



RESEARCH ARTICLE

ANALYSIS OF NATIONAL HEALTH INSURANCE PROGRAM PARTICIPATION POLICY IN REGISTRATION OF LAND RIGHT TRANSFER DUE TO SALE AND PURCHASE (STUDY OF PRESIDENTIAL INSTRUCTION NO. 1 OF 2022)

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Abstract

Presidential Instruction (Inpres) Number 1 of 2022 concerning Optimization of the National Health Insurance Program for land buying and selling services has elicited various kinds of responses from the public. The Director General for Determination of Rights and Land Registration (PHPT) of the Ministry of ATR/BPN said that the Social Security Agency of Health (BPJS Kesehatan) membership requirements would not change the scheme and would not complicate land transactions. This then raises pros and cons for the Land Deed Official (PPAT) because it can create new problems if the applicant for land registration through the transfer of sale and purchase is not registered with BPJS Kesehatan Membership. Inconnection with buying and selling land, if the buyer does not yet have a Health BPJS card, the process of transferring land rights will still be carried out. If you haven't attached a Social Security Agency of Health (BPJS Kesehatan) card, the file will still be processed but at the time of collection (certificate) the card must be attached. The purpose of this study is to analyse the legal implications of Presidential Instruction Number 1 of 2022 point 17 on the registration of transfer of land rights due to sale and purchase of Land Deed Officials (PPAT). The research method used is a normative method using secondary data obtained from library research, including primary, secondary and tertiary legal sources. The legal implications of Presidential Instruction Number 1 of 2022 Point 17 provide obstacles to the Authority of PPATs to act legally. The registration of the transfer of rights at the National Land Agency (BPN) has been hampered due to the existence of a new requirement, namely BPJS health membership. Before the Social Security Agency of Health (BPJS Kesehatan) membership requirements were enacted, the registration process for the transfer of rights involved conditions and procedures that were very lengthy and not only related to the National Land Agency (BPN), but also with many offices and agencies, such as primary taxation, regional taxation, even permits, and validation process at the village head's office, public works and public housing offices. This long process is to fulfil the requirements for the registration process for the transfer of land rights due to sale and purchase.

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Introduction:-

Government Regulation Number 24 of 1997 concerning Land Registration states that land registration activities must be carried out by the government and holders of land rights throughout Indonesia [1]. The purpose of land registration according to Government Regulation No. 24 of 1997 namely [2] to provide legal certainty and legal protection to rights holders over a plot of land, apartment units and other registered rights so that they can easily prove themselves as the holders of the rights in question, provide information to the parties interested parties, including the government, so that they can easily obtain the necessary data in carrying out legal actions regarding land parcels and apartment units that have been registered, as well as the orderly implementation of land administration.

The role of Land Deed Officials (PPAT) is very important. This can be shown in Article 6 paragraph (2) PP No. 24 of 1997 which states that "in carrying out land registration, the Head of the Land Office is assisted by Land Deed Officials (PPAT) and other officials assigned to carry out certain activities according to this Government Regulation and the relevant laws and regulations. The deed made by Land Deed Officials (PPAT) is an Authentic Deed for which the authentic city can be accounted for [3].

In practice, the implementation of the registration of the transfer of land rights still has obstacles, including the cost of implementing the registration of the transfer of land rights which is expensive; the public still does not understand the purpose of carrying out land registration due to the complicated management. The newest thing at this time is the the Social Security Agency of Health (BPJS Kesehatan) (here in after referred to as BPJS), namely a special institution whose job is to administer health and employment insurance for the public, civil servants, and private employees. Health Insurance is a guarantee in the form of health protection so that participants receive the benefits of health care and protection in meeting basic health needs that are given to everyone who has paid contributions or whose contributions have been paid by the government.

The Social Security Agency of Health (BPJS Kesehatan) participation is currently included as a condition for transferring land rights through buying and selling based on Presidential Instruction Number 01 of 2022 concerning Optimizing the Implementation of the National Health Insurance Program, in its explanation Point 17 namely: "Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency to ensure the applicant for the registration of the transfer of land rights due to sale and purchase is an active participant in the National Health Insurance program. Every Indonesian citizen and foreigner who has lived in Indonesia for at least six months is required to become a BPJS member. This is in accordance with Article 14 of the BPJS Law. Every company is required to register its workers as BPJS members. Meanwhile, people or families who do not work for the company must register themselves and their family members with BPJS.

The enactment of Presidential Instruction (Inpres) Number 1 of 2022 concerning Optimization of the National Health Insurance Program for land buying and selling services has elicited various kinds of responses from the public. The Director General for Determination of Rights and Land Registration (PHPT) of the Ministry of ATR/BPN said that the BPJS Health membership requirements would not change the scheme and would not complicate land transactions. His party continues to process land transactions, even though the applicant has not registered for the National Health Insurance-Indonesian Health Card (JKN-KIS) program.

This raises the pros and cons. A Land Deed Official (PPAT) Risbert, in a discussion with Obudsman said that the existence of the Social Security Agency of Health (BPJS Kesehatan) membership regulations that became a condition for buying and selling land was a problem for notary and PPAT colleagues. This new requirement can lead to new problems if the applicant for land registration through the transfer of sale and purchase is not registered with the Social Security Agency of Health (BPJS Kesehatan) membership. On the other hand, according to him, the new regulation will make the existing long bureaucracy even longer in solving land buying and selling problems. If there is a deliberate and agreed will on a piece of land owned, then there is a transfer of rights over the land. If the transfer is forced by the authority and power of the State then it is said to be revoked or may be nationalized. This must also fulfill the requirements because there is termination of the legal ownership relationship in it [4].

The author conducted pre-research on Monday June 6 2022 at the Tegal District Land Office. It was found that if the buyer does not yet have a the Social Security Agency of Health (BPJS Kesehatan) card in the process of registering the transfer of land rights due to a sale and purchase agreement, they will be given time to register their application. The

process of transferring land rights will still be carried out. If you haven't attached a the Social Security Agency of Health (BPJS Kesehatan) card, the file will still be processed but at the time of collection (certificate), these requirements must be attached [5].

The procedure for transferring names is mostly delegated to Land Deed Official (PPAT) at the place of domicile of the applicant. Land Deed Officials (PPAT) has an important role in land registration, namely to assist the Head of the Regency/City Land Office to carry out certain activities in land registration, to guarantee legal certainty over the occurrence of a transitional legal act and encumbrance by the parties on land that must be made with evidence the right one is made in an authentic deed. This is stated in Article 1 paragraph 1 of Government Regulation Number 24 of 2016, namely the Official for Making Land Deeds, hereinafter referred to as Land Deed Official (PPAT). It is a public official who is authorized to make authentic deeds regarding certain legal actions regarding land rights or ownership rights to flat units.

Therefore, the problems studied in this study are formulated as follows: 1) how is the policy analysis for the participation of the national health insurance program in registering the transfer of land rights due to sale and purchase? 2) What are the legal implications of Presidential Instruction Number 1 of 2022 Point 17 on the registration of the transfer of land rights due to the sale and purchase of Land Deed Officials?

ResearchMethod:-

This research was compiled using a normative juridical research type, namely research focused on examining the application of rules or norms in positive law [6]. The approach used in this study is the statutory approach and the conceptual approach. The data needed to be used in this research is secondary data. Primary legal material, namely the statutory approach by studying the consistency/compatibility between the Law of the Republic of Indonesia Number 5 of 1960 concerning Basic Agrarian Regulations, Law Number 24 of 2011 concerning the Social Security Organizing Agency, Government Regulation Number 24 of 1997 Concerning Land Registration, Presidential Instruction Number 01 of 2022 Concerning Optimization of the Implementation of the National Health Insurance Program. Then Secondary law materials are literature reviews in the field of law, research results in the field of law and scientific articles, and journals. The library data collection method is a method carried out by researchers by collecting a number of books, documents, laws and regulations, scientific papers and other literature. The legal materials obtained were analyzed qualitatively.

Results and Discussion:-

Policy Analysis of Participation in the National Health Insurance Program in Registration of Transfer of Land Rights Due to Sale and Purchase

Social Security is a form of social protection to ensure that all people can meet their basic needs for a decent life. The National Social Security System is a procedure for administering social security programs by several agencies. Based on results of interviews with Agus Sisworo, S.H, the Head of Sub-Division of Land Law Relations in TEGAL Regency on August 6, 2022 show that social security providers are based on Law Number 40 of 2004 concerning the National Social Security System (hereinafter referred to as the SJSN Law). In implementing the national social security system, an institution is formed by the government to administer the social security program. In Indonesia the institution that administers the social security program is the Social Security Agency (BPJS), BPJS as the implementing agency for the SJSN is based on Article 1 paragraph 6 of the SJSN Law which states that "Social Security Agency is a legal entity established to administer social security programs, law the BPJS law explicitly states that BPJS is a public legal entity.

Based on Article 9 of Law Number 24 of 2011 concerning BPJS, it is explained that: (1) the Social Security agency of Health (BPJS Kesehatan) as referred to in Article 5 paragraph (2) letter a functions to organize a health insurance program. (2) Employment BPJS as referred to in Article 5 paragraph (2) letter b has the function of administering a work accident security program, a death security program, a pension security program, and old age security.

Participation in the National Health Insurance is mandatory and covers the entire population of Indonesia. Based on Article 20 of Law Number 40 of 2004 concerning the National Social Security System, health insurance participants are any person who has paid contributions or whose contributions have been paid by the Government. The main issue at this time is the policy of the JKN program through the Social Security Agency of Health (BPJS Kesehatan), which is one of the requirements for land registration. Land registration according to Boedi Harsono is a series of activities carried out by the State/Government continuously and regularly, in the form of collecting certain information or data regarding certain lands in certain areas, processing, storing and presenting them for the benefit of the people in in order to provide

guarantees of legal certainty in the land sector, including the issuance of certificates and their As an implementing regulation of the UUPA, the purpose of land registration in Government Regulation Number 24 of 1997 Article 3 is: 1) To provide legal certainty and legal protection to rights holders over a plot of land, apartment units and other registered rights so that with can easily prove himself as the holder of the right in question; 2) To provide information to interested parties including the Government so that they can easily obtain the necessary data in carrying out legal actions regarding registered land parcels and apartment units, for the implementation of orderly land administration.

In implementing the national social security system, an institution is formed by the government to administer the social security program. In Indonesia, the institution that administers the social security program is the Social Security Agency of Health (BPJS Kesehatan). BPJS is the SJSN implementing agency based on Article 1 paragraph 6 of the SJSN Law, which states that "Social Security Administering Bodies are legal entities established to administer social security programs; the BPJS law expressly states that BPJS is a public legal entity [8].

The purpose of land registration is an important means of realizing legal certainty. Implementation of land registration in modern society is a State task carried out by the Government for the benefit of the people in order to provide guarantees of legal certainty, because based on the theory of legal certainty according to Gustav Radbruch is "Scherkeit des Rechtsselbst" (legal certainty regarding the law itself). One of the meanings of legal certainty is that the law is positive, which means that the law is legislation. This is directly related to the objectives of Presidential Instruction Number 01 of 2022 concerning Optimizing the Implementation of the National Health Insurance Program [9].

Implementation of Presidential Instruction (Inpres) Number 1 of 2022 concerning Optimization of the Implementation of the National Health Insurance Program (JKN) has begun to be carried out by government agencies. As many as 30 ministries/agencies have taken steps according to their duties and authorities to optimize the JKN program. According to the mandate, the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) needs to ensure that every applicant for registration of transfer of land rights due to sale and purchase is an active participant in the JKN program and must complete the process with a photocopy of the Social Security Agency of Health (BPJS Kesehatan) Participant Card.

Based on the secondary data on the primary legal materials above, the authors then connect with secondary legal materials, namely the results of interviews with Land Law Relations Staff Rian Hidayat, S.H, who stated that the Social Security Agency of Health (BPJS Kesehatan) program is the best program, and is the responsibility of the state as a constitutional mandate to protect the health of all Indonesian people. "This program is a program that we must jointly support all Indonesian people. Second, this program is a mutual cooperation system, all Indonesian people must chip in, participate so that this program can run." Furthermore, the Presidential Instruction instructs 30 ministries/agencies to ensure that existing public services can check the active status of the public the Social Security Agency of Health (BPJS Kesehatan) Card. "In this case, if someone wants to sell land or a house or buy a house, he remembers that he hasn't paid for BPJS Health. The Minister of ATR/Head of BPN appealed to all Indonesian people to participate in the Social Security Agency of Health (BPJS Kesehatan) program. This participation is mandatory, mandatory. This Presidential Instruction reminds people who are more fortunate that they have an obligation to chip in in order to help our other brothers and sisters. With mutual cooperation, the health of the Indonesian people can be guaranteed. Issues related to concerns that this policy will hamper services. Currently the Social Security Agency of Health (BPJS Kesehatan) already has a system to check membership status quickly. "The NIK (Population Identification Number) has been connected, as long as there is a resident card, people can immediately know whether their BPJS card is active or not. BPJS Kesehatan guarantees access for a maximum of 5 minutes. So don't get in the way.

Based on the form of the policy, it can be seen that the Presidential Instruction is a form of meso public policy, which is implementation in nature. However, what needs to be paid attention to is that the conditions for the Social Security Agency of Health (BPJS Kesehatan) Card that are included in it are felt to have no direct relationship to the process of transferring names. Even so, according to the author, when connected with the principle of expediency "the benefit of rules is the essence of justice", in this case it is directly related to the benefits of Presidential Instruction Number 1 of 2022 concerning Optimization of the Implementation of the National Health Insurance Program in number 17 it is said that; "Minister of Agrarian Affairs and Spatial Planning/Head of National Land Affairs to ensure applicants for registration of transfer of land rights due to buying and selling are active participants in the National Health Insurance program.

When connected with public policy theory, policy or policy is technically related to planning, making and formulating decisions, implementing decisions, and evaluating the impact of implementing these decisions on the large number of people who are the target of the policy (target group) [10]. The author uses public policy theory to analyse the policy of

participating in the national health insurance program as a condition for transferring rights due to buying and selling. Based on the research data above regarding the relationship between Health Insurance Participation in the registration of transfer of land rights due to buying and selling, this policy according to the author is not directly related to land registration.

Based on the Basic Agrarian Law Number 5 of 1960 Article 19 paragraph (1), namely: To guarantee legal certainty by the Government, land registration is carried out throughout the territory of the Republic of Indonesia according to the provisions regulated by Government Regulations. Article 1 number 1 Government Regulation Number 24 of 1997 namely: Land registration is a series of activities carried out by the Government continuously, continuously and regularly, which includes collection, processing, bookkeeping, and presentation and maintenance of physical data and juridical data, in the form of maps and a list, regarding land parcels and apartment units, including the issuance of certificates of proof of title for land parcels which already have rights and ownership rights to apartment units as well as certain rights that burden them.

Based on the explanation above, it can be concluded that Presidential Instruction Number 1 of 2022 is mandatory, which states that all public services must comply with the Social Security Agency of Health (BPJS Kesehatan). This is because based on the philosophical foundation, the mandate of the 1945 Constitution Article 28H paragraph (1) states that everyone has the right to live in physical and spiritual prosperity, to have a place to live, and to get a good and healthy environment and has the right to receive health services. Article 28H paragraph (2) states that everyone has the right to receive special facilities and treatment to obtain the same opportunities and benefits in order to achieve equality and justice. Article 28H paragraph (3) states that everyone has the right to social security which allows for his/her full development as a dignified human being.

Article 34 is (1) namely the poor and neglected children are cared for by the state. Article 34 paragraph (2) states that the state develops a social security system for all people and empowers people who are weak and incapable according to human dignity. Article 34 paragraph (3) states that the state is responsible for providing proper health service facilities and public service facilities. The juridical basis is based on Law Number 24 of 2011 concerning Social Security Administering Bodies, regarding BPJS membership is mandatory. It is stated in Article 14 that: Everyone, including foreigners who work for a minimum of 6 (six) months in Indonesia, is required to become a participant in the social security program, and the sociological basis of Law Number 40 of 2004 concerning Health Insurance based on Article 1 paragraph 1 is: Social protection is a form of social protection to ensure that all people can meet their basic needs for a decent life

The government's efforts to establish a the Social Security Agency of Health (BPJS Kesehatan) membership policy as a condition for buying and selling land based on Presidential Instruction Number 1 of 2022 is a policy to optimize BPJS Kesehatan participation, so that every citizen's health will be protected by this public legal entity. BPJS Health as an additional requirement in land registration is not directly related to the transfer of land rights due to buying and selling because the Basic Agrarian Law Number 5 of 1960 and Government Regulation Number 24 of 1997 do not provide direction regarding obligations as BPJS Health participants.

Legal Implications of Presidential Instruction Number 1 of 2022 Point 17 on the Registration of Transfer of Land Rights Due to the Sale and Purchase of Officials Making Land Deeds

The presidential instruction is not a decision that binds the general public or everyone. Presidential instructions are orders from superiors to subordinates that are individual, concrete, and once completed (final, einmahlig) so they cannot be classified in laws and regulations (wetgeving) or policy regulations (beleidsregel, pseudo-wetgeving). Inpres cannot bind everyone in general. For this reason, the Presidential Instruction cannot be classified under statutory regulations (wetgeving) or policy regulations (beleidsregel, pseudowetgeving). Presidential Instructions can only bind ministers, heads of non-departmental government agencies, or government officials who are under the president in carrying out government administration. When linked to conventional rule of law theory, the concept of rule of law is always associated with the principles of government which must be based on law and the constitution, as well as the division or separation of state power into different functions. Regarding the meaning of a state based on law, Mohtar Kusumaatmadja stated that the deepest meaning of a state based on law is that power is subject to law and that all people are equal before the law [11].

In fact, the transfer of land rights that has been carried out by the parties who carry out a sale and purchase transaction over a plot of land is then authorized by the Land Deed Official (PPAT) to register the rights to the land, to continue the

process of transferring the name from on behalf of the seller or first party to the buyer or the second party at the office of the National Land Agency/Agrarian and Spatial Planning in each local district/city. Based on the results of interviews with Land Deed Official (PPAT) officers in Tegal Regency, namely Mokhamad WahyudinS.H. , there are several procedures that must be passed by 90 parties who will transfer the name of land rights to the Land Deed Official (PPAT) to be registered with the local National Land Agency Office are as follows:

First, the parties (buyer-seller) come before the Land Deed Official (PPAT) to express their intention in terms of buying and selling and transferring land rights. Usually for the initial consultation, only the buyer or second party comes to consult regarding what must be done and is required for the process of transferring land rights. What is consulted is related to requirements, procedures, signing, costs, length of the transfer process, and other information needed regarding the transfer procedure.

Second, the parties must meet the document requirements needed to carry out the transfer of names. The parties who are directly involved and the parties who have an interest in it are present to fulfill the requirements needed for the transfer of names. Usually parties who have an interest in the process of buying and selling land are those who have rights over the land, such as fathers/mothers/children who still have rights to the land due to inheritance, or those who give approval to sell it due to a grant from the land owner to the recipient grant.

Third, the payment of income tax (PPH) by the seller and land and building rights acquisition fees (BPHTB) by the buyer, or can be represented by the related Land Deed Official (PPAT). Regarding the payment of land sale and purchase tax, it must be borne by each party involved, where the land seller pays Income Tax (PPH) of 2.5% of the land sale and purchase transaction price and the buyer pays BPHTB tax with the transaction price formula ($HT - Rp. .60,000,000 \times 5\%$). However, most of the parties, especially the seller, submit the income tax requirements to the buyer or in other words the buyer pays the entire tax on the sale and purchase of land in its entirety. The parties or buying parties can pay the 91 tax themselves to the authorities or can also be paid through the Land Deed Official (PPAT) based on the power that was given at the beginning.

The fourth step is the making of the Sale-Purchase Deed by the relevant Land Deed Official (PPAT). Based on his authority, a Land Deed Making Officer (PPATK) draws up a Purchase Deed at the request of the parties signed by the interested parties, 2 witnesses, as well as the Land Deed Official (PPAT) Officer himself.

Fifth, the collection of documents and submission of requests for the management of the transfer of land rights at the local BPN. After the Land Deed Official (PPAT) has drawn up the Deed of Sale and Purchase, the Land Deed Official (PPAT) will then ask the parties to prepare the necessary documents for the process of transferring the name of the certificate of land rights. In the Regulation of the Head of the National Land Agency Number 1 of 2010 concerning Service Standards and Land Arrangements, which can be seen in the Touch My Land Application belonging to the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, regarding information on buying and selling services, the required documents are: 1) Application form that has been filled out and signed by the applicant or his attorney on sufficient stamp duty; 2) power of attorney if authorized; 3) Photocopy of the identity of the applicant and the power of attorney, if authorized, then checked with the original by the counter clerk; 4) Original certificate; 5) AJB by Land Deed Official (PPAT); 6) Photocopy of SPPT PBB, submission of proof of SSB (BPHTB), validation of PPh; 7) As well as other documents required based on the applicant's status and what condition the land is to be renamed.

The seventh step is reception and examination of application documents by the local National Land Agency (BPN). The National Land Agency (BPN) will carry out an examination of the document for the transfer of sale and purchase rights submitted by the PPAT. If the documents and other matters are in accordance with the provisions of the National Land Agency (BPN), a receipt for the application for transfer of title will be given. ⁹² However, if there are incomplete requirements or there are errors in the filing, the application will be rejected based on Article 45 of Government Regulation No. 24 of 1994.

Eighth, Receipt of Payment of registration fees. After the requirements and other documents are met, and an inspection has been carried out by the land office. So, the next step is to pay the registration fee and transfer of buying and selling rights that must be paid at the beginning. In attachment II to Regulation of the Head of BPN No. 1 of 2010 it is explained that the fee for the transfer of buying and selling rights is determined based on the provisions of government regulations regarding the types and rates of non-tax state revenues that apply to the Ministry of

TR/BPN, namely in Government Regulation Number. 128 of 2015 concerning Types and Tariffs for Types of Non Tax State Revenues that Apply to the National Land Agency. In article 16 paragraph (2) Jo. 15 Letter b, calculated based on the formula $T = (1\% \times \text{Land Value}) + \text{Rp. } 50,000$.

The ninth step IS Registration and issuance of certificates. After the documents and requirements and payments have been made and paid off, the next step is for the competent authority to record and issue the certificate by crossing out the name of the old owner and writing down the name of the new owner of the land rights and given the date of registration and signed by the head of the land office. The process is carried out within 5 working days. The final step is submission of certificates. Submission of certificates from the National Land Agency (BPN) to Land Deed Official (PPAT) is done when the process of recording and issuing land certificates has been completed.

Based on the registration process above, MokhamadWahyudin S.H.,[12]'s explanation is relevant to the results of interviews with informants, namely Untung Dwikorianto, S.H. SpN., FirmanMoeljanto, S.H. M.Kn., Sobir Mustakim Wibowo, S.H. M.Kn., and TiyasUtamiSetiono, S.H. In essence, according to the authors before the conditions for BPJS Kesehatan, the requirements for land registration for buying and selling are quite long and require time, based on the results of previous research, which should be completed within 2 months. With the addition of BPJS health requirements, the land registration process for buying and selling becomes even longer. The latest information that the author got from informant Legal Analyst Staff Rian Hidayat, S.H. is regarding the postponement of the implementation of Presidential Instruction No. 1 of 2022 based on the Circular Letter of the Secretariat General of the Ministry of ATR/BPN Number: HK.02/1376/VIII/2022 dated 18 August 2022. The delay is due to waiting for the readiness of agencies related to BPJS Health Participation as a Transition requirement Land Sale and Purchase Rights until a certain time.

This can prove that the Ministry of Agrarian Affairs/BPN in implementing Presidential Instruction Number 1 of 2022 Point 17 namely "Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency to ensure applicants for registration of transfer of land rights because buying and selling are active participants in the National Health Insurance program" not yet ready to implement this policy, because the process for registering the transfer of rights involved conditions and procedures that were so lengthy and not only related to the National Land Agency (BPN). In fact, this has a lot to do with offices and agencies that have to be dealt with, such as pratama taxation, regional taxation, even the village head's office, the public works and public housing offices to fulfill the requirements for the registration process for the transfer of land rights due to sale and purchase.

The legal implications that arise with the addition of the Social Security Agency of Health (BPJS Kesehatan) requirements make the land registration process for buying and selling even longer, namely in more than 3 months if the applicant does not have BPJS Health membership. This of course results in new problems for Land Deed Officials (PPAT) who will carry out land registration due to buying and selling. Land Deed Officials (PPAT)'s authority based on Article 2 of Government Regulation Number 24 of 2016 concerning Officials for Making Land Deeds, namely PPAT has the main task of carrying out some land registration activities by making deed as evidence that certain legal actions have been carried out regarding land rights or ownership rights to Flats Units, which will be used as the basis for the registration of changes in land registration data resulting from the said legal action. Land Deed Officials (PPAT) acts legally in terms of registration of transfer of rights at the National Land Agency (BPN) which should be completed within 2 months. As a result of the new conditions, namely the Social Security Agency of Health (BPJS Kesehatan) Membership, the registration process can take more than 3 months, because applicants who are not yet BPJS Health participants must the Social Security Agency of Health (BPJS Kesehatan). In addition to the obstacles above, Land Deed Officials (PPAT) bears the risk, namely distrust of clients as service users of Land Deed Officials (PPAT) because of the lengthy processing of registration for the transfer of rights to sale and purchase.

Conclusion:-

Related to the analysis of the participation policy of the national health insurance program in registering the transfer of land rights due to sale and purchase, the government's efforts to establish the Social Security Agency of Health (BPJS Kesehatan) membership policy as a condition for buying and selling land based on Presidential Instruction No. 1 of 2022 is a policy to optimize the Social Security Agency of Health (BPJS Kesehatan) membership, so that every Citizens will have their health protected by these public legal entities. the Social Security Agency of Health (BPJS Kesehatan) membership policy as an additional condition for land registration is not directly related to the transfer of 96 land rights due to buying and selling because the Basic Agrarian Law Number 5 of 1960 and Government Regulation Number 24 of 1997 do not provide direction regarding obligations as the Social Security Agency of Health (BPJS Kesehatan) memberships.

Related to the Legal Implications of Presidential Instruction Number 1 of 2022 Point 17 on the Registration of Transfer of Land Rights Due to the Sale and Purchase of Officials Making Land Deeds, the legal implications that arise with the addition of the Social Security Agency of Health (BPJS Kesehatan) requirements make the land registration process for sale and purchase even longer, namely in time more than 3 months. This is because the applicant does not have the Social Security Agency of Health (BPJS Kesehatan) membership, resulting in new problems for Land Deed Officials (PPAT) who will carry out land registration due to buying and selling. The authority of Land Deed Officials (PPAT) based on Article 2 of Government Regulation Number 24 of 2016 concerning Officials for Making Land Deeds is mainly to carry out some land registration activities by making deeds as proof that certain legal actions have been carried out regarding land rights or ownership rights to Flat Units which will be used as the basis for registration of changes in land registration data resulting from the legal action. Land Deed Officials (PPAT) acts legally in terms of registration of transfer of rights at the National Land Agency (BPN) which should be completed within 2 months. As a result of the new conditions, namely the Social Security Agency of Health (BPJS Kesehatan) Membership, the registration process takes more than 3 months, because applicants who are not yet BPJS Kesehatan participants are required to the Social Security Agency of Health (BPJS Kesehatan). In addition to the obstacles above, PPAT bears the risk, namely distrust of clients as service users of Land Deed Officials (PPAT) because of the lengthy processing of registration for the transfer of rights to sale and purchase.

The government should further simplify the procedures and conditions for transferring land rights so that people do not have difficulty applying for a change of name due to buying and selling with the addition of active BPJS membership requirements. New problems arise if the applicant does not have a BPJS card for certain reasons. This will lead to a longer procedure in registering the transfer of land rights due to sale and purchase. The lengthy procedure has created distrust by the public towards Land Deed Officials (PPAT).

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