

ABSTRACT

JURIDICAL REVIEW ABOUT THE POWER OF THE LAW DEED OF SALE IN THE LAND REGISTRATION

By :

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The issuance of Government Regulation Number 24 of 1997 in Article 37 Paragraph (1) states that the transfer of land rights must be proven by deed made by the Land Deed Officer. But in practice, people still use the hand under the deed of sale as proof of transfer of rights. When viewed in the civil aspect of the deed of sale under the hand is valid, but the administrative law does not have the force of law, because it does not involve government elements in it that is competent public authority in this case is the Land Deed Officer.

For that we need to know about the legal power authentic deed of sale and purchase agreement under the hand as well as the legal impact that occurs when the buying and selling of land just use a deed of sale under the hand.

The methods used in this research is the juridical normative or legal research libraries are seeing and reviewing things that are theoretical. The collected documents are secondary documents. Secondary documents obtained through the study of librarianship.

The results showed that the deed of sale authentic in the transfer rights have the force of law as evidence of transfer of rights if it has met the formal and material requirements. Authentic deed of sale in the land registration have the force of law as the basis for land registration made in the form of deed Land Deed Officer equipped with other evidence. Deed of sale under the hands of the transfer of rights does not have the force of law as evidence of transfer of rights, but merely purchase agreement between the parties. Deed of sale under the hand in the land registry only have the force of law if included in the old rights, namely along the buying and selling is done before October 8, 1997 is equipped with other evidence. The impact of the sale and purchase of land is done only with a deed of

sale under the hand will cause financial losses for buyers, because buyers controls only physically but not legally, because the deed of sale under the hand does not apply for land registration, if selling it happens after the enactment of these regulations.

Keyword: The power of the law, Deed of sale and Land registration