ABSTRACT

LAW PROTECTION OF RIGHTS HANDLE UTILIZE THE BUILDING ABOVE LAND OF MANAGEMENT RIGHTS STATE

By

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Problem which is concerning land; ground in Indonesia likely no used up its. Sum up the resident non-stopped increase to cause the requirement of land; ground resident will progressively mount for example for the development of regional development and settlement, industrial, and also other need or tourism, while land; ground which available to that do not increase or have the character of remain to, as referred to and mentioned in Section 28H Sentence ( 1) Constitution 1945 mentioning " Each and everyone life is entitled to be secure and prosperous born and mind, residing, and getting healthy and good environment and also entitled to obtain get the health service". Protection punish to realized to important society utilize to take care of harmonious and hold in nation and state life. Existence of clear law and regulation matching with wide society requirement is one of protector base for society to land; ground, both for there.

Fulfill various requirement of land; ground resident will having the character of remain to be, governmental to hence cope optimal of allotment and land; ground use variously, among other things by releasing various form of land; ground regulation of like ready regulation land; ground for the sake of legal body for government land or above land of Property.

Research use the approach of empirical normative and empirical. Data source obtained from field and bibliography with the data type that is : data of primary and data second. Population taken by writer from interview with the society and staff of Body of Land; Ground of National and staff of Local government of Port Float directly. Data collecting [done/conducted] with the study of book and field study. To analyses the data use the analysis of quantity. Pursuant to result of solution and research, inferental that That efforts for the law protection Referring to ending its Rights Utilize the society Building ending year 2001 by automatically land; ground return to become the Rights of local government Management. Local government as owner of Management Rights earn off hand dissipate the of Rights owner Utilize the Building off its above Management Rights, governmental but also have to place forward the (Common/ Public) Ground of Competent Governance ( AAUPL) of where government have to place forward the civil rights specially hit the rights to get the healthy housing. society of Rights Handle Utilize the Building can make a change the rights by make-up of Rights status Utilize the Building become the Property as which have been by
some society member amounting to 15 Rights certificate Utilize the Building of pursuant to decree of Minister Agraria / Lead The Body of Land; Ground of National No. 1 Year 1998 Date of 22 January 1998 jo. KMNA / kbpn No. 15 Year 1997 Date of 22 October 1997 jo. KMNA / kbpn No. 9 Year 1997 Date of 2 July 1997. If local government do not improve the Rights status Utilize the Building become the governmental property is relocated society have to as according to law and regulation and ground of making proper and also gives the indemnation to competent society and make proper. That resistor factors of is make-up of status become the property that is One of resistor in improving status of certificate HGB become the property is the lack of technical service in its execution for example measurement eating old time, good tardy bureaucracy at office of Body of Land National and also at bureaucracy of Local Government of Port Float as owner of Rights of Farm Management. Make-Up of status from HGB become the property also very influenced by political will from this matter government is very go together the permission from the region state to discharge the area asset to wide by societies

Suggestion is explained in this research is Bureaucracy ought to in make-up of status of handle HGB become the property is not old and its bureaucracy do not be difficult and hard. Pemerintah and Body of Land; Ground of national of emotion of society facility which can wish to improve the status of certificate HGB become the property better and quickly. So that rule of law for clear owner HGB and make the societies become balmy