

PELAKSANAAN PRINSIP INDEPENDENSI DAN PERTANGGUNGJAWABAN PEJABAT PEMBUAT AKTA TANAH REKANAN PERBANKAN DALAM MEMASANG HAK TANGGUNGAN

INTISARI

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Penelitian ini bertujuan untuk mengetahui dan menganalisis pelaksanaan prinsip independensi dan pertanggungjawaban Pembuat Pejabat Akta Tanah (PPAT) rekanan perbankan di Kantor BRI Cabang Purwokerto dalam memasang hak tanggungan. Selain itu juga, untuk mengetahui dan menganalisis peran Majelis Pembina dan Pengawas Daerah (MPPD) Kabupaten Banyumas dalam mengawasi pelaksanaan prinsip independensi terhadap pemasangan hak tanggungan.

Metode penelitian bersifat normatif empiris, yaitu dengan menggunakan data primer dan data sekunder. Metode analisis dilakukan secara kualitatif dimulai dengan melakukan studi kepustakaan serta melakukan wawancara terhadap responden selanjutnya data yang didapatkan tersebut dianalisis dan ditulis dalam bentuk narasi deskriptif.

Hasil penelitian ini menunjukkan bahwa PPAT rekanan Kantor Cabang BRI Purwokerto menerapkan independensi dengan baik dalam pemasangan hak tanggungan melalui selektifitas tugas, memverifikasi setiap dokumen, bersikap netral, serta menolak pembuatan akta yang melanggar peraturan. PPAT rekanan Kantor Cabang BRI Purwokerto juga melakukan pertanggungjawaban dengan baik dengan dibuktikan tidak adanya gugatan perdata atau tuntutan pidana serta dapat bertanggung jawab secara administratif terhadap teguran yang diterima. Pengawasan yang dilakukan MPPD Kabupaten Banyumas belum optimal, sebab pengawasan masih dilakukan secara umum serta dilakukan secara acak ke kantor PPAT, tanpa mempertimbangkan kebutuhan khusus PPAT rekanan perbankan terkait pelaksanaan prinsip independensi dalam pemasangan hak tanggungan.

Kata Kunci: Independensi, Pertanggungjawaban, Pengawasan, Akta PPAT, PPAT.

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IMPLEMENTATION OF THE PRINCIPLES OF INDEPENDENCE AND ACCOUNTABILITY OF BANKING PARTNER LAND DEED OFFICER IN ESTABLISHMENT OF MORTGAGE RIGHTS

ABSTRACT

By

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This research aims to find out and analyze the implementation of the principles of independence and accountability by banking partner Land Deed Officer (PPAT) at the BRI Branch Office in Purwokerto during establishment of mortgage rights. Additionally, it aims to determine and examine the role played by the Regional Supervisory and Advisory Council (MPPD) of Banyumas Regency in supervising the implementation of the principle of independence in APHT preparation.

The research methodology employed in this study is a normative empirical approach, incorporating both primary and secondary data. The analysis is conducted qualitatively, commencing with an extensive literature review and conducting interviews with respondents. The acquired data is subsequently analyzed and presented in a descriptive narrative format.

The results of this study demonstrate that the PPAT of BRI Purwokerto Branch partner effectively applies independence in the establishment of mortgage rights by performing selective tasks, meticulously verifying each document, maintaining neutrality, and refusing to create deeds that violate regulations. The PPAT of BRI Purwokerto Branch partner also fulfills their responsibilities well, as evidenced by the absence of civil lawsuits or criminal charges and their ability to address administrative reprimands. However, the supervision conducted by MPPD Banyumas Regency is not yet optimal, as it remains general and random, without considering the specific needs of bank-related PPATs partners regarding the implementation of independence principles in establishment of mortgage rights.

Keywords: Independence, Accountability, Supervision, PPAT Deeds, PPAT.

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