

Implementation Of The Internship Obligations Candidates Of Officials Maker Land Certificates At Land Agency Of Pariaman City

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Abstract: *Since the adoption of new regulations on officials maker land certificate, namely Government Regulation Number 24 years 2016 concerning Amendment to Government Regulation Number 37 years 1998 concerning Regulation of the functionary Position of Land Deed Maker, there are additional requirements to become a officials maker land certificate namely that each candidate of officials maker land certificate must follow an internship for 1 (one) which is 6 (six) months at the Land Office and 6 (six) months at the officials maker land certificate Office. This internship is a principle to provide provisions to candidates of officials maker land certificate before opening their own office. The internship obligation at the land office is expected to make the officials maker land certificate candidates to be well-prepared before practicing and know the order of work performed by the land office in processing the certificate application. This study aims to find out how the implementation of the internship candidates as officials maker land certificate at the Office of the National Land Agency in Pariaman City and to find out how the role of the National Land Agency in carrying out the internship of the officials maker land certificate candidates in Pariaman City. The research method used is empirical juridical, the nature of descriptive research and data analysis is done qualitatively. The conclusion of this research is firstly, the implementation of an internship at the Pariaman City's Land Office is carried out every working day, and the internship is carried out in 3 (three) parts, there are : registration, measurement and legal action, the apprentices must understand and assisting the Land Office in terms of the process of activities and land services, the process of receiving and checking the deed that is registered and the process of checking the juridical data for land rights applications and will be evaluated every month. Second, the role of the National Land Agency of Pariaman City is to give directions and guidance to provide guidance and supervision to interns for realizing a integrity and professional officials maker land certificate, and issued a letter from an intern for trainee has met the requirements.*

Key Words: *Implementation, Obligation An Apprentice, Officials Maker Land Certificate Candidates, Role of Land Office. right civil son of father, Legal Protection, Outer Child Marriage, Birth Certificate.*

1. INTRODUCTION:

The act no. 5 years 1960 about this basic of agrarian law was the beginning for the achievement of the legal certainty in scope land . This law explain the various kinds of land rights whether they are primary as the rights belonging to, usage rights business , usage rights buildings and rights of use, and on a secondary as right of lease and the right to collect forestry products, based on land rights were chosen a way to achieve an obligation laws against its stake. Article 19 decree that across areas of the Republic Of Indonesia a registration process in place the ground so that guarantee legal certainty. Activities land registration in the end give birth to sign the ownership proof rights over in the form of certificates.

Article 5 Government Regulation No. 24 years 1997 said that government agencies that are implementing it across the Republic Of Indonesia is a national land of the Republic Of Indonesia. In order to implement the land registration certain activities the head of district land/city can't do it yourself hence the chief the district land office/city need help from other parties. This matter in article 6 paragraph (2) government regulation no. 24 years 1997 said "to implement land registration the head of land assisted by official maker land certificates and other dignitaries assigned to carry out certain activities of the government and according to the relevant legislation". With the enactment of the government regulation no 24 years 1997 about land registration but also true existence officials maker land certificates [1]. Other dignitaries who assists the head of the district land office to carry out certain activities in land registration, that is an official covenant endowments certificate, officials from the office of auction, the committee adjudication [2].

Officials maker land certificate is one of the profession appointed by the government to assist the national land agency on the issue of land and is one of a profession practiced by the laws relating to official documents on land .A general sense officials maker land certificate was an official general who was authorized to make an authentic deed on

certain legal action on land rights or rights belonging to a unit of flat. In addition, officials certificate maker land is the authorized official made the deed of an agreement that mean to move land rights, give a right only on land , pawn land or borrow money by land rights as dependents [3].

An official land certificates appointed by the government, in this case of the national land agency to the tasks and certain authority in order to serve the needs of the community will a deed of transfer land rights , the imposition of the title of said land certificates , certificate and empowerment without said right as regulated under the stipulated in the current legislation [4]. An official land certificate can be raised by the head of the national land agency of the Republic Of Indonesia after fulfill the requirements set by the current regulation [5]. An official public land as an official certificate is not public servants and not as an official of the state.

In making an authentic deed besides officials maker certificate state land also designating other public officials in making an authentic deed the notary. An affirmation of a notary as a public official authorized make autentik certificate stated in article 1 paragraph (1) the act no. 2 years 2014 about Notary. Thus a notary acknowledged in a juridical manner as authorities in making authentic certificate.

Since the establishment of new rules that is government regulation number 24 years 2016 on changes to government regulation no. 37 years 1998 about the rules of office an official land certificates, an additional requirements to be a land which is an official certificate each candidate an official land certificates are required to have an apprentice for 1 (one) year. The addition of this requirement contained in article 6 the letter h government regulation number 24 years 2016 about rule of office an official land certificate which states that “has undergone a apprentice or of place have been working as an employee at the office of an official land certificates at least 1 (one) year after graduated notary education .

Now interest in the young generation to become a notary and officials certificate maker land greatly increased. It was proven by the program kenotariatan seed almost every a state university. There are 40 (forty) course of study notary held by a state university and private. Procedures for an apprentice on the land office is not detailed agrarian in the minister and spatial planning national land/head of the Republic Of Indonesia no 20 years 2018 about the procedures, apprentice, removal of, removal of back and extension of a certificate of a land, officials it is just explained in the procedures the request apprentice and terms to officials certificate candidates maker earth on the apprentice and procedures submitted to the land concerned.

2. CONCEPTUAL FRAMEWORK:

- **Obligation**

A dictionary of Indonesia explains that an obligation is something that it was prescribed, something which should be done, of necessity to do it, something which should be done, or also the deepening task of, and rights duties according to the laws of. According to Notonegoro an obligation is a load of to give anything a it should be it has be left or given and there succeeded after by certain parties and cannot be by other parties or that way then in principle can be is required to be able to force it open in by it a harvest of .

- **Apprentice**

The minister for agrarian and spatial planning number 20 years 2018 on the procedure, exam an apprentice, removal of, removal of back and extension of its position official with the land deed article 1 paragraph (5) said that the internship is a series of the system in the process of appointment part in form of activities to deepen the main tasks and functions in the field of legal relations keagrariaan conducted in a practice in the land office and office official with the deed to form the deed official with the professional and with integrity.

- **Officials Maker Land Certificates**

The minister for agrarian and spatial planning number 20 years 2018 on the procedure, exam an apprentice, removal of, removal of back and extension of its position official with the land deed article 1 numbers (1) said that official with the deed public officials who were given the authority to make akta-akta authentic about certain legal action concerning land rights or rights belonging to the top of a unit of flats.

- **National Land Agency**

The national land agency is a government agency non the ministry in Indonesia having duties undertaking the task of government in the field of land in accordance with regulations provisions. The national land agency is a government agency non the ministry in Indonesia having duties and hold duty government in the field of national land, regional and sectoral. The national land agency at first formed based on the resolution of President Of The Republic Of Indonesia no. 26 years 1988 as an increase from the directorate general of the department of the interior agrarian which is based in the bottom and been directly responsible to the President.

3. LITERATURE REVIEW:

Officials maker land certificate in English called land deed, officials while in Netherland language called land titles, registrar had access and a very important role in our nation and state because this official was authorized by the state, to make a deed of transfer land rights and other certificate of the republic of Indonesia and abroad [6].

Salim H.S concluded that certificate making official land is “someone who raised and given power by act to make certificate, where in his that certificate, loading klausula or rules governing legal relations between the parties , pertaining to land rights and / or property of over a unit of tenement” [7]. Budi Untung stated the officials maker land certificate is public officials partner agencies the national land agency to help strengthen/confirmed any legal actions on land that was the subject concerned put into a authentic certificate [8].

A government regulation no. 37 years 1998 set is 3 (three) kind of official maker, land certificates the official maker, temporary land certificates officials maker, special land certificates officials maker [9].

The difference of Officials Maker Land Certificates, temporary Officials Maker Land Certificates, special Officials Maker Land Certificates [10]:

- a) Officials Maker Land Certificates appointed by minister, temporary Officials Maker Land Certificates and special Officials Maker Land Certificates sanctioned by the ministry agrarian.
- b) appointed become an official certificate maker land is an individual who qualified prescribed by article 6 government regulation no 37 years 1998, the maker of land designated as an official certificate temporary is official government officials and a maker of specialty is the official of the national land agency.
- c) Officials Maker Land Certificates, and temporary Officials Maker Land Certificates, authority in carrying out the task that is allowed to receive hononarium setinggi-tingginya is 1 % (one percent) of the transactions are listed in a deed, special Officials Maker Land Certificates charging in carrying out their duties.

4. METHODS:

The research is research law normative .Research law normative (normative law research) using case An approach to a problem that is used in this research was legal information about nature of the decrees issued empirical one who lays stress on the reality in the field to be associated with the legal aspects or act which is valid for five pertaining to with the object the research which is discussed and see law norm and order were pretty good with the bad and have joined with reality or facts that was found in the community.

This research is descriptive namely research which gives you the about a state of being or social symptoms that develops in the midst of society hopefully with a research is expected can obtain a whole description, complete and systematic about the object to be in minutely [11].

A theory that used in writing this research is a The theory of the effectiveness of law and the theory of tauthority. The type and of the source of data will be used for the this is a material the members of primary law, a material of wool or secondary law, and as materials for law tertiary by the support of the technique of data collection in the form of the study of literature that that is synthesised in a qualitative manner.

5. DISCUSSION:

The government regulation no 24 years 2016 on changes to government regulation no 37 years 1998 provisions concerning the official maker land certificates article 6 said that:

A. Qualified to be appointed as Officials Maker Land Certificates:

- Indonesians;
- was the lowest 22 (twenty two) years;
- behave expressed with official statements made by local police agencies;
- never sentenced imprisonment based on the judgment a court has achieved permanent legal entity for crimes punishable by imprisonment 5 (five) years or more;
- spiritual and physical health;
- who obtained law and graduating level of magister notary or graduate special education programs organized either by the ministry that runs government affairs in the field of agrarian/land;
- pass the test organized either by the ministry that runs government affairs in the field of agrarian/land;
- served apprentice or have worked as an employee in office of Officials Maker Land Certificate least 1 (one) year, after graduation notary education.

B. Further provisions regarding the procedures of civil servants recruitment and examination , an apprentice , and in bearing burdens when making official land certificate stipulated by a minister regulation .

In the minister requirements had to be met by the potential to be an official land certificates .When one of the requirements does not exist or are not fulfilled by the potential an official land certificate then neither can was inaugurated to be a certificate because the ground by an official , the criteria should be completed and every candidates an official land certificate without exception.

Based on the explanation given by a rules designed to weed out the minister procession, there are too many becomes one of the requirements that must be fulfilled by making official candidates would have no trouble drawing up of deed the land of one of the requirements that new in with the minister policy relating their intention is nothing but making official candidates would have no trouble drawing up of deed the ground shall be obliged to cancer and asked to undergo apprentice or have been working as an employee in office of Officials Maker Land Certificates for 1 (one) years, after graduated notary education. Article 17 verse (2) the minister of agrarian and spatial planning/head of national land the Republic Of Indonesia no 20 years 2018, examination on the procedure an apprentice, removal of, removal of back and the extension office officials maker, land certificates give the apprentice candidate officials maker land certificate is “apprentice was conducted over 1 (one) years in the land office and the official maker, land certificates with the division of time”;

- 6 (six) in land office; and
- 6 (six) months in officials maker land certificates office.

An apprentice aims to bring the provision for the future making official land certificate before opening the office itself. It is hoped that the apprentice making official certificate of how the order work done at land offices and making official certificate at the ground. In addition, it is hoped that the apprentice official maker land certificate know how the existing services and what means land office certificate that is good and right in the land making official certificate.

6. ANALYSIS:

A. IMPLEMENTATION OF THE INTERNSHIP OBLIGATIONS CANDIDATES OF OFFICIALS MAKER LAND CERTIFICATES AT LAND AGENCY OF PARIAMAN CITY

The land office in terms of the receipt of an apprentice candidates not be released a candidate an official land certificate as long as petition filed by by the potential participants an apprentice complete and in accordance with the conditions have to be fulfilled in terms of regulation [12]. Apprenticeship for the official maker land certificate means preparing the certificate officials maker earth thus capable of being an official certificate of professional maker.

The procedures for the implementation of an apprentice certificate maker prospective officials land at the office of the national land pariaman the city [13]:

- 1) each candidate official with the land deed that will be training should apply first to the office of national land Pariaman city;
- 2) official with the deed for would be received by an internship at the land office, an apprentice will be held every working day by filling in the attendance list as an employee at the office.
- 3) official with the land deed received an internship at the office of national land should be following every rule in effect for the candidate intern.

An apprentice on the land office was conducted in three (three) parts those are as follows:

- a) the part enrollment;
 - b) parts of measurement;
 - c) the part dispute .
- 4) The implementation of an internship at the land office is expected for interns is required to understand and support to the land office in the process of activities and services, land the application process and checks a deed which registered, the examination process data juridical entreaty land rights.

The research done, the implementation of an apprentice to a prospective officials maker land certificates implemented 6 (six) month chaos at its official certificate maker land next 6 (six) next month. being conducted in the land But the fact is that, an intern who carried out by the official maker land certificates must not in the first official maker land certificates can be carried out the first 6 (six) at the official maker land certificates. this is because the absence of clear rules regarding the implementation of an apprentice. It is obtained from interviews of several participants land office intern Pariaman city.

The focus of the discussion of this research connected with the apprentice, land office where the research that has been carried out revealed that the implementation of an apprentice can be applied simultaneously in the official certificate maker land or land office. Can be seen that the mismatch of the apprentice in accordance with applicable regulations made during the apprentice 1 (one) year division of time 6 (six) months in office official certificate maker land and 6 (six) months in land office. This is because the rules of the apprentice is not described in detail in the minister of agrarian affairs and spatial planning / national land head of the Republic Of Indonesia no 20 years 2018, test on the procedure an apprentice, removal of, removal of return and the extension of the official maker land certificates.

In accordance with article 17 paragraph (2) the minister of agrarian and spatial planning/national land head of the Republic Of Indonesia No. 20 years 2018, examination on the procedure an apprentice, removal of, removal of back and the extension of the land that an apprentice certificate officials maker land office was conducted over 6 (six) months but in its implementation would not last apprentice in accordance with the time specified as the execution of an apprentice in the land office where the city was an apprentice 1 (one) times a week.

Based on the research of the apprentice and employees of the land office several areas we can conclude that there are several differences in the implementation of an apprentice in the land office as the implementation of an apprentice in Padang where schedule for implementing an apprentice in Padang done 1 (one) times a week the town Pariaman such as the land office, Bukittinggi City and district of flat land apprentice done every day work such as employees. The explanation is can be seen from the differences in what some land office especially in Padang .

B. THE ROLE OF THE OFFICE OF AGRARIAN AFFAIRS AND SPATIAL PLANNING/LAND IN THE IMPLEMENTATION AN APPRENTICE CANDIDATES OFFICIALS MAKER LAND CERTIFICATE

The role of the national land agency in the implementation of the apprentice candidates officials certificate maker land was to give directions and guidance to participants an apprentice that is as follows:

1. Development

Development is a formal education and non formal done consciously, plans, directed, regularly, and responsible in order to introduce, grow, guiding, and develop a balanced the personality, intact and aligned, knowledge and skills according to talent, the tendency/desire and his capacity as provisions, next to the increase over own, increase and develop itself, one another and the environment toward reaching dignity, quality and humane optimal ability and personal independent [14]. Stages of development carried out by the land offices in managing participants apprentice that is as follows: [15]

- a) Participants create an apprentice to discipline in carrying out an apprentice
- b) Technically development

The purpose of development conducted by the agency this land that is giving a briefing to interns, this will make the candidate official with the land deed will be ready in practice later. Besides coaching are intended to form the character of an official with the land deed which is making official the land deed that has discipline attitude, with integrity and had a personality and obey the rules.

2. Supervision

Supervision have an important position to determine whether or not made it a management or the organization through an effective supervision, who will be known and assess the unvarnished truth about the object being watched, is in accordance with the proper or not. The term supervision in Indonesian language as long as he said was "warning", so the security is an activity, watching it in the sense saw something carefully. There is no other activities beyond that, except for the report on activities watching [16].

According to participants an intern who implement apprentice in land offices Pariaman city, directions and guidance given by the land office is only a formality, done it as guidance given nothing just as a apprentice asked us to actively alone in draw apprentice and science in this direction is administered only once a month came apprentice evaluation done on this. Guidance we received technically but it on the early days meeting it then we left own obtain information provider in land offices. Can be seen from information given to them by participants apprentice, on the that directions and guidance given by the land office not so felt by participants maximum apprentice.

From the interviews with participants apprentice, can be seen in the implementation of this internship the land offices not do duty or authority in accordance with the provisions .Where authority of the land office is required to provide directions and guidance and help the participants apprentice for implementing apprentice land office. When directions given to contestants apprentice how the participants apprentice aware of the and forms the existing services land office , where the obligations of the participants apprentice on article 19 the minister and spatial planning agrarian/the national land agency Republic Of Indonesia no. 20 years 2018 on the procedure test, intern, removal, removal of back and driving tenure making official land certificate.

When an apprentice has done by participants apprentice , namely have been conducted in 6 (six) months and have met the requirements , the compulsory land office issued a statement from an apprentice for participants apprentice issued by the administrative land office .It is clear that participants apprentice followed an apprentice for 6 (six) months of date enter until the end of the apprentice is in accordance with the provisions of agrarian minister and spatial planning/head of national land number 20 years 2018 on the procedure test, intern, removal, removal of back, and improved tenure making official land certificate.

A statement from the apprentice issued by the land office has become concrete, individuals and the final. A letter issued had become clear the purpose of his issued for participants apprentice and the letter have shall be final and could not later be changed. An apprentice this is a letter which would be presented as one of the requirements to be an official land certificates.

7. CONCLUSION:

- a) The obligation apprentice for the certificate making official the ground at agrarian office and spatial planning/land Pariaman City arranged in the minister and spatial planning agrarian/the national land agency Republic Of Indonesia no. 20 years 2018. The apprentice be conducted in every weekday, participants apprentice must

understand and petrified the land offices in the process of activities and services land, the process of admission and inspection deed registered and the investigation juridical data the land rights in accordance with an order of the minister, but in the apprentice there were several of the cause of the apprentice it was not effective as emptiness norm about procedures for an apprentice approved by all the land office that caused the difference in several the apprentice the land office facilities for participants apprentice inadequate.

- b) The role of agrarian office and spatial planning/land in the implementation of the apprentice candidates officials maker land certificate in the Pariaman City namely providing directions and guidance to participants an apprentice in the form of do guidance and supervision while carrying out an apprentice on the land office and issued a letter information an apprentice for the apprentice who had filled the, however in practice directions and guidance given to contestants an apprentice not so maximum perceived by participants an apprentice .

8. SUGGESTIONS:

- a) Expected for all the land office agreed to the rules of procedures for this internship that the implementation of this internship effective to be performed by participants an apprentice until there is no distinction the implementation of this internship and will produce graduates candidates officials certificate maker the same dirt accordance with the target who is expected to become an integrity and professional official maker land certificate.
- b) The bond of an official land certificates will be expected to conduct an oversight in the implementation of an apprentice on this land office, is an apprentice go in accordance with the regulations that applied and whether this internship effective to do for prospective an official land certificates
- c) Participants an apprentice who establish an apprentice for implementing activities this internship diligently and earnest and to comply with all the rule in the land office and must keep and forbidden doubled all the form of land office.

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