

ABSTRAK

Penelitian ini membahas peran notaris dalam menanggulangi persoalan duplikasi sertifikat hak milik (SHM) tanah di Indonesia. Fenomena sertifikat ganda masih menjadi masalah serius karena menimbulkan ketidakpastian hukum, sengketa antar pemilik, penurunan nilai ekonomi tanah, serta potensi tindak pidana pemalsuan. Penelitian ini menggunakan pendekatan hukum normatif-sosiologis dengan metode deskriptif-analitis, melalui studi kepustakaan, peraturan perundang-undangan, dan wawancara dengan notaris. Hasil penelitian menunjukkan bahwa faktor penyebab duplikasi sertifikat tanah meliputi kelemahan sistem administrasi pertanahan, ketidaksinkronan data fisik dan yuridis, keterlibatan mafia tanah, serta keterbatasan kewenangan notaris dalam melakukan verifikasi substansial. Secara normatif, Undang-Undang Jabatan Notaris (UUJN), KUHPdata, dan UUPA memberikan dasar hukum atas kewenangan notaris dalam pembuatan akta otentik, namun tanggung jawab notaris dibatasi pada verifikasi administratif, bukan autentikasi data pertanahan. Peran preventif notaris diwujudkan melalui verifikasi administratif, klarifikasi terhadap klien, edukasi hukum, serta penerapan prinsip kehati-hatian. Sedangkan langkah korektif meliputi penundaan akta, pelimpahan kasus ke Badan Pertanahan Nasional (BPN), hingga dokumentasi penolakan transaksi. Penelitian ini merekomendasikan penguatan akses data real-time bagi notaris, sinergi antar lembaga, serta optimalisasi digitalisasi pertanahan sebagai strategi pencegahan duplikasi sertifikat tanah di masa mendatang.

Kata Kunci : Notaris, Duplikasi Sertifikat Tanah, Kepastian Hukum, UUJN, BPN.

ABSTRACT

This study examines the role of notaries in addressing the issue of duplicate land ownership certificates (SHM) in Indonesia. The phenomenon of multiple certificates for a single plot of land remains a serious problem, causing legal uncertainty, disputes among owners, decreased land value, and potential criminal acts of forgery. This research employs a normative-sociological legal approach with a descriptive-analytical method, utilizing literature review, statutory analysis, and interviews with notaries. The findings indicate that the main causes of duplicate certificates include weaknesses in land administration systems, discrepancies between physical and juridical data, the involvement of land mafias, and the limited authority of notaries in conducting substantive verification. Normatively, the Notary Position Act (UUJN), the Civil Code, and the Basic Agrarian Law (UUPA) provide the legal basis for notaries in drafting authentic deeds. However, notaries' responsibilities are limited to administrative verification rather than substantive authentication of land data. Preventive roles of notaries include administrative verification, client clarification, legal education, and the application of prudential principles. Corrective measures involve delaying deed execution, referring cases to the National Land Agency (BPN), and documenting transaction refusals. This study recommends strengthening real-time data access for notaries, enhancing inter-agency collaboration, and optimizing land digitalization as key strategies to prevent duplicate land certificates in the future.

Keywords : Notary, Duplicate Land Certificates, Legal Certainty, UUJN, BPN.