

## Effectiveness of Legal Protection Service Electronic Land Certificates in the Advancement of Digital Transformation

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Magister Notaris Fakultas Hukum Universitas Indonesia

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### Article Info

#### Article history:

Received : 30 July 2023

Publish : 02 November 2023

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#### Keywords:

Electronic Land Certificates,  
Data Security, Electronic  
Documents

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### Info Article

#### Article history:

Accepted : 30 Juli 2023

Publish : 02 November 2023

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### Abstract

Digitization of land services with reference to electronics is a means of increasing the convenience of public services in society. This aspect is used by optimizing the use of information and communication technology. This study focuses on studying the shortcomings of legal regulations and electronic certificates as well as prerequisites for applying electronic certificates. Due to these legal deficiencies, there is a lack of focus in the basic agrarian law (UUPA) in formal law because it is not used as the main reference for the rules for electronic certificates, electronic land registration, or there is a mismatch in the rules of the UUPA in their meaning. In another aspect, the regulations related to registering analog land (PP No. 24 of 1997) and registering electronic land (PP No. 18 of 2021) result in the existence of two land registration systems, namely analog and electronic. Basically, PP no. 24 of 1997, improvements were made, not limited to the issuance of the latest regulations, where there were additional options for other substances, for example studies related to management rights, land rights, and the existence of flats, for example published in PP No. 18 of 2021. Furthermore, in this case, in carrying out electronic land registration, it is necessary to fulfill at least three requirements, namely validating land data, electronic files, and ensuring the security of land data.

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### Abstract

Digitalisasi layanan pertanahan dengan acuan pada elektronik termasuk sarana kenaikan aspek mudahnya layanan masyarakat dalam masyarakat. Aspek itu dipakai melalui menjalankan optimalisasi pemakaian teknologi informasi serta komunikasi. Kajian ini berfokus dalam kajian kekurangan hukum aturan sertifikat elektronik serta prasyarat pada penerapan sertifikat elektronik. Melalui adanya kekurangan hukum itu, adanya ketidak fokusan dalam undang-undang pokok-pokok agraria (UUPA) dalam hukum formal sebab tak dijadikan acuan pokok pada aturan sertifikat elektronik, pendaftaran tanah elektronik, maupun adanya ketidaksesuaian aturan pada UUPA dalam maknanya. Dalam aspek lainnya, aturan terkait mendaftarkan tanah analog (PP No. 24 Tahun 1997) serta mendaftarkan tanah elektronik (PP No. 18 Tahun 2021) mengakibatkan makna adanya dua sistem pendaftaran tanah yakni analog serta elektronik. Secara dasarnya, PP No. 24 Tahun 1997 dilakukan perbaikan tak sebatas melalui penerbitan aturan terbaru dimana adanya opsi tambahan substansi lainnya misalnya kajian terkait hak pengelolaan, hak atas tanah, serta adanya rumah susun misalnya dimuat melalui PP No. 18 Tahun 2021. Selanjutnya dalam hal ini dalam menjalankan mendaftarkan sebuah tanah elektronik, perlu adanya pemenuhan minimal tiga persyaratan yakni diantaranya memvalidasi data pertanahan, berkas elektronik, serta menjamin keamanan data pertanahan

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## 1. INTRODUCTION

Governments around the world are utilizing information and communications technology (IKT) incorporated into e-governance to provide efficient and cost-effective tools, information, and knowledge (Zhiyuan, 2002). The explosion of technology across the social spectrum has changed the way people live and work, do business, and treat their constituents (Rachel, 2011). E-governance is not about installing computers or building websites to gain access to information, but rather about reshaping the fundamental relationship between government and its citizens and accelerating the delivery of existing tools through the use of technology (Rabee, 2003).

In Indonesia, e-government is included in the meaning of the regulations which are studied in the provisions of Article 28F of the 1945 Constitution, in this case the meaning of having

ownership of the right to carry out communication and information. There is a mandate from the Presidential Instruction of the Republic of Indonesia Number 3 of 2003 regarding the National Policy and Strategy for E-Government Development. The provisions regarding the implementation of e-government are the reason why the government is currently implementing a systematic and series of work which refers to rigid rules, the use of a systematic structure of authority and sectoral direction which is aimed at the center, long and the time is not too short.

E-Government was formed in the form of citizen services with electronic references. Now the Central and Regional Governments are now carrying out efforts to develop e-government with electronic references, for example in the field of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (Ministry of ATR/BPN) starting to provide electronic land services (Andiyanto, 2021). In implementing land electronic services, they have been carried out in: 1) land value zone (ZNT) information; 2) examination of land certificates; 3) land registration information letter (SKPT); 4) electronic lien; 5) electronic land certificate. But in fact, referring to Kusmiarto et al, there are land services using analog systematics. The best aspect is if all these services are through an arrangement, namely electronic, or there is compatibility, namely in a structure in land services (Kusmiarto, 2021).

This study focuses on the electronic land certification procedures that the ministry will implement in the future, in addition to the five electronic land certification procedures that currently exist in ATR/BPN. When electronic certification was first used, there was widespread support from the public, and the issue has now become a national issue. The reason is because analog (paper) certificates have now been replaced by electronic certificates, and everyone agrees that analog certificates are more valuable than electronic certificates. The use of electronic land certification for municipalities is somewhat limited, but continues to be used for government entities.

There is a new systematic land administration that has been implemented by the Ministry, although its partial nature has not been adjusted optimally. Referring to Zevenbergen, this aspect is due to the aspect of land registration and cadaster being studied independently and without effective coordination. Improvements are made technically and in other matters, namely as long as one aspect is made in accordance with the needs, it is carried out comprehensively and inspections, analysis and improvements are carried out thoroughly (Jaap, 2004). Likewise, electronic public services in the land domain were initially implemented in 1997 with the implementation of the Land Office Computerization (LOC) program, then the name was changed to Computerized Land Activities (KKP). There has also been a change in KKP, initially through the use of KKP Desktop, then it became Geo-KKP, as well as the implementation of applications in web form, namely KKP-Web (Dian, 2021).

The opinion reference for electronic land registration begins in 2021, as the embodiment of e-government through the issuance of Minister of ATR/Ka BPN Regulation No. 1 of 2021 regarding Electronic Certificates and PP No, 18 of 2021 regarding Management Rights, Land Rights, Flats and Land Registration. Electronic land registration is one of the things that can increase activity in compliance with the land registration system in Indonesia. Until now, the Land Office still uses analog (paper based) systematics. Disadvantages of analog systematics include: a) storage problems (land books, Warkah and measuring documents) which require quite large and large containers b) difficulties in storing and retrieving land records c) damage to files due to natural disasters (floods, fires) and caused by other things d) land documents stolen. Meanwhile, in electronic land certificates, there are problems, namely the diversity of people in terms of data security and issues regarding the validity of the data, the appearance of electronic files in court proceedings.

Some of the studies are related to matters that have already been carried out, for example there is a study referring to Mujiburohman, namely the issue of the juridical meaning related to the rules regarding electronic certificates which are referred to in the Job Creation Law and the ITE Law, but which do not refer to the UUPA and its Implementing Regulations, in the study in that sense there is security of certificate data. electronics. Apart from that, Silviana studied where the

implementation of electronic land certificates is quite necessary, because electronic land certificates make things certain in land ownership law and can reduce land mafia and land disputes (Ana, 2021). Apart from that, there is a study from Yani & Syafiin which is crucial regarding electronic land certificate archives as official evidence if there are land issues, or can reduce fake land certificates and guarantee the existence of archives if land certificates are damaged (Ahmad, 2021). Apart from that, there is a study through research by Suhattanto at all, showing the application of electronic land certificates, so that the quality of land data needs to be improved, information and land files both obtain electronic land certificates with the best aspects which can create a feeling of security and conformity with the law or the absence of lawsuits (Suhattanto, 2021). Also, Salim at al assesses that the application of electronic certificates needs to fulfill formal and material requirements, so that there are no legal defects in its implementation (Diah, 2022).

Although research on electronic self-certification designation is recent and relatively new, the term itself is still new, controversial in society, and used carelessly, so there is not much related research in this area. However, the quality of data and results such as property lists, certificates and survey letters, which are the basis or justification for implementing digital certificates, are also different from previous studies. The meaning is an electronic certificate verification. In addition, this research raises issues related to data validation, electronic documents, and data security. Departing from this, the focus of this research is on the procedures for obtaining electronic land certificates and the legal umbrella in regulating electronic land certificates. Referring to this, the researcher will later examine the form of the thesis through the title, namely **"Effectiveness of Legal Protection of Electronic Land Certificate Services in the Advancement of Digital Transformation"**

## 2. RESEARCH METHODS

The research method used in this writing is normative and uses a normative juridical approach. Research conducted on legal norms, legal concepts, legal principles and legal doctrine in the field of notary and information technology in the realm of the validity of electronic signatures. This research uses a type of normative approach, carried out through the method of first conducting research on relevant laws and regulations related to the problem being researched, reviewing, analyzing materials and legal issues, studying library sources which contain secondary data and implementing library research. (Soerjono Soekanto, 2006). This research is descriptive analytical in nature with literature study in describing the facts and existing regulations as well as the relationship between the two.

The type of research used is normative juridical research (Soemitro, 2012), namely law is interpreted as norms, references and views. Regarding the problem approach used by the author, namely studying problems related to the thesis research through problems using a normative juridical approach (Soekanto, 2014). Referring to Soerjono Soekanto's research on juridical normative law, there is no hypothesis formulation. A working hypothesis is needed, where there is a work structure in the research series. Through this type of study, descriptive analytical analysis is used (Sri Mamudji, 2012), namely a study which has the function of describing appropriately an individual, condition, symptom or group, or in determining the frequency of an event, providing a description of the problems related to the study. This.

## 3. Results and Discussion

### 1. Prerequisites for Implementing an Electronic Certificate.

#### a. Land Data Validation

Verifying requires that the fast-moving consumer data (matrix, actions, and investigative information) included in the fast-moving consumer data registry coincide with the subject's physical movements. Validating markup is not simple. BPN has obtained data from all individuals to obtain land certification, but the application has not gone through a thorough review, and the timeliness of the deadline is not guaranteed. It is

important to note that electronic land registration systems still have a poor track record. It is based on data exported from countries with active registration systems that ensure data accuracy. Even when using negative publicity, the government must check the validity of the data of individuals seeking land titles, regardless of whether they switch from paper to electronic records. So state institutions must be able to guarantee this.

The benefits of validating land data by land authorities throughout Indonesia include: a) Can reduce land disputes and court cases. b) Can recognize weaknesses related to repeated signs. d) Develop a positive feedback system where negative feedback previously offered becomes positive. c) Ensure the accuracy of land data. e) Developing an electronic land business registration system; This will make it possible to compare and correct physical data in the field with data manually in registering land.

The business of registering land certificates as intended in "UUPA Article 19" mainly consists of measuring and recording land, registering property rights and ownership of land goods, and issuing land ownership certificates as physical evidence. By providing reports made by a government agency to someone who is interested or wants to know about someone's status. In accordance with UUPA Article 19 Paragraphs (1) and (2), the legal consequence of recording interests that the holder of the fixed property will be asked to make a fair and accurate assessment of the market value of the fixed proportionator plus *iuris transferre Potest quam ipse abel* " and "*Nemo sibi ipse causam Possession Is mutare Potest*" are fully and strongly enforced in a fast-paced registration process. This is the right of land owners to carry out actions referring to their land in accordance with existing law in Indonesia.

Mark has a strategic mindset for human life because it has evolved with human life over time and can be applied not only to establishing goals but also to overcoming negative aspects of life, such as cultivating unfavorable outcomes. For the purpose of ensuring social harmony. For the Indonesian people, the state is a gift from God Almighty and a dynamic national identity that unites the entire Indonesian nation. The government has instituted very stringent market standards in an effort to reduce interpersonal tensions on the basis of the market's relevance to people's lives and its desire to advance market interests. Land law is a collection of written and unwritten laws on the same subject: business rights and certain legal obligations as a legal system, as well as social and civil rights issues that can be methodically organized and regulated.

To make this a systematic process, all land laws refer to "UU no. 5 of 1960 concerning Basic Agricultural Regulations (UUPA)". Therefore, land certification is very important to provide a strong legal basis to prevent land applications that are often mistaken, such as land clearing, evacuation, and certification of land adequacy. This requires a summary. Quite a few are classified as problem areas. Property registration methods throughout Indonesia are not listed in full, so the legal and physical details for each property must be handled individually. At least the agency does that. Required. The UUPA requires the operationalization of the list of fast-moving goods in order to obtain legally binding information in the form of a report on the list of fast-moving goods as a guarantee of legal certainty. This aspect is contained in "Decree Letter Number 10 of 1961 regarding Land Registration, where there is a change in Decree Number 10 of 1961. Land Registration dated 24 of 1997.

This electronic tool is used quite often nowadays. Registering land intends to replace physical land certification with electronic certification to certify citizens quickly and accurately. The ATR/BPN Ministerial Regulation regarding the implementation of electronic land certificates, namely ministerial regulation number 1 of 2021, was issued by the government on January 12 2021. The registered delivery information will be changed from analog to digital format. Concerns and questions come from many languages. Discussions in academia about electronic land certification are based on security issues. What happens if important scientific data is lost due to hacking or improper use by third

parties. It is clear that digital certification systems are a potential entry point for hackers. As discussed, it is understood that websites and data analysis through several government agencies were hacked. It would not be wrong if residents carried out studies related to government planning by replacing electronic analogue land certificates.

There are more fundamental rights available to land according to the underlying principles. "Use rights, use rights, building use rights, and use rights" (HGU, HGB, HP). Market players get a high level of legal security by first registering with BPN. This guarantees the originality of judicial acts. This enforces "UUPA in article 19", which prohibits land registration throughout the Republic of Indonesia. According to UUPA, first sample registration is required. For initial construction, marketing and rededication. For example, registering land rights and creating valid land documents to assess these characteristics. Rights holders must understand that their own identity is registered and has legal guarantees from the infringing party. In carrying out land registration, there must be activities carried out by the government on an ongoing, unlimited and limited basis, including collection, betting, publication, presentation and supervision. Regulations are needed that focus on certain residential houses and certain rights where there are deficiencies, for example the issuance of ownership certificates and ownership rights to land and the discovery of residences. So government direction is needed in registering land through activities within the agency and harmonious systematics in registering land.

Some efforts have been carried out to improve the quality of land data, namely with the Complete Systematic Registration (PTSL) program and the use of technology, namely some applications have prepared land data validation, but the implementation is still partial. These applications include the Smart PTSL application which makes it easier to adjust physical and juridical data; there is a period where there is no need to adjust physical and legal data as well as the ease of entering data in the PTSL KKP. The Santri PTSL application is an integrated data entry application system that enables the exchange of data between the juridical task force and the physical task force directly. The Land Administration Information System (SIAP) application is used specifically to increase the speed of collecting juridical data in the filing stage. UAV (Unmanned Aerial Vehicle) technology in conducting cadasters, the Information Warkah (i-Wak) application has a function in archiving land files, the Touch Tanahku application has the meaning of information that is needed in connection with managing land certificates online, as well as several other applications.

#### b. Land Certificate as an Electronic Document

Technological developments can create legal relationships between two parties with different legal positions. Electronic Evidence has unique characteristics and requires different handling than other Evidence (Johan, 2012). In Indonesia, electronic document regulations are spread across many laws and regulations. Many laws and definitions state that electronic handling of evidence results in extended evidence time and cuts in court proceedings. Electronic documents as evidence, where the rules examine laws, for example the Law on Money Laundering Crimes, Terrorism Crimes, related to Human Trafficking Crimes, Electronic Information and Transactions, Narcotics, Prevention and Eradication of Money Laundering Crimes, Prevention and Eradication of Forest Destruction. Meanwhile, the guiding evidence is the Law on the Eradication of Corruption Crimes.

Electronic documents in the Ministerial Regulations and electronic certificates which are later printed are classified as official legal evidence and are extended through official evidence. Implementation of an electronic system for carrying out goods registers, including data collection, betting and presentation. The result of electronic system deviations is the creation of electronic documents, either through electronic systems or through transfer media in the form of trusted documents with the help of electronic signatures. On the other side of the screen, electronic documents sent through the use of an

authenticated or unauthenticated user interface are verified and stored digitally using an electronic system (Rejekiningsih, 2016).

Implementation of an electronic system for collecting, analyzing and displaying data in the implementation of goods registers. Electronic documents are produced as a result of electronic system deviations, either through electronic systems or through media transfer in the form of trusted handling with the help of electronic signatures. On the other side of the screen, electronic systems are used to verify and maintain digital copies of electronic documents sent through authenticated or unauthenticated user interfaces.

A land certificate is an electronic document that identifies the owner of the land. Because electronic documents must transit through an electronic system, the BPN for Near Time Computerized Land Activities (KKP) is used to mediate the transfer/digitization of legal and medical information in the electronic property registration system. I'm here. Regarding the CCP and media coverage, there are two main issues to consider. Data security is a factor because it can easily be compromised in the legal system and because judges tend to accept electronic land registration information as valid medical evidence. This is based on different interpretations and the absence of very strict regulations for electronic documents, for obvious reasons. Regarding which evidence is presented in court, electronic documentation supporting testimony, and preventing errors requires ongoing professional advice.

c. Data Security

The way people live, think, and feel has changed over time because of big data, but it remains a very dangerous thing. While this gives men the ability, there are risks involved. Data in electronic form is useful because it replaces traditional documents that were originally written on paper. Electronic documents are more adaptable, easier to read, reproduce, distribute and store, and therefore easier to use. Electronic documents are currently applicable and regulated by various laws and rules, depending on how they are used as evidence in court. In this case, electronic documents are confidential and only certain individuals can access them. Therefore, certain codes or breakers must be used in both hard drive and soft drive environments to encrypt electronic document data. (Dongpo, 2018).

Data collection, storage, and use procedures can easily result in booze. When hot topics and new threats to emerging technologies first emerge, security and integrity issues are at the forefront. Many people worry about the security of electronic land registration certificates, even when used in conjunction with certain codes, because concerns about data security are still not widely accepted in democratic cultures. Data security can be guaranteed from domains for certified domains minus domains for open domains combined with this domain. The more market participants there are, the higher the level of security. The Indonesian Internal Security Index has many problems here.

Security for digital certificates used by the Ministry's ATR/BPN is as follows: We will first create guidelines for a leadership system for information security that ensures that all procedures are based on internationally accepted standards for risk and obstacle analysis. For another, use encryption methods for all data, regardless of whether it is stored locally, over the Internet, or in the cloud. For the second, use the electronic signature and BSRE logotype to identify the undersigned document and indicate that the electronic signature uses a root certifier from BSRE. Use a digital certificate that supports 2FA (two-factor authentication) to ensure that only the certificate itself can open digital documents. Apart from that, digital data storage is carried out using an encryption model and complete backup is carried out through the Data Center and DRC; Finally, the land owner's data will later implement personal data protection methods, limited to certain data that can be accessed by the public.

## **2. Problem Electronic Land Certificate Law**

The main reason for electronic land services was initially through the issuance of Permen ATR/Ka BPN No. 5 of 2017 regarding Electronic Land Information Services. The regulation examines types of electronic service information. One of the goals of electronic tools is to convey market information simply, quickly and affordably, based on the principles of being clear, honest, price competitive, contemporary and open. The legal reason for holding electronic business registration is the Decree of the Minister of ATR/Ka BPN No. 1 starting in 2021 and PP no. 18 starting in 2021. Agricultural land/land resources. According to Nurhasan Ismail, using the UUPA as a basis is technically unnecessary, but in real practice, respecting the legal principles of the UUPA is very necessary. If we refer to Article 104 Paragraph PP Number 18 of 2021 in the context of the consequences in the text of the law, there are 90 articles that have vertical and horizontal norm coherence, and 16 articles do not apply (Nurhasan, 2021).

There are at least two reasons that must be proven to create a digital certification framework. Starting in 2021, the following legal instruments will apply for the first time based on Minister of ATR/Ka BPN Regulation No. 1: Regulatory status in the form of ministerial correspondence. b) The main obstacle to the formation of the e-registration law is PP No. 18 of 2021, which is also a major hurdle. For other land data quality control purposes, digitization of land data (matrix, land survey certificate, Warka) is required to facilitate the issuance of electronic certificates. Legal and physical data are also controlled, and electronic documents become documents.

In general, activities that are similar to electronic business registration in the same industry only include the system used, such as B. Data, information and documents with the help of an electronic system. However, BPN ATR/Ka Regulation Number 1 of 2021 and PP Number 18 of 2021 have special problems. For the first time, electronic certificates will be recognized based on BPN ATR/Ka Regulation No. 1 starting in 2021 because it will regulate business registration with the help of an electronic system, it needs to be called a law. The most important sources of information are legal documents related to ITE and the Job Creation Law. Therefore, the minister of electronic certification must take office and switch to PP No. 18 starting in 2021 referring to the minister's direction is electronic registration.

There is the phrase "can" in the provisions of Article 84 paragraph (1) PP No. 18 of 2021 which reads: "The organization and implementation of Land Registration can be carried out electronically", as well as Article 2 paragraph (2) of Minister of ATR/Ka BPN Regulation No. 1 of 2021 assesses that "Land registration can be carried out electronically". The word "can" in the Big Indonesian Dictionary (2002) has the meaning "can", "able", "permissible", or "possible". Referring to the meaning, there is no definite ownership of the meaning. Through the language aspect, the formulation of the phrase "can" be carried out electronically means: a) carried out electronically; b) "can" be carried out normally; c) "does not have to" be run electronically; d) "potential" is executed electronically. Through the diversity of meanings in "can" it can be studied, namely registering land. Now there are two styles of registration, namely electronic land registration and analog registration, which results in uncertainty in the implementation of electronic land registration.

The first version of the ATR/Ka BPN Ministerial Regulation which will be effective in 2021 indicates that the introduction of electronic business registration will be carried out in stages. According to the regulations, this means that business registration can be done both traditionally and electronically. The land office is ready and will be installed by the minister. With regard to the readiness of land data for digitization, what we mean is the readiness of validated legal and physical data. The electronic trading book number will be PP number 18 in 2021, while the analog market number will be PP number 24 in 1997.

Electronic data and information, as well as printed materials, are legally binding in this case. Electronic data, information, and printed materials provide evidence of valid claims, as do basic legal rights that include electronic documents and are verified by government agencies (see, for example, paragraph B). The media remastering procedure must be authentic.

The final product of the media expansion process is an electronic document that is printed and stored in an approved electronic system. Computerized systems create electronic documents. According to Indonesian legal procedures, it can be used as a valid legal opinion or as a continuation of a legal opinion. For this group, the status of PP numbers 18 of 2021 and 24 of 1997 is still valid, and the two PP numbers complement each other. The difference is PP no. 18 of 2021 as implementing regulations in the Job Creation Law, while PP no. 24 of 1997 2021 as implementing regulations for UUPA (Prasetyo, 2022).

A state i.e., government is responsible for a number of cleared activities, such as collecting, staking, editing, presenting, and interpreting physical and legal data relating to land and business establishments, as well as information and data relating to particular properties in particular regions. area. and carry out daily activities. issuance of certificate. What is now included in the license functions as a warning before executing it. The results of land registration according to state regulations are registered in the land register according to law and serve as proof of land ownership, administrative rights, waqf land, house ownership rights and mortgage rights. Technological advances in Indonesia also have an impact on the commercial sector, making it increasingly difficult for the government to keep up with existing trends. As a result, the process of binding and markup of e-books is handled. "Perppu of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 1 of 2021 regarding Electronic Certificates reviewing land registration mechanisms based on an electronic system."

The resulting property register in accordance with the letter of the law is documented in a valid land register and includes terms such as "land ownership", "administrative rights", "waqf assets", "residential assets", and "mortgage". Technological advances in Indonesia also have an impact on the commercial sector, making it increasingly difficult for the government to keep up with existing trends. "Perpu No. 1 of 2021 Minister of Agriculture and Spatial Planning/Head of the Land Agency of the Republic of Indonesia concerning Electronic Certificates" stipulates procedures for land registration based on an electronic system. As a result, registration and updating procedures in the electronic land register become slow. Appears in the form of data, electronic information, etc. until it is handled by electronic devices. Data, electronic information and/or electronic documents are valid and factual information about valid and authenticated transactions. All information, documentation and data are stored in the electronic system database.

The issuance of electronic certificates is related to the effectiveness of electronic certificates in proving in court. Electronic messages are not delivered in the form of documents because they are the last step in business registration. Details of the Real Estate List promulgated by Basic Jurisprudential Provisions Law No. 5 of 1960 (UUPA) as a guarantee of legal clarity and as a responsibility of the state towards all citizens regarding the legal aspects of the emergence of electronic land certificates. Must. As a result, developing countries are seeking to legitimize Indonesia's business registration system and improve it to carry out the obligations that everyone has. As stated in UUPA Article 19. Referring to UUPA Article 19, it is not only applied in the implementation of registering land, also the existence of a land registration is something that is necessary as participation for the authorities in order to carry out administrative order in the land domain in Indonesia.

#### 4. CONCLUSION

Based on the previous analysis and discussion, this article concludes that the implementation of digital certification has regulatory and legal obstacles. UUPA is ignored by everyone. Formally, the UUPA is not a reference for implementing digital land certification, and there are still conflicts between UUPA and PP, similar to the ministerial directive that regulates electronic land certification and registration. The property registration system has two mechanisms, namely conventional property registration in accordance with PP No. 24/1997 and electronic land registration based on PP No. 24 1997. It can be anticipated that there will be two cargo registration



systems starting on or around 18 January 2021. More important is updating PP No. 24 of 1997 rather than making other provisions.

This article emphasizes that there are other requirements that must be met for digital certification to be implemented. Soil data validation must be prioritized. This driven organization aims to mediate the mediation and digitization of legal and medical data through the fusion of fake data to collect accurate and legally valid information. Data that will become an electronic document also applies. For others, there is an electronic document, an electronic registration notice, which is the final step in the process of registering a business using an electronic system. This is closely related to land data validation, where valid data produces valid electronic documents and invalid data produces conventional electronic documents. registered quickly. The third request is for data security. Requires specific and strong code that is not easily hacked to protect data from hackers. This aspect is difficult to implement because human resources, especially government bureaucracy, are quite difficult to find, mastery of technology and the absence of culture in government institutions.

## 5. SUGGESTION

- 1.Regulations regarding electronic land certificates are needed which are reviewed separately, namely PP No. 24 of 1997 regarding land registration and the existence of PP No. 18 of 2021 regarding Management Rights, Land Rights, Flat Units, and Land Registration. In general, there are two land registration systems, namely through PP No. 24 of 1997 obtained an analogous land certificate, while in PP No. 18 of 2021 to obtain an electronic land certificate.
- 2.Related to the study of the meaning of Ministerial Regulation ATR/Ka BPN No. 1 of 2021 and PP no. 18 of 2021 requires adjustments and harmony in all related regulations, because one of the important things is the process of registering land using an electronic systematic system, not just the acquisition but the execution of an electronic certificate. For example, changes to issues related to Electronic Certificates in Minister of ATR/Ka BPN Regulation No. 1 of 2021, there is a lack of use because it means studying registering land through the use of electronic systematics, as well as other aspects which are studied in the discussion in this discussion.

## 6. BIBLIOGRAPHY

- Ana Silviana. 2021. Urgensi Sertipikat Tanah Elektronik Dalam Sistem Hukum Pendaftaran Tanah di Indonesia." *Administrative Law and Governance Journal*, Volume 4 Nomor 1.
- Diah Retno Wulan, M. Nazir Salim, and Trisnanti Widi Rineksi. 2022. Re-Scanning the Electronic Certificate Infrastructure (Sertipikat-el). Marcapada: *Jurnal Kebijakan Pertanahan* Volume 2 Nomor 1.
- Dian Aries Mujiburohman. 2021. Transformasi dari Kertas ke Elektronik: Telaah Yuridis dan Teknis Sertipikat Tanah Elektronik, *BHUMI: Jurnal Agraria dan Pertanahan*, Vol 7 Nomor 1.
- Dongpo Zhang. 2018. Big data security and privacy protection; 8th International Conference on Management and Computer Science (ICMCS 2018). Atlantis Press, 77, hlm. 275-278.
- Krisnawan Andiyanto, Dian Aries Mujiburohman, and Haryo Budhiawan. 2021. Penerapan Pendaftaran Hak Tanggungan Terintegrasi Secara Elektronik Di Kantor Pertanahan Kota Pekanbaru, *Acta Comitas: Jurnal Hukum Kenotariatan*, Volume 6, Nomor1.
- Kusmiarto, K., Aditya, T., Djurdjani, D., & Subaryono, S. 2021. Digital transformation of land services in Indonesia: A Readiness Assessment. *Land*, Volume 10 Nomor 2.
- Prasetyo, R. (2022). PROBLEMATIKA YANG MUNCUL KARENA PENERBITAN SERTIPIKAT HAK ATAS TANAH ELEKTRONIK. *Universitas Narotama Surabaya*, 6(1).
- Rabee Reffat. 2003. Developing a successful e-government, *Proc. Sympos. e-Government: Opportunities and Challenge*, Muscat Municipality, Oman, IV1–IV13..
- Rachel Silcock. 2011. What is e-government, *Parliamentary affairs*, Volume 54 Nomor 1.

- Rejekiingsih, T. (2016). ASAS FUNGSI SOSIAL HAK ATAS TANAH PADA NEGARA HUKUM (SUATU TINJAUAN DARI TEORI, YURIDIS DAN PENERAPANNYA DI INDONESIA). *Yustisia Jurnal Hukum*, 5(2).
- Soekanto, Soerjono. 2006. *Sosiologi Suatu Pengantar*. Jakarta: PT Raja Grafindo. Persada
- Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif Suatu Tinjauan*. Singkat, Raja Grafindo Persada, Jakarta, 2012.
- Soerjono Soekanto, *Pengantar Penelitian Hukum*, UI-Pers, 2014
- Zhiyuan Fang. 2002. E-government in digital era: concept, practice, and development, *International journal of the Computer, the Internet and management*, Volume 10 Nomor 2.