



## Application of *The General Boundaries Principle* Towards Legal Certificity of Land Rights Certificates in the Complete Systematic Land Registration Program (PTSL): Study at the East Lombok Regency Land Office

Lingga Aprilaili<sup>1\*</sup>, Djumardin<sup>2</sup>, Aris Munandar<sup>3</sup>

<sup>1</sup> Master of Laws, University of Mataram, Indonesia

<sup>2-3</sup> University of Mataram, Indonesia

Corresponding Author: **Lingga Aprilaili**

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### Abstract

This study aims to determine the implementation of *the general boundaries principle* and analyze the legal certainty of land title certificates that use the *general boundaries principle* in the Complete Systematic Land Registration (PTSL) program in East Lombok Regency. The type of research in writing this thesis is empirical legal research, legal research that functions to see the law in a real sense and examine how the law works in the community environment. The results of the study indicate that the application of *the general boundaries principle* has been carried out according to technical procedures and provides legal certainty through a standardized mechanism, as regulated in the Regulation of the Minister of ATR/BPN No. 6 of 2018 and Technical Instructions. The application of the *general boundary's principle* does not determine land boundaries precisely, however, land boundaries still have legal and social legitimacy because they can be identified clearly, stated in maps and official measurement letters, recorded in land books and their validity is still fulfilled through boundary agreements (the principle of contradictory delimitation). The application of this principle is very effective in accelerating land registration in the PTSL program, although there are technical challenges in the form of visual obstacles to vegetation, these are overcome through additional measurement methods (supplements) and strengthening community participation. Thus, certificates issued using *the general boundaries principle* still provide legal certainty and legal protection for rights holders, both preventively and repressively, especially for rights holders who act in good faith.

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### 1. Introduction

Land is a key factor supporting the life and well-being of a community, making it crucial for society due to its significant value in human life. Land is closely related to humans, and this relationship between humans and land makes land an object of interest for various parties. Therefore, land management is necessary to achieve equitable prosperity for the community<sup>[1]</sup>.

In the context of agrarian law in Indonesia, the state plays an important role in guaranteeing legal certainty of land rights as mandated in Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that "the earth, water and natural resources contained therein are used for the greatest prosperity of the people."

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<sup>1</sup> Gede Agus Angga Wijaya and Putu Sekarwangi Saraswat, *A Legal Review of the Determination of Land Boundaries for the First Land Registration in Indonesia*, Student Law Journal, Vol. 3, No. 1, 2023, p. 599

From the provisions of Article 33 paragraph (3) of the 1945 Constitution of the Republic of Indonesia above, it can be concluded that:<sup>[2]</sup>

1. That the earth, water and natural resources contained therein are managed to achieve the prosperity of the people.
2. Management of the earth, water and natural resources contained therein is managed by the state.
3. The aim of managing the earth, water and natural resources contained therein is for the greatest possible prosperity of the people.

The 1945 Constitution of the Republic of Indonesia is the main formal legal basis for the formation of national agrarian law, namely the Basic Agrarian Law, which is the main legal basis for the formation of laws and regulations governing matters concerning land, water and the natural resources contained therein.<sup>[3]</sup>

Law Number 5 of 1960 concerning Basic Agrarian Regulations, Article 1 paragraph (2) states that: "All the earth, water and space, including the natural resources contained therein in the territory of the Republic of Indonesia, as a gift from God Almighty, are the earth, water and space of the Indonesian people and constitute national wealth."

<sup>[4]</sup>Article 2 paragraph (1) also explains that "Based on the provisions in Article 33 paragraph (3) of the Basic Law and matters as referred to in Article 1, the earth, water and space, including the natural resources contained therein, are controlled at the highest level by the State, as the organization of power of all the people." The word "controlled" here does not mean "owned", but gives the state the authority to:

1. Regulate and organize the allocation, use, supply and maintenance of the earth, water and space;
2. Determine and regulate legal relations between people and the earth, water and space;
3. Determine and regulate legal relationships between people and legal actions concerning earth, water and space.<sup>[5]</sup>

However, land issues often raise issues, such as ensuring legal certainty over land rights, which is a critical land issue in Indonesia, particularly regarding the certainty of land boundaries. In essence, land boundaries are crucial for ensuring the limits of a subject's ownership of a plot of land. Therefore, to avoid further problems, the state is obliged to guarantee legal certainty regarding land ownership rights for the community through land registration. This is further regulated in Government Regulation of the Republic of Indonesia Number 24 of 1997 concerning Land Registration. This land registration will produce a certificate as proof of ownership.<sup>[6]</sup>

In 2017, through Presidential instruction, the government

launched a land registration acceleration program through the Complete Systematic Land Registration (PTSL). According to Article 1 number 1 of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration (PTSL), PTSL is a land registration activity for the first time carried out simultaneously for all land registration objects throughout the territory of the Republic of Indonesia in one village/sub-district or other name of the same level, which includes the collection of physical data and legal data regarding one or several Land Registration objects for registration purposes.<sup>[7]</sup>The PTSL program is a form of implementation of government obligations to achieve certainty and legal protection for the ownership of land rights holders<sup>[8]</sup>. In addition, to accelerate the registration of all land plots in Indonesia in a comprehensive, systematic, and integrated manner, so that complete, up-to-date, and accountable land data is created.

The implementation of PTSL faces various technical and legal obstacles. One of the main obstacles relates to determining land boundaries. Given the program's broad scope and limited resources in terms of time, personnel, and technology, the National Land Agency (BPN) in some cases uses the *general boundaries approach*, which involves determining land boundaries in general, clearly defined locations known to the public (such as natural boundaries, roads, waterways, fences, etc.).<sup>[9]</sup>This differs from land boundaries based on physical features in the field, clearly visible on maps, satellite images, or aerial photographs. *General Boundaries* only guarantee general location certainty, not precise positional certainty. Land Offices, including the East Lombok Regency Land Office, use this principle to improve efficiency and expedite land registration under the program.

The application of this principle is stated in the Regulation of the Minister of ATR/BPN RI Number 6 of 2018, opening up the opportunity to use this *General Boundaries principle* in the creation of cadastral maps, also explained in the technical instructions, namely by utilizing the availability of large-scale photo maps for the purposes of collecting physical data on land plots.<sup>[10]</sup>The use of this principle in determining boundaries should provide and guarantee legal certainty and protection for land title holders under the PTSL program. This principle should also be implemented transparently and accountably, involving active community participation, so that the issued certificates serve as strong evidence of rights and do not give rise to future disputes.

On the one hand, applying *the general boundaries principle* simplifies and expedites the mass land registration process. However, on the other hand, this approach has the potential to create legal issues later on, particularly when boundary

<sup>2</sup> Arba, *Indonesian Agrarian Law*, Jakarta, Sinar Grafika, 2015, pp. 15-16

<sup>3</sup> *Ibid.*

<sup>4</sup> Law Number 5 of 1965 concerning Basic Agrarian Regulations (UUPA), Article 1 paragraph (2)

<sup>5</sup> *Ibid.*, Article 2 paragraph (2)

<sup>6</sup> Urip Santoso, *Registration and Transfer of Land Rights*, Kencana, Jakarta, 2010, p. 280.

<sup>7</sup> Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, Article 1 Number 1

<sup>8</sup> Wiby Darmawan Elkas, *Complete Systematic Land Registration Program (PTSL) to Provide Legal Certainty to the Minangkabau Indigenous Community*, ACTA DIURNAL Journal of Notary Law Vol. 7, No. 1 (2023), p. 4

<sup>9</sup> Kusmiarto, *Restandardization of Cadastral Surveys*, Annual Scientific Forum of the Indonesian Surveyors Association, National Land College, Vol. 2, Ed. 1 (2015), p. 4

<sup>10</sup> Ferdy Nugraha in the Center for Research and Development, Ministry of Agrarian Affairs and Spatial Planning, National Land Agency, *Implementation of Plot Boundaries in Complete Systematic Land Registration*, Jakarta, 2019, p. 55

disputes arise between landowners, as the boundaries of land parcels listed on certificates do not always correspond to the physical conditions on the ground.<sup>[11]</sup> Furthermore, there is legal uncertainty regarding the evidentiary validity of certificates because land boundaries are not precisely defined. There is the potential for lawsuits against the state (National Land Agency) for issuing certificates deemed detrimental to other parties due to boundary errors (physical data). Furthermore,<sup>[12]</sup> *overlapping* ownership creates legal uncertainty for land rights holders and can lead to disputes between them.<sup>[13]</sup> This in the land registration acceleration program (PTSL efficiency) can actually reduce the certainty and accuracy of land data.

This situation raises fundamental questions about the extent to which the legal certainty promised by land title certificates can be guaranteed if land boundaries are determined based on the principle of *general boundaries*. If the boundaries are not determined based on precise measurements, there is a possibility that the issued certificates will have the potential to be the subject of future disputes. Certificates, which should serve as strong evidence of land ownership, can lose their evidentiary power if there is a discrepancy between the legal and physical data contained therein. This, in turn, creates the potential for land conflicts and a decline in public trust in the national land registration system.

Based on the background of the problem that has been described above, a problem formulation can be formulated including how to implement the *General Boundaries principle* for land title certificates in the Complete Systematic Land Registration (PTSL) program at the National Land Agency of East Lombok Regency, and how to ensure legal certainty for land title certificates that use *the General Boundaries principle* in the Complete Systematic Land Registration (PTSL) program at the National Land Agency of East Lombok Regency.

## 2. Research Method

The type of research used in this study is empirical legal research. Empirical legal research is legal research that aims to examine law in its concrete form and examine how it operates in society.<sup>[14]</sup> Empirical legal research examines law conceptualized as actual behavior, as an unwritten social phenomenon, which is experienced by everyone in social life.<sup>[15]</sup> Empirical legal research can also be applied using a sociological juridical research model, namely observing how reactions and interactions occur when a system of norms operates within society.<sup>[16]</sup> This research will produce a description of the dimensions of legal validity within society.<sup>[17]</sup>

## 3. Discussion

### 1. Implementation of *The General Boundaries Principle for Land Rights Certificates in the Complete Systematic Land Registration Program (PTSL) in East Lombok Regency*

Land registration is a series of activities carried out by the Government continuously, consistently and regularly, including the collection, processing, bookkeeping, presentation and maintenance of physical and legal data, in the form of maps and lists, regarding land plots and apartment units, including the provision of certificates of proof of rights for land plots for which rights already exist and ownership rights to apartment units and certain rights that encumber them.<sup>[18]</sup> Meanwhile, systematic land registration is the simultaneous, first-time land registration process that covers all unregistered land objects within a village or sub-district. The government has implemented an innovation by establishing the Complete Systematic Land Registration (PTSL) program to expedite land registration.<sup>[19]</sup>

The implementation of Complete Systematic Land Registration (PTSL) is carried out through a series of activities, from land mapping and identification, collecting land ownership data and documents, to issuing land certificates. This process involves the use of information and communication technologies, such as land management information systems, satellite mapping, and electronic registration.<sup>[20]</sup>

The land registration process through the Complete Systematic Land Registration (PTSL) program organized by the National Land Agency (BPN) of East Lombok Regency is carried out in accordance with Article 4 paragraph (4) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Systematic Land Registration, as follows:

1. **Planning:** The initial stage involves determining targets, area size, and budget allocation for the implementation of PTSL in the current year.<sup>[21]</sup> Location Determination. The official determination of villages or sub-districts that will be targeted for PTSL is made through a Decree of the Head of the Regency/City Land Office.<sup>[22]</sup>
2. **Preparation:** Preliminary activities on-site include a preliminary survey of PTSL facilities and infrastructure human resources, transportation requirements, base map preparation, and coordination with the local government.

<sup>11</sup> Neni Yunia, *Settlement of Land Ownership Boundary Disputes Through ADR at the National Land Agency*, Journal of Law and Notary Affairs, Vol.6, No.1, 2022, p. 654

<sup>12</sup> Dian Aries Mujiburohman, *Potential Problems with Complete Systematic Land Registration (PTSL)*, Bhumi, Vol.4, No.1, 2018, p.90

<sup>13</sup> Didik Supantri and Yulia Mirwati, *Complete Systematic Settlement of Overlapping Land Registration Disputes in South Solok Regency*, Andalas Notary Journal, Vol.1, No.1, 2024, p.179

<sup>14</sup> Muhaimin, *Legal Research Methods*, Mataram University Press, Mataram, 2020, p. 83.

<sup>15</sup> Wiwik Sri Widiarty, *Textbook of Legal Research Methods*, Publika Global Media, Yogyakarta, 2024, p. 37

<sup>16</sup> Mukti Fajar ND and Yulianto Achmad, *Dualism of Normative & Empirical Legal Research*, Pustaka Pelajar, Yogyakarta, 2010, p. 47

<sup>17</sup> Nurul Qamar and Farah Syah Reza, *Doctrinal and Non-Doctrinal Legal Research Methods*, CV. Social Politic Genius, Makassar, 2020, p. 50

<sup>18</sup> Government Regulation Number 24 of 1997 concerning Land Registration, Article 1 Number 1

<sup>19</sup> Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 6 of 2018 concerning Complete Systematic Land Registration, Article 1 Number 2

<sup>20</sup> Bambang Suharto and Supadno, *Obstacles in the Implementation of the Complete Systematic Land Registration Program (PTSL)*, The Indonesian Journal of Public Administration, Vol. 09, No. 01, 2023, pp. 31 – 32

<sup>21</sup> Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, Article 5

<sup>22</sup> *Ibid*, Article 6 - Article 7

[23]

3. **Formation and appointment of the PTSL adjudication committee and task force:** The Head of the Land Office forms and appoints the PTSL Adjudication Committee and task force, which is outlined in the form of a decision. This team consists of an Adjudication Committee consisting of a Chairperson, Deputy Chairperson, Secretary, the local Village/Sub-district Head or Village/Sub-district Official, Members and a Task Force (Satgas) divided into a Physical Task Force (measurement), a Legal Task Force, and an Administrative Task Force (collection and research of ownership data).<sup>[24]</sup>
4. **Counseling:** Conducted by providing an explanation of the benefits for the community, government, and the state from the results of the PTSL activity implementation. Stages and mechanisms of PTSL activities. Determination and installation of boundary markers for each plot of land. Legal documents that need to be prepared. Schedule for land measurement and collection of legal data by the Physical Task Force and the Legal Task Force. Final results of PTSL activities. Funding provided by the Government and/or other legitimate sources through PTSL activities. Legal consequences that occur if the obligations and responsibilities for Determination and installation of boundary markers for each plot of land and legal documents are not fulfilled. The right to file an objection to the adjudication results announced during the announcement period; and costs and/or taxes that will be borne by PTSL activity participants.<sup>[25]</sup>
5. **Collection of physical and legal data:** Physical data collection is carried out through land measurement and mapping activities, while legal data collection includes gathering evidence regarding land ownership or control, including written evidence, witness statements, and/or statements from the person concerned.<sup>[26]</sup>  
**Legal data research to prove rights:** The Adjudication Committee examines and verifies the completeness and validity of documents collected by the Legal Task Force to determine land rights, including the validity of the basis of the rights (sale, gift, inheritance, etc.), checking for potential disputes, clarifying with adjacent landowners (boundary witnesses), and verifying the compatibility of physical and legal data.<sup>[27]</sup>
6. **Announcement of physical data and legal data and their validation:** The recapitulation of legal data that has been included in the Legal Data Research Minute regarding land plots that have been mapped in the land plot map, is included in the List of Legal Data and Physical Data of Land Plots. To fulfill the principle of publicity in proving land ownership, legal data and physical data of land plots and land plot maps are announced using the Announcement of Physical Data

and Legal Data form for 14 (fourteen) calendar days at the PTSL Adjudication Committee Office and the Village/Sub-district Head Office and providing the public with the opportunity to raise objections or rebuttals. After the announcement period, the data is validated.<sup>[28]</sup>

7. Affirmation of conversion, recognition of rights and granting of rights, namely:<sup>[29]</sup>
  - Confirming the conversion into Ownership Rights in the name of the last rights holder, for land plots for which written evidence is complete and for which written evidence is incomplete but there is witness testimony or a statement from the person concerned.
  - Establishing recognition/affirmation as Ownership Rights, for land plots for which there is no evidence of ownership but which has been proven by the fact of physical control for 20 (twenty) years continuously, including by predecessors.
  - Proposing a decision to grant rights for land plots that are State land by proposing collectively to the Head of the Land Office using the List of Proposals for Granting Ownership/Building Use/Use Rights (Systematic) and accompanied by a Legal Data Research Report.
8. **Land title registration:** The registration of established rights, whether ownership rights, building rights, use rights, and/or waqf, in the relevant land register, is the authentic basis for the existence of rights.<sup>[30]</sup>
9. **Issuance of a land title certificate:** The process of printing and signing a certificate as proof of legal ownership, based on recorded data and fulfilling the requirements for proof of title, a land title certificate is issued.<sup>[31]</sup>
10. **Documentation and submission of activity results:** The PTSL Adjudication Committee collects, groups, processes, and stores PTSL data, which includes legal and physical data. The Chair of the PTSL Adjudication Committee submits the results of the PTSL activity implementation to the Head of the Land Office at the end of the PTSL activity and is accompanied by the PTSL data, where the results of the PTSL activity are stored, documented, and archived by the Head of the Land Office.<sup>[32]</sup>
11. **Reporting:** Reporting on the implementation of PTSL activities is carried out when problems occur during the implementation of PTSL activities and when PTSL is completed.<sup>[33]</sup>

The implementation of PTSL in various regions, including East Lombok Regency, is a crucial step in restructuring the national land system, which has faced various problems, such as overlapping rights, boundary disputes, and weak

<sup>23</sup> *Ibid*, Article 9 - Article 10

<sup>24</sup> *Ibid*, Article 11- Article 13

<sup>25</sup> *Ibid*, Article 16

<sup>26</sup> *Ibid*, Article 19-Article 20

<sup>27</sup> *Ibid*, Article 22

<sup>28</sup> *Ibid*, Article 24

<sup>29</sup> *Ibid*, Article 26

<sup>30</sup> *Ibid*, Article 28

<sup>31</sup> *Ibid*, Article 31

<sup>32</sup> *Ibid*, Article 36-Article 38

<sup>33</sup> *Ibid*, Article 39

ownership legality. In its implementation, the Land Office acts as the technical implementer in the field, collaborating with village officials and the community in collecting physical and legal data.

As explained above, the physical data collection process involves measuring and mapping land plots. This includes determining the location, boundaries, and area of the land plots and registered apartment units, as well as information regarding any buildings or parts of buildings on them that will be registered.<sup>[34]</sup> Physical data collection and processing activities include creating registration base maps, determining land boundaries, measuring and mapping, including registration base maps, land registers, and measurement certificates. Of the series of land registration processes, the measurement stage is the most crucial.<sup>[35]</sup>

This means that each plot of land to be registered must first have its location and boundaries determined, and measurements must be taken with boundary markers placed at each corner of the plot. These boundary markers are determined based on an agreement between the interested parties to ensure legal certainty and prevent disputes. The placement and maintenance of boundary markers are the responsibility of the land rights holder, while the shape, size, and placement technique of boundary markers are determined by the Minister to ensure uniformity and certainty in the land registration process.

Regarding the method for determining land boundaries, this is further regulated in Article 19 paragraph (3) of the Regulation of the Minister of ATR/BPN Number 6 of 2018 concerning Complete Systematic Land Registration (PTSL), which states that:<sup>[36]</sup>

*"The measurement and mapping of land areas as referred to in paragraph (1) is carried out using survey and mapping technology consisting of terrestrial methods, photogrammetric methods, satellite methods, or a combination of the three methods referred to."*

Head of the Measurement and Mapping Section of the East Lombok National Land Agency, Mohamad Tanzil, explained the application of *the general boundaries principle*, that *general boundaries* are a method of determining boundaries that is not carried out by measuring directly with precision, usually using an aerial photography approach, satellite imagery by looking at the appearance of existing boundaries.

In East Lombok, the application of *the general boundaries principle* is still used, even in the technical guidelines, the use of *general boundaries is indeed*, because its implementation in the technical guidelines states that the use of aerial photography as a medium for determining boundaries, however, in East Lombok it is not fully implemented because of several things that are taken into consideration, namely through aerial photography, unclear land boundaries are not determined using these *general boundaries*, which ultimately uses a combined method. In the application of the<sup>[37]</sup> *general boundaries principle*, it is possible that it can cause legal problems in the future, because the determination of land boundaries using this principle is not precise. The main legal problem arises from shifts in measurement standards which will give rise to ownership disputes, boundary disputes due to boundary errors, and even overlapping *ownership*.

Photogrammetric measurement is a method of using aerial photography. Land identification using photogrammetric mapping results is the measurement of land using photogrammetry for land registration.<sup>[38]</sup>

Measurement and mapping are carried out using photogrammetric methods on land parcels with visible or identifiable boundaries on photo maps and supplementary measurements for boundaries not visible on photo maps. This applies to all land parcels without exception, both those that are not yet registered and those that have been registered according to the targets set at the work location.<sup>[39]</sup> This photogrammetric data is often obtained from aerial photography, including with *drones*.

In 2023, *the general boundaries principle* was implemented in the complete systematic land registration program (PTSL). One of them is East Lombok Regency, one of the regions in West Nusa Tenggara Province that actively implemented the Complete Systematic Land Registration Program (PTSL) and used this *general boundary principle* to accelerate PTSL because it was considered faster (time efficient), low cost, and simple. The application of this *general boundary's principle* is not explicitly regulated in national land regulations, however, in Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Regulation of the Minister of Agrarian Affairs ATR/BPN Number 6 of 2018 concerning Complete Systematic Land Registration, and technical instructions regarding PTSL explain the criteria for applying this *general boundary principle*.

<sup>34</sup> Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, Article 1 number 5

<sup>35</sup> Prihatin Effendi et al., *Urgency of Determining Land Boundary Markers*, Jurnal Abdi Multidisiplin, Vol.2, No.1, 2023, p. 58

<sup>36</sup> Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, Article 19 paragraph (3)

<sup>37</sup> Results of an interview with Mr. Mohamad Tanzil, Head of the Survey and Mapping Section, conducted at Selong, East Lombok Regency Land Office, on December 5, 2025, at 10:10 WITA.

<sup>38</sup> Muhammad Choirul Anam et al., *Legal Protection for Parties Against Differences in Land Measurement Results Using the Photogrammetric Method and Traditional Measurements on Certificates*, YURIJYA Scientific Journal of Law, Vol.5, No.2, 2023, p. 11

<sup>39</sup> Technical Instructions Number 1/Juknis.300-UK.01.03.XII/2023 concerning Integrated PTSL Physical Data Collection 2024, p. 2

The technical procedures for measuring land areas using *general boundaries* are:<sup>[40]</sup>

1. Carrying out the installation of boundary markers through "GEMAPATAS", namely a community movement for the installation of boundary markers by the community.
2. In this case, the officers are BPN officers or third parties who have the ability to carry out aerial photography activities, where the results of the aerial photography will be processed so that they meet the standard criteria for accuracy in the aerial photography.
3. Once the aerial photo is available, the process of determining boundaries using *general boundaries* is carried out on the aerial photo by delineating the boundaries on the aerial photo map.
4. Then, it was approved by the boundary markers on the aerial photo map.

In the application of *general boundaries*, as long as the land area can be seen on the aerial photograph, attended by the landowner, and the landowner or owner who is not present can be represented by the physical data collection community (MASDASIK) who knows the boundaries of the land area. At that time, the boundary determination on the aerial photograph can be carried out. The determination of the boundary on the aerial photograph is what is determined as the Clarification Land Area Map (PBT) which is then announced. This announcement for 7 (seven) days will open up room for corrections from both the landowner and the owner to mutually agree on the boundaries of the land area that has been determined through the *general boundaries*.<sup>[41]</sup> *the general boundaries* principle certainly has advantages and disadvantages. The advantage of using *general boundaries* lies in the less stringent standards in surveying, where land registration ignores minor changes/shifts in boundary positions, while guaranteeing rights. Delineating *general boundaries* with established land boundaries, such as embankments or walls, can certainly reduce the potential for conflict because the bordering parties have indirectly agreed to the permanent boundary in the form of a wall/fence (in this

way the principle of *contradictoire demilitatie* is fulfilled)<sup>[42]</sup> In addition to its advantages, *general boundaries* also have disadvantages, namely that not all types of boundaries are identified in the survey media used (aerial photo maps, CSRT, and large-scale typographic maps), so additional/supplemental measurements are needed to determine the location of unidentified land plots.<sup>[43]</sup> As explained in Government Regulation Number 24 of 1997 concerning Land Registration in conjunction with Regulation of the Minister of Agrarian Affairs ATR/BPN Number 6 of 2018 concerning Complete Systematic Land Registration, and technical instructions regarding PTSL.

Measuring the effectiveness of the Complete Systematic Land Registration (PTSL) program is crucial for evaluating the success of the implemented policy. The PTSL program itself is a national strategic initiative to register all land plots completely and accurately, especially those without legal ownership evidence.<sup>[44]</sup> The effectiveness of the PTSL program is largely determined by the quality of its implementation process, which includes the workflow and stages carried out.<sup>[45]</sup> Moreover, at the physical data collection stage, in measuring land plot boundaries using the principle of *general boundaries*, whether the application of these *general boundaries* in the field is in accordance with applicable norms or regulations, as Hans Kelsen stated that the validity of a norm is something that is included in *das sollen* (what should be), while the effectiveness of a norm is *das sein* (something in reality).<sup>[46]</sup>

Regarding the effectiveness of the law means discussing the power of the law in regulating and/or forcing society to obey the law. The law can be effective if the factors that influence the law can function optimally. A law or regulation will be effective if citizens behave according to what is expected or desired by the regulation and achieve the desired goals, then the effectiveness of the law or regulation has been achieved. The measure of the effectiveness or ineffectiveness of a regulation in force can be seen from behavior.<sup>[47]</sup>

Regarding the effectiveness of the law, this can also be seen in the achievement of the annual PTSL targets. Data regarding PTSL in East Lombok Regency are as follows:<sup>[48]</sup>

<sup>40</sup> Results of an interview with Mr. Mohamad Tanzil ST, Head of the Survey and Mapping Section, conducted at Selong, East Lombok Regency Land Office, on December 5, 2025, at 10:30 WITA

<sup>41</sup> Results of an interview with Mr. Mohamad Tanzil ST, Head of the Survey and Mapping Section, conducted at Selong, East Lombok Regency Land Office, on December 5, 2025, at 10:35 WITA

<sup>42</sup> Ferdy Nugraha in the Center for Research and Development, Ministry of Agrarian Affairs and Spatial Planning, National Land Agency, *Implementation of Plot Boundaries in Complete Systematic Land Registration*, Jakarta, p. 58

<sup>43</sup> *Ibid.*

<sup>44</sup> Nafa Anggreany Lette *et al.*, *Effectiveness of the Implementation of the Complete Systematic Land Registration Program (PTSL) in the Context of Providing Free Certificates (Study in Manulai II Village)*, Journal of Government Science and Public Administration, Vol.3, No.1, 2025, p.336

<sup>45</sup> *Ibid.*, p. 338

<sup>46</sup> Munir Fuady, *Op.cit.*, p. 116

<sup>47</sup> Ahmad Ramdani Chairi, *Land Rights Registration in the Complete Systematic Land Registration Program (PTSL)*, Kertha Semaya Journal, Vol.10, No.8, 2022, pp.1748-1749

<sup>48</sup> Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN) of East Lombok Regency, Complete Systematic Land Registration Program (PTSL) Data for 2023-2025.

**Table 1:** Complete Systematic Land Registration Data (PTSL) for 2023

No.	Subdistrict	Village/Sub-district	Certificate
1.	Wanasaba	Bandok	1,250
2.	West Sakra	Boye More	695
3.	West Sakra	Bungtiang	1,500
4.	Crackers	Dane Rase	650
5.	Terra	Jeggik	1,502
6.	Selong	North Kelayu	1,460
7.	Crackers	Jeraeng Neighbors	937
8.	Labuhan Haji	Korleko	73
9.	Terra	Leming	1,500
10.	Lenek	Lenek Ramban Biak	929
11.	East Sakra	Resilient	1,316
12.	Masbagik	North Masbagik	290
13.	Crackers	Mendana Raya	300
14.	Crackers	Montong Belae	524
15.	Sakra	Moyot	686
16.	Crackers	North Pijot	385
17.	Pringgasela	Rempung	1,700
18.	West Sakra	Rensing	1,540
19.	Sakra	Songak	991
20.	Terra	Sukadana	1,642
21.	Pringgasela	Noah's Bucket	430
Total			20,300

**Table 2:** Complete Systematic Land Registration Data (PTSL) for 2024

No.	Subdistrict	Village/Sub-district	Certificate
1.	Suralaga	Anjani	1,408
2.	West Sakra	Boye More	47
3.	Crackers	Dane Rase	29
4.	Terra	Kandong Reservoir	595
5.	West Sakra	Mountain Basin	670
6.	Terra	Kalianyar	420
7.	Selong	North Kelayu	180
8.	West Sakra	Kembang Are Sampi	300
9.	Pringgabaya	Crinkles	1,002
10.	Sikur	Kotaraja	1,302
11.	Pringgabaya	Labuhan Lombok	1,268
12.	Terra	Lando	901
13.	Terra	Leming	100
14.	Crackers	Mendana Raya	57
15.	Terra	Pandanus Duri	278
16.	West Sakra	Sculptor	500
17.	Pringgasela	Ambush	1,505
18.	Crackers	North Pijot	130
19.	Terra	South Rarang	545
20.	Terra	Middle Rarang	1,050
21.	Terra	Rarang	1,033
22.	West Sakra	Rensing	44
23.	Terra	Santong	1,085
24.	Terra	Selagik	450
25.	Crackers	Neighborhood Sheath	599
26.	Crackers	Senyuir	600
27.	Crackers	Tongs	678
28.	Crackers	Setungkep Lingsar	500
29.	Sikur	Sikur	585
30.	Terra	Sukadana	50
31.	Sukamulia	East Sukamulia	1,500
32.	Sukamulia	Sukamulia	970
33.	Terra	Suradadi	960
34.	Terra	Terra	500
35.	Pringgasela	Noah's Bucket	146
Total			21,987

**Table 3:** Complete Systematic Land Registration Data (PTSL) for 2025

No.	Subdistrict	Village/Sub-district	Certificate
1.	Wanasaba	Mamben Side Dishes	495
2.	Wanasaba	Wanasaba Side Dishes	712
3.	Terra	Borderline	367
4.	Suralaga	Dasan Borok	300
5.	Suela	Sapit	733
6.	Sikur	Aunt Stone	707
7.	Selong	Record	706
8.	Sambelia	Labuhan Pandan	469
9.	Sambelia	Obel-Obel	489
10.	Sambelia	Sambelia	465
11.	Sambelia	Padak Guar	440
12.	Sambelia	Sugian	674
13.	East Sakra	Gereneng	477
14.	West Sakra	Networking	406
15.	Pringgasela	West Barrier	900
16.	Montong Gading	Refinery	840
17.	Lenek	Lenek Side Dish	426
18.	Crackers	Putik Stone	690
Total			10,296

Based on the data, the Agrarian and Spatial Planning Office/National Land Agency (ATR/BPN) of East Lombok Regency (Lotim) recorded progressive achievements in the implementation of the national strategic program in the land sector from 2023 to 2025. In early 2026, ATR/BPN Lotim reported that the target of Complete Systematic Land Registration (PTSL) of 10,296 plots had been 100% completed administratively. Although all target plots have been completed, the process of handing over certificates to the community is still being accelerated and is targeted for completion in January 2026. This was conveyed by the Head of the Rights Determination and Registration Section of ATR/BPN East Lombok.<sup>[49]</sup> Of course, the application of *the general boundaries principle* contributes to the achievement of the Complete Systematic Land Registration (PTSL) target. The factors mentioned above are interrelated and serve as a benchmark for the effectiveness of the law itself. Therefore, based on the theory of legal effectiveness, the application of *the general boundary's principle* in PTSL is considered effective because it is supported by valid legal substance, professional law enforcement performance, the availability of technology-based facilities and infrastructure, active community participation, and conformity with local legal culture. Based on the above data, this principle allows for accelerated land registration through boundary agreements based on physical conditions in the field, although technical accuracy is relative. With community involvement and the support of competent officials, the application of *general boundaries* does not conflict with positive law and is conditionally able to increase the effectiveness of the law in the implementation of PTSL.

## 2. Legal Certainty Regarding Land Rights Certificates Using the *General Boundaries Principle* in the Complete Systematic Land Registration Program (PTSL) in East Lombok Regency

*general boundaries* principle is commonly used in mass and systematic land registration systems, including PTSL. In the context of legal certainty, as previously explained, determining legal certainty in the land context encompasses three main aspects, one of which is the legal certainty of the object.<sup>[50]</sup>

The legal certainty of an object is directly related to the physical data of the land, namely clarity regarding the location, boundaries, and area of the land plot. In the context of land registration, this aspect is realized through the activities of measuring, mapping, determining boundaries, and making measurement letters, as stated in Article 19 paragraph (2) letter a of the Republic of Indonesia Law Number 5 of 1960 concerning Basic Agrarian Principles, which states that land registration includes:<sup>[51]</sup>

1. Land measurement, mapping and bookkeeping;
2. Registration of land rights and transfer of these rights;
3. Providing valid proof of rights as a strong means of proof.

From the analysis and interviews conducted, it can be stated that land title certificates that use the *general boundaries principle* in PTSL still fulfill legal certainty, because the law is not only written, but can also be implemented and provides real protection for rights holders. Legal protection is closely related to the existence of legal certainty. Therefore, the existence of legal protection is a variety of legal efforts in

<sup>49</sup> Hul Husein, *ATR/BPN Office of East Lombok Regency Completes PTSL Target for 2025*, accessed via <https://massmedia.id/kantor-atr-bpn-kabupaten-lombok-timur-rampungkan-target-ptsl-tahun-2025/>, on January 27, 2026, at 20.25 WIB.

<sup>50</sup>Arba, *Loc.cit.*, p. 254

<sup>51</sup> Republic of Indonesia Law Number 5 of 1960 concerning Basic Agrarian Regulations, Article 19 paragraph (2)

protecting human rights as well as the rights and obligations that arise from legal relationships between fellow humans as legal subjects.<sup>[52]</sup> This is in line with the opinion expressed by Satjipto Rahardjo, legal protection is providing protection for human rights (HAM) that are harmed by others and that protection is given to the community so that they can enjoy all the rights granted by law.<sup>[53]</sup>

The legal certainty of land title certificates that use the principle of *general boundaries* in the Complete Systematic Land Registration Program (PTSL) in East Lombok Regency can certainly provide legal protection for the owners as explained by Philipus M. Hadjon who is of the opinion that to provide legal protection, the following means must be used:<sup>[54]</sup>

1. **Preventive Legal Protection:** Preventive legal protection aims to prevent disputes or rights violations by providing clear regulations.<sup>[55]</sup> Preventive legal protection in PTSL is reflected through clear legal regulations, standardized registration procedures, and the application of the principle of *contradictoire delimitatie* in determining land boundaries. The involvement of landowners and bordering parties in boundary determination. This public participation is in line with Philipus M. Hadjon's view that preventive legal protection must provide space for citizens to play a role in the administrative decision-making process concerning their rights. Although using the principle of *general boundaries*, public participation serves to prevent disputes from arising from the start and ensures that government administrative actions are carried out transparently and accountably.
2. **Repressive Legal Protection:** Repressive legal protection is provided after a violation of rights or a dispute occurs to resolve the dispute and restore the violated rights.<sup>[56]</sup> In the context of land, repressive legal protection is realized through the position of land title certificates as strong evidence as regulated in Article 32 paragraph (1) of Government Regulation Number 24 of 1997, as well as the availability of dispute resolution mechanisms through legal channels if a land title conflict occurs in the future. Land title certificates that use the principle of *general boundaries* still receive repressive legal protection, because the state provides a means of dispute resolution if a rights conflict occurs in the future.

Thus, land title certificates that utilize *the general boundaries principle* in PTSL still provide both preventative and repressive legal protection, thereby ensuring legal certainty for land title holders. This is because the use of *the general boundary's principle* does not diminish the validity or legal force of the land title certificate. As explained by Mr. I Putu Mahendra Pratama, Coordinator of Measurement and Mapping Substance, that: "Certificates that use the principle of general boundaries remain valid and have strong

evidentiary power as regulated in Law Number 5 of 1960 concerning Basic Agrarian Principles, Government Regulation Number 24 of 1997 concerning Land Registration, Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration and Technical Instructions governing PTSL. *General boundaries* only affect the level of geometric accuracy, not the legal status of land rights. The use of *general boundaries* does not reduce the validity and legal certainty of land rights, as long as the boundary determination process is not carried out contradictorily, there are no boundary disputes during the measurement, all parties sign the minutes and the measurement is carried out according to PTSL standards. In fact, these *general boundaries* can accelerate asset legalization while still fulfilling the elements of adequate legal certainty."<sup>[57]</sup>

Registering a piece of land not only guarantees security of ownership, but also ensures legal certainty. The owner will also obtain the full extent of their rights due to the following reasons:<sup>[58]</sup>

1. There is a sense of security in having land rights (*security*).
2. Understand well what and how is expected from the registration (*simplicity*).
3. There is a guarantee of accuracy in the system being implemented (*accuracy*).
4. Easy to carry out (*expedition*).
5. With costs that can be afforded by all those who want to register land (*cheapness*), and future reach can be realized, especially regarding the price of the land in the future (*suitbale*).

However, it's important to note that Indonesia's land registration system adopts a negative publication system that contains positive elements (a negative system with a positive tendency). This is also directly related to the legal certainty of land title certificates in the PTSL (Complete Land Registration System), which uses the principle of *general boundaries*. Under the negative publication system, the state does not fully guarantee that the name listed in the land office register holds the inviolable right to own the land. It only confirms that the person whose name is registered holds a strong right.<sup>[59]</sup> The negative publication system adheres to the legal principle of *nemo plus juris*, where a person cannot take legal action that exceeds his rights, and the consequences of such violations are null and void (*rechtswegenietig*). Therefore, even though there has been registration, there is always the possibility of a lawsuit against the owner whose name is listed on the certificate from someone who can prove that he is the actual holder of the land rights.<sup>[60]</sup> In other words, the other party can still sue and prove that he is the true owner through a court decision that has permanent legal

<sup>52</sup> Ahmad Ramdani Chairi, *Loc.cit.*, p. 32

<sup>53</sup> Satjipto Rahardjo, *Loc.cit.*, p. 53

<sup>54</sup> Philipus M. Hadjon in Romli, *Loc.cit.*, p. 32

<sup>55</sup> Gabriel Nugeraha Silalahi and Gunawan Djajaputra, *Analysis of Legal Protection for Parties with Land Rights*, Unes Law Review, Vol. 6, No. 4, 2024, p. 10586

<sup>56</sup> *Ibid.*

<sup>57</sup> Results of an interview with Mr. I Putu Mahendra Pratama, Coordinator of Measurement and Mapping Substance, conducted at Selong, East Lombok Regency Land Office, on December 5, 2025, at 16.20 WITA

<sup>58</sup> Adrian Sutedi, 2014, *Land Rights Certificate*, Sinar Grafika, Jakarta, pp. 205-206

<sup>59</sup> M. Yazid Fathoni, *Introduction to Agrarian Law*, Sanabil, Mataram, 2020, p. 135

<sup>60</sup> Arif Yumardi *et al.*, *Public Information Disclosure in the Perspective of Land Law in Indonesia*, Ekasakti Legal Science Journal, Vol.1, No.1, 2024, p. 71

force.

The Indonesian land registration system has a positive tendency to provide strong evidentiary power (*niet een sterk bewijs*) for certificates as proof of rights, a presumption of truth regarding the physical and legal data listed in the certificate, and legal protection for certificate holders who act in good faith.<sup>61</sup> As reflected in Article 32 paragraph (2) of PP Number 24 of 1997, it states that:

" In the event that a certificate has been legally issued for a plot of land in the name of a person or legal entity who acquired the land in good faith and actually controls it, then other parties who feel they have rights to the land can no longer demand the implementation of those rights if within 5 (five) years from the issuance of the certificate they do not submit a written objection to the certificate holder and the Head of the relevant Land Office or do not file a lawsuit with the Court regarding control of the land or the issuance of the certificate."<sup>62</sup>

This means that the State does not guarantee the absolute accuracy of the data contained in the certificate. However, certificate holders who acquire land in good faith and actually control the land will receive strong legal protection after a certain period of time. In the positive publication system, the principle of good faith applies, which protects parties who in good faith and with payment acquire rights from those whose names are registered as legitimate rights holders in the Register. A party acting in good faith obtains an *indefeasible title* (a right that cannot be contested) by having their name registered as rights holders in the register. This party acting in good faith is protected and their rights to the land are guaranteed, even if the person who transferred it turns out not to be the actual rights holder.<sup>63</sup>

Thus, land title certificates issued through the PTSL Program using the *general boundaries principle* in East Lombok Regency still provide legal certainty. Although land boundaries are not determined with geometric precision, because the determination of land boundaries in general, their location is clearly known to the general public such as natural boundaries, roads, waterways, fences, and others, the legal certainty of the right object is still fulfilled because the determination of boundaries is carried out in accordance with legal provisions through photogrammetric methods, supplementary measurements when necessary, and the application of the principle of contradictory delimitation involving agreements between bordering parties. In the Indonesian land registration system that adheres to a negative system with a positive tendency, PTSL certificates have strong evidentiary power and obtain legal protection, especially for rights holders who act in good faith. Therefore, the use of *the general boundaries principle* does not reduce the validity or legal certainty of land title certificates.

#### 4. Conclusion

Based on the results of the analysis of the discussion of the problems studied, the following conclusions can be drawn:

1. *the general boundaries principle* for land title certificates in the Complete Systematic Land

Registration Program (PTSL) in East Lombok Regency is carried out in accordance with Law Number 5 of 1960 concerning Basic Agrarian Principles, Government Regulation Number 24 of 1997 concerning Land Registration, Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration, Technical Instructions Number 3/Juknis-HK.02/III/2023 concerning Complete Systematic Land Registration, and Technical Instructions Number 1/Juknis.300-UK.01.03.XII/2023 concerning Integrated PTSL Physical Data Collection 2024. The determination of land boundaries uses a photogrammetric method utilizing satellite imagery or aerial photography, and is supported by supplementary measurements if the boundaries cannot be clearly identified in the field. This process is carried out by applying the principle of *contradictoire delimitatie*, namely based on an agreement between the landowner and the bordering parties, so that the boundaries of the land parcel have legal and social legitimacy. In theory of legal effectiveness, the application of the principle of *general boundaries* can be considered effective, because it is supported by legal substance, law enforcement, facilities and infrastructure. active community and cultural participation. Therefore, the application of this principle effectively accelerates land registration and conditionally increases the legal effectiveness of PTSL implementation.

2. Legal certainty regarding land title certificates that use the *general boundaries principle* in the Complete Systematic Land Registration Program (PTSL) in East Lombok Regency continues to provide legal certainty for rights holders. This legal certainty is fulfilled because the land registration process is carried out in accordance with technical procedures, through the collection of standardized physical and legal data, the use of photogrammetric methods supported by supplementary measurements when necessary, and the application of *the contradictoire delimitatie principle* that involves the agreement of the bordering parties. Although the *general boundaries principle* does not determine land boundaries precisely, land boundaries still have legal and social legitimacy because they can be identified clearly, outlined in official maps and measurement letters, and recorded in land books. In the Indonesian land registration system that adheres to a negative publication system with a positive tendency, PTSL certificates serve as strong evidence and provide effective legal protection for rights holders, both preventively and repressively, especially for rights holders who act in good faith. Thus, the use of *the general boundary's principle* does not reduce the validity, evidentiary power, or legal certainty of land title certificates issued through PTSL.

<sup>61</sup> Dinda Putri, *Implementation of a Negative Publication System with a Positive Tendency in Land Registration in Indonesia*, Journal of Law and Notary Studies, Vol.8, No.2, 2020, p. 112

<sup>62</sup> Government Regulation Number 24 of 1997 concerning Land Registration, Article 32 paragraph (2)

<sup>63</sup> Arif Yumardi, *Op.cit.*, p. 70

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