

DIGITAL PPAT DEEDS IN INDONESIA'S DIGITAL TRANSFORMATION ERA: REGULATORY INNOVATION TOWARDS LEGAL CERTAINTY AND UTILITY

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Abstract

Indonesia's digital transformation has increasingly influenced the administration of land registration and the professional functions of the Land Deed Official (Pejabat Pembuat Akta Tanah/PPAT). A central development within this transformation is the introduction of digitally executed PPAT deeds, which fundamentally challenges the traditional conception of authentic deeds that rely on physical presence, written form, and handwritten signatures. This shift raises critical legal issues concerning the validity, evidentiary force, and legal consequences of digital PPAT deeds within Indonesia's civil law system. This paper examines the regulatory framework governing digital PPAT deeds in Indonesia and analyzes the extent to which current regulations support legal certainty and legal utility. Employing a normative juridical approach, the study analyzes statutory provisions, implementing regulations, and legal doctrines related to authentic deeds, electronic documents, and land registration administration. The analysis demonstrates that although digital land services and electronic documentation have been progressively introduced, the regulation of PPAT deeds remains only partially adaptive. This condition creates regulatory fragmentation and legal uncertainty, particularly regarding the classification of digital PPAT deeds as authentic deeds and their evidentiary value in judicial proceedings. The paper argues that regulatory innovation is essential to reconcile technological advancement with established legal principles. Digitalization should not be limited to administrative efficiency but must be accompanied by substantive and procedural legal reform, including clear norms on digital deed formation, authentication mechanisms, and the scope of PPAT authority in electronic transactions. Such regulatory reform is necessary to ensure that digital PPAT deeds provide not only operational efficiency but also reliable legal protection for the parties involved. By emphasizing the principles of legal certainty and legal utility, this study proposes a conceptual direction for regulating digital PPAT deeds that aligns technological innovation with the foundational values of Indonesian land law. The findings are expected to contribute to academic discourse and serve as a reference for policymakers in developing a coherent and sustainable legal framework for digital land administration in Indonesia.

Keywords: Digital PPAT Deeds, Land Registration, Legal Certainty, Regulatory Innovation, Digital Transformation

1. INTRODUCTION

Indonesia's digital transformation has become an integral part of public sector reform, particularly in the administration of land registration services. The integration of information and communication technology into land governance is aimed at improving efficiency, transparency, and accessibility while reducing bureaucratic complexity. Within this context, the role of the Land Deed Official (Pejabat Pembuat Akta Tanah/PPAT) occupies a strategic position, as PPAT deeds function as authentic instruments that form the legal basis for land rights registration and transfer.

Traditionally, PPAT deeds are constructed under strict formal requirements, including physical attendance of the parties, written form, and manual signatures before the PPAT as a public official. These formal elements are deeply rooted in Indonesia's civil law tradition and are closely associated with the concept of legal certainty and evidentiary strength. However, the ongoing digitalization of land services has introduced new practices, such as electronic documentation, digital verification, and online submission of land registration data, which gradually reshape the procedural landscape of PPAT services.

The emergence of digitally executed PPAT deeds raises fundamental legal questions. Despite the growing use of electronic systems in land administration, the regulatory framework governing PPAT deeds has not fully adapted to accommodate digital execution mechanisms. This regulatory gap creates uncertainty regarding the legal status of digital PPAT deeds, particularly in terms of their authenticity, evidentiary value, and enforceability in dispute resolution. The coexistence of conventional deed requirements and digital administrative practices has resulted in normative ambiguity that may undermine legal protection for parties involved in land transactions.

Against this backdrop, regulatory innovation becomes a crucial issue. Digital transformation should not merely focus on technical efficiency but must also ensure consistency with foundational legal principles, especially legal certainty and legal utility. Without clear and coherent regulation, digital PPAT deeds risk being perceived as administratively practical yet legally vulnerable. Therefore, a comprehensive legal analysis is necessary to assess whether existing regulations adequately support digital PPAT deeds and to explore the direction of regulatory reform required to align technological advancement with Indonesia's land law system.

This paper seeks to examine the regulation of digital PPAT deeds in Indonesia within the broader framework of digital transformation. It focuses on how regulatory innovation can be developed to ensure that digital PPAT deeds function as legally certain and socially beneficial instruments in land administration.

2. METHODOLOGY

This study employs a normative juridical research method, focusing on the analysis of legal norms governing PPAT deeds, electronic documents, and land registration administration in Indonesia. The research is primarily based on secondary legal materials, including statutory regulations, implementing regulations, ministerial policies, and relevant legal doctrines related to authentic deeds and digital transactions.

The statutory approach is used to examine the consistency and coherence of laws and regulations governing PPAT authority, deed formation, and electronic documentation. In addition, a conceptual approach is applied to analyze fundamental legal principles such as legal certainty, legal utility, and authenticity of deeds within the

context of digital transformation. These principles serve as analytical tools to assess whether the existing regulatory framework adequately responds to technological developments in land administration.

Legal materials are analyzed qualitatively through systematic interpretation, including grammatical, systematic, and teleological interpretation. This approach allows the study to identify normative gaps, regulatory overlaps, and potential inconsistencies between conventional deed requirements and emerging digital practices. The analysis is further supported by a review of scholarly literature and doctrinal opinions to strengthen the theoretical foundation of the discussion.

By adopting this methodological framework, the study aims to provide a structured legal analysis of digital PPAT deeds and to formulate normative arguments regarding the necessity and direction of regulatory innovation. The methodology is designed to ensure that the findings contribute both to academic discourse and to practical regulatory development in the field of digital land administration.

3. FINDINGS AND DISCUSSION

The digital transformation of land administration in Indonesia has produced substantive implications for the legal construction and practical implementation of deeds executed by the Land Deed Official (Pejabat Pembuat Akta Tanah/PPAT). Based on normative legal analysis, this study identifies that digitalization has progressed more rapidly at the administrative and technical level than at the level of legal norm development. This asymmetry creates a regulatory gap that directly affects the legal status, evidentiary value, and functional reliability of digitally executed PPAT deeds.

3.1 Legal Position of Digital PPAT Deeds within the Indonesian Regulatory Framework

The findings demonstrate that the regulation of digital PPAT deeds in Indonesia remains fragmented and transitional. Existing land administration policies increasingly rely on electronic systems for data submission, verification, and registration. However, the legal norms governing PPAT deeds continue to emphasize conventional formal requirements, including physical presence of the parties, direct reading of the deed, and handwritten signatures before the PPAT as a public official.

This duality reflects an incremental approach to digitalization that prioritizes administrative efficiency while leaving the core legal doctrine of authentic deeds largely unchanged. As a consequence, digitally executed PPAT deeds operate in a zone of normative ambiguity. Although they may be functionally accepted within administrative processes, their qualification as authentic deeds with full evidentiary force remains legally uncertain. This condition poses a potential risk for legal protection, particularly in the context of disputes over land rights.

From the perspective of legal certainty, such ambiguity undermines the fundamental function of PPAT deeds as instruments designed to provide clarity, predictability, and security in land transactions. The absence of explicit legal recognition of digital PPAT deeds within the statutory hierarchy weakens their position as authoritative legal documents.

3.2 Regulatory Innovation and the Reconfiguration of Authentic Deeds Doctrine

The analysis further reveals that regulatory innovation is essential to reconcile technological advancement with established legal doctrine. Digital transformation should not be understood merely as a procedural or technical adjustment but as a structural change that necessitates the reconfiguration of legal norms governing public authority and deed formation.

In the context of PPAT deeds, regulatory innovation must address substantive issues such as the scope of PPAT authority in electronic transactions, the legal equivalence of digital signatures and electronic authentication, and the procedural safeguards required to preserve the authenticity of deeds. Without such normative reform, digitalization risks producing instruments that are administratively efficient yet legally vulnerable.

The findings indicate that a coherent regulatory framework should integrate digital mechanisms into the concept of authentic deeds while maintaining core legal principles. Legal certainty can only be achieved if digital PPAT deeds are clearly regulated as authentic instruments, supported by explicit procedural standards and accountability mechanisms. At the same time, legal utility is enhanced when regulatory innovation enables efficiency, accessibility, and transparency without compromising legal validity.

3.3 Implications for Legal Certainty and Legal Utility

The relationship between legal certainty and legal utility emerges as a central theme in the discussion. Digitalization undeniably offers practical benefits, including reduced transaction time, improved data accuracy, and enhanced public service delivery. However, these benefits cannot substitute for legal certainty. If digital PPAT deeds lack a clear normative foundation, their practical advantages may be outweighed by legal risks and interpretative disputes.

The findings underscore that legal certainty and legal utility must be pursued simultaneously. Regulatory innovation should be directed toward creating a balanced legal framework in which digital PPAT deeds function as reliable legal instruments that protect the interests of the parties while supporting the objectives of digital governance. Such an approach ensures that digital transformation in land administration contributes not only to administrative modernization but also to the strengthening of the rule of law.

In summary, the discussion confirms that digital PPAT deeds represent both an opportunity and a legal challenge. Without comprehensive regulatory reform, digitalization remains incomplete and potentially problematic. Conversely, well-designed regulatory innovation can transform digital PPAT deeds into instruments that effectively embody both legal certainty and legal utility within Indonesia's evolving land law system.

4. CONCLUSION

This study concludes that the digitalization of PPAT deeds in Indonesia represents a structural transformation in land administration that cannot be addressed solely through administrative or technical adjustments. While digital systems have enhanced efficiency, accessibility, and service delivery in land registration, the legal

framework governing PPAT deeds has not yet evolved in a manner that fully accommodates digitally executed deeds as authentic legal instruments. This normative lag has created legal uncertainty, particularly with regard to the evidentiary force and enforceability of digital PPAT deeds.

The findings demonstrate that legal certainty and legal utility must be treated as complementary, rather than competing, objectives in the digital transformation of land administration. Digital PPAT deeds may offer practical benefits; however, without explicit statutory recognition and coherent procedural standards, such benefits remain legally fragile. The absence of comprehensive regulation risks weakening the foundational function of PPAT deeds as instruments of legal assurance in land transactions.

Accordingly, this paper emphasizes the necessity of regulatory innovation that is both adaptive to technological development and faithful to core legal principles. Such innovation should include clear normative recognition of digital PPAT deeds, harmonization of regulations governing electronic documents and land registration, and the establishment of procedural safeguards that preserve the authenticity, accountability, and public authority of PPATs in digital environments.

In conclusion, digital PPAT deeds should be positioned not merely as tools of administrative modernization but as integral components of a reformed legal framework that strengthens the rule of law in Indonesia's land administration system. By aligning technological innovation with legal certainty and legal utility, Indonesia can ensure that the digital transformation of PPAT deeds contributes to sustainable legal development and enhanced public trust in land governance.

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