

Received : November 29, 2021
Accepted : December 10, 2021
Published : February 08, 2022

Conference on Community Engagement Project
<https://journal.uib.ac.id/index.php/concept>

**THE IMPLEMENTATION OF LAND MORTGAGE BASED ON
POWER OF ATTORNEY TO GRANT LAND MORTGAGE
(SKMHT) AND LAND MORTGAGE DEED (APHT) AT
NOTARY AND LAND DEED OFFICIAL (PPAT)
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Abstract

Security rights of land are expected to be a strong security institution which can provide legal certainty. Security rights are done through the making of APHT, where the grantor of the rights himself comes directly to the PPAT or he can also use SKMHT made by a notary or PPAT as the basis for the APHT. The existence of these provisions basically implies that SKMHT is mandatorily made using an authentic deed. If SKMHT does not substantially meet the provisions required by UUHT, the legal consequences are the void of SKMHT by law and the PPAT is prohibited to make the APHT. Furthermore, if the SKMHT made by a notary does not meet the conditions stipulated in UUJN the legal consequences are that the strength of its evidence becomes a deed under the hand. If this happens, indeed the APHT made by PPAT based on SKMHT cannot be registered. That is because, the 2 SKMHT which forms the basis of making APHT violates the conditions implied in UUHT that is created by an authentic deed, so consequently the principle publicity of security rights are not fulfilled.

Keywords : *Power of Attorney Imposing Security Rights, Land Mortgage Deed, Publicity Principle.*

Introduction

The economy in Indonesia is a very important thing in society because finance in daily needs is very necessary where goods and services can be produced in a society to achieve prosperity. The growth of the economic sector as well as the development of this sector cannot be separated from the role of banking. Bank is one of the financial institutions that have an important role in the economy of a country. At the time of granting credit, the bank must first pay attention to the conditions that are completed in the correct credit. In order to avoid reducing the

risk that something will not appear one day, and before the creditor will provide credit to the prospective debtor, the bank must examine carefully and very clearly, when looking at the ability of a debtor to give a credit. The granting of mortgage rights or APHT will be carried out first in the presence of a Credit Agreement in which there is a promise to provide a mortgage as collateral, namely the object or collateral that can be used to pay off the debt of a debtor experiencing a loss from a debtor, the things described in Credit agreement is an inseparable part, the agreement is made with what is called an authentic deed. The deed that is only made by a Notary and PPAT, the guarantee that will be imposed on the mortgage that the debtor provides is a guarantee in the form of an object that does not move and cannot be moved, namely land so that this is closely related to the Mortgage Law Number (UUHT).): 4 of 1996. The imposition of the object of Mortgage on a land as a binding credit agreement by making APHT by PPAT. Then for the process after signing the APHT, it will be continued by registering the APHT at BPN.

Problem

What are the legal consequences of the Unregistered Mortgage Deed, and how to complete the certificate check.

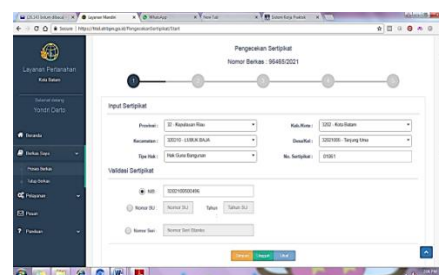
Method

For the installation of mortgage rights, the process requires first checking the certificate on the Bpn application.

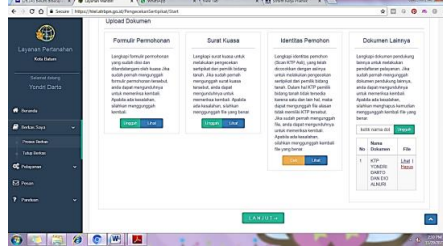
1. <https://htel.atrbpn.go.id/Berkas>



2. Then select My Files and File Process



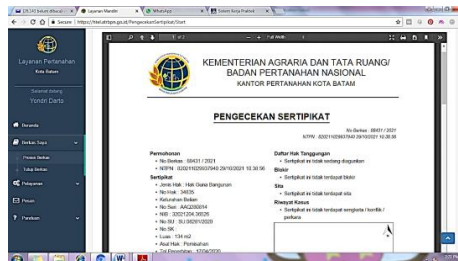
- Then input the input Province, City, District, Village. Rights Type and Certificate Number
3. Continue in the Filling section of the data needed to check the certificate.



- Input the Application, Power of Attorney, Applicant's Identity and Other Documents Required for Certificate Checking.
4. When finished, click Continue and a Payment Sps will come out for Certificate Checking.



5. After you have paid the SPS for certificate checking, a preview of the results will come out



After the Certificate Check is carried out smoothly and well, it can be continued for the Mortgage Installation Process.

Discussion

The imposition of an object of Mortgage or the granting of a mortgage on a land object is as a binder of a credit agreement made before the PPAT, in Article 1 point 1 of Law Number 4 of 1996 explains the Mortgage on Land and Related Objects with Land (“UUHT”), the granting of land rights is carried out for the suspension of an object, APHT is a right that will be imposed on the land as referred to in Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles, the land or objects is a unity for repayment of a debtor.

This Prakrek work is done so that the author adds knowledge and insight and knows how to work in the Notary Office and PPAT, how the duties and functions of the Notary and PPAT offices are to meet client requests, the author learns a lot of new things during the Job Training. The Implementation of this Job Training The author carried out Starting from the beginning of August where in August the author began to learn to collect data for binding, making a deed, in

September to October the author began to understand how to work for the making of a deed and the author began to input through the BPN system and the author's last month The internship is in November. The author has been able to do from the beginning to the end of the Mortgage Installation Process until the Mortgage Certificate is issued.

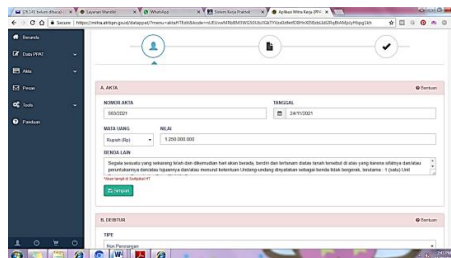
Electronic HT Input through the BPN System that
Here's How to Enter Electronic Mortgage Rights

1. Open the Bpn app

<https://mitra.atrbpn.go.id/>

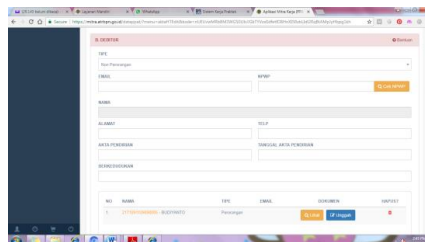


2. Then click Create new Deed

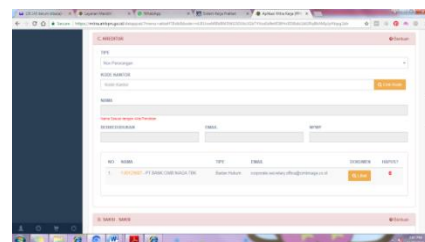


- Fill in the Deed Number
 - Deed date
 - Mortgage Value
- Then click save

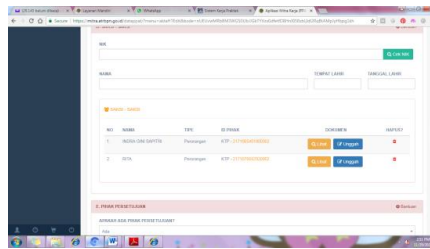
3. Enter Debtor Data



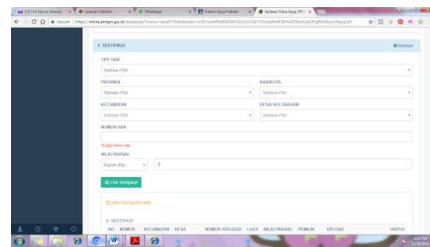
4. Enter Creditor data



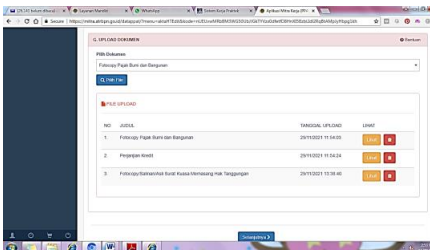
5. Input Witness Data



6. Input Certificate

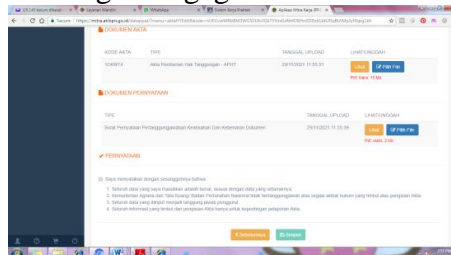


7. Inputting Other Documents



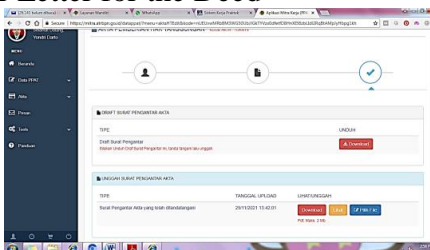
After that click Continue to proceed in the second step

8. Input the Deed of Granting Mortgage and Document Validity Letter.



After that it comes to the last stage, namely the third stage

9. Download the Cover Letter for the Deed



After that, the input for the installation of Electronic HT is completed, which is input by the Notary and PPAT and will be continued by the Bank.

Conclusion

After the Certificate Checking and Electronic HT entry, we can know that the process for the issuance of mortgages requires several steps that must be carried out first.

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