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TINJAUAN HUKUM DALAM PELAKSANAAN PERALIHAN HAK MILIK ATAS TANAH

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Abstract:

This study aims to determine and analyze when the transfer of ownership rights to land is carried out, and to identify and analyze the factors that hinder the implementation of the transfer of land ownership rights in Sidenereng Rappang district. The research method used in writing this thesis is the empirical method, with secondary and primary data coverage, the research was conducted at the National Land Office of Sidenereng Rappang Regency. This study shows that, the transfer of ownership rights to land due to sale and purchase is carried out after the agreed price between the seller and the buyer is confirmed by a letter of agreement for the sale and purchase of both parties and witnessed by at least two witnesses and in front of the local government authorized to do so, must require plot checks related to digitalization towards electronic services. Communities are reluctant to certify the transfer of land rights because the transition costs according to them are relatively expensive and take quite a long time, the person concerned imagines that the matter of buying and selling land rights is difficult and convoluted. Research recommendations: There are still land sales that do not go through this procedure, this shows a lack of public understanding of the applicable regulations, therefore the National Land Agency of Sidenereng Rappang Regency needs to carry out intensive legal counseling so that people understand how to buy and sell land and want to do it, people whose land has not been registered and do not have a certificate, to register their land at the local Land Office. This is done to avoid land disputes in the future.

Keywords: transfer, sale and purchase, property rights

Abstrak:

Penelitian ini bertujuan untuk mengetahui dan menganalisis kapan pelaksanaan peralihan hak milik atas tanah dan untuk mengidentifikasi dan menganalisis faktor yang menjadi penghambat dalam pelaksanaan peralihan hak milik atas tanah di kabupaten sidenereng rappang. Metode penelitian yang digunakan dalam penulisan skripsi ini adalah metode empiris, dengan cakupan data sekunder dan primer, penelitian dilakukan di Kantor pertanahan nasional Kabupaten Sidenereng Rappang. Penelitian ini menunjukkan bahwa, Pelaksanaan peralihan hak milik atas tanah karena jual beli dilakukan setelah tercapainya harga antara penjual dan pembeli yang diawatkan surat kesepakatan jual beli kedua pihak dan disaksikan minimal dua saksi dan dihadapan pemerintah setempat yang berwenang untuk itu, adapun faktor penghambat Sertifikat lama yang harus memerlukan cek plot terkait adanya digitalisasi menuju layanan elektronik. Masyarakat merasa enggan untuk mendaftarkan peralihan hak atas tanahnya karena biaya peralihan yang menurut mereka relatif mahal dan memakan waktu yang cukup lama. Ketidaktahuan orang

