



PRAKTIK PENGGUNAAN JASA *FREELANCE* OLEH PEJABAT PEMBUAT AKTA TANAH (PPAT) DI KABUPATEN KLATEN

INTISARI

Oleh

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Penelitian ini bertujuan untuk mengetahui dan menganalisis praktik penggunaan jasa *freelance* ditinjau dari kode etik PPAT, serta untuk mengetahui dan menganalisis penegakan kode etik yang dilakukan oleh Pengurus Daerah Ikatan Pejabat Pembuat Akta Tanah (IPPAT) dan Majelis Pembinaan dan Pengawasan Pejabat Pembuat Akta Tanah (MPPD) terhadap praktik penggunaan jasa *freelance* di Kabupaten Klaten.

Penelitian dilakukan dengan metode penelitian hukum normatif empiris dengan data primer yang diperoleh dari wawancara kepada subjek penelitian dan data sekunder yang mengacu pada bahan-bahan hukum yang berkaitan dengan permasalahan. Penelitian ini bersifat deskriptif dan dianalisis secara kualitatif.

Terdapat PPAT yang menggunakan jasa *freelance* di Kabupaten Klaten. Hal-hal yang dilakukan dalam menggunakan jasa *freelance* yaitu melakukan penandatanganan akta di hadapan *freelance* tanpa kehadiran PPAT yang bersangkutan dan saksi-saksi, pengurusan dokumen untuk proses balik nama, jual beli. Praktik tersebut melanggar Pasal 4 huruf 1 kode etik dan Pasal 4 huruf b kode etik. Penandatanganan akta di hadapan *freelance* sangat beresiko karena PPAT yang bersangkutan tidak bisa memastikan keaslian tanda tangan pada minuta meskipun ada foto para pihak pada saat penandatanganan akta. Selain itu penggunaan jasa *freelance* juga menimbulkan persaingan yang tidak sehat di kalangan PPAT. Ikatan Pejabat Pembuat Akta Tanah (IPPAT) dan Majelis Pembinaan dan Pengawasan Pejabat Pembuat Akta Tanah (MPPD) telah melakukan pengawasan terhadap PPAT. Pemeriksaan PPAT juga rutin dilakukan untuk mencegah adanya akta-akta yang melanggar peraturan perundungan dan kode etik PPAT. Namun fungsi pengawasan kurang berfungsi secara optimal dikarenakan keterbatasan sumber daya manusia dan waktu. Selain itu MPPD berdasarkan Pasal 34 Permen Nomor 2 Tahun 2018 hanya bisa memberikan rekomendasi atas hasil pemeriksaan sehingga tidak bisa memberikan sanksi secara langsung atas suatu pelanggaran kode etik.

Kata Kunci: Pengawasan IPPAT, Kode Etik, PPAT, MPPD

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PRACTICE OF USING FREELANCE SERVICES BY LAND DEED MAKING OFFICIALS IN KLATEN REGENCY

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ABSTRACT

This study aims to find out and analyze the practice of using *freelance* services in terms of the Land Deed Maker Officials code of ethics, as well as to find out and analyze the enforcement of the code of ethics carried out by the Regional Management of the Association of Land Deed Authors (IPPAT) and the Council for the Guidance and Supervision of Land Deed Maker Officials (MPPD). on the practice of using *freelance* services in Klaten Regency.

This research was conducted using normative empiric legal research method in which the primary data were obtained by interviewing the research subjects and the secondary data refers to legal materials related to the problem. This is descriptive research as the data were analyzed qualitatively.

There are PPAT that use freelance services in Klaten Regency. Things that are done in using freelance services are signing deeds in front of freelances without the presence of the relevant PPAT and witnesses, document management for the process of returning names, buying and selling. The practice violates Article 4 letter l of the code of ethics and Article 4 letter b of the code of ethics. Signing a deed in the presence of freelances is very risky because the PPAT in question cannot ensure the authenticity of the signature on the minuta despite the photos of the parties at the time of signing the deed. In addition, the use of freelance services also causes unhealthy competition among PPAT. The Association of Land Deed Making Officers (IPPAT) and the Assembly of The Construction and Supervision of Land Deed Making Officers (MPPD) have conducted supervision of PPAT. PPAT checks are also routinely carried out to prevent the existence of deeds that violate the laws and regulations of the PPAT code of ethics. But the supervisory function is less functioning optimally due to limited human resources and time. In addition, MPPD based on Article 34 Permen No. 2 of 2018 can only provide recommendations on the results of examinations so that they cannot directly sanction a violation of the code of ethics.

Keyword: Supervision of Land Deed Maker Officials, Code of Ethics, PPAT, MPPD

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