

Implementation of the Principle of Verjaring Azquisitive in the Land Registration System in Indonesia

Asep Thobibudin Qolyubi ¹, Togar Siregar ², M. Rivaldi ³, Elis ⁴

¹, Universitas Djuanda , Indonesia ;

², Universitas Djuanda , Indonesia ;

³, Universitas Djuanda , Indonesia ;

⁴, Universitas Djuanda , Indonesia ;

¹; ²; ³; ⁴;

Abstract

Background - In National Land Law, the terms *rechtsverwerking* and *acquisitive verjaring* are known. Both are related to land ownership and expiration. *Acquisitive verjaring* is a principle regulated in the Civil Code regarding expiration as one way to obtain property rights (including land ownership rights). Meanwhile, *rechtsverwerking* in some literature is recognized as an institution originating from customary law in Indonesia. The opposite of *acquisitive verjaring*, *rechtsverwerking* has a principle whereby with "passing time" a person can lose property rights.

Purpose - This research aims to provide legal certainty to people who have occupied land that is not theirs for a very long period of time to be able to submit a land registration application.

methodology - This study uses a normative juridical method, namely by examining the job copyright law in relation to the implementation of the *acquisitive learning* principle in society after the enactment of the job copyright law.

Findings - In Indonesia, there are still many farmers who work on land that does not have perfect land status. This means that the position of the land does not have legal evidence. In fact, farmers have controlled and utilized the land for decades. With the principle of *Verjaring Acquisitive*, this is one solution for farmers to obtain legal certainty for the land they control. *Verjaring Acquisitive* is a principle regulated in the Civil Code regarding expiration as one way to obtain ownership rights to property (including ownership rights to land). The principle of *Acquisitive verjaring* opens up space for a *bezit* to obtain ownership rights to land without requiring a land certificate. The person concerned only needs to prove that he has controlled and utilized the land for the minimum time limit stated in the law. a *bezit* must control a land for at least 20 and/or 30 in good faith.

Originality - Applying one of the principles contained in property law to land law is a novelty in the land law system in terms of land registration.

Keywords: *Acquisitive Networking*, Land Law, Legal Certainty.
