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Effectiveness of Complete Systematic Land Registration (PTSL) Against Waqf Land Certification at Magelang Regency

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Abstract

¹²The government's policy on Complete Systematic Land Registration (PTSL) is a policy initiated by the Ministry of Agrarian Affairs of the Republic of Indonesia in 2017, then further refined in 2018 as it still has problems in its implementation. The policy is expected to expedite the existing land certification process in Indonesia, including waqf land certification. However, this policy should be tested to measure the level of effectiveness against the facilities and acceleration of the certification process, especially the waqf land certification at Magelang Regency. ²⁰The purpose of this study is to analyze the effectiveness of government policies on PTSL towards accelerating the certification of waqf land at Magelang Regency. Research methods are field research and qualitative approach by checking interview results, PTSL related regulations, regulations related to registration of waqf land certification, scientific journals related to soil certification, etc. The results of this study show that the implementation of government policies on PTSL towards accelerating the certification of waqf land is not optimally implemented in Magelang Regency. This can be seen from the percentage of waqf land certification levels at Magelang Regency still low, despite experiencing a decline after the birth of government policy on PTSL.

Keywords: Effectiveness, Certification, Waqf Land

Introduction

Every citizen deserves protection and justice in the eyes of the law. Legal justice is included in the ownership of land. Article 19 (1) of Law No. 5 of 1960 on the Basic Rules of Agrarian Principal mentions to ensure the certainty of the law by the government to hold land registration in all areas of the Republic of Indonesia in accordance with the provisions regulated by government regulations.¹ Regulations relating to the registration of land as specified in Article 19 Paragraph (2) of Law No. 5 of 1960 on the Basic Rules of the Agrarian Subject include: (a) Surveying of land acquisition and book storage; (b) Registration of land rights and transfer of such rights; and (c) The provisions of the letters of evidence of rights, which shall act as strong evidence.² The validity of the certificate is very important because *firstly*, the certificate provides valid certainty from the landowner. *Secondly*, the award of a certificate is aimed at avoiding land ownership disputes. *Thirdly*, with the ownership of the certificate, the landowner can take any legal action as long as it does not conflict with the law, public order, and decency, and has economic value.³

Registration of land or certification is a very important thing. This is a valid form of proof of ownership of a plot of land. The absence of a land certificate often causes problems for landowners, such as weak evidence if there is a dispute/seizure of land with another person, the status of land ownership is not clearly written on the person who actually owns it, etc.

The same applies to the issue of *waqf* land certification. If the *waqf* land does not have a *waqf* certificate, then it is very easy to cause problems in the future, such as the weak power of the *nadzir* if there is a dispute with the other party or it can be from the *wakif* (the person with the authorities) itself. Problems that are often faced in the process of registering *waqf* land certificates are due to the status of land rights certificates. Usually the status of land rights is still in the name of parents who have died or others (have not been transferred to *wakif*). While the function of *waqf* itself is to realize

¹Law No. 5 of 1960 concerning Basic Regulation for Agrarian Principle (UUPA).

²*Ibid.*

³Alfi Khairi and Raja Muhammad Amin, "Implementasi Program Pendaftaran Tanah Sistematis Lengkap (PTSL) di Kabupaten Kuantan Singingi Tahun 2017," *Jurnal Online Mahasiswa: Fakultas Ilmu Sosial dan Ilmu Politik*, 5(2), 2018, p. 11-14. Retrieved from <https://jom.unri.ac.id/index.php/JOMFSIP/article/view/22093>.

economic potential, worship, and also advance the welfare of society, with the need for legal clarity.⁴

The existence of a land certificate is considered very important so that there is legislative power in the status of ownership and land management. With proof of land certificate, the landowner has strong legal protection against the status of ownership of the land he controls. Registration of land in all territories of the Republic of Indonesia in accordance with the provisions regulated by government regulations.⁵ According to Mar'atus Shalihah and Eko Nur Cahyo, *waqf* wealth is one solution to the social wealth imbalance because the doctrine of capitalism on the national and global economic system (including in the Islamic world) needs to be strengthened in terms of law in the desecration of *waqf* land.⁶ Therefore, the wealth of Muslims in the form of *waqf* land will be guaranteed salvation.

During the current visit, the government has issued the Regulations of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia No. 6 of 2018 on Complete Systematic Land Registration (PTSL) in an effort to expedite land registration. The Complete Systematic Land Registration program (PTSL) is a programme issued by the government through the Ministry of Agrarian Affairs. Complete Systematic Land Registry is the first time land registration activity carried out simultaneously for all objects of land registration throughout the territory of the Republic of Indonesia in one village/village area or another name of the same level. These activities include the collection of physical data and jurisprudic data on one or more land registration objects, for the purpose of their registration.⁷

The implementation of PTSL is the government's move to provide certainty and legal protection to the community in controlling a plot of land. PTSL is implemented in contrast to

⁴Selamet Hartanto, et. al., "Waqf in the Perspective of Waqf Rules in Indonesia", *Al-Iktisab: Journal of Islamic Economic Law*, 5(1), 2021, p. 37-49. Retrieved from <http://dx.doi.org/10.21111/al-iktisab.v5i1.6203>.

⁵Law No. 5 of 1960 concerning Basic Regulation for Agrarian Principle (UUPA).

⁶Mar'atus Shalihah and Eko Nur Cahyo, "Cash Waqf Auction for the Establishment of Islamic Institution on the Perspective of Islamic Law and Positive Law (A Case Study on Trensains Islamic Institution, Sragen 2018-2019)", *Al-Iktisab: Journal of Islamic Economic Law*, 4(1), 2020, p. 44-65. Retrieved from <http://dx.doi.org/10.21111/al-iktisab.v4i1.4351>.

⁷The Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 6 of 2018 concerning Complete Systematic Land Registration (PTSL).

previous government programmes such as Land Administration Projects (PAP), Land Management And Policy Development Projects (LMPDP) or Adjudication Projects, Larasita and National Agrarian Program (*Prona*). PTSL differs from previous programs because the president monitors, evaluates, and also plays a direct role in the distribution of his certificates to the public.⁸

The PTSL programme is also an implementation of the current government's political promises implicitly contained in the "*nawacita*" program. Previously, the government through the Minister of Agrarian Affairs had issued the Regulations of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 2 of 2017 concerning the *Waqf* Land Registration Procedure at the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency then further strengthened in relation to the PTSL program in 2018.

The implementation of *waqf* land certification at Magelang Regency can be a joint evaluation material, since the amount of *waqf* land that has not been certified is still quite high. According to data from the Director General of the Department of *Waqf* and Guidance of the Islamic Community of the Ministry of Religious Affairs of the Republic of Indonesia Magelang Regency in 2019 there are 5.387 *waqf* lands, 4.174 have been certified, and 1.213 have not been confirmed. Based on this data, the number of those who have not been certified is still quite high. The unconfirmable *waqf* land is disseminated to three groups, some of which are already in the BPN process, still being processed in KUA, and a new *waqf* pledge.⁹

Therefore, based on the above description, this study is important as it aims to analyze the PTSL program triggered by the government whether it has the effectiveness to improve the *waqf* land certification process in Indonesia. As we know that the PTSL program is a government effort to expedite land certification, in addition, the potential of *waqf* land in Indonesia is very high. The long-term and short-term goal of this study is to analyze the effectiveness of government policies on PTSL, especially in *waqf* land certification to support acceleration in the *waqf* land certification process in Magelang Regency.

⁸Isdiyana Kusuma Ayu, "Problematika Pelaksanaan Pendaftaran Tanah Melalui Pendaftaran Tanah Sistematis Lengkap di Kota Batu", *Legality: Jurnal Ilmiah Hukum*, 27(1), 2019, p. 27-40. Retrieved from <https://ejournal.umm.ac.id/index.php/legality/article/view/8956>.

⁹Martijo, *Data Jumlah Tanah Wakaf Kabupaten Magelang* (n.c.: n.p., 2019), p. -.

28 Methodology

The focus of this study is the analysis of the importance of the level of government policy acquisition related to the PTSL program in the certification of *waqf* land in Magelang Regency. This research uses field research methods with a qualitative approach. The object used in this study is the Office of the Ministry of Ehwal Ugama Magelang Regency. The legal material used in the study was the result of an interview with the Director of *Waqf* Administration Chief Director of Islamic Community Guidance. Ministry of Religious Affairs of the Republic of Indonesia Magelang Regency, UUPA, *Waqf* Law, Agrarian Ministerial Regulations on PTSL, Agrarian Ministerial Regulations regarding *Waqf* Land Registration Procedures, and related legal journals. Existing legal materials will be selected according to the topic of research. It will then be analyzed in jury based on the norms or rules of the law used to be a comprehensive analysis of the description. In addition, it made conclusions in the form of arguments related to the level of basic interests of PTSL against the certification of *waqf* land in Magelang Regency.

Result and Discussion

A. Systematic Land Registry

Studies on land registration issues are quite a lot to review, especially in relation to PTSL programs initiated by the government. This is in line with the various problems that continue to arise in the midst of society. One of the studies discussing the issue of registration of land certificates was written by Ngangi, in a study discussing petting land registration. Basic Agrarian Law with a set of implementation rules aims to realize the guarantee of legal certainty against land rights throughout Indonesia. If in connection with the government's efforts to realize the use of ownership and ownership of land, then registration of land rights is an important way to realize the certainty of the law.¹⁰

Research conducted by Ismail discusses that Basic Agrarian Law has traditional social values/local wisdom that live in the heart of

¹⁰Sherley Veralin Kamurahan, et. al., "Evaluasi Pelaksanaan Program Nasional Agraria dan Pendaftaran Tanah Sistematis Lengkap dalam Pembangunan Wilayah Desa Kinabuhutan, Kecamatan Likupang Barat, Kabupaten Minahasa Utara," *Agri-Sosioekonomi*, 14(1), 2018, p. 389-408. Retrieved from <https://doi.org/10.35791/agrsosek.14.1.2018.19608>.

society. Basically the Basic Agrarian Law contains legal principles that are a jab at social values in *Pancasila*, so it is referred to as a prismatic law (a law that combines traditional social values/local wisdom).¹¹

In Article 1 Paragraph (1) of the Minister of Agrarian Affairs and Spatial Planning Regulations, Head of the National Land Agency of the Republic of Indonesia No. 6 of 2018 concerning Complete Systematic Land Registration (PTSL), that land registration is a series of activities carried out by the government on an ongoing, continuous and regular basis, including the collection, processing, storage of books, and the presentation and maintenance of physical data and legal data, in the form of maps and lists, on a plot of land and units of flats, including the provision of proof of their rights against an existing plot of land, and property rights to flat units and certain rights that burden them.¹² This land is intended to create legal protection for landowners.

While Article 1 Paragraph (2) of the Minister of Agrarian Affairs and Spatial Planning Regulations, Head of the National Land Agency of the Republic of Indonesia No. 6 of 2018 concerning Complete Systematic Land Registration (PTSL), states that PTSL is the first time land registration activity carried out simultaneously for all land registration objects throughout the territory of the Republic of Indonesia in one village/village area or other names of that level, which includes the collection of physical data and juridic data on one or more land registration objects for the purpose of their registration.¹³ The PTSL programme aims to expedite the process of verifying land belonging to all Indonesian citizens.

Article 2 Paragraph (2) Regulations of the Minister of Agrarian Affairs and Spatial Planning, Head of the National Land Agency of the Republic of Indonesia No. 6 of 2018 concerning Complete Systematic Land Registration (PTSL), states that PTSL aims to realize the provision of legal certainty and legal protection of the right to land based on simple, fast, smooth, safe, fair, open, and responsible principles, to enhance the welfare and prosperity of the people and the economy of the country, reduce and prevent land disputes and

¹¹Nurhasan Ismail, *Prinsip-Prinsip Hukum Agraria Indonesia: Adakah Kesenjangan dengan Fiqih Agraria?* (Yogyakarta: n.p., 2019), p. 18.

¹²The Regulations of the Minister of Agrarian Affairs and Spatial Planning/ Head of the National Land Agency No. 6 of 2018 concerning Complete Systematic Land Registration (PTSL).

¹³*Ibid.*

conflicts.¹⁴ While its scope includes: (1) The implementation of PTSL; (2) The implementation of PTSL activities; (3) Completion of PTSL activities; and (4) Financing.

B. *Waqf* Land Certification

Waqf should be protected from problems and disputes that could eliminate the potential for the benefit of the people. One of the efforts that can be made to protect it is through formal legal management (certification) related to the status of *waqf* land.

Waqf has a very important role in religious social life in various countries, including Indonesia. *Waqf* is no longer a source of state finance, but rather a source of funding for the civil society movement. This movement is mainly in the effort to develop mosques, educational institutions, health, and other religious institutions. This institution was born out of the movement of both individuals and organizations abroad.¹⁵

A *waqf* is a legal act to segregate and/or surrender part of its property for use indefinitely or for a certain period of time in accordance with its interest for the purpose of worship and/or general welfare in accordance with *sharia*.¹⁶ In Article 3 Paragraph (1) of the Minister of Agrarian Affairs and Spatial Planning Regulations/Head of the National Land Agency of the Republic of Indonesia No. 2 of 2017 concerning the Procedure for Registration of *Waqf* Lands at the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency that *waqf* land can be: (1) Property rights or customs assets that have not been registered; (2) Right to business; (3) Right to build and right to use state land; (4) Right to use the building or right to use in the right to management of land or property rights; (5) Property rights to flat units; and (6) State land.¹⁷

Elements and conditions of *waqf* that must be fulfilled in accordance with Articles 217 and 218 Islamic Law Compilation as

¹⁴*Ibid.*

¹⁵Muhammad Aminuddin, "Kontribusi Zakat, Infak, Sadaqah, dan Wakaf Terhadap *Civil Society* (Studi Kasus di Yayasan Solopeduli Surakarta)", *Ijtihad: Jurnal Wacana Hukum Islam dan Kemanusiaan*, 13(2), 2013, p. 198-218. Retrieved from <https://doi.org/10.18326/ijtihad.v13i2.198-218>.

¹⁶The Minister of Agrarian Affairs and Spatial Planning Regulations/Head of the National Land Agency of the Republic of Indonesia No. 2 of 2017 concerning the Procedure for Registration of *Waqf* Lands at the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency.

¹⁷*Ibid.*

follows: (1) Indonesian legal entities and persons or persons who have matured and reasonable and who by law are not prevented from committing legal action, their own will may represent their property taking into account applicable laws and regulations; (2) In the case of a legal entity, the person acting for and in his name is his legal administrator; (3) Objects of *waqf* as mentioned in Article 215 Paragraph (4) shall be property free from all unloading, bonds, loot, and disputes; (4) The declaring party shall pledge clearly and unequivocally to *nazhir* before the office of making a *waqf* pledge as mentioned in Article 215 Paragraph (6), which then absolutizes it in the form of a *waqf* pledge, witnessed by at least 2 witnesses.¹⁸

In accordance with Articles 217 and 218, the Islamic Law Compilation registration (certification) of the *waqf* pledge act is mandatory in the *waqf* process. Therefore, *waqf* actors should pay attention to the insistence to obtain the certification of *waqf* pledge. Generally, the procedure of administration and registration of *waqf* objects is contained in Articles 223 and 224 Islamic Law Compilation. Article 223 of the Islamic Law Compilation describes it as follows: (1) Parties wishing to represent may declare a pledge of *waqf* before the *waqf* pledge to carry out the *waqf* pledge; (2) The content and form of *waqf* pledge is determined by the Minister of Religious Affairs; (3) The implementation of the pledge, as well as making the *waqf* pledge is considered valid if attended and witnessed by at least 2 (two) witnesses; (4) In carrying out the *waqf* pledge as mentioned in Paragraph (1) the parties represented shall submit to the officer referred to in Article 215 Paragraph (6), the following letters: (a) Proof of ownership of property; (b) If the object represented in the form of an object is immobile, it must be accompanied by a certificate from the village head reinforced by the local *camat* describing the ownership of the immovable object; (c) Written letter or document which is the completeness of the immovable object in question.¹⁹

Although Article 224 of the Islamic Law Act makes it clear that, after the deed of *waqf* is executed in accordance with the provisions of Articles 223 Paragraphs (3) and (4),¹⁵ the Head of the District Religious Affairs Office on behalf of the *nazhir* is required to apply to the relevant party to register the representation of the object in order to

¹⁸Islamic Law Compilation.

¹⁹*Ibid.*

maintain its integrity and sustainability.²⁰

Registration of *waqf* property in accordance with Article 32 of Article 39 of Law No. 41 of 2004 concerning *Waqf*, explained as follows: (1) PPAIW on behalf of *nazhir* registers the *waqf* property to the competent authorities not later than 7 (seven) working days since the *waqf* deed was signed (Article 32); (2) In the registration of *waqf* property as mentioned in Article 32, PPAIW submits (Article 33): (a) A copy of the *waqf* deed; (b) Letter and/or proof of ownership and other relevant documents; (3) Competent agency issues proof of registration of *waqf* property (Article 34); (4) Proof of registration of *waqf* property as mentioned in Article 34 submitted by PPAIW to *nazhir* (Article 35); (5) If the property of the *waqf* is changed or changed its provision through PPAIW re-register with the competent authority and the Indonesian *Waqf* Agency for *waqf* property is changed or changed in accordance with the provisions applicable in the *waqf* property registration procedure (Article 36); (6) The Minister and the Indonesian *Waqf* Agency administer the registration of *waqf* property (Article 37); (7) The Minister and the Indonesian *Waqf* Agency announce to the public the property of the registered *waqf* (Article 38); (8) Further provisions regarding PPAIW, procedures for registration and announcement of *waqf* property are regulated by Government Regulations (Article 39).²¹

C. Implementation of *Waqf* Land Certification at Magelang Regency

The legal status of the land rights certificate issued is the result of the regulations of the Minister of Spatial Planning/Head of National Land Agency No. 6 of 2018 concerning Complete Systematic Land Registration (PTSL). This regulation is one of the rules for the technical implementation of land registration and the mandate of the Main Agrarian Law of Article 19, that is, to ensure the legal certainty for land rights throughout Indonesia.²²

Waqf instrument development activities still require some aspects to be considered and need to be refined. One such instrument is the certification of *waqf* land, which until now remains a problem in the field of administration. *Waqf* land is a contribution of property from society for the public interest as well as general welfare, should

²⁰*Ibid.*

²¹Law No. 41 of 2004 concerning *Waqf*.

be fully supported by the government, both in terms of regulation and certification.²³

Based on the data obtained from the Director of Empowerment Waqf Director General of Islamic Community Guidance Ministry of Religious Affairs of the Republic of Indonesia Magelang Regency can be seen as follows:

Table. 1: Amount of Waqf Land in Magelang Regency, Central Java (Before PTSL Policy)

No	Year	Total Waqf Land	Certified	Not Certified	Percentage of Certification
1	2015	3.563	2.933	630	82,31%
2	2016	4.025	3.316	709	82,38%
3	2017	4.776	3.887	889	81,38%

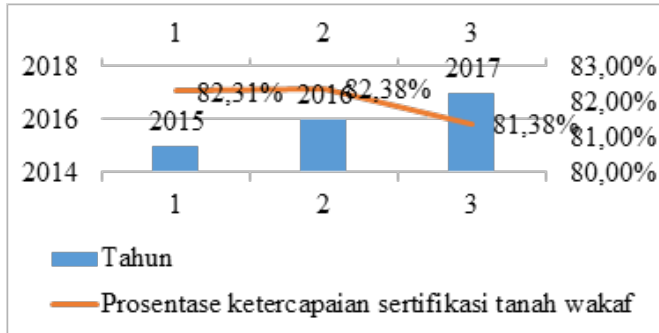
Source: Director of Empowerment Waqf Director General of Islamic Community Guidance Ministry of Religious Affairs of the Republic of Indonesia Magelang Regency

Based on the data in Table. 1 the above shows that, the percentage of waqf land that was certified prior to the issuance of PTSL policy by the Minister of Spatial Planning/Head of the National Land Agency in 2015 reached 82.31%. In 2016, it was 82.38%. The percentage increase in the total certified waqf land from 2015-2016 was only 0.07%. While in 2017, the percentage of waqf land certification reached 81.38%. The percentage of waqf land certification in 2017 decreased by 01.00% compared to 2016.

The percentage of waqf land certification level at Magelang Regency prior to the issuance of PTSL policy by the Minister of Spatial Planning/Head of National Land Agency can be described in the following curve.

²³Siska Lis Sulistiani, "Analisis Hukum Islam Terhadap Pengembangan Wakaf Berbasis Sukuk untuk Pemberdayaan Tanah yang Tidak Produktif di Indonesia", *Jurnal Wacana Hukum Islam dan Kemanusiaan*, 18(2), 2018, p. 175-192. Retrieved from <http://dx.doi.org/10.18326/ijtihad.v18i2.175-192>.

Figure. 1: *Waqf* Land Certification Percentage Curve on Magelang Regency of Central Java (Before PTSL Policy)



Like a Figure. 1 above, it appears that red lines connected from 2015 to 2016 saw an increase. The red lines connected from 2016 to 2017 decreased. Therefore, before the existence of government policies related to PTSL was actually quite good. Even in the last year he has declined.

As an illustration of the level of *waqf* land certification at Magelang Regency we need to look at data on the percentage of *waqf* land certification at Magelang Regency from 2017 to 2019. The success of the *waqf* land certification process based on data from the Director of Empowerment *Waqf* Director General of Islamic Community Guidance Ministry of Religious Affairs of the Republic of Indonesia Magelang Regency after the PTSL policy was issued by the Minister of Spatial Planning/Head of National Land Agency can be seen in the following table.

Table. 2: Amount of *Waqf* Land in Magelang Regency, Central Java (After PTSL Policy)

No	Year	Total <i>Waqf</i> Land	Certified	Not Certified	Percentage of Certification
1	2017	4.776	3.887	889	81,38%
2	2018	5.126	4.057	1.069	79,14%
3	2019	5.387	4.174	1.213	77,48%

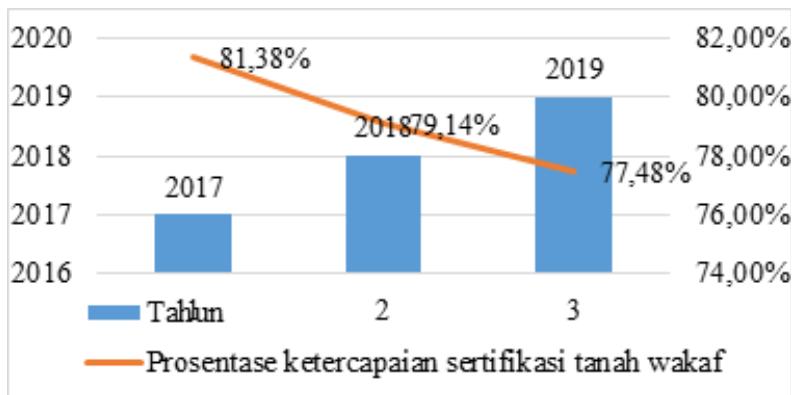
Source: Director of Empowerment *Waqf* Director General of Islamic Community Guidance Ministry of Religious Affairs of the Republic of Indonesia Magelang Regency

Based on the data in Table. 2 above, shows that the development of *waqf* land certification level at Magelang Regency is very different from the development of *waqf* land certification level at Magelang Regency before PTSL policy was issued. According to the data in Table. 2 it can be concluded that in 2017 to 2018 experienced a decrease in the level of *waqf* land certification by 2.24%.

Meanwhile, the level of *waqf* land certification in 2018 to 2019 decreased by 1.66%. From 2017 to 2018, the same decrease as in 2017 to 2018. Although the rate of decline in 2018 to 2019 is less than the decline that occurred in 2017 to 2018.

The percentage of *waqf* land certification at Magelang Regency after the issuance of PTSL policy by the Minister of Spatial Planning/Head of National Land Agency can be explained in the following curve.

Figure. 2: Waqf Land Certification Percentage Curve on Magelang Regency of Central Java (After PTSL Policy)



Unlike the number of Figure. 1 which indicates a rise and fall, in the Figure. 2 this deteriorates continuously every year. View from the red line in 2017 to 2019 is moving downwards continuously.

Based on the discussion on *waqf* land certification data at Magelang Regency, both before and after PTSL policy it can be understood that the existence of PTSL policy actually has no influence on the improvement of *waqf* land certification at Magelang Regency. In fact, according to the data in Table. 2. It shows a constant decline. This means that PTSL policy is not optimally implemented, but can even prevent the acceleration of *waqf* land certification level at Magelang Regency.

According to Martijo, the PTSL policy has not shown a positive impact in expediting the registration of *waqf* land certification at Magelang Regency. This is because in this process, *nazhir* in carrying out *waqf* land certification is the same as before PTSL program. *Nazhir* still has to pay a certain amount of funds to carry out the *waqf* land certification process and follow the same procedure as the allocation applied for.²⁴

Meanwhile, on Thursday, April 19, 2018, the Office of the Ministry of Religious Affairs of Magelang Regency and the Magelang Regency Land Office signed a memorandum of cooperation to expedite the certification of *waqf* land held at the Multipurpose Building of the Ministry of Home Affairs Complex in Magelang. Head of Office of the Ministry of Religious Affairs Megelang Regency said the memorandum of cooperation aims to expedite the *waqf* land certification process to ensure and provide legal certainty on *waqf* rights, achievement of timelines, benefits and targets to achieve optimization and cost efficiency.²⁵

The program to expedite the certification of *waqf* land at Magelang Regency also received positive response from the National Land Agency Magelang Regency. Suwito, head of the Magelang Regency Land Office, said the cooperation with the Ministry of Religious Affairs was a follow-up to the president's *Nawacita* program of the President of the Republic of Indonesia to complete the certification of *waqf* lands. The signed collaborative text is expected to be followed up immediately with the actual form.²⁶

However, in practice the *waqf* land certification process at Magelang Regency has not progressed well. In fact, after the PTSL programme and the memorandum of cooperation between the Ministry of Religious Affairs Office of Magelang Regency and the Magelang Regent's Land Office experienced a decrease in the level of *waqf* land certification at Magelang Regency.

Productivity increase and expedite registration of *waqf* land should be strengthened with the cooperation of various related

²⁴Martijo, Interview about the Achievement Level of *Waqf* Land Certification in Magelang Regency with the Directorate of *Waqf* Empowerment, Directorate General of Islamic Community Guidance, Ministry of Religion of the Republic of Indonesia, Magelang Regency, 2020.

²⁵Kemenag Magelang, "Kemenag Kab. Magelang Tandatangani Naskah Kerjasama Percepatan Sertifikasi Tanah Wakaf", 2018. Retrieved from <https://jateng.kemenag.go.id/kemenag-kab-magelang-tandatangani-naskah-kerjasama-percepatan-sertifikasi-tanah-wakaf/>.

²⁶*Ibid.*

parties. According to Prihatini, the security of *waqf* land and the development of *waqf* assets value require cross-sectoral cooperation and active role of society, especially the *nazhir waqf* group itself. The program to expedite the certification of *waqf* land is a concrete effort by the government to realize the rule of law in the field of agrarian and representation.

According to him, the PTSL programme issued by the Minister of Planning Spatial Agrarian/Head of National Land Agency could not have a positive impact on expediting the registration of *waqf* land in Magelang Regency until now. The existence of PTSL policy as well as the addition of a memorandum of cooperation in expediting the registration of *waqf* land in Magelang Regency still needs to be evaluated so that it can be implemented effectively.

Conclusion

The appearance of PTSL policy by the Minister of Spatial Planning/Head of the National Land Agency is predicted by the government to provide an accelerated land swap, especially *waqf* land not effectively implemented at Magelang Regency. Meanwhile, the PTSL programme is a symbol of the government's programme to realise the *Nawacita* encouraged. The implication is that the *waqf* land certification process at Magelang Regency actually experienced a decrease in the percentage of its affordability rate. All parties in this matter need to make assessments and alignments once again so that the PTSL program initiated by the Minister of Spatial Planning/Head of the National Land Agency can be carried out effectively. Therefore, it can really benefit all parties, especially the *waqf* land manager in Magelang Regency.

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