

**ANALISIS PERALIHAN HAK ATAS TANAH KARENA HIBAH  
YANG BELUM DIDAFRTARKAN DALAM HAL PEMBERI  
DAN PENERIMA HIBAH MENINGGAL DUNIA  
(STUDI TERHADAP AKTA HIBAH  
NOMOR 594.4/07/CBU/II/1996)**

**Oleh :**

**Larasati Sukma Aryanti Putri<sup>1</sup> Yulkarnain Harahab<sup>2</sup>**

**INTISARI**

Penelitian ini bertujuan untuk mengetahui dan mengkaji status hak atas tanah karena hibah yang belum didaftarkan peralihan haknya dalam hal pemberi dan penerima hibah meninggal dunia serta penyelesaian peralihan hak atas tanah karena hibah yang belum didaftarkan kepada ahli waris penerima hibah.

Penelitian ini menggunakan pendekatan yuridis empiris, yang menitikberatkan pada penelitian lapangan guna memperoleh data primer di samping data sekunder. Pengumpulan data dilakukan dengan penelusuran bahan kepustakaan dan penelitian lapangan. Data yang diperoleh kemudian dianalisis menggunakan metode analisis kualitatif.

Hasil penelitian menunjukkan bahwa status hak atas tanah karena hibah yang belum didaftarkan peralihan haknya dalam hal pemberi dan penerima hibah meninggal dunia secara hukum belum beralih kepada penerima hibah. Peralihan hak atas tanah karena hibah dari pemberi hibah kepada penerima hibah belum didaftarkan kepada Kantor Pertanahan Kota Balikpapan, sehingga belum diperoleh alat bukti yang kuat berupa sertifikat atas nama penerima hibah. Penyelesaian peralihan hak atas tanah karena hibah yang belum didaftarkan kepada ahli waris penerima hibah yaitu dengan cara peralihan hak atas tanah karena pewarisan.

**Kata Kunci :** Hibah, Didaftarkan, Meninggal Dunia.

---

<sup>1</sup> Mahasiswa Magister Kenotariatan Fakultas Hukum Universitas Gadjah Mada, Yogyakarta.

<sup>2</sup> Dosen Fakultas Hukum Universitas Gadjah Mada, Yogyakarta.

**ANALYSIS OF TRANSFER OF LAND RIGHTS DUE TO GRANTS  
IN THE EVENT THAT THE GRANTOR AND THE GRANTEE  
WERE TO BE DECEASED PRIOR TO THE GRANTS BEING  
REGISTERED (STUDY CASE OF GRANT DEEDS  
NUMBER 594.4/07/CBU/II/1996)**

**By :**

**Larasati Sukma Aryanti Putri<sup>1</sup> Yulkarnain Harahab<sup>2</sup>**

**ABSTRACT**

This study aims to determine and examine the status of land rights due to grants that have not been registered for the transfer of rights if the grantor and the grantee were to be deceased and the settlement of the transfer of land rights was registered to the heirs of the grantee.

This study uses an empirical juridical approach, which focuses on field research to obtain primary data besides using secondary data. Data collection was carried out by searching library materials and field research. The data obtained were then analyzed using qualitative analysis methods.

The results indicated that the status of land rights due to grants that have not been registered for the transfer of rights if the grantor and grantee are legally deceased have not been transferred to the grantee. The transfer of land rights because the grant from the grantor to the grantee has not been registered with the Land Office of the City of Balikpapan, so strong evidence in the form of a certificate has not been obtained on behalf of the grantee. Completion of the transfer of land rights due to grants that have not been registered with the heirs of the grantee, namely by transferring land rights due to inheritance.

**Keywords :** Grant, Registered, Deceased.

---

<sup>1</sup> Student Master of Notary at the Faculty of Law, Universitas Gadjah Mada, Yogyakarta.

<sup>2</sup> Lecturer at the Faculty of Law, Universitas Gadjah Mada, Yogyakarta.