



Legal Status of Ministerial Decree No. 21/2024 and Notaries–Land Deed Officials Roles in Land Rights Transfer for Catholic Church Entities

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ABSTRAK

Existing studies on land-rights transfers involving religious legal entities in Indonesia have predominantly adopted an administrative and certainty-oriented perspective, with limited attention to the theoretical implications of expanding state administrative authority over legal professions. This study examines the legal status of Ministerial Decree of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 21/PN/2024 within Indonesia's land law framework and analyzes its impact on the reconfiguration of the roles of Notaries and Land Deed Officials (PPAT) in land-rights transfers conducted by Roman Catholic Church legal entities. Employing a normative juridical approach through statutory, conceptual, and document analysis, this research explores how the decree not only clarifies eligible holders of the Right of Ownership but also broadens due-diligence standards and professional responsibilities by integrating mandatory permit requirements into pre-deed verification and land registration stages. The findings demonstrate that the decree functions as an instrument of delegated administrative authority that enhances formal legality while simultaneously transforming Notaries and PPAT from administrative executors into verificatory actors within state-regulated religious land policy.

ABSTRACT

Status Hukum Keputusan Menteri Nomor 21 Tahun 2024 dan Peran Notaris–Pejabat Pembuat Akta Tanah dalam Pengalihan Hak Atas Tanah bagi Entitas Gereja Katolik. Kajian mengenai peralihan hak atas tanah oleh badan hukum keagamaan di Indonesia selama ini cenderung bersifat administratif dan berfokus pada kepastian hukum, tanpa mengulaskan secara memadai implikasi teoretis dari perluasan kewenangan administratif negara terhadap peran profesi hukum. Penelitian ini bertujuan untuk menganalisis kedudukan hukum Keputusan Menteri Agraria dan Tata Ruang/Kepala BPN No. 21/PN/2024 dalam kerangka hukum pertanahan nasional serta dampaknya terhadap rekonfigurasi peran Notaris dan Pejabat Pembuat Akta Tanah (PPAT) dalam peralihan hak atas tanah oleh badan hukum Gereja Katolik di Indonesia. Dengan menggunakan pendekatan yuridis normatif melalui analisis peraturan perundang-undangan, konseptual, dan dokumen, penelitian ini menelaah bagaimana keputusan tersebut tidak hanya memperjelas subjek pemegang Hak Milik, tetapi juga memperluas standar uji tuntas dan tanggung jawab profesional Notaris dan PPAT melalui integrasi persyaratan izin dalam tahapan pra-akta dan pendaftaran. Temuan penelitian menunjukkan bahwa Keputusan Menteri ini berfungsi sebagai instrumen kewenangan terdelegasi yang memperkuat legalitas formal sekaligus mentransformasi peran Notaris dan PPAT dari pelaksana administratif menjadi aktor verifikatif dalam kebijakan pertanahan berbasis kepentingan keagamaan.

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Introduction

Land ownership for religious and social institutions has long been a sensitive legal and administrative issue in Indonesia. As religious organizations expand their social, educational, and humanitarian roles, the need for secure, transferable, and properly registered land rights has increased, yet the regulatory framework governing such rights remains fragmented (Gold & Zuckerman, 2014). This challenge is particularly evident for Roman Catholic Church legal entities, whose nationwide pastoral and institutional activities require consistent recognition of ecclesiastical jurisdiction, institutional authority, and asset management under Indonesia's agrarian law system.

From a theoretical perspective, the governance of religious land ownership raises fundamental questions concerning the exercise of delegated administrative authority, legal certainty within pluralistic legal systems, and the evolving role of legal professions in mediating public policy objectives. In administrative law theory, ministerial decrees function as instruments of delegated authority that operationalize statutory mandates within the hierarchy of norms. Their legal significance, therefore, lies not only in regulatory clarification but also in how they redistribute discretion and responsibility among state institutions and professional actors (Al-Fatih et al., 2023; Saputra et al., 2023). At the same time, legal certainty in pluralistic systems requires the state to reconcile uniform administrative standards with differentiated legal subjects, including religious institutions whose internal governance structures are shaped by non-state normative orders. Within this regulatory landscape, Notaries and Land Deed Officials (PPAT) increasingly operate as professional "gatekeepers," tasked with translating administrative policy into legally valid private acts, thereby blurring the boundary between neutral authentication and substantive regulatory enforcement.

Indonesia's land law regime, grounded in the Basic Agrarian Law (UUPA), recognizes certain legal entities as eligible holders of the Right of Ownership, which is understood as the strongest and most complete land right without limits of possession and use (Djaja & Suherman, 2023; Kalyana & Budidarmo, 2025). Government Regulation No. 38/1963 identifies several religious and social bodies as eligible to hold such rights, yet its implementation has varied across different regions, partly due to differing interpretations of which documents sufficiently prove legal standing, ecclesiastical authority, and the purposes of land utilization for religious activities (Miptahuddin, 2024). These inconsistencies illustrate that, despite the existence of formal legal norms, the administrative interpretation of those norms remains uneven.

For Roman Catholic Church bodies, this inconsistency becomes a practical concern because canonical authority, diocesan jurisdiction, and ecclesiastical asset governance have internal structures that must be correctly understood by state administrative bodies (Lucas, 2019). Land Offices, Notaries, and Land Deed Officials (PPAT) often apply divergent requirements regarding ecclesiastical permits, authorization letters, and institutional verification. Such inconsistencies lead to irregular outcomes in land-rights transfers and land registration processes, even though the Ministry of Agrarian Affairs and Spatial Planning (ATR/BPN) is mandated to provide legal certainty for persons and bodies recognized by the state (Suharto, 2025).

To address these challenges, the Government issued Decree of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 21/2024, which designates Catholic Church bodies in Indonesia as legal entities eligible to hold ownership rights over land. This recognition is reinforced by the internal structure of the Church under the Indonesian Bishops' Conference (KWI). Further support came from the Director General of Catholic Community Guidance through Decree No. 23/2024, confirming the canonical authority of the Catholic Church in managing ecclesiastical assets (Hariyadi, 2024). This framework is consistent with the land-law objectives under Law No. 5/1960, which recognizes the role of land in fulfilling socio-religious needs (Suartining & Djaja, 2023).

The issuance of these regulations enhances legal certainty for the Church's religious and humanitarian mission (Widiyono & Khan, 2023), yet challenges remain. Empirical reports indicate

persistent gaps in normative understanding, bureaucratic obstacles, and lack of clarity in implementing regulations (Bahfein & Alexander, 2023). Moreover, field practices continue to show four major obstacles: the absence of standardized technical guidelines from ATR/BPN; varying levels of preparedness among Notaries and PPAT; inconsistent inter-agency coordination; and heightened risk of disputes when data verification is weak.

Scholarly literature on agrarian law emphasizes that land registration functions as an infrastructure of legal certainty over physical and juridical data (Ramadhani, 2021; Yubaidi, 2020). Meanwhile, notarial studies explain the role of Notaries and PPAT as intermediaries between the intentions of the parties and the state's administrative system, serving as guardians of deed quality and dispute prevention (Kusumawardhani, 2022). However, existing studies have not yet analyzed how Ministerial Decree No. 21/2024 interacts with ecclesiastical administrative law, nor how it reshapes the procedural obligations of Notaries and PPAT in verifying ecclesiastical permits and authorizations.

From this context, three research gaps can be identified: a legal gap concerning the interpretation of delegated authority under the Basic Agrarian Law; a practical gap in the uneven verification of ecclesiastical documents across Land Offices; and a normative gap regarding due-diligence standards for Notaries and PPAT in the transfer of Church-owned land. These gaps give rise to two research questions: first, what is the legal position of the 2024 Ministerial Decree within Indonesia's agrarian legal framework, particularly concerning the recognition of Roman Catholic Church legal entities as holders of the Right of Ownership? Second, what roles and responsibilities must Notaries and PPAT fulfill in ensuring due diligence, formal proof, and compliance in land-rights transfer and registration processes involving Catholic Church bodies?

The objective of this study is to construct a coherent normative legal interpretation of Ministerial Decree No. 21/2024 and to propose an operational compliance model that may be implemented by Notaries, PPAT, and Land Offices. The theoretical contribution lies in clarifying the decree as an instrument of delegated authority under the UUPA, while the practical contribution consists of a compliance matrix and verification checklist that may guide land-transfer practices involving Roman Catholic Church legal entities.

Method

This study employs a normative juridical method because the research problem concerns the interpretation and normative implications of land-law instruments governing Roman Catholic Church legal entities. The method is chosen to support the article's theoretical objective of analyzing the legal position of Ministerial Decree No. 21/PNJ/KEM-ATR/BPN/VI/2024 within Indonesia's hierarchy of norms and its impact on professional responsibility in land administration, rather than to assess empirical implementation outcomes. The analysis is conducted through three interrelated stages. First, a statutory analysis examines the coherence and legal positioning of the decree within the national agrarian law framework, focusing on delegated authority, subject eligibility, and procedural requirements for land-rights transfer and registration as regulated under the Basic Agrarian Law and relevant government regulations. Second, a conceptual and doctrinal analysis engages legal theories on delegated administrative authority, legal certainty in pluralistic legal systems, and the evolving role of Notaries and Land Deed Officials (PPAT) as regulatory gatekeepers. This stage enables a critical assessment of how the decree expands due-diligence obligations and redistributes normative responsibility. Third, a document-based analysis reviews ecclesiastical administrative instruments to clarify legal standing and authority to act, which are normatively verified by Notaries and PPAT. Triangulation is achieved by cross-referencing statutory norms, doctrinal interpretations, and administrative documents to ensure internal coherence and analytical validity. Interpretation applies grammatical, systematic, and teleological methods to clarify textual meaning, normative structure, and regulatory purpose. This study acknowledges the limitation of a purely normative approach, particularly

the absence of empirical data; however, such an approach is considered sufficient to achieve the article's theoretical aims and to inform future empirical research.

Result and Discussion

The Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia issued the “Designation of Roman Catholic Church Bodies in Indonesia as Legal Entities Eligible to Hold Ownership Rights over Land.” The decree, signed by Minister Agus Harimurti Yudhoyono, applies specifically to Roman Catholic Church bodies formally recognized by the State through the Decree of the Director General of Catholic Community Guidance No. 23/2024, dated 15 February 2024 (Suhartoyo, 2025). Its issuance represents a significant administrative development in the governance of religious land rights and provides a clear legal status for Church property management nationwide.

In accordance with Article 19 of the Basic Agrarian Law (UUPA) No. 5/1960, the State is mandated to administer land registration to guarantee legal certainty, including for religious legal entities (Sari, 2017). The legal standing of Catholic ecclesiastical bodies has gradually evolved since *Staatsblad* 1925–1927 (Ferlianto, 2025) and is reinforced by Director General of Catholic Community Guidance of the Ministry of Religious Affairs of the Republic of Indonesia Decree No. 23/2024, which defines the official list of Church entities eligible to hold Ownership Rights (Suhartoyo, 2025). Ministerial Decree No. 21/2024 is addressed to the Indonesian Bishops' Conference (KWI), which coordinates dioceses and ecclesiastical institutions under Indonesian law.

The decree affirms that Catholic Church bodies may obtain Ownership Rights, provided the land is used exclusively for religious and non-commercial purposes. All Church entities must submit a one-year land inventory report detailing the status, location, area, and designation of each parcel under their control. This obligation standardizes documentation that was previously inconsistent among regions, thereby improving asset governance and strengthening administrative oversight at local Land Offices. The decree also clarifies the categories of Catholic institutions recognized by the State—KWI, dioceses, archdioceses, parishes, stations, prefectures, seminaries, religious congregations, institutes of consecrated life, and Church-based foundations—as listed in Director General of Catholic Community Guidance of the Ministry of Religious Affairs of the Republic of Indonesia Decree No. 23/2024.

A major administrative reform introduced by the decree is the requirement that the Head of the local Land Office record every acquisition or transfer permit in both the land register and the ownership certificate. The integration of such permits—previously treated only as internal administrative documents—into the land's juridical data enhances transparency, reduces the potential for disputes, and strengthens supervision of land-use compliance (Roestamy et al., 2025). The decree also authorizes the Minister or appointed officials to revoke Ownership Rights if land is used contrary to its religious function, embedding the doctrine of social function directly within ecclesiastical land titles and providing a clear enforcement mechanism against misuse.

With its enactment, Ministerial Decree No. 21/2024 expressly revokes the older Director General Decree No. 1/1967, replacing fragmented historical practices with a uniform regulatory framework. Ministerial Regulation ATR/BPN No. 5/2025 further elaborates technical procedures for determining land rights for religious entities, including definitions and administrative requirements relevant to Church institutions. In terms of its legal foundation, Ministerial Decree No. 21/2024 is consistent with the hierarchy of Indonesian laws and regulations and aligns with the Hans Nawiasky theory on delegated authority (Widiyono & Khan, 2023). The decree thus functions as a binding operational instrument for all officials within the Ministry of Agrarian Affairs and the National Land Agency.

Beyond its formal regulatory function, this study finds that the decree marks a substantive shift in Indonesia's land governance regime by juridifying ecclesiastical asset administration and redistributing due-diligence responsibilities to legal professionals, particularly Notaries and Land Deed Officials

(PPAT). The decree does not merely clarify subject eligibility but reconfigures the role of PPAT from neutral authenticating officials into regulatory gatekeepers responsible for enforcing state policy objectives at the transactional level.

This transformation is reflected in the imposition of three cumulative layers of verification prior to deed execution and registration. First, PPAT are required to verify the legal standing of Church entities exclusively through the official registry established by the Decree of the Director General of Catholic Community Guidance No. 23/2024, replacing reliance on internal ecclesiastical documentation. Second, PPAT must verify the authority of Church representatives through formal appointment instruments, thereby assuming responsibility for interpreting ecclesiastical governance structures. Third, PPAT are obliged to verify the existence and validity of acquisition or transfer permits, whose absence constitutes a material defect capable of rendering the deed voidable. Collectively, these requirements enhance legal certainty but simultaneously shift the burden of regulatory enforcement from the State to professional intermediaries (Nugroho et al., 2025).

These findings reveal an inherent tension between legal certainty and administrative efficiency. On the one hand, standardized verification, permit integration, and revocation mechanisms reduce the risk of disputes and strengthen predictability. On the other hand, a permit-heavy regulatory design risks generating administrative bottlenecks and procedural delays, particularly in regions with limited institutional capacity. From the perspective of the General Principles of Good Governance (AUPB), the decree strongly advances the principles of legal certainty and accuracy, yet it may challenge the principles of efficiency and proportionality if applied rigidly without adequate administrative support (Zaitul et al., 2023).

These normative shifts are supported by the hierarchy of norms governing delegated authority, subject eligibility, and land registration obligations. Table 1 demonstrates how higher-level norms under the Basic Agrarian Law and Government Regulations establish the formal framework for ownership rights and registration, while Ministerial Decree No. 21/2024 introduces additional material requirements, particularly the mandatory recording of acquisition and transfer permits. This layered regulatory structure illustrates a broader trend toward the juridification of religious land governance, in which ecclesiastical administration is increasingly subsumed within state-defined legal mechanisms.

Table 1. Hierarchy of Norms and Delegation of Authority Concerning Subjects of Ownership Rights and Land Registration

Norms	Standing	Key Provisions Concerning Subjects of Ownership Rights	Relevance to the 2024 Decree
UUPA 1960	Law	Ownership Rights for Indonesian citizens and government-designated legal entities	Source of delegated authority for designating legal entities
Government Regulation 38/1963	Government Regulation	The Minister designates religious bodies as subjects of Ownership Rights with purpose-based limitations	Direct basis for determining church bodies as subjects of Ownership Rights
Government Regulation 24/1997	Government Regulation	Transfer of rights must be registered with a PPAT deed and formal procedures	Formal framework for registration; permits recorded in the land book and certificate
Government Regulation 37/1998 jo. Government Regulation 24/2016	Government Regulation	Authority, procedures, and record-keeping of PPAT deeds	Affirms PPAT capacity when issuing deeds of transfer

Government Regulation 18/2021	Government Regulation	Modernization and digitalization of land registration	Enables integration of permit recording into electronic services
Ministerial Decree ATR/BPN 21/2024	Ministerial Decree	Designation of church bodies; asset reporting; acquisition and transfer permits; permit recording; correction when deviations occur	Additional material requirements beyond the PPAT deed
Director General Decree for Catholic Community Guidance 23/2024	Director General Decree	List of authorized church entities	Reference for verifying legal standing

Note: Compiled from Indonesia 1960, 1963, 1997, 1998, 2016, 2021, and 2024 documents.

Table 1 above demonstrates the hierarchical flow of authority that legitimizes the designation of Catholic Church bodies, while also showing how PPAT procedures are anchored in Government Regulations that require deeds as mandatory instruments for registration.

The administrative obligations mandated by the decree function as compliance benchmarks for both Church bodies and administrative authorities. Table 2 summarizes these obligations and the consequences of neglecting them. Table 2 shows that each obligation—whether reporting, permitting, or recording—has a distinct evidentiary and procedural consequence that directly affects the validity of registration, the quality of land records, and the exposure to sanctions.

Table 2. Administrative Obligations in the 2024 Decree and the Impact of Compliance

Obligation	Scope	Executor	Evidence	Point of Recording	Risk if Neglected
Asset reporting	List of land controlled or owned	Church body	Asset list and receipt	Land Office archives	Administrative sanctions and inaccurate baseline data
Acquisition permit	Before acquiring Ownership Rights	Church body	Acquisition permit decree	Referred to in the deed and recorded	Registration refusal or administrative defect
Transfer permit	Before transferring Ownership Rights	Church body	Transfer permit decree	Entered in the land book and certificate	Delay or refusal of recording and risk of cancellation
Permit recording	Permit information in juridical data	Land Office	Notes in the land book and certificate	Land book and certificate	Information asymmetry harming third parties
Correction or annulment	If use deviates	Minister of Agrarian Affairs/National Land Agency	Annulment decision	Annulment record	Legal uncertainty and disputes

Note: Summarized from the substance of the 2024 decree.

Table 2 above shows that asset reporting, permits, and permit recording operate as a chain of administrative safeguards that prevent defective registrations and ensure that religious land rights remain compliant with their intended purpose.

Prior to the decree, ecclesiastical land governance relied on fragmented references and inconsistent local practices. Table 3 compares practices before and after the 2024 decree to highlight improvements

in legal certainty and administrative coherence. Table 3 illustrates how the decree standardizes verification processes, strengthens due diligence, and formalizes documentation that PPAT must rely upon to ensure the validity of deeds.

Table 3. Comparison of Practices Before and After the 2024 Decree

Aspect	Before 2024	After the 2024 Decree	Practical Implications
Status of church subject	References scattered and ambiguous	Referred to in Director General Decree 23/2024	Faster verification of legal standing
Acquisition and transfer permits	Varied and inconsistent	Mandatory and recorded	Stronger due diligence
Permit recording	Inconsistent	Mandatory to be stated	Increased transparency for third parties
Supervision of purpose of use	Less structured	Corrective norms available	Better compliance with intended purposes

Note: Compiled from a combination of regulations and practice.

Table 3 above indicates that the 2024 decree significantly reduces ambiguity by providing a definitive subject list and requiring permits to be recorded, thereby enhancing PPAT's ability to demonstrate substantive verification.

The improvements reflected in Table 3 are directly reinforced by the regulatory framework governing PPAT authority and the evidentiary value of deeds. Government Regulation No. 24/1997 positions the PPAT deed as the mandatory instrument for land registration, while Government Regulation No. 37/1998 in conjunction with Government Regulation No. 24/2016 regulates the authority, procedural steps, and bookkeeping obligations of PPAT deeds. Law No. 2/2014 further affirms the role of Notaries as public officials responsible for producing authentic deeds that bind the parties and the State. Practical literature consistently emphasizes that the PPAT function is not merely administrative but also substantively verificatory, requiring scrutiny of identities, supporting documents, and potential encumbrances on the land prior to deed execution (Astriansyah & Al Musyaddady, 2025). In cases where a Notary concurrently serves as PPAT, the official capacity must be expressly stated in the deed minutes, along with a clause affirming compliance with the religious-use purpose mandated by the decree (Noor et al., 2024; Asti & Arsin, 2023). This clause serves as a preventive mechanism that reduces future disputes and ensures alignment between the deed and the substantive requirements of Ministerial Decree No. 21/2024 (Kusumawardhani, 2022).

The practical obligations of Notaries and PPAT become more concrete when mapped into the workflow of land transfer. Table 4 outlines the professional roles and required documents at each procedural phase. Table 4 clarifies how PPAT responsibilities begin at the verification stage and extend into monitoring registration outcomes, thereby shaping a continuous chain of legal accountability.

Table 4. Role of Notaries and PPAT at Each Phase of the Transfer Process

Phase	Notary (Capacity)	PPAT	Mandatory Documents	References
Pre-deed	Legal advice and preliminary documents	Verification of subjects in the official list; verification of permits; due diligence on the object and encumbrances	List of entities; mandate; acquisition or transfer permit; proof of title; status check results	Government Regulation 24/1997; Government Regulation 37/1998; Government Regulation 24/2016; 2024 Decree; Director General Decree 23/2024

Deed making	If holding dual office, acts as PPAT	Minutes; reading; signatures; witnesses; clause on compliance with purpose of use	Deed minutes; permit attachments; list of attachments	Government Regulation 24/1997; Government Regulation 37/1998; Government Regulation 24/2016
Post-deed and registration	Archiving and further legal advice	Submission of files; monitoring the recording of transfers and permits; handover of documents	Receipt of registration; certificate with permit notation	Government Regulation 24/1997; 2024 Decree

Note: Compiled from primary regulations and professional practice.

Table 4 above explains that PPAT duties encompass pre-deed verification, deed preparation, and post-deed monitoring functions that must be performed alongside the mandatory attachment and recording of Church permits.

Document completeness is a central element of the decree's implementation. Table 5 provides a checklist of documents required for transfer registration. Table 5 demonstrates the structured documentary pathway that PPAT must follow and highlights how the decree transforms permits from internal administrative files into primary juridical instruments.

Table 5. Checklist of Documents for Transfer Registration

Document	Phase	Source	Mandatory or supplementary	Kept by	Recorded in
Official church entity list	Pre-deed	Directorate General of Catholic Community Guidance	Mandatory	PPAT	File archive
Internal mandate such as decree or power of attorney	Pre-deed	Church body	Mandatory	PPAT	File archive
Acquisition or transfer permit	Pre-deed and deed	Minister of Agrarian Affairs/National Land Agency	Mandatory	PPAT	Land book and certificate
Underlying title and parcel status	Pre-deed	Land Office	Mandatory	PPAT	File archive
PPAT deed minuta	Deed	PPAT	Mandatory	PPAT	Deed register book
Registration receipt	Post-deed	Land Office	Mandatory	PPAT and parties	File archive
Certificate with permit notation	Post-deed	Land Office	Mandatory	Right holder	Land book and certificate

Note: Used as an internal checklist to ensure completeness.

Table 5 explains the complete set of documentary requirements needed for a valid transfer registration, ensuring that PPAT verification covers legal standing, authority, permit validity, and title status. These documentary safeguards reinforce the material obligations introduced by the 2024 Ministerial Decree, particularly the requirement that acquisition and transfer permits be attached and

later recorded in juridical data. Building on these requirements, the decree also embeds the General Principles of Good Governance (AUPB) into each procedural stage, ensuring accuracy, transparency, and accountability in both PPAT actions and Land Office registration processes (Ernanda & Istislam, 2021).

The decree's consistency with administrative law principles (AUPB) can be mapped systematically to each stage of the transfer process. Table 6 presents this mapping. Table 6 confirms that every stage—from subject verification to land-use monitoring—advances legal certainty and ensures that ecclesiastical land rights remain aligned with the doctrine of social function.

Table 6. Mapping of the General Principles of Good Governance (AUPB) at Each Stage of the Transfer of Rights

Stage	Dominant AUPB Principle	Implementation Consequence	Impact on Legal Certainty
Verification of church body subject	Legal certainty, accuracy	Match the entity with the official list and internal mandate	Reduces representation disputes
Verification of acquisition or transfer permit	Accuracy, utility	Ensure the permit is issued before signing the deed	Prevents registration rejection
Preparation of the PPAT deed	Impartiality, certainty	Affirm PPAT capacity, read the deed aloud, ensure witness presence	Strengthens formal validity
Registration and recording	Certainty, service	Include permit information in the land book and certificate	Enhances transparency for third parties
Monitoring of land use	Utility, accuracy	Audit compliance with the intended land-use purpose	Preserves the social function of land rights

Note: Synthesized from Indonesia 1960, 1963, 1997, 1998, 2016, 2021; Santoso (2019); Jamilah (2021).

Table 6 illustrates how the principles of good governance guide each procedural stage, ensuring that verification, deed preparation, and registration are carried out with accuracy and transparency. In this regulatory framework, the acquisition permit operates as an ex-ante filter that must be fulfilled before a church body may obtain Ownership Rights, while the transfer permit functions at the moment those rights are conveyed. Once these permits are recorded in the land book and certificate, they cease to be merely administrative documents and become part of the land's juridical profile, accessible to third parties and essential for legal certainty. These distinctions form the analytical basis for Table 7, which compares the attributes and legal effects of acquisition and transfer permits.

Table 7. Comparison of the Attributes of Acquisition Permits and Transfer Permits

Attribute	Acquisition Permit	Transfer Permit
Timing	Before obtaining Ownership Rights	Before transferring Ownership Rights
Focus	Subject eligibility and intended use plan	Compliance of the transfer and post-transaction intended use
Key documents	Application, use plan, legal standing	Application, reason for transfer, deed minuta
Registration effect	Referenced in the deed and recorded in the land book and certificate	Entered in the land book and certificate when the transfer is registered
Risks without permit	Registration refusal, administrative defect	Delay or refusal of recording, administrative disputes

Note: See Indonesia 1997; Santoso (2019).

Table 7 highlights the distinct legal functions of acquisition and transfer permits, both of which must now be integrated into PPAT verification and registration workflows. Under Government Regulation No. 24/1997, every transfer of rights must be evidenced by a PPAT deed (Richard et al., 2018), while the 2024 Ministerial Decree adds a material requirement: the mandatory presence and recording of these permits as part of juridical data. In conjunction with Government Regulation No. 18/2021, the shift toward electronic services also opens the possibility of standardizing permit-recording formats to improve accessibility and transparency (Rahdania & Djaja, 2023). These regulatory developments provide the operational foundation for the workflow summarized in Table 8.

Table 8. Service Level Agreement (SLA) and Post-Deed Technical Workflow Based on Best Practices

Step	Executor	Recommended SLA	Quality Control Notes
Document completeness check	Land Deed Official (PPAT)	1 working day	Internal report on document completeness check
Submission of registration	Land Deed Official (PPAT)	Maximum 7 working days from signing	Receipt evidence and list of attachments
Substantive examination	Land Office	3 to 10 working days	Written clarification if there are missing permits
Registration and issuance	Land Office	3 to 7 working days	Ensure permit information appears on land book and certificate
Document handover	Land Deed Official (PPAT) to parties	1 working day after issuance	Handover checklist and compliance advisory

Note: Summarized from Indonesia 1997; Santoso, 2019; Laia, 2025.

Table 8 outlines the post-deed workflow and service-level expectations that ensure timely and accurate registration of land transfers. Within this procedural framework, a notary who concurrently serves as a PPAT must explicitly state their official capacity, PPAT registration number, and the appropriate deed structure. For transfers involving church bodies, the deed must also reflect the entity's identity as listed in the official registry, the representative's legal authority, references to the required acquisition or transfer permits, and a clause affirming compliance with the designated religious or social purpose of land use. These doctrinal and procedural elements form the basis for the model operational clauses presented in Table 9.

Table 9. Suggested Operational Clause Example for a PPAT Deed

Clause Purpose	Suggested Brief Wording
Reference to Permit	The parties declare and the PPAT records that this acquisition or transfer has obtained permission from the Minister of Agrarian and Spatial Planning with Number, Date, and Issuing Authority, and that the said permit is an inseparable part of this deed.
Compliance with Usage Purpose	The parties declare that the land will be used in accordance with the relevant religious or social purposes, and acknowledge the reporting obligations as well as the administrative consequences in case of deviation.
Statement of Legal Standing	The party representing the church body declares to act based on internal decisions and is listed as a recognized entity in the official register, which attachment forms an integral part of this deed.
Consent to Recording	The parties agree to the inclusion of permit information in the land book and certificate, as well as the authority of the Land Office to display such information.

Note: Adjust to the standard format of Government Regulation No. 24 of 1997; Government Regulation No. 37 of 1998 in conjunction with Government Regulation No. 24 of 2016.

Table 9 provides model operational clauses that ensure each PPAT deed incorporates the mandatory elements introduced by the 2024 Ministerial Decree, including references to permits, legal standing, and intended land use. To evaluate how these doctrinal requirements operate in practice, four realistic case scenarios are used to test their implementation: a parish sale, an inter-church grant, a partial land release for public facilities, and the use of land as collateral under Mortgage Rights. Each scenario requires verification of permits, confirmation of legal standing, assessment of spatial-planning conformity, and the proper recording of permits on the certificate. These practical applications are summarized in Table 10.

Table 10. Testing the Application of Norms in Four Case Scenarios

Scenario	Permit Tested	Key Verification	Certificate Notation	Risk if Neglected
Parish sale	Acquisition permit	Entity and mandate, land status	Permit number and date	Registration rejection
Inter-church grant	Transfer permit	Grantor and grantee entity, use purpose	Permit number and date, grant note	Representation dispute
Partial release	Transfer permit	Spatial plan compliance, parcel subdivision	Usage designation	Usage mismatch
Mortgage guarantee	Relevant permit	Consistent use purpose	Permit record not removed	Collateral value decreases

Table 10 demonstrates how the regulatory framework applies across different transaction scenarios, revealing points where errors or inconsistencies tend to arise in practice. These risks can manifest as either formal defects such as unclear PPAT capacity, incomplete deed reading, or incorrect attachments or material defects, including missing permits, invalid legal standing, or misuse of land contrary to its designated purpose. To mitigate these vulnerabilities, preventive measures centered on rigorous verification and complete documentation are essential. Table 11 outlines a remediation matrix that categorizes these defects and provides structured corrective steps for each.

Table 11. Remediation Matrix in Case of Defects

Type of Defect	Example	Main Remediation	Consequences
Formal	PPAT capacity not affirmed	Correction of minuta, deed amendment	Acceptable if it does not affect substantive content
Material	Transfer permit missing	Apply for permit, prepare new deed after permit is issued	Delay, potential cancellation
Representation	Unauthorized party	Confirm official list, internal documents	Risk of registration cancellation and disputes

Table 11 outlines the types of formal and material defects that may occur during the transfer process and the corrective mechanisms available. Beyond the Catholic context, Government Regulation No. 38/1963 also enables the recognition of other religious bodies as subjects of Ownership Rights, provided they satisfy eligibility criteria and comply with purpose-based land use (Fadhillah et al., 2021). The permit regime and the requirement to record such permits in juridical data therefore operate as a regulatory precedent that can support cross-religion consistency. Verification procedures performed by the PPAT must accordingly adapt to the internal organizational structures and official registries of each religious authority.

To ensure effective implementation, the Ministry anticipates several short-term institutional milestones, including the issuance of a Technical Circular on permit formatting, the piloting of digital integration between ecclesiastical entity lists and registration services, and regional training sessions

for PPATs and Land Office front-line personnel. Table 12 summarizes the initial implementation responsibilities through a RACI framework.

Table 12. Initial Implementation RACI (Responsible, Accountable, Consulted, Informed)

Task	Responsible	Accountable	Consulted	Informed
Technical Circular on Permit Recording Integration of Entity List	Relevant Directorate General ATR/BPN Data Center (PUSDATA)	Secretary General of ATR/BPN Director General of IT ATR/BPN	Regional Offices, Land Offices, PPAT organizations	Public
Regional Training	ATR/BPN Regional Offices	Relevant Directorate General	Ministry of Religious Affairs, Catholic Guidance (Bimas Katolik) PPAT Organizations, Notary Association	PPAT, Notaries
Asset Reporting Clinic	Land Office	Head of Land Office	Regional Catholic Guidance (Bimas Katolik)	Church bodies

Table 12 provides a structured RACI mapping that clarifies institutional roles during the initial implementation of the decree. Translating these institutional responsibilities into operational practice requires a workflow that guides PPAT actions at each procedural stage. At the pre-deed stage, PPAT must open verification files, confirm the church entity's presence in the official list, validate internal mandates, ensure that the required permit has been issued, and check the land status. During deed execution, PPAT must confirm their official capacity, read the deed aloud, ensure witness presence, incorporate a compliance clause, state the permit number in both the preamble and closing sections, and attach the permit documents. In the post-deed phase, PPAT must submit registration documents, monitor the entry of permit information into the land book and certificate, complete the handover, and provide written advice regarding the legal consequences of deviations from permitted land use.

Table 13 summarizes these obligations through a document quality audit checklist designed to ensure completeness and prevent defects across all phases.

Table 13. PPAT Document Quality Audit Checklist

Component	Yes	No	Notes
Verification of entity in official list	<input type="checkbox"/>	<input type="checkbox"/>	
Valid internal mandate	<input type="checkbox"/>	<input type="checkbox"/>	
Relevant permit has been issued	<input type="checkbox"/>	<input type="checkbox"/>	
Compliance clause included	<input type="checkbox"/>	<input type="checkbox"/>	
Permit number stated in deed	<input type="checkbox"/>	<input type="checkbox"/>	
Complete permit attachments	<input type="checkbox"/>	<input type="checkbox"/>	
Receipt of registration available	<input type="checkbox"/>	<input type="checkbox"/>	
Permit record appears on certificate	<input type="checkbox"/>	<input type="checkbox"/>	

Table 13 outlines the document quality audit checklist that functions as a preventive mechanism against formal and material defects in PPAT practice. To ensure that these procedural safeguards translate into effective implementation, the ministerial decree requires measurable output and outcome indicators that allow the Ministry and Land Offices to monitor compliance, evaluate performance, and identify areas requiring technical improvement.

Table 14 presents these indicators in a structured form, enabling systematic monitoring and evaluation across regions.

Table 14. Implementation Monitoring and Evaluation Indicators

Indicator	Definition	Quarterly Target	Data Source
Complete permit document ratio	Percentage of files containing permits before signing	95 percent	PPAT file audit
Registration cycle time	Working days from signing to certificate issuance	Less than 20 days	Land Office
Permit record accuracy	Percentage of certificates with correct permit details	98 percent	Certificate sampling
Representation disputes	Number of objections related to authority to act	Decreasing quarterly	Administrative court reports, internal

Table 14 outlines the monitoring and evaluation indicators necessary to measure the effectiveness of the ministerial decree's implementation. The table shows how output indicators—such as permit issuance, reporting compliance, and accuracy of recording—operate alongside outcome indicators including reductions in disputes, higher verification standards, and stronger institutional transparency. These indicators serve as a regulatory benchmark to assess whether Land Offices, PPATs, and ecclesiastical institutions have internalized the verification and registration standards introduced by the decree.

Building on the empirical findings concerning permit integration, layered verification, and the expanded role of Notaries and Land Deed Officials (PPAT), the implementation of Ministerial Decree No. 21/2024 must be understood within a broader regulatory and doctrinal context. The requirement that acquisition and transfer permits be verified and recorded as juridical data demonstrates that ecclesiastical land governance is no longer governed solely by subject eligibility, but is embedded within a multi-layered regulatory environment that includes spatial planning instruments and sectoral building regulations. The incorporation of spatial conformity considerations into PPAT verification practices functions as an *ex ante* mechanism to prevent administrative conflict and reinforces the legal robustness of land registration outcomes.

From an economic–legal perspective, the empirical integration of permit information into land certificates produces measurable governance effects. As evidenced by the reduction of reliance on internal ecclesiastical archives and the standardization of representative verification, the availability of permit data enhances third-party protection and lowers transaction costs in land dealings involving religious entities. These effects are not incidental, but directly result from the decree's requirement that administrative permits be transformed into publicly accessible juridical data. The findings thus indicate that legal certainty is strengthened not merely through formal recognition, but through the visibility and verifiability of regulatory compliance.

More significantly, the operational design of the decree reveals a synthesis between doctrinal principles and administrative practice. The empirical requirement for cumulative verification—legal standing, authority to act, and permit validity—illustrates how delegated administrative authority is exercised through professional intermediaries. This configuration shifts the locus of governance from centralized administrative discretion to distributed professional enforcement, with PPAT functioning as key verification nodes across pre-deed, deed, and post-deed stages.

Taken together, these findings constitute a central contribution of this study: Ministerial Decree No. 21/2024 restructures ecclesiastical land administration by institutionalizing a permit-based, profession-mediated governance model. This model enhances legal certainty and transparency, while simultaneously redefining the practical and normative roles of PPAT in managing the interface between state regulation and religious institutional autonomy. The synthesis demonstrates that contemporary agrarian governance increasingly relies on juridification and professional gatekeeping as tools for regulating pluralistic land ownership regimes.

Conclusion

This study addresses the problem of how Ministerial Decree No. 21/PN/2024 redefines the legal governance of land owned by Roman Catholic Church entities and reshapes the professional responsibilities of Notaries and Land Deed Officials (PPAT) within Indonesia's agrarian law system. The core argument advanced is that the decree does not merely provide administrative clarification, but operates as an instrument of delegated authority that restructures land administration through permit-based control and profession-mediated verification. This study demonstrates that the integration of acquisition and transfer permits into juridical data transforms PPAT from neutral authenticating officials into regulatory gatekeepers responsible for enforcing state policy objectives at the transactional level. By conceptualizing this shift, the article contributes to agrarian law, administrative law, and notarial studies by advancing a theoretical understanding of how legal certainty in pluralistic land governance is increasingly achieved through juridification and the redistribution of regulatory functions to professional intermediaries. Practically, the findings clarify due-diligence standards for Notaries and PPAT in verifying legal standing, authority to act, permit validity, and purpose-based land use, while also supporting greater consistency in land registration practices and dispute prevention. The compliance-oriented framework proposed in this study may assist Land Offices, church administrations, and legal practitioners in implementing the decree in a predictable and accountable manner. Future research may build on these findings by conducting empirical studies on the decree's implementation across regions, comparative analyses of land governance involving other religious legal entities, or longitudinal research assessing whether permit integration and enhanced verification reduce land-related disputes over time.

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