâ*, Vol. 1 No. 3, Desember 2015.
- I Made Adi Guntara dan Ni Made Ari Yuliantini Griadhi, Penerapan Prinsip 5c Sebagai Upaya Perlindungan Terhadap Bank Didalam Menyalurkan Kredit, *karya ilmiah*, FH Udayana.
- I Gede Etha Prianjaya, Pemberian Kredit Bank Dengan Jaminan Hak Guna Bangunan Yang Jangka Waktunya Telah Berakhir Sedangkan Perjanjian Kreditnya Belum Berakhir, *Jurnal Acta Comitas*, 2017.
- Nadia Imanda, Lahirnya Hak Tanggungan Menurut Peraturan Pemerintah Agraria Tentang Pelayanan Hak Tanggungan Terintegrasi Secara Elektronik, *Jurnal Notarie Vol. 3 No. 1*, Februari 2020
- Nur Azizah, Abdul Halim Barkatullah, Noor Hafidah, Pendaftaran Hak Tanggungan Secara Elektronik (Studi di Kantor PPAT Wilayah Banjarmasin Utara), *Volume 1 Issue 2, April 2022: pp. 84-99 Copyright @ NoLaJ.Master of Notary, Faculty of Law, Lambung Mangkurat University, Banjarmasin, South Kalimantan, Indonesia. ISSN: 2808-7860 | e-ISSN: 2808-7348 Open Access at: <https://notarylaw.journal.ulm.ac.id/index.php/nolaj>*

- Niken Prasetyawati dan Tony Hanoraga, Jaminan Kebendaan Dan Jaminan Perorangan Sebagai Upaya Perlindungan Hukum Bagi Pemilik Piutang, *Jurnal Sosial Humaniora*, Vol 8 No.1, Juni 2015,
- Shirley Zerlinda Anggraeni dan Marwanto, Kewenangan dan Tanggung Jawab Hukum Pejabat Pembuat Akta Tanah Dalam Pelaksanaan Pendaftaran Hak Tanggungan Secara Elektronik, *Jurnal Acta Comitatus* Vol 5 No 2 Agustus 2020
- Tri Novidianto, Tutiek Retnowati. Perlindungan Hukum Bagi Kreditor Untuk Kredit Yang Diambil Alih (Take Over) Dengan Pelunasan Dan Jaminan Yang Dikeluarkan Tidak Pada Hari Yang Sama. *Al'Adl*, Volume X Nomor 1, Januari 2018
- Tamrin Muchsin dkk, Pejabat Pembuat Akta Tanah Dalam Hal Pendaftaran Tanah: Sebuah Tinjauan Kewenangan Dan Akibat Hukum, *Madani Legal Review*, Vol 4 No 1 Juni 2020

ARTIKEL

- Maria Nadea Ambarsari dan I Gusti Ngurah Darma Laksana, *Peranan Notaris/Ppat Dalam Pendaftaran Hak Tanggungan Di Kantor Badan Pertanahan Kabupaten Gianyar*.

UNDANG-UNDANG

- Undang-Undang Republik Indonesia No. 4 Tahun 1996 Tentang Hak Tanggungan Beserta Benda-Benda Yang Berkaitan Dengan Tanah.
- Peraturan Menteri Agraris Dan Tata Ruang/Kepala Badan Pertanahan Nasional Republik Indonesia Nomor 5 Tahun 2020 Tentang Pelayanan Hak Tanggungan Terintegrasi Secara Elektronik.
- Petunjuk Teknis Nomor: 2/Juknis-400.HR.02/IV/2020
- PP No 37 Tahun 1998 Tentang Peraturan Jabatan Pejabat Pembuat Akta Tanah.
- Peraturan Pemerintah Nomor 82 Tahun 2012 tentang Penyelenggaraan Sistem dan Transaksi Elektronik.
- Peraturan Pemerintah Nomor 37 Tahun 1998 tentang Peraturan Jabatan Pejabat Pembuat Akta Tanah.

INTERNET

- Luh Putu Rina Laksmi Putri dan I Wayan Novy Purwanto, *Proses Pembebanan Hak Tanggungan Pada Sertipikat Hak Milik Dalam Perikatan Jaminan Kredit*, dalam <http://download.garuda.ristekdikti.go.id/article.php?article=1334039&val=907&title=PROSES%20PEMBEBANAN%20HAK%20TANGGUNGAN%20PADA%20SERTIPIKAT%20HAK%20MILIK%20DALAM%20PERIKATAN%20JAMINAN%20KREDIT>, diakses pebruari 2023

- Wibowo T. Tunardi, *Pelaksanaan Pendaftaran Tanah*, https://www.jurnalhukum.com/pelaksanaanpendaftaran tanah/#Pemeliharaan_data_pendaftaran_tanah <https://dspace.uui.ac.id/bitstream/handle/123456789/16249/05.2%20bab%202.pdf?sequence=7&isAllowed=y>, unduh pebruari 2023
- Kebijakan Dan Implementasi Hak Tanggungan Terintegrasi Secara Elektronik Berdasarkan Permen Atr No. 9 Tahun 2019*, <http://pusdiknas.com/workshopnasional/>, diakses maret 2023
- Mekanisme Pendaftaran Hak Tanggungan Elektronik* <https://www.hukumonline.com/berita/baca/lt5f27c575eba57/kenalimekanisme-pendaftaran-hak-tanggungan-secara-elektronik?page=2>, Kemenetrian ATR/BPN, diakses pebruari 2023