



LEGAL PROTECTION OF THE SALE AND PURCHASE OF LAND RIGHTS THAT HAVE NOT BEEN REGISTERED

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Abstract

This article aims to discuss the legal consequences of buying and selling land rights that have not been registered and legal protection for buying and selling land rights that have not been registered. This article uses normative legal research methods. The nature of the research is descriptive analysis. The primary legal materials used in this writing are the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Regulations, Government Regulation Number 24 of 1997 concerning Land Registration, and Government Regulation of the Republic of Indonesia Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration. As for secondary legal materials in the form of publications on law including text books, legal dictionaries, legal journals, and comments on court decisions. The tertiary legal materials used in this research are the Big Indonesian Dictionary and the Legal Dictionary. The results of the research show that the legal consequences of transferring rights due to the sale and purchase of land that has not been registered are legally valid if the transfer of land rights is due to the sale and purchase of land that has not been registered. The registration has met the material requirements for sale and purchase, namely "bright" and "Cash". Legal protection for buyers of land rights due to the sale and purchase of land that has not been registered will still receive legal protection if those who obtain it are in good faith, namely in the form of repressive legal protection, namely legal protection which is directed more towards efforts to resolve disputes, as an example is the settlement of disputes in court,

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1. INTRODUCTION

The concept of land in the juridical aspect is not understood literally, but rather an understanding of the division, ownership, designation, and management of land which is regulated in a straightforward and detailed manner through the regulation of agrarian law. namely, a set of legal regulations aimed at dividing up large areas of land in the context of more equal distribution of land tenure and owners. Land tenure in Indonesia requires individual ownership to be recognized as a right which is regulated in Article 4 paragraph (1) of the Law of the Republic of Indonesia Number 5 of 1960 concerning the Basic Regulations of the Basic Agrarian Law, namely: "On the basis of the State's right to control as referred to in Article 2, it is determined that there are various rights to the surface of the earth, called land, which can be given to and owned by people, either alone or jointly with other people and legal entities". The sale and purchase of land in the agrarian law system is regulated specifically through Article 20 and Article 26 of the Basic Agrarian Law which stipulates that in essence the transfer of ownership of land rights can be transferred, one of which is through a buying and selling mechanism. Then, when linked to Article 1457 of the Civil Code, it can be seen that the juridical purpose of holding a land sale and purchase is an agreement in which the parties bind themselves to transfer land ownership rights to the seller while the buyer hands over an agreed amount of money.

Ownership of land is a registration process, especially in any transfer of rights as an effort to guarantee legal certainty and protection for all parties involved. The land registration process can only be carried out on land that has previously been registered and recorded in a valid deed. Land registration for the first time is contained in the provisions of Article 19 of the Basic Agrarian Law in conjunction with Article 37 paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Government Regulation Number 18 of 2021

concerning Management Rights, Land Rights, Flats Units, and Land Registry. The obligation to register land gives a signal that a sale and purchase that can be given certainty and legal protection is the sale and purchase of land that has previously been registered and recorded so that the process of transferring land rights resulting from the sale and purchase can be registered and re-recorded in a valid deed, so that it can be provide legitimacy of strong proof of ownership. The transfer of land rights can also be transferred through buying and selling which is carried out on a cash and clear principle, however, the transfer of land rights does not have a legal status that is legitimized by applicable laws and regulations or is commonly referred to as a transfer of rights under the hand.

The transfer of land rights through the principle of cash and light is carried out through buying and selling before the village head through a cash and clear process. Cash means that when the buyer pays the land price to the seller, at that time the land has been transferred from the seller to the buyer or in other words, since then the buyer has obtained ownership rights to the land. The definition of clear in this case is that by buying and selling in front of the village head it is guaranteed that there is no violation of the law in the sale and purchase or the sale and purchase is considered clear so that the community recognizes its legitimacy. Problems with the transfer of land rights can occur when the community buys and sells in the context of transferring land rights without going through the principle of recording to the Land Deed Making Official or at least it is done without going through the cash and clear principle. For this reason, one of the objectives of the Basic Agrarian Law (UUPA) is to provide legal certainty regarding land rights held by the community. Whereas, the purpose of UUPA is none other than to lay the foundations for drafting national agrarian law which is a tool to achieve prosperity, happiness and justice for the country and its people, also to lay the foundations for the unity and simplicity of land law and lay the foundation for providing certainty law regarding land rights for the people as a whole.

To guarantee legal certainty and legal protection by the government in relation to the transfer of land rights as mandated in the provisions of Article 19 paragraph (1) of Law Number 5 of 1960 concerning Agrarian Principles or better known as the UUPA, land registration is held in throughout the territory of the Republic of Indonesia according to the provisions stipulated by government regulations. Law number 5 of 1960 concerning Agrarian Principles and Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, to ensure legal certainty it is required to carry out registration throughout the territory of the Republic of Indonesia, especially related with the transfer of land rights due to the sale and purchase of land that has not been registered. In this case it can be said that if there is an obligation which is an obligation for the community to carry out legal actions, namely buying and selling land rights to be registered, then there should be sanctions for people who do not register the transfer of land rights to land that has not been registered. However, in the provisions of Article 19 of the UUPA and Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, there is no article that regulates sanctions and/or legal consequences arising from the sale and purchase of land rights. unregistered land. Based on the description above, the authors are interested in carrying out this research with the title, "Legal Protection of The Sale and Purchase of Land Rights That Have Not Been Registered".

2. IMPLEMENTATION METHOD

The research method used is normative legal research. Normative legal research or library law research methods are methods or methods used in legal research conducted by examining existing literature. This research is descriptive analytical. Descriptive, namely research aimed at describing a certain thing and at a certain time. The primary legal materials used in this writing are the 1945 Constitution of the Republic of Indonesia, Law Number 5 of 1960 concerning Basic Agrarian Regulations, Government Regulation Number 24 of 1997 concerning Land Registration, and Government Regulation of the Republic of Indonesia Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration. The secondary legal



materials are in the form of all legal publications which are not official documents. Publications on law include textbooks, legal dictionaries, law journals, and commentaries on court decisions. Tertiary legal materials used in this study are Big Indonesian Dictionary and Legal Dictionary.

3. RESULTS AND DISCUSSION

3.1 The Legal Consequences of Selling and Buying Land Rights That Have Not Been Registered

Legal actions, namely buying and selling land, are often carried out privately, which is sometimes only proven by a receipt as proof that a sale and purchase has taken place and not a few people only have proof of ownership of the land. Thus resulting in the transfer of land rights because the sale and purchase cannot be registered as mandated in the provisions of Article 19 and Article 23 of Law Number 5 of 1960 concerning Agrarian Principles. In this case, it creates legal consequences, namely that there is no transfer of land rights and/or the invalid transfer of land rights and there is no guarantee of legal certainty and legal protection. As emphasized in the provisions of article 23 paragraph (2), which reads: "The registration referred to in paragraph (1) is a strong means of proof regarding the annihilation of property rights and the validity of the transfer and encumbrance of said rights."

To be able to obtain legal certainty, in carrying out legal actions related to the transfer of land rights, namely buying and selling, must register the transfer of land rights. Because the sale and purchase of land cannot be resolved simply by the parties concerned, however, in order for the sale and purchase to be valid according to law, the intervention of the competent authority is necessary to complete it and all transfers of ownership rights to land because the sale and purchase must comply with the provisions and procedures regulated and or mandated by applicable law. So every transfer of ownership rights to land due to buying and selling must be registered, both those that have been certified and those that have not been registered, based on the provisions referred to in Article 19 of the UUPA, as stipulated in Article 23 paragraph (1) UUPA, which in the provisions of Article 37 paragraph (1) Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, states that the transfer of land rights through buying and selling can only be registered if it is proven by a deed drawn up by an authorized Land Deed Making Officer according to the provisions of the applicable laws and regulations.

Because the necessity of registering the transfer of ownership rights to land as referred to in Article 23 paragraph (1) of the UUPA is a strong means of proof regarding the annihilation of ownership rights and the validity of the transition in imposing these rights, based on the words of Article 23 paragraph (2) of the UUPA. which in the provisions of Article 37 paragraph (1) Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, states that the transfer of land rights through sale Purchases can only be registered if proven by a deed drawn up by an authorized Land Deed Making Officer according to the provisions of the applicable laws and regulations. Because the necessity of registering the transfer of ownership rights to land as referred to in Article 23 paragraph (1) of the UUPA is a strong means of proof regarding the annihilation of ownership rights and the validity of the transition in imposing these rights, based on the words of Article 23 paragraph (2) of the UUPA. which in the provisions of Article 37 paragraph (1) Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, states that the transfer of land rights through sale Purchases can only be registered if proven by a deed drawn up by an authorized Land Deed Making Officer according to the provisions of the applicable laws and regulations. Because the necessity of registering the transfer of ownership rights to land as referred to in Article 23 paragraph (1) of the UUPA is a strong means of proof regarding the annihilation of

ownership rights and the validity of the transition in imposing these rights, based on the words of Article 23 paragraph (2) of the UUPA.

It is expressly also regulated in Article 3 letter a of Government Regulation Number 24 of 1997 concerning Land Registration, that as for the purpose of land registration, namely to provide legal certainty and legal protection to holders of rights over a parcel of land so that they can easily prove themselves as holders of land. the rights concerned. In order to provide legal certainty and protection as referred to in Article 3 letter a, the right holder concerned is given a certificate of land rights, as stipulated in Article 4 of Government Regulation Number 24 of 1997 concerning Land Registration. The legal certainty referred to in the above land registration activities, among others:

1. Legal certainty regarding the person or entity that is the holder of the right (the subject of the right);
2. Legal certainty regarding the location, boundaries, and area of a parcel of land rights (subject rights); And
3. Legal certainty regarding their rights.

In the framework of buying and selling and transferring other rights, the function of land registration is to:

1. Strengthening the evidence, the reason for the transfer the right is recorded in the land book and the title certificate states who is the current holder of the right;
2. Expanding the evidence, because by registering the land sale and purchase it can be known by the public or anyone with an interest.

However, when viewed from the provisions of the transfer of land rights according to customary law based on Article 5 of the Lawact Number 5 of 1960 concerning Agrarian Principles, which states that agrarian law is based on customary law. In the case of buying and selling land according to customary law it is cash or "cash". Payment of the price and delivery of rights is made at the same time. At that time the sale and purchase according to law has been completed. Usually the sale and purchase of land is carried out in front of the Traditional (Village) Head, who not only acts as a witness but in his position as the Traditional (Village) Head guarantees that the sale and purchase does not violate applicable law. Effendi Perjuangan argues that by buying and selling in front of the Traditional (Village) Head, the buying and selling becomes "bright", not a "dark" legal act. Thus, the buyer will receive recognition from the community concerned as the new owner and will receive legal protection if in the future there is a lawsuit against him from a party who considers the sale and purchase illegal.

According to Effendi Warin that the BAL does not provide an explanation of what is meant by buying and selling land. But even so, bearing in mind that our current agrarian law uses the system and principles of customary law, the notion of buying and selling land now must also be interpreted as a legal act in the form of surrendering property rights (handing over land forever) by the seller to the buyer, who at that time also submit the price to the seller. That is according to the understanding of customary law. In the customary law community, buying and selling of land is carried out in a clear and cash manner. It is clear that the legal action of buying and selling is actually carried out before the Head of Customs or the Head of the Village. Cash, means that there are two actions that are carried out simultaneously, namely the transfer of rights to land which is the object of buying and selling from the seller to the buyer and payment of the price from the buyer to the seller occurs simultaneously and concurrently.

Buying and selling according to national land law which originates from customary law, where what is meant by buying and selling is not a legal act which is an obligatoir agreement. Buying and selling (land) in customary law is a legal act of transferring rights which must fulfill three (3) characteristics, namely:

1. Must be cash in nature, meaning that the agreed price is paid in full at the time of the sale and purchase in question.



2. It must be clear, meaning that the transfer of rights is carried out before the Land Deed Official who is authorized for the object of legal action.
3. Is real or real, meaning that by signing the deed of transfer of rights, the deed shows clearly and as evidence that the legal action was carried out.

The legal consequence of the transfer of rights due to the sale and purchase of land that has not been registered is valid according to law if the transfer of land rights due to the sale and purchase of land that has not been registered has met the material requirements of sale and purchase, namely "bright" and "Cash", withbased onin the District Court Decision Number: 19/Pdt.G/2015/PN.Mgg dated 27 August 2015, which decided that: "The Declaration of Sale and Purchase of yards dated 24 June 1968 between Tarcisia Sumirah-Martosarno before the Head of Tidar Village is valid and Valuable. However, the transfer of land rights due to the sale and purchase of land that has not been registered also creates other legal consequences, namely losses for the holders of land rights because there is no guarantee of legal certainty in accordance with the purpose of land registration, namely to guarantee legal certainty and certainty of land rights, which which can only control physically, but does not prove the ownership legally as mandated in the provisions of Article 19 UUPA and in accordance with Government Regulation Number 24 Qahun1997 concerning Land Registrationjo Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration.

3.2 Legal Protection Against Sale and Purchase of Land Hakas That Have Not Been Registered

Realizing the incarnation of Belief in the One and Only God, Humanity, Nationalism, Democracy and Social Justice, as the spiritual principles of the state and the ideals of the nation, as stated in the Constitution, which is a must in implementing the provisions in Article 33 paragraph (3) The 1945 Constitution, which obliges the state to regulate land ownership and lead its use, so that all land throughout the nation's sovereign territory is used for the greatest prosperity of the people. In Indonesia, land has an important meaning for the life of its people. However, in the life of the people who exist in the jurisdiction of a country, various problems often occur in the land sector in terms of land acquisition, especially due to buying and selling. A country that holds full responsibility for the lives of its people must be able to solve the problems caused by the sale and purchase. Therefore, policies made and issued by the state are expected to be a solution to the problems that exist and develop in the life of these people so that they can obtain legal protection. For this reason, in order to guarantee legal protection by the state for the community, it is stated in the provisions of Article 28 D paragraph (1) of the 1945 Constitution which states that: "Every person has the right to recognition, guarantees, protection and legal certainty that is fair and equal treatment before the law". Policies made and issued by the state are expected to be a solution to problems that live and develop in the life of the community so that they can obtain legal protection. For this reason, in order to guarantee legal protection by the state for the community, it is stated in the provisions of Article 28 D paragraph (1) of the 1945 Constitution which states that: "Every person has the right to recognition, guarantees, protection and legal certainty that is fair and equal treatment before the law". Policies made and issued by the state are expected to be a solution to problems that live and develop in the life of the community so that they can obtain legal protection. For this reason, in order to guarantee legal protection by the state for the community, it is stated in the provisions of Article 28 D paragraph (1) of the 1945 Constitution which states that: "Every person has the right to recognition, guarantees, protection and legal certainty that is fair and equal treatment before the law".

To realize legal protection for the public in the land sector, especially due to buying and selling, based on the provisions of Article 33 paragraph (3) of the 1945 Constitution which is the basis of policy in the Indonesian land sector, which is then further elaborated in the BAL. For this reason, everything related to land must be guided by and comply with the BAL. The philosophical basis for the establishment of the LoGA is to guarantee legal certainty, order and legal protection with the core of truth and justice. The form of legal protection guarantees to the public in terms of

obtaining land due to legal actions, namely buying and selling, is that the government holds land registration throughout the territory of the Republic of Indonesia according to provisions stipulated by government regulations, as mandated in Article 19 of the UUPA. As for the government regulations referred to, the main regulations for land registration are Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration, stating that the transfer of rights land through buying and selling can only be registered if it is proven by a deed drawn up by an authorized Land Deed Official according to the provisions of the applicable laws and regulations. Land registration is the duty and burden of the government. However, the success or success of land registration is highly dependent on the active participation and/or role of the community, especially the rights holders. So that the purpose of land registration is to guarantee legal protection for holders of land rights to the maximum.

However, most people in general acquire land often through private sale and purchase which according to customary law is carried out before the customary head or village head as evidenced by a receipt and/or land sale and purchase statement, in the presence of interested parties and witnesses, or in other words the sale and purchase fulfills the clear and cash requirements, without the interference of the Land Deed Making Officer (PPAT) or the legal action is not carried out before the Land Deed Making Official (PPAT) as mandated in Article 37 of Government Regulation Number 24 of the Year 1997 concerning Land Registration, and there are still many who find that the land which is the object of the sale and purchase has not been registered. So that the result is the transfer of land rights because the sale and purchase of land that has not been registered cannot be registered and cannot obtain juridical proof of rights, namely certificates, which apply as a strong means of proof, as referred to in Article 19 of the UUPA and Government Regulation Number 24 of 1997 concerning Land Registration and Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration. In the implementation of land registration, the legal protection given to those who carry out legal actions based on the data presented depends on the publication system used in the implementation of land registration. The land registration publication system is divided into two parts, namely the positive publication system and the negative publication system. According to Aartje Tehupeiory, basically there are two known publication systems in land registration, namely:

1. In the positive publication system, a land certificate that is given is valid as proof of absolute land rights and is the only proof of land. Providing absolute protection, both to the right holders and to third parties because the information contained in the proof of rights cannot be changed. The results of this registration provide means of proof which are absolute in nature and cannot be contested. If there is a mistake, then even if there is a judge's decision, the statement in the proof of rights cannot be changed. It is the government that is responsible for the mistakes of its officials, so that the injured party will receive compensation from the government in the amount of the land price. Thus, people who were entitled to become ineligible.
2. Negative publication system, legitimacy of actions the law determines the transfer of rights to the buyer, and only provides protection rights only to the right holders (the ones who are entitled), so that this publication system is known as the *Nemo Plus Yuris* principle, namely a principle which states that a person cannot buy and sell if he is not authorized over the land in question. Whereas the person who cannot act beyond the authority that is in him, whose name is listed in the proof of said right, then he is the holder of the right. Other people may believe, may not believe the existing information. If an error occurs in the registration, based on a judge's decision, it can be corrected by the land registration administrator. Thus the rightful person remains protected.



The land registration system adopted in Indonesia uses a negative system which contains positive elements, in which the registration system uses a rights registration system, as stated in Government Regulation Number 24 of 1997 concerning Land Registration Article 32 paragraph 1 which states: "A certificate is a proof of rights that acts as a strong means of proof regarding the physical data and juridical data contained therein, as long as the physical data and juridical data match the data contained in the measurement certificate and land title book concerned."

A certificate is a strong proof of rights, in the sense that as long as it cannot be proven otherwise, the physical and juridical data contained therein must be accepted as true data. Of course, the physical data as well as juridical data listed in the certificate must match the data listed in the relevant land book and measurement certificate, because the data is taken from the land book and measurement certificate. In the general explanation it is also explained that, in order to provide legal certainty to land rights holders in government regulations, confirmation is given regarding the extent of the strength of the certificate of proof, which is stated as a strong means of proof by the UUPA. For this reason, it is stipulated that as long as the contrary has not been proven, the physical data and juridical data included in the certificate must be accepted as correct data, both in daily legal actions and in disputes in court. Boedi Harsono also emphasized that: "The meaning of a certificate as a strong means of proof is that as long as there is no objection, it must be accepted as true information. It is not specified that the certificate is the only proof, so it is still possible to have other means of proof. It is also emphasized in the provisions of Government Regulation Number 24 of 1997 concerning Land Registration Article 32 paragraph (2) which states:

"In the event that a land parcel has been legally issued a certificate in the name of a person or legal entity who has acquired said land in good faith and actually controls it, then other parties who feel they have rights over said land can no longer demand the implementation of said rights if within the time 5 (five) years since the issuance of the certificate has not filed a written objection to the certificate holder and the Head of the Land Office concerned or has not filed a lawsuit with the Court regarding land tenure or the issuance of the certificate. Land registration whose implementation is ordered by the UUPA does not use a positive publication system in which the truth of the data presented is guaranteed by the state, but instead uses a negative publication system. In the negative publicity system, the state does not guarantee the accuracy of the data presented. But even so it is not intended to use a purely negative publication system. This can be seen from the statement in Article 19 paragraph (2) letter c of the UUPA, that the proof of rights issued is valid as strong evidence and in Articles 23, 32 and 38 of the UUPA that the registration of various legal events is a strong means of proof.

In addition, from the provisions regarding the procedures for collection, processing, storage and presentation of physical data and juridical data as well as issuance of certificates in Government Regulation Number 24 of 1997 concerning Land Registration, it is clear that efforts are made to obtain and present correct data as far as possible, because land registration is to guarantee legal certainty. In connection with this, the provisions in Article 32 paragraph (2) of Government Regulation Number 24 of 1997 concerning Land Registration are enacted. This provision aims, on the one hand, to stick to the negative publication system and on the other hand, to equally provide legal certainty to parties who, in good faith, control a plot of land and are registered as rights holders in the land book, with a certificate as evidence, which According to the UUPA, it is valid as a strong means of proof. It is clear that efforts are made to obtain and present correct data as far as possible, because land registration is to guarantee legal certainty. In connection with this, the provisions in Article 32

paragraph (2) of Government Regulation Number 24 of 1997 concerning Land Registration are enacted.

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Thus, the meaning of the statement that a certificate is a strong means of proof and that the purpose of the land registration being held is in order to provide legal certainty in the land sector, its practical meaning becomes visible and felt, even though the publication system used is a negative publication system. These provisions do not apply the principle of providing equal protection to those who own land and are properly controlled and used as well as to those who acquire and control it in good faith and are strengthened by registering the land in question in his name. Public in general related to the transfer of land rights due to the sale and purchase of land that has not been registered if it is based on the theory of legal protection put forward by Philipus M. Hadjon namely repressive legal protection, namely protection that is directed more towards efforts to resolve disputes, as an example is dispute resolution in the court. If the protection of repressive law is related to the theory of legal objectives initiated by Gustav Radbruch which places the goal of justice above other legal objectives.

Justice is a result of decision-making that contains truth, is impartial, can be accounted for and treats every human being in an equal position before the law. The embodiment of justice can be carried out within the scope of the life of society, the state and the life of the international community, shown through attitudes and actions that are not one-sided and give something to others that is their right. So based on the Decision of the District Court Number: 19/Pdt.G/2015/PN.Mgg dated 27 August 2015, which decided that: "The Declaration of Sale and Purchase of yards dated 24 June 1968 between Ngadijono-Martosarno before the Head of Tidar Village is Legal and Valuable. So that in this case, the buyer of land rights due to the sale and purchase of land that has not been registered where the legal action is carried out in good faith by fulfilling clear and cash requirements, thus the buyer gets recognition from the community concerned as the new owner and will get legal protection if in the future there is a lawsuit against him from a party who considers the sale and purchase to be illegal.

Furthermore, when viewed from the weakness of the negative publication system, namely that his name is listed as the right holder in the land book and the certificate always faces the possibility of lawsuits from other parties who feel they own the land, generally these weaknesses are overcome by using *acquisitive verjaring* or adverse possession institutions. Because our land law uses the basis of customary law, we cannot use this institution, because customary law does not recognize it. But in customary law there is an institution that can be used to overcome the weaknesses of the negative publication system in land registration, namely the *rechtsverwerking* institution. According to customary law, if a person for a certain period of time allows his land to be worked on, then the land is worked on by someone else, who obtained it in good faith, then lost his right to claim back the land. The provisions in the UUPA which state that land rights are abolished due to neglect (Articles 27, 34 and 40 of the UUPA) are in accordance with this



institution. So based on customary law that recognizes the *rechtsverwerking* institution, the legal protection for buyers of land rights that have not been registered also applies to that institution. Because according to customary law, if a person allows his land to be worked for a certain time, then the land is worked on by someone else, who obtained it in good faith, then his right to claim the land is lost, the provisions in the UUPA which state that the right to land is nullified because it has been neglected.

4. CONCLUSION

The legal consequences of the transfer of rights due to the sale and purchase of land that has not been registered are valid according to law if the transfer of land rights due to the sale and purchase of land that has not been registered meets the material requirements of sale and purchase, namely "bright" and "Cash". Legal protection for buyers of land rights due to the sale and purchase of land that has not been registered will still receive legal protection if those who obtain it are in good faith, namely in the form of repressive legal protection, namely legal protection which is directed more towards efforts to resolve disputes, as an example is the settlement of disputes in court, so that based on jurisprudence the buyer's land rights can be protected.

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