



## **The Legal Validity of Sale and Purchase Deeds Executed Before a Land Deed Official (PPAT) Based on Land Statement Letters for Certified Land in Pidie Jaya Regency**

**Fauzan<sup>1\*</sup>, Eddy Purnama<sup>2</sup>, Ilyas Ismail<sup>3</sup>**

<sup>1-3</sup> Universitas Syiah Kuala, Indonesia

email: [fauzanalbag24@gmail.com](mailto:fauzanalbag24@gmail.com)<sup>1</sup>

### **Article Info :**

Received:

20-06-2026

Revised:

29-06-2026

Accepted:

01-07-2026

### **Abstract**

*Sale and Purchase Deeds (Akta Jual Beli/AJB) constitute the principal legal instrument for registering the transfer of land rights within Indonesia's land administration system. This study examines the legal validity of AJBs executed by Land Deed Officials (PPATs) based on Land Statement Letters (Surat Keterangan Tanah/SKT) for land that has already been formally certified in Pidie Jaya Regency. An empirical juridical method was employed using statutory and socio-legal approaches. Primary data were collected through interviews with PPATs, Land Office officials, village heads (keuchik), and community members, while secondary data were obtained from legislation, legal literature, and relevant scholarly publications. The findings reveal that the continued use of SKTs is primarily influenced by limited public awareness regarding existing land certificates, weaknesses in village-level land administration, and inadequate implementation of the precautionary principle by PPATs during documentary verification. Legally, an SKT cannot replace a land certificate as the strongest evidence of registered ownership. Consequently, the practice creates legal uncertainty, weakens the evidentiary foundation of land transfer transactions, delays ownership registration, and may result in administrative liability for PPATs. Strengthening documentary verification, institutional coordination, and public legal awareness is essential to ensure legal certainty and legal protection in the transfer of registered land rights.*

**Keywords:** Land Deed Official (PPAT), Land Statement Letter (SKT), Legal Certainty, Sale and Purchase Deed, Transfer of Land Rights.



©2022 Authors.. This work is licensed under a Creative Commons Attribution-Non Commercial 4.0 International License.

(<https://creativecommons.org/licenses/by-nc/4.0/>)

## **INTRODUCTION**

Land administration has become an increasingly strategic issue within contemporary legal systems because secure land tenure constitutes the foundation of economic development, investment certainty, and the protection of individual property rights. As governments continue to modernize cadastral administration through integrated land registration systems, the legal validity of documents used in land transactions has received greater scholarly and institutional attention, particularly regarding the responsibility of public officials entrusted with authenticating transfers of land rights. The growing emphasis on transparency, procedural accountability, and legal certainty reflects the understanding that weaknesses in documentary verification may undermine the credibility of land registration systems and generate prolonged ownership disputes. Indonesian land law embraces this objective through Article 19 of Law Number 5 of 1960 concerning Basic Agrarian Regulations, which mandates nationwide land registration to ensure legal certainty and legal protection for rights holders, while certificates issued through the registration process serve as strong evidence of land ownership within the national legal framework (Harsono, 2008). Contemporary studies likewise demonstrate that the quality of documentary examination performed by Land Deed Officials (PPAT) has become an essential indicator of legal certainty in modern land administration because procedural inaccuracies may invalidate subsequent registration processes and expose both officials and parties to legal liability (Rahmah et al., 2024).

Within Indonesia's land registration regime, every transfer of land ownership through sale and purchase must be evidenced by a Sale and Purchase Deed (Akta Jual Beli/AJB) executed before a Land Deed Official (PPAT) pursuant to Article 37 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration. The AJB functions not merely as documentary evidence of a private legal transaction but also as the principal juridical basis for updating land registration records

maintained by the National Land Agency, thereby requiring strict compliance with both substantive and procedural legal requirements (Santoso, 2019). Recent scholarship has consistently emphasized that the legality of an AJB depends not only on the consent of the contracting parties but equally on the accuracy of documentary verification undertaken by the PPAT before authenticating the transaction, since failures in administrative diligence frequently evolve into disputes regarding ownership, cancellation of deeds, and professional accountability (Giriarti et al., 2023). Similar findings also indicate that PPATs are expected to exercise heightened prudence in examining ownership documents because authentic deeds produced on the basis of defective evidence may subsequently lose their legal validity despite satisfying formal procedural requirements (Arthawan et al., 2024). These findings collectively suggest that documentary verification has evolved from a purely administrative obligation into a substantive legal safeguard designed to preserve certainty within Indonesia's land registration system.

Existing literature has substantially enriched discussions concerning the legal validity of sale and purchase deeds and the professional responsibility of PPATs; nevertheless, the scope of previous research remains fragmented because each study generally focuses on particular forms of documentary irregularities without comprehensively examining inconsistencies between registered ownership and the documentary basis used in subsequent transactions. Previous studies have examined the validity of AJBs that were not signed before the PPAT, transactions supported by Letter C certificates, deeds involving unpaid purchase prices, transfers conducted without the owner's knowledge, forged documentary evidence, and cancelled registrations arising from procedural defects (Basuki & Hadiati, 2024). Other researchers have concentrated on the legal responsibilities of PPATs when authentic deeds are prepared without adequate verification of ownership documents or when land transfers occur under disputed authority, demonstrating that administrative negligence may result in civil, administrative, and even criminal consequences for public officials (Allaidin et al., 2024). More recent studies have further explored PPAT accountability regarding powers of attorney executed without the legitimate owner's knowledge and emphasized that professional responsibility extends beyond formal deed preparation to encompass comprehensive verification of legal authority over the transferred property (Ardani et al., 2026). Although these studies provide valuable doctrinal insights, they predominantly investigate isolated legal defects rather than addressing situations where alternative documentary evidence is used despite the existence of an officially registered land certificate.

This unresolved issue becomes particularly significant in Pidie Jaya Regency, where empirical practice reveals that Sale and Purchase Deeds have been executed on the basis of Surat Keterangan Tanah (Land Statement Letters/SKT) even though the land concerned has already been registered and certified. Such practice creates a fundamental inconsistency between Indonesia's land registration system and its implementation because certificates issued through official registration constitute the strongest evidence of land rights and should therefore serve as the exclusive juridical basis for subsequent transfers of ownership (Parlindungan, 2009). The continued reliance on SKT under these circumstances raises serious questions regarding the legal validity of the resulting AJB, the extent of PPAT responsibility in verifying documentary evidence, and the adequacy of legal protection afforded to buyers, sellers, and legitimate certificate holders. Contemporary legal scholarship concerning Indonesian land administration has acknowledged that documentary inconsistencies frequently generate uncertainty in land transactions, particularly where administrative practices diverge from statutory registration mechanisms established by agrarian legislation (Nurdin, 2025). This situation simultaneously illustrates that legal certainty cannot be achieved solely through statutory regulation but depends equally upon the consistent implementation of documentary verification standards by public officials responsible for authenticating land transactions.

From a theoretical perspective, the present issue intersects with the principles of legal certainty, legal responsibility, and legal protection that collectively underpin Indonesia's land administration framework. Legal certainty requires every transfer of registered land rights to rely upon authentic and legally recognized evidence so that the resulting juridical relationship remains predictable and enforceable, while legal responsibility obliges PPATs to perform careful verification before exercising their delegated public authority in preparing authentic deeds (Adjie, 2018). Correspondingly, legal protection seeks to safeguard not only the immediate contractual interests of the transacting parties but also the integrity of the national land registration system by preventing conflicting ownership claims arising from defective documentation. Recent empirical studies consistently demonstrate that deficiencies in documentary examination by PPATs may undermine public confidence in land

registration institutions and expose both officials and affected parties to prolonged litigation, thereby reinforcing the necessity of strengthening professional accountability within land administration (Salsabiela et al., 2024). Despite these developments, limited empirical evidence explains how the simultaneous existence of registered certificates and Land Statement Letters influences the legal validity of AJBs in actual administrative practice, particularly within regional jurisdictions where customary documentary practices continue to coexist with the formal land registration system (Mahayu, 2024).

This study addresses that unresolved gap by empirically examining the legal validity of Sale and Purchase Deeds executed before Land Deed Officials on the basis of Land Statement Letters for land that has already been certified in Pidie Jaya Regency. It further analyzes the legal responsibility of PPATs in verifying documentary evidence before preparing authentic deeds and evaluates the legal consequences arising from inconsistencies between documentary practice and the Indonesian land registration system. By integrating normative analysis with empirical investigation, this research contributes to strengthening doctrinal understanding regarding the relationship between documentary verification, professional accountability, and legal certainty in Indonesian land administration while providing evidence-based recommendations for improving the implementation of land transfer procedures within the national registration framework.

## **RESEARCH METHODS**

This study employs an empirical juridical research design combining statutory and socio-legal approaches to examine the conformity between Indonesian land law and the practice of executing Sale and Purchase Deeds (Akta Jual Beli/AJB) based on Land Statement Letters (Surat Keterangan Tanah/SKT) for certified land (Marzuki, 2017). The research population comprises Land Deed Officials (PPATs), officials of the Pidie Jaya Land Office, village heads (keuchik), and community members involved in land sale and purchase transactions, while respondents were selected through purposive sampling based on their direct involvement in the examined practices (Soekanto, 2014). Primary data were collected through semi-structured interviews, whereas secondary data were obtained from statutory regulations, legal literature, court decisions, and peer-reviewed journal articles concerning land registration and PPAT responsibilities (Rahmah et al., 2024). The study examines three principal variables, namely the legal validity of AJBs based on SKTs, the legal responsibility of PPATs in documentary verification, and the legal consequences arising from such practices, with indicators derived from applicable legislation and contemporary legal scholarship (Allaidin et al., 2024). This research design facilitates an integrated assessment of normative legal standards and their implementation in actual land administration practices.

The collected data were analyzed using descriptive qualitative analysis through data reduction, categorization, and interpretation based on relevant legal principles (Ibrahim, 2019). Empirical findings were triangulated with statutory provisions, documentary evidence, and interview results to enhance the credibility and consistency of the analysis (Salsabiela et al., 2024). Since this study adopts a qualitative empirical approach, no statistical or econometric techniques were employed. Instead, the findings were interpreted using the perspectives of legal certainty, legal responsibility, and legal protection to evaluate the conformity of PPAT practices with Indonesia's land registration system (Adjie, 2018). This analytical approach provides a comprehensive understanding of the legal implications of executing AJBs based on SKTs for land that has already been formally certified.

## **RESULTS AND DISCUSSION**

### **Legal Validity of Sale and Purchase Deeds Executed Based on Land Statement Letters for Certified Land**

The empirical findings indicate that the continued use of Land Statement Letters (Surat Keterangan Tanah—SKT) as the documentary basis for executing Sale and Purchase Deeds (AJB) remains a recurring practice in several villages of Pidie Jaya Regency despite the existence of registered land certificates. Interviews conducted with Land Deed Officials (PPATs), officials of the Pidie Jaya Land Office, and village heads reveal that many community members still perceive SKTs as sufficient evidence of ownership because these documents have historically been used to demonstrate physical possession of land. This perception persists even after formal land registration has been completed and certificates have been issued by the National Land Agency. Several respondents acknowledged that parties involved in land transactions frequently submit SKTs without recognizing that the relevant

parcels have already been formally registered. Documentary examination undertaken during this research also identified Sale and Purchase Deeds numbered 273/2020, 274/2020, and 42/2026 that were executed on the basis of SKTs although the respective land parcels had already been recorded under Certificates of Ownership. These findings demonstrate that documentary practices at the local level have not fully adapted to the legal consequences of land registration. The persistence of this practice reflects not merely an administrative irregularity but also a continuing disparity between statutory requirements and community understanding of documentary evidence in land transactions (Rahmah et al., 2024).

From the perspective of Indonesian land law, the legal position of an SKT changes fundamentally once a certificate has been issued through the national land registration system. Article 32 paragraph (1) of Government Regulation Number 24 of 1997 recognizes the land certificate as strong evidence concerning both the physical and juridical data of a registered parcel, placing it at the center of legal certainty in land administration. Earlier documentary instruments, including SKTs, continue to possess historical value in tracing the origin of land possession but no longer function as the principal legal basis for transferring registered land rights. Interviews with officials from the Pidie Jaya Land Office consistently confirmed that certified land transactions should rely on the certificate rather than on earlier documentary records maintained at the village level. The coexistence of a valid certificate and an SKT referring to the same parcel may generate conflicting documentary narratives if the latter is treated as an equivalent source of legal authority. Such circumstances weaken the consistency expected within the Indonesian land registration system and increase the likelihood of administrative disputes during the registration of ownership transfers. This interpretation is consistent with the doctrinal view that legal certainty in land administration depends upon the primacy of registered certificates over earlier informal evidence of land ownership (Harsono, 2008).

The empirical evidence further demonstrates that the legal validity of an AJB cannot be assessed solely by examining whether procedural formalities have been completed before a PPAT. Several respondents explained that the deed execution process generally complied with procedural requirements, including the presence of the parties and the authentication of signatures, yet the documentary basis underlying the transaction remained legally problematic. This distinction between procedural validity and substantive validity became particularly evident in transactions involving certified land supported only by SKTs. Although the deed formally satisfies the characteristics of an authentic instrument, its substantive legitimacy may be questioned because the ownership document relied upon no longer represents the legally recognized evidence of title. The discrepancy identified during this research illustrates that authentic deeds derive their legal strength not only from compliance with procedural formalities but also from the legitimacy of the supporting documentation. Similar conclusions have been reported in previous studies indicating that deficiencies in documentary compliance may affect the enforceability and evidentiary value of Sale and Purchase Deeds despite their authentic character (Kusuma & Widyantara, 2023). The present findings reinforce this interpretation by demonstrating that documentary inconsistency constitutes an essential determinant of legal validity in land transactions involving registered property.

A comparison between the findings of this study and previous legal scholarship reveals both continuity and important distinctions regarding the validity of Sale and Purchase Deeds. Earlier studies have examined deeds executed without the physical presence of a PPAT, deeds supported by Letter C certificates, and transactions involving incomplete contractual performance, concluding that documentary and procedural defects may reduce the legal certainty associated with authentic deeds (Giriarti et al., 2023). Other researchers have emphasized that documentary authenticity should always correspond with the actual legal status of the transferred land because discrepancies between documentary evidence and registered ownership create uncertainty during the registration process (Basuki & Hadiati, 2024). The empirical findings from Pidie Jaya introduce a different dimension by demonstrating that legal uncertainty may also emerge when obsolete documentary evidence continues to be used after land certification has already been completed. The issue identified in this study does not concern the absence of ownership documentation but rather the inappropriate selection of documentary evidence for a legally registered parcel. This distinction expands the existing literature by illustrating how documentary overlap may undermine the objectives of Indonesia's land registration system even where certificates have already been issued.

The findings also suggest that legal validity should be evaluated in relation to the hierarchy of documentary evidence established within Indonesian agrarian law rather than merely by reference to the existence of written documentation. The findings may also be interpreted through the perspective of legal certainty, which emphasizes consistency between statutory regulation, administrative implementation, and documentary evidence. A certified land registration system is intended to eliminate uncertainty regarding ownership by assigning the certificate the highest evidentiary status recognized by law. Continued reliance on SKTs after certification disrupts this objective because competing documentary references may coexist within a single land transaction. Respondents from the Land Office acknowledged that such situations frequently complicate administrative verification during applications for the transfer of ownership rights. This administrative complexity has broader legal implications because inconsistencies in documentary verification may delay registration, increase the potential for competing ownership claims, and reduce public confidence in land administration. Contemporary legal scholarship likewise argues that certainty in land transactions depends upon the consistent implementation of documentary verification by both administrative authorities and PPATs responsible for authenticating legal acts (Mahayu, 2024). The empirical evidence obtained in Pidie Jaya illustrates that legal certainty is shaped not only by the existence of comprehensive regulations but also by the accuracy with which documentary requirements are implemented in everyday legal practice.

The overall findings demonstrate that the legal validity of Sale and Purchase Deeds executed on the basis of SKTs for certified land cannot be separated from the integrity of Indonesia's land registration system. Documentary evidence collected during this research indicates that the principal legal issue lies in the continued reliance on documentary instruments that have lost their primary evidentiary function after certification. The existence of a formally executed authentic deed does not automatically eliminate concerns regarding substantive legality when the supporting ownership documentation is inconsistent with registered land records. Empirical observations also reveal that documentary practices are influenced by longstanding community perceptions that have not fully aligned with the legal consequences of land registration. Addressing this discrepancy requires greater harmonization between statutory requirements, administrative verification, and public legal awareness regarding the evidentiary hierarchy established under Indonesian agrarian law. These findings provide an important empirical foundation for examining the professional responsibilities of PPATs in documentary verification, which constitutes the next analytical focus of this study.

### **Legal Responsibility of Land Deed Officials (PPAT) in Executing Sale and Purchase Deeds**

The empirical findings demonstrate that the legal responsibility of Land Deed Officials (PPATs) extends beyond the formal execution of authentic deeds and encompasses a comprehensive obligation to verify the legal status of land before documenting any transfer of ownership. Interviews conducted with PPATs in Pidie Jaya Regency revealed that respondents generally understood their statutory authority and acknowledged that documentary verification constitutes an indispensable component of their professional duties. They explained that an authentic deed derives its legal reliability not only from compliance with procedural formalities but also from the accuracy of the legal information incorporated into the document. Several interviewees emphasized that verification of land ownership should ideally be completed through confirmation with the Land Office before the deed is signed by the parties. The respondents also recognized that documentary inconsistencies may expose both the parties and the PPAT to subsequent legal disputes even when the execution of the deed appears procedurally correct. These findings indicate that professional responsibility within land administration requires continuous legal diligence rather than merely witnessing contractual agreements between buyers and sellers. Such observations correspond with contemporary scholarship emphasizing that PPAT accountability originates from the public authority delegated by the state and must therefore be exercised according to strict legal standards governing authentic deeds (Allaidin et al., 2024).

Field interviews further revealed that documentary verification is not always performed under ideal administrative circumstances because PPATs frequently encounter incomplete information submitted by transacting parties. Several respondents explained that buyers and sellers occasionally present only Land Statement Letters (SKT) while failing to disclose that the relevant parcels have already been registered and certified. In certain cases, the original land certificate was reportedly retained by another family member, pledged as collateral, or simply unavailable during the transaction, creating practical obstacles for immediate verification. Respondents nevertheless acknowledged that

these circumstances do not automatically eliminate their obligation to establish the actual legal status of the land before preparing an AJB. Officials from the Pidie Jaya Land Office similarly confirmed that documentary uncertainty can generally be resolved through administrative verification conducted before the deed is executed. This evidence demonstrates that practical constraints encountered during land transactions should not be interpreted as legal justification for relying exclusively on documentary submissions provided by the contracting parties. Previous studies similarly conclude that the exercise of public authority by PPATs requires proactive verification measures because documentary omissions frequently become the principal source of disputes concerning ownership transfers and the validity of authentic deeds (Salsabiela et al., 2024).

The relationship between statutory obligations and professional accountability becomes particularly significant when the documentary basis presented during a transaction differs from the official records maintained within the national land registration system. Indonesian land law assigns PPATs an important institutional role because every authentic deed prepared by these officials becomes the juridical foundation for updating land registration records. This institutional function requires PPATs to ensure that documentary evidence accurately reflects the legal status of the transferred property before the deed is authenticated. Interviews undertaken during this study indicate that respondents generally accepted this responsibility as part of their professional ethics, although variations were observed in the depth of documentary examination conducted before deed preparation. Some respondents relied primarily on documents submitted by the parties, whereas others consistently sought confirmation from the Land Office whenever uncertainty arose concerning ownership status. These differences illustrate that practical implementation of the precautionary principle remains influenced by professional judgment and administrative practice rather than by a completely uniform verification procedure. Similar observations have been reported in previous legal research indicating that inadequate documentary examination increases the possibility of administrative liability when defects in land ownership documentation are subsequently identified (Arthawan et al., 2024).

The findings of this study also demonstrate that the legal responsibility of PPATs should be interpreted within a broader framework of public accountability rather than as a purely contractual obligation owed to the parties executing a land transaction. Authentic deeds produced by PPATs possess significant evidentiary value because they are presumed to reflect lawful legal acts performed in accordance with statutory requirements. This evidentiary status imposes a corresponding obligation upon PPATs to ensure that every material element supporting the deed has undergone appropriate legal examination before authentication. Respondents acknowledged that failure to perform adequate verification may affect not only the validity of individual transactions but also public confidence in the integrity of Indonesia's land registration system. Officials interviewed during this research emphasized that preventive verification remains considerably more effective than resolving ownership disputes after registration has been challenged before administrative authorities or the courts. This perspective reflects the preventive function of authentic deeds as legal instruments intended to minimize future disputes through careful compliance with documentary requirements. Contemporary legal scholarship similarly argues that the exercise of PPAT authority must consistently balance administrative efficiency with legal certainty because authentic deeds serve not merely private contractual interests but also the broader objective of maintaining an orderly and reliable system of land administration (Sari & Utama, 2024).

The empirical findings also reveal that the responsibility of PPATs should not be interpreted solely from the perspective of compliance with statutory procedures but should also encompass the exercise of professional judgment in identifying legal risks before authenticating a transaction. Respondents acknowledged that documentary verification requires more than checking the completeness of administrative documents because different forms of land evidence may coexist within a single transaction. Interviews with PPATs indicated that situations involving certified land supported by SKTs require heightened scrutiny since the documentary inconsistency may not be immediately apparent from the documents submitted by the parties. Several respondents admitted that additional confirmation with the Land Office often becomes necessary whenever uncertainty exists regarding the legal status of the property. This practice reflects the preventive function of PPATs as public officials whose authority is intended to minimize future disputes rather than merely formalize agreements reached by private parties. The findings demonstrate that preventive verification contributes directly to the reliability of authentic deeds by ensuring that documentary evidence corresponds with official land

registration records. Similar observations have been reported in recent legal studies, which emphasize that PPATs are expected to exercise independent legal assessment before preparing authentic deeds because professional accountability extends beyond administrative compliance to the prevention of legal disputes arising from defective documentation (Ardani et al., 2026).

Another important finding concerns the relationship between community legal awareness and the practical implementation of PPAT responsibilities. Interviews with village heads and community members revealed that many landowners continue to regard SKTs as sufficient evidence of ownership because these documents have historically been recognized within local administrative practice. Such perceptions frequently influence the documentary evidence presented during land transactions and may affect the completeness of information received by PPATs before deed preparation. Respondents from the Land Office explained that this situation often requires additional administrative clarification to ensure that registered land certificates remain the principal legal reference in ownership transfers. The findings indicate that the effectiveness of PPAT verification cannot be separated from the level of public understanding regarding the legal consequences of land registration. Administrative diligence exercised by PPATs should therefore be accompanied by continuous legal education directed toward communities that still rely on pre-registration documentary practices. Strengthening public awareness would reduce the submission of inappropriate documentary evidence and improve the efficiency of land administration procedures. This interpretation is consistent with previous research indicating that effective land governance depends not only on professional accountability but also on the harmonization of institutional practice and public legal awareness within the land registration system (Rahmah et al., 2024).

The overall analysis demonstrates that the legal responsibility of PPATs represents an essential safeguard within Indonesia's land registration framework because authentic deeds function as the primary juridical basis for recording transfers of ownership rights. The empirical evidence collected in Pidie Jaya Regency indicates that documentary verification remains the most critical stage in preventing inconsistencies between land registration records and the legal instruments used in property transactions. Respondents consistently recognized that greater diligence during the verification process would significantly reduce the likelihood of disputes concerning the validity of Sale and Purchase Deeds executed on the basis of inappropriate documentary evidence. These findings confirm that professional accountability should be understood as a continuous obligation extending from the preliminary examination of documents to the completion of the land transfer process. They also reinforce the principle that legal certainty within land administration depends upon the consistency between statutory requirements and administrative implementation. The responsibilities imposed upon PPATs are therefore inseparable from the broader objective of protecting the integrity of the national land registration system and preserving public confidence in authentic legal instruments. This empirical assessment provides the foundation for examining the legal consequences arising from the execution of Sale and Purchase Deeds based on Land Statement Letters for certified land, which constitutes the next focus of this study (Nurdin, 2025).

### **Legal Consequences of Executing Sale and Purchase Deeds Based on Land Statement Letters for Certified Land**

The empirical findings indicate that the use of Land Statement Letters (SKT) as the documentary basis for executing Sale and Purchase Deeds (AJB) involving certified land produces legal consequences that extend beyond the immediate contractual relationship between the parties. Interviews conducted with PPATs and officials of the Pidie Jaya Land Office revealed that documentary inconsistencies frequently emerge during the registration of ownership transfers rather than at the moment the deed is executed. Respondents explained that an AJB may initially appear legally complete because all procedural requirements have been fulfilled before the PPAT. Administrative complications arise when the Land Office verifies the supporting documents and identifies that the parcel has already been registered under an existing certificate that was not used as the basis of the transaction. This inconsistency creates uncertainty regarding the legal foundation of the ownership transfer and may delay the registration process until the documentary discrepancy is clarified. Several interviewees acknowledged that transactions relying solely on SKTs often require additional administrative examination before any amendment to the land register can be completed. The findings demonstrate that documentary irregularities continue to generate legal effects even after an authentic deed has been

executed because the registration authority remains responsible for ensuring conformity between the deed and official land records. Similar observations have been reported in previous studies, which conclude that the legal validity of land transfers depends upon the consistency between authentic deeds and the documentary evidence recognized by the national land registration system (Asael, 2025).

From the perspective of evidentiary law, the findings suggest that the principal legal consequence concerns the strength of the Sale and Purchase Deed as documentary evidence supporting the transfer of ownership rights. Interviews with Land Office officials indicated that the existence of an authentic deed does not automatically guarantee the successful registration of a transaction when the underlying ownership document is inconsistent with official cadastral records. Respondents emphasized that certificates remain the strongest evidence of ownership after registration has been completed, while SKTs retain only historical significance regarding previous land possession. This distinction substantially influences administrative decision-making because documentary hierarchy determines which evidence should prevail during the verification process. Several respondents also observed that reliance upon obsolete documentary evidence may encourage competing ownership claims where multiple parties rely upon different legal instruments concerning the same parcel of land. Such circumstances reduce legal certainty and increase the possibility of administrative objections or judicial proceedings initiated to resolve conflicting ownership claims. The empirical evidence therefore indicates that documentary inconsistency affects not only the registration procedure but also the evidentiary reliability of the legal instruments supporting the transaction. This interpretation is consistent with previous legal scholarship emphasizing that authentic deeds derive their strongest legal protection when supported by documentary evidence that accurately reflects the registered legal status of the transferred land (Kusuma & Widyantara, 2023).

The legal consequences identified through interviews may be classified according to the parties affected by documentary inconsistencies during certified land transactions. This classification illustrates that the implications extend beyond the validity of the Sale and Purchase Deed itself and influence the legal position of buyers, sellers, PPATs, and the Land Office. Respondents consistently emphasized that documentary verification should be viewed as a preventive mechanism because failures at this stage often produce interconnected legal and administrative consequences throughout the transfer process. The principal findings are summarized in Table 1, which categorizes the legal implications identified during the empirical investigation.

**Table 1. Legal Consequences of Executing Sale and Purchase Deeds Based on Land Statement Letters for Certified Land**

| <b>Affected Subject</b>      | <b>Principal Legal Consequence</b>                                         | <b>Practical Implication</b>                           |
|------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------|
| Sale and Purchase Deed (AJB) | Reduced legal certainty regarding the documentary basis of the transaction | Additional verification before registration            |
| Buyer                        | Uncertainty concerning ownership registration                              | Delay in obtaining legal title                         |
| Seller                       | Potential exposure to civil disputes                                       | Possibility of contractual claims                      |
| Land Deed Official (PPAT)    | Administrative and professional accountability                             | Evaluation of compliance with verification obligations |
| Land Office                  | Additional administrative examination                                      | Longer processing time for transfer registration       |

The findings presented in Table 1 indicate that documentary inconsistencies affect every institution participating in the transfer of land rights rather than only the contracting parties. Buyers experience uncertainty because registration of ownership cannot proceed efficiently when discrepancies arise between the documentary basis of the transaction and official land records. Sellers may subsequently become involved in contractual disputes if ownership cannot be transferred as initially agreed. PPATs remain subject to professional evaluation because the preparation of authentic deeds



requires careful examination of the legal status of the transferred property before authentication. The Land Office likewise bears additional administrative responsibilities in resolving documentary inconsistencies before approving changes to registered ownership data. These interconnected legal consequences illustrate that the use of SKTs for certified land should not be regarded as an isolated procedural defect but as an issue affecting the integrity of Indonesia's land administration system. Recent legal research similarly recognizes that documentary inconsistencies during land transactions may generate overlapping legal consequences involving administrative authorities, public officials, and private parties simultaneously (Mahayu, 2024).

The legal consequences identified in this study also extend to the professional accountability of Land Deed Officials (PPATs) when documentary verification is not conducted with the level of diligence required by Indonesian land law. Interviews with PPATs revealed that respondents generally recognized the importance of verifying the legal status of land before authenticating any transfer of ownership. They acknowledged that reliance on documentary evidence submitted solely by the parties may expose the deed to future legal challenges if inconsistencies are later identified during the registration process. Officials from the Pidie Jaya Land Office similarly explained that documentary discrepancies often require additional clarification before ownership registration can proceed, particularly where certified land has been transferred using an SKT as the principal supporting document. Such circumstances do not automatically invalidate the authentic deed, but they significantly increase the likelihood of administrative review and legal disputes concerning the legitimacy of the transaction. Several respondents emphasized that preventive verification would substantially reduce the occurrence of these problems because confirmation of the certificate status can generally be completed before the deed is executed. The empirical findings indicate that the responsibility of PPATs should be understood as a continuing obligation to preserve legal certainty throughout the transfer process rather than merely completing the formal requirements for preparing an authentic deed. This interpretation is consistent with contemporary legal scholarship emphasizing that professional accountability requires PPATs to ensure that documentary evidence accurately reflects the registered legal status of the transferred property before exercising their public authority (Ardani et al., 2026).

The consequences arising from the use of SKTs for certified land also affect the protection of legal interests belonging to buyers and sellers. Interviews with community members indicated that most parties believed the execution of an authentic deed before a PPAT was sufficient to guarantee the legality of the transaction without considering the legal relevance of the supporting ownership documents. This assumption frequently resulted in disappointment when the registration of ownership experienced delays because additional documentary verification became necessary at the Land Office. Buyers are particularly vulnerable because they expect the transaction to provide immediate legal certainty over the acquired property, while sellers may become involved in contractual disputes if the transfer cannot be completed within the agreed timeframe. Respondents from the Land Office further explained that unresolved documentary inconsistencies may prolong administrative procedures and increase the possibility of future ownership disputes involving third parties. The findings demonstrate that legal protection cannot be achieved solely through the existence of an authentic deed because the effectiveness of that deed depends upon the conformity of its supporting documentation with the official land registration records. This relationship confirms that documentary verification constitutes an essential component of legal protection for all parties participating in certified land transactions. Similar conclusions have been reached in previous studies, which argue that effective legal protection in land administration requires consistency between documentary evidence, registration procedures, and the implementation of statutory requirements governing the transfer of land rights (Rahmah et al., 2024).

Overall, the empirical findings demonstrate that the legal consequences of executing Sale and Purchase Deeds based on Land Statement Letters for certified land extend across administrative, civil, and institutional dimensions of Indonesia's land registration system. Documentary inconsistencies influence not only the evidentiary strength of the deed but also the efficiency of ownership registration, the legal security of buyers and sellers, and the professional accountability of PPATs. Interviews conducted during this study consistently indicate that these consequences originate from the continued use of documentary practices that no longer correspond with the legal hierarchy established after land registration has been completed. The persistence of such practices reflects the need for stronger coordination between PPATs, the Land Office, village administrations, and the wider community in implementing documentary verification standards. Strengthening cooperation among these institutions

would reduce administrative obstacles while improving the consistency of land transfer procedures with the objectives of the national land registration system. The findings also suggest that enhancing public understanding regarding the legal status of registered land is equally important because documentary errors frequently originate from limited awareness of the legal effects of certification. These empirical observations provide the basis for formulating broader recommendations concerning the strengthening of legal certainty in Indonesian land administration, which constitutes the final analytical focus of this study (Nurdin, 2025).

### **Strengthening Legal Certainty in Indonesia's Land Registration System Through Improved Documentary Verification**

The findings of this study demonstrate that strengthening legal certainty in land administration requires improvements that extend beyond the enactment of statutory regulations. Interviews conducted with PPATs and officials of the Pidie Jaya Land Office indicate that Indonesia already possesses a comprehensive legal framework governing land registration and the transfer of ownership rights. The principal challenge identified during the empirical investigation lies in the inconsistent implementation of documentary verification before authentic deeds are executed. Respondents consistently emphasized that discrepancies between Land Statement Letters (SKTs) and registered land certificates frequently originate from administrative practices that continue to rely on historical documentation despite the completion of formal land registration. Such practices reduce the effectiveness of the land registration system because documentary inconsistencies undermine the objective of establishing a single and reliable source of ownership information. The empirical evidence also suggests that legal certainty depends not only on the existence of clear legal norms but equally on their consistent implementation by institutions responsible for land administration. Contemporary legal scholarship similarly recognizes that the effectiveness of land registration systems is determined by the ability of administrative authorities to apply statutory requirements consistently while maintaining accurate and reliable ownership records (Nurdin, 2025).

Another important implication concerns the need to strengthen institutional coordination among PPATs, the Land Office, village administrations, and other stakeholders involved in land transactions. Interviews with respondents revealed that documentary inconsistencies frequently arise because information regarding the legal status of land is not exchanged efficiently between institutions before the execution of an AJB. Village administrations may continue issuing SKTs based on historical possession records without confirming whether the relevant land has already been registered, while PPATs often depend on documents submitted directly by the contracting parties. Officials from the Land Office explained that these institutional gaps increase the administrative burden during ownership registration because additional verification becomes necessary after the deed has already been executed. Respondents agreed that stronger communication and integrated verification procedures would significantly reduce documentary conflicts during land transactions. Such institutional cooperation would also improve administrative efficiency by identifying potential legal issues before they develop into ownership disputes requiring formal resolution. Similar observations have been presented in recent studies emphasizing that integrated land governance depends upon effective coordination between public institutions responsible for documentary verification and land registration (Rahmah et al., 2024).

The empirical findings further indicate that strengthening legal certainty requires continuous enhancement of professional competence among Land Deed Officials (PPATs). Respondents acknowledged that documentary verification has become increasingly complex because land transactions frequently involve multiple sources of ownership information originating from different administrative periods. This complexity requires PPATs to possess not only technical knowledge regarding deed preparation but also a comprehensive understanding of the legal hierarchy governing documentary evidence within Indonesia's land registration system. Several interviewees suggested that regular professional training focusing on documentary examination, developments in land administration policy, and recent judicial decisions would improve the quality of verification before authentic deeds are executed. Officials from the Land Office expressed similar views, emphasizing that preventive verification remains considerably more effective than resolving ownership disputes after registration applications have been submitted. Continuous professional development would also strengthen public confidence in PPATs by ensuring that authentic deeds are supported by legally accurate and administratively verified documentary evidence. These findings are consistent with

previous legal research concluding that improvements in professional competence contribute directly to the realization of legal certainty and accountability in land administration (Sari & Sutarna, 2024).

The study also demonstrates that increasing public legal awareness represents an equally important component of strengthening the national land registration system. Interviews with community members revealed that many landowners continue to regard SKTs as equivalent to land certificates because both documents have historically been accepted as evidence of ownership within local administrative practice. This perception frequently encourages the continued use of SKTs even after certificates have been issued through the formal registration process. Respondents from village administrations acknowledged that communities often possess limited understanding regarding the legal consequences of land certification and the evidentiary status assigned to registered certificates under Indonesian land law. Such conditions contribute to documentary inconsistencies that ultimately affect the efficiency of ownership registration and increase the possibility of legal disputes. Respondents therefore recommended expanding public legal education through collaboration between the Land Office, PPATs, and village governments to improve understanding of documentary requirements in land transactions. Strengthening community awareness would reduce administrative errors while encouraging greater compliance with the legal procedures governing the transfer of registered land rights (Mahayu, 2024).

The broader implications of this study also extend to the formulation of future land administration policies in Indonesia. The empirical findings indicate that documentary verification should be positioned as a central element of land governance rather than merely an administrative requirement preceding deed preparation. Policy initiatives designed to integrate documentary information between village administrations and the National Land Agency would significantly reduce inconsistencies arising from the simultaneous use of historical and registered ownership documents. Respondents further suggested that digital integration of land administration databases would facilitate faster verification of ownership status before land transactions are authenticated by PPATs. Such reforms would improve administrative transparency while reducing opportunities for documentary errors capable of generating legal uncertainty. Strengthening preventive verification mechanisms would likewise support the broader objectives of land administration reform by promoting more reliable and efficient ownership registration procedures. These policy implications reinforce the importance of aligning administrative innovation with the legal principles governing documentary evidence and land registration within Indonesia (Allaidin et al., 2024).

Overall, the findings of this study confirm that legal certainty in land administration cannot be achieved solely through comprehensive legislation because its realization depends upon the consistent interaction between legal norms, institutional practice, professional responsibility, and public legal awareness. The continued use of SKTs as the basis for Sale and Purchase Deeds involving certified land illustrates that documentary inconsistencies remain capable of undermining the objectives of Indonesia's land registration system despite the existence of clear statutory provisions. The empirical evidence collected in Pidie Jaya Regency demonstrates that improving documentary verification procedures would significantly reduce administrative disputes while strengthening the evidentiary reliability of authentic deeds. Enhanced institutional coordination, continuous professional development for PPATs, and broader public legal education emerge as complementary strategies for improving the effectiveness of land registration. These measures would contribute to greater legal certainty by ensuring that every transfer of registered land rights is supported by documentary evidence that accurately reflects the official legal status of the property. The study therefore concludes that strengthening documentary verification constitutes one of the most effective approaches to safeguarding the integrity of Indonesia's land registration system while protecting the legal interests of all parties involved in land transactions (Harsono, 2008).

## **CONCLUSION**

The findings of this study demonstrate that the execution of Sale and Purchase Deeds (Akta Jual Beli/AJB) based on Land Statement Letters (Surat Keterangan Tanah/SKT) for land that has already been formally certified is inconsistent with the fundamental principles of Indonesia's land registration system and the objective of ensuring legal certainty. Although SKTs may retain historical significance as evidence of previous land possession, they no longer constitute the primary legal basis for transferring ownership rights once a land certificate has been issued through the national registration

system. The empirical investigation conducted in Pidie Jaya Regency confirms that the continued reliance on SKTs in certified land transactions creates documentary inconsistencies between authentic deeds and official land records. These inconsistencies reduce legal certainty and may hinder the registration of ownership transfers despite the formal validity of the executed deed. The study further demonstrates that legal certainty depends not only on comprehensive statutory regulations but also on the consistent application of documentary verification standards during every stage of the land transfer process. The existence of authentic deeds alone cannot guarantee effective legal protection when the supporting ownership documents do not accurately reflect the registered legal status of the transferred property. These findings reaffirm the importance of maintaining the certificate as the principal and authoritative evidence of ownership in every transaction involving registered land.

The study also establishes that Land Deed Officials (PPATs) bear a central responsibility in preserving the integrity of land administration through careful and independent documentary verification before authenticating Sale and Purchase Deeds. The empirical evidence indicates that practical challenges, including limited public understanding of documentary requirements and administrative weaknesses at the village level, frequently influence the continued use of SKTs during land transactions. Such circumstances, however, do not diminish the legal obligation of PPATs to exercise due diligence in confirming the ownership status of land through the appropriate administrative mechanisms. Preventive verification remains an essential safeguard against documentary inconsistencies capable of generating administrative disputes and future litigation. The findings further reveal that professional accountability extends beyond compliance with procedural formalities and requires PPATs to ensure that every authentic deed is supported by legally valid and verifiable documentary evidence. Effective implementation of this responsibility contributes directly to strengthening public confidence in authentic deeds and improving the reliability of Indonesia's land registration system. Strengthening professional competence and reinforcing institutional coordination between PPATs, the Land Office, and village administrations are equally important for minimizing documentary irregularities in future land transactions.

The legal consequences identified in this study demonstrate that the use of SKTs as the basis for AJBs involving certified land affects multiple legal subjects, including buyers, sellers, PPATs, and the Land Office, while simultaneously reducing the effectiveness of the national land registration system. Documentary inconsistencies may delay ownership registration, increase the risk of land disputes, and expose PPATs to administrative and professional accountability when verification obligations are not adequately fulfilled. Addressing these challenges requires a comprehensive approach that combines stronger supervision of PPAT practices, improved administrative governance at the village level, and continuous public education concerning the legal status of land certificates as the strongest evidence of ownership. Greater integration of documentary verification procedures between relevant institutions would also reduce inconsistencies before land transactions are formally executed. From a broader perspective, this study contributes to the development of empirical legal scholarship by demonstrating that legal certainty in land administration depends upon the interaction between statutory regulation, institutional implementation, professional responsibility, and community legal awareness. Future research may expand this analysis by examining similar documentary practices in other regions of Indonesia or by evaluating the effectiveness of digital land administration systems in strengthening documentary verification and preventing ownership disputes. Such efforts are expected to support the continuing development of a more transparent, accountable, and legally certain land administration system in Indonesia.

## REFERENCES

- Adjie, H. (2018). *Hukum Notaris Indonesia*. Bandung: Refika Aditama.
- Allaidin, J., Pulungan, M. S., & Koeswarni, E. (2024). Responsibility of the Land Deed Making Official for the Deed of Sale and Purchase on the Canceled Registration of the Transfer of Rights (Case Study Verdict Number 550/Pid.B/2021/PN Jkt/Sel). *Indonesian Notary*, 5(2), 58–72. <https://doi.org/10.21143/notary.vol5.no2.58>
- Ardani, N. P. N. A., Djumardin, D., & Mulada, D. A. (2026). Responsibility of Notary/PPAT Regarding The Issuance of Sale and Purchase Deeds Based on Power of Attorney to Sell Without the Knowledge of the Legitimate Owner (Analysis of Decision Number 29/PDT. G/2025/PN.

- MTR). *NOTARIIL Jurnal Kenotariatan*, 11(1), 27-39. <https://doi.org/10.22225/jn.11.1.2026.27-39>
- Arthawan, I. W. R., Atalim, S., & Sudiro, A. (2024). Accountability of Notary/Land Deed Official for Transaction of Land Sale and Purchase Based on Fake Evidence. *NOTARIIL Jurnal Kenotariatan*, 9(1), 9–14. <https://doi.org/10.22225/jn.9.1.2024.9-14>
- Asael, M. (2025). Validity of Land Sale and Purchase Deed in Transactions with Unpaid Balance. *Law Research Review Quarterly*, 11(2), 308–328. <https://doi.org/10.15294/llrq.v11i2.27242>
- Basuki, G. D., & Hadiati, M. (2024). The Legitimacy of Sale and Purchase Deeds for Letter C Certificates Formed by PPAT. *Journal of Law, Politic and Humanities*, 5(1), 274-281. <https://doi.org/10.38035/jlph>.
- Giriarti, T., Prihatinah, T. L., & Handayani, S. W. (2023). The Validity of The Sale And Purchase Deed Was Not Signed in The Presence of Land Deed Officer. *Jurnal Hukum dan Kenotariatan*, 7(3), 197-212. <https://doi.org/10.33474/hukeno.v7i3.20844>
- Harsono, B. (2008). *Hukum Agraria Indonesia: Sejarah Pembentukan UUPA, Isi dan Pelaksanaannya*. Jakarta: Djambatan.
- Ibrahim, J. (2019). *Teori dan Metodologi Penelitian Hukum Normatif*. Malang: Bayumedia.
- Kusuma, A. A. G. A., & Widyantara, I. M. M. (2023). Keabsahan Akta Jual Beli Tanah yang dibuat oleh PPAT dalam Perspektif Kepastian Hukum. *Acta Comitatus: Jurnal Hukum Kenotariatan*, 8(3), 471–483. <https://doi.org/10.24843/AC.2023.v08.i03.p08>
- Mahayu, N. (2024). The Role of Land Deed Making Officials in Legal Settlement of Complete System Land Registration Certificates That Overlap in Sale and Purchase Transactions in Tabanan Regency. *NOTARIIL Jurnal Kenotariatan*, 9(2), 82-88. <https://doi.org/10.22225/jn.9.2.2024.82-88>
- Marzuki, P. M. (2017). *Penelitian Hukum*. Jakarta: Kencana.
- Nuridin, Z. (2025). Registration of Land Ownership Transfer by Private Sale and Purchase Deed. *Andalas Notary Journal*, 2(1), 95-107. <https://anj.fhuk.unand.ac.id/index.php/anj/article/view/124>
- Parlindungan, A. P. (2009). *Pendaftaran Tanah di Indonesia*. Bandung: Mandar Maju.
- Peraturan Pemerintah Nomor 18 Tahun 2021 tentang Hak Pengelolaan, Hak Atas Tanah, Satuan Rumah Susun, dan Pendaftaran Tanah.
- Peraturan Pemerintah Nomor 24 Tahun 1997 tentang Pendaftaran Tanah.
- Peraturan Pemerintah Nomor 37 Tahun 1998 tentang Peraturan Jabatan Pejabat Pembuat Akta Tanah.
- Rahmah, S., Jalil, H., & Kadir, M. Y. A. (2024). Legal Dilemma for Land Deed Officials in Transferring Land Title Within Agrarian Reform in Indonesia: A Study in Aceh Province. *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam*, 8(1), 556-578. <https://doi.org/10.22373/sjhk.v8i1.16898>
- Salim HS., & Nurbani, E. S. (2009). *Penerapan Teori Hukum pada Penelitian Tesis dan Disertasi*. Jakarta: Rajawali Pers.
- Salsabiela, N., Salim, S., & Putro, W. D. (2024). Responsibilities of Land Deed-Making Officials in Making Sale and Purchase Deeds Made Without the Land Owner's Knowledge. *Path of Science*, 10(1), 8017-8023. <http://dx.doi.org/10.22178/pos.100-37>
- Santoso, U. (2019). *Pendaftaran dan Peralihan Hak Atas Tanah*. Jakarta: Kencana.
- Sari, N. M. A. P., & Sutama, I. B. P. (2024). Tanggung Jawab PPAT terhadap Pembuatan Akta Jual Beli Tanah yang Mengandung Cacat Hukum. *Jurnal Kertha Semaya*, 12(4), 913–925. <https://doi.org/10.24843/KS.2024.v12.i04.p08>
- Soekanto, S. (2014). *Pengantar Penelitian Hukum*. Jakarta: UI Press.
- Sutedi, A. (2019). *Peralihan Hak Atas Tanah dan Pendaftarannya*. Jakarta: Sinar Grafika.
- Undang-Undang Nomor 5 Tahun 1960 tentang Peraturan Dasar Pokok-Pokok Agraria.