

DEEP SIGNATURE FORGERY ANALYSIS MAKING OF LAND SALE DEED

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Abstract

This study aims to analyze what is the cause of forgery of signatures carried out by the client in the sale and purchase deed made by the Land Deed Making Officer. The research method used in this study is normative research using a statutory approach and a conceptual approach. This study uses primary legal materials, secondary legal materials, and non-legal materials. The collection of legal materials was carried out through library research and interviews and then analyzed prescriptively. The results of the study show that the cause of signature forgery in the sale and purchase deed made by the Land Deed Official is sourced from factors originating from the parties, factors originating from PPAT employees, and factors originating from the PPAT itself.

Keywords: forgery, signature, deed of sale and purchase, land

INTRODUCTION

The law is a guideline for all aspects of life in a society, and must be obeyed by the community concerned, because violations of these guidelines can lead to action by the government or the rulers of that society. It is there that what becomes a legal sign, namely an order or a coercive nature, is therefore known as a regulation which generally has sanctions (legal consequences) in law or is referred to as the term *lex perfecta* and regulations which are not followed by sanctions or are called norms carried out by bodies those in authority in society, in customary law communities (traditional heads) and in modern society are general officials who are obtained directly from the state. Public officials who provide services to the public in the field of civil law are notaries or land deed making officers. Notaries and/or PPATs are referred to as public officials because notaries carry out state duties by making authentic deeds, and moreover, notaries and/or PPATs are appointed notary deed and/or PPAT is the most perfect evidence in civil and criminal procedural law. Civil Law Law or *burgerlijk wetboek* (hereinafter abbreviated as the Civil Code), that "An authentic deed, is a deed that is in the hands of the authorized public official in the place where the deed was made".

The law against officials who are negligent or deliberately make a deed is determined in Article 52 of the Criminal Code or 4 Sjaifulrachman and Habib Adjie, Notary Accountability Aspects in When an official, because committing a criminal act violates a special obligation from his position, or when the Deed is a letter as evidence that is signed, the signing of the PPAT deed is not only limited to the issue that it must also be signed by the appearer before the PPAT as contained in the attachment Ministerial Regulation Number 3 of 1997 Concerning Provisions for Implementation of Regulations (hereinafter referred to as Permen No. 3/1997), namely for the Sale and Purchase Deed (AJB), at the cover of the deed it is emphasized that the deed is signed or affixed with thumbprints by the appearers, witnesses and also PPAT.

As is the case if you look at the head of the deed and also the closing of the deed that the Notary states that the parties have come before him, likewise at the end of the written deed that the Notary and/or PPAT stated that after he read the deed in front of the parties and witnesses, the deed was immediately signed by the parties, stating that he had never signed a deed and carried out certain legal actions in the deed. In the presence of forgery by the PPAT can be carried out on various types of deeds, one of the AJB is a deed or written evidence containing clauses relating to buying and selling. The PPAT in carrying out its position is based on the provisions of Article 1 point 1 of Government Regulation Number 24 of 2016 (hereinafter Government Number 37 of 1998 (hereinafter abbreviated as PP No. 37/1998) Concerning Regulations for the Position of Officials Making Land Deeds which the regulation describes that a deed made by a PPAT is an authentic deed, therefore the process of making the deed must be in accordance with the provisions of the applicable laws and regulations. Not only that, in carrying out his position the PPAT rarely commits a Notary and/or PPAT violation of the applicable laws and regulations.

On AJB certified land due to irregularities or errors in the making of AJB or because it is a must that the signature included is the signature that comes from the person concerned, not from the PPAT in carrying out his position potentially the PPAT who is reported to the police by the appearer or other parties other party, One of the criminal acts contained in authentic deed is signature forgery, as stipulated in Article 263 of the Criminal Code and confirmed in Article 264 of the Criminal Code against authentic deed, then the party to AJB PPAT named Sugiharto with the working area of the City As explained in the District Court Decision Number: 898 K/Pid/2018 (hereinafter referred to as the first decision) which is valid and convincingly guilty of committing the crime of "using a deed which causes harm to one of the parties in deed. the buyer in the deed) falsifies Tumiyem's signature (as the seller in the deed). Forgery of signatures was strengthened by the results in essence concluding that Tumiyem's signature as the first party in the Deed of Sale and Purchase Number: 268/2008 was non-identical or a signature that was different from signatures.

RESEARCH METHOD

This study uses normative legal research. Normative legal research is legal research conducted by researchers to examine a norm, such as in the fields of justice, legal certainty, order, benefit, legal efficiency, legal authority, as well as legal norms and doctrines, which underlie the application of these elements into the field of procedural law and substantive. Using a statute approach and a conceptual approach. By using the conceptual method, researchers will find ideas that give rise to legal conceptions, legal concepts, and legal principles related to the problems at hand; These views and doctrines form the basis for researchers to construct a legal case. In solving the problems encountered. The types and sources of legal materials in this study are primary legal materials, namely all legal material that has a legally binding content consisting of statutory regulations. In addition, there is secondary material, namely all continuous material coverage and explaining issues from primary legal

materials which include journals, books, theses, dissertations, papers, magazines, websites and literature related to this research.

Besides that, there are also non-legal materials to provide direction and explanation in the form of interviews related to this research topic. In addition, there is secondary material, namely all continuous material coverage and explaining issues from primary legal materials which include journals, books, theses, dissertations, papers, magazines, websites and literature related to this research. Besides that, there are also non-legal materials to provide direction and explanation in the form of interviews related to this research topic. In addition, there is secondary material, namely all continuous material coverage and explaining issues from primary legal materials which include journals, books, theses, dissertations, papers, magazines, websites and literature related to this research. Besides that, there are also non-legal materials to provide direction and explanation in the form of interviews related to this research topic.

The collection and management of legal material in this study includes statutory regulations and the grouping of legal materials that are related to the problems in this study, therefore the researcher uses library research as a data collection technique and interviews are conducted with the respondents after which comments/interpretations are made. library materials related to this research. All material obtained in this study, analyzed prescriptively in order to produce logical, critical, complete legal arguments with reference to several related matters, namely analysis and arguments describing the right solution to the research problem and problem formulation, suitability of the analysis with the research objectives.

RESULTS AND DISCUSSION

Causes of Signature Falsification in Sales and Purchase Deeds Made by Land Deed Officials

Based on the study and analysis of the three decisions mentioned above, the authors can draw several causes for the occurrence of signature falsification in the sale and purchase deed made by the PPAT. Then the author describes as follows:

1. External Causes

a. Factors originating from the parties

1) Trust between the parties

Trust is literally interpreted as a hope and belief (about goodness, honesty, and others). The author's trust is one of the causes of signature falsification in authentic deeds, because based on the analysis of decisions 1, 2, and 3, it is proven that the guarantor was not involved in the actions of his employees. Related to the author's research on forgery of signatures in authentic deeds made by PPAT, linked to the Decision of the Tangerang District Court Number: 2379/Pid.B/2018/PN.Tng explained that there was a PPAT employee who committed the crime of forging his own PPAT signature in deed of sale & purchase. The actions of the defendant in the decision were not exactly known by the PPAT regarding how the defendant forged the signature in the deed. PPAT also admitted that he did not know when and where the Deed of Sale and Purchase Number: 18/2015 dated 30-09-2015 was drawn up by the defendant, including the intent and purpose of the defendant forging his signature. which stipulates that:

"Anyone who makes a fake letter or falsifies a letter that can give rise to a right, an agreement or release of money which is intended as evidence of something with the intention to use or order someone else to use the letter as if the contents are true and not fake, is threatened if the use can be cause harm, due to falsification of documents, with a maximum imprisonment of six years".

Based on the above provisions, it is clear that the letter that the defendant falsified, in this case the sale and purchase deed, which is authentic in nature, causes harm to the parties to the deed as well as to the PPAT itself in the form of material and moral losses.

Meanwhile, the buyer in the deed originally intended to use the AJB to submit collateral to the bank, but after the bank checked the authenticity and validity of the document, it was discovered that the AJB was indicated to be falsified. So that the process of applying for loans from prospective creditors could not be continued, which clearly resulted in losses which were allegedly Rp. 4,726,925,000.00 (Four Billion Seven Hundred Twenty Six Million Nine Hundred Twenty Five Million Rupiah). Disrespectful actions of a PPAT employee in fact it cannot be avoided because such actions return to the employee himself and are beyond the power of a PPAT who is in the employer's position. It's just that, it can be minimized by tightening PPAT supervision of everything that is done by its employees.

2. Internal Causes

a. Factors originating from PPAT

1) Factor of PPAT's Malicious Intentions

Regardless of who committed the crime, malicious intent is perceived as an important element in determining whether a crime has been committed or not. Intention is literally interpreted as the purpose or purpose of an action; will (desire in the heart) to do something. In criminal law, intention is defined as a deliberate purpose that leads to someone committing a crime, is prohibited by law or may result in unlawful results. Evil intent in criminal law is called the mental elements of crime, often also called *mens rea*. Intention presupposes one's will or plan. When a crime is committed intentionally, it is implied by the results of the author's interview with the Chairman of the Association of Makassar City Land Deed Officials, Mr. Taufik Arifin, on January 26, 2023.

A person's willingness or purpose to do so and not an accident or mistake. That way, it can be said that the perpetrator is right and clearly knows the consequences of his actions, so that intention becomes the main element for embedding mistakes. It is not enough for someone to be punished just because he committed an act that is contrary to the law, even if his actions fulfill the formulation of an offense in the applicable laws and regulations. More than that, a person in committing a crime must see the intention or purpose of committing the crime. As is the case, in decision 2 where PPAT Puji Sunanto was charged with, and took part in, who ordered to do, and took part in committing the act of forging letters against authentic deed. according to the author, PPAT Puji Sunanto clearly had malicious intent to forge letters, because prior to signing an authentic deed, the PPAT had the obligation to read out the contents of the deed to the parties, and then shortly after reading it was signed by the parties, witnesses, and the PPAT itself. It's just that in decision 2, which obligation is not carried out in practice. In addition, the actions taken by PPAT Puji Sunanto have actually tarnished the dignity of the position he holds. His actions will also eventually backfire on himself as a public official. It's just that in decision 2, which obligation is not carried out in practice. In addition, the actions taken by PPAT Puji Sunanto have actually tarnished the dignity of the position he holds. His actions will also eventually backfire on himself as a public official. It's just that in decision 2, which obligation is not carried out in practice. In addition, the actions taken by PPAT Puji Sunanto have actually tarnished the dignity of the position he holds. His actions will also eventually backfire on himself as a public official.

Even so, the PPAT should not be tempted to be involved in committing a crime in any form, because before being appointed as a PPAT, they had first taken an oath according to their respective religions. The responsibility of the oath is great and involves religious relations as a human being, so it is very unfortunate if there are still PPATs who do have bad intentions so they are involved in committing a crime.

2) PPAT's trust factor in employees

In carrying out his position, a PPAT does not work alone, but is assisted by other people (employees). Employees in assisting the PPAT's work certainly receive a salary as compensation for services that will be provided every month by the PPAT. PPAT in hiring someone, of course not just anyone can be chosen to work together. At least the PPAT chooses employees who are honest, diligent, educated, and it would be better if they have experience that is relevant to the PPAT's scope of work. As someone who gives jobs to other people, PPAT should treat employees well and contribute to their welfare. However, there must still be boundaries between PPATs and employees so that PPATs remain respected and minimize employees from acting remotely.

Even so, it is not new if an employee is found to have faked an authentic deed. Employees can act freely to carry out their actions because often the PPAT is based on the habit of entrusting office work to the employee in question. Especially for employees who have been working with PPAT for a long time, it seems that they are giving up work completely because they believe in employees. There are various forms of abuse of PPAT trust by employees, such as: employees who falsify PPAT signatures, employees who manipulate the value of PPAT services, and many others. Verdict 3 above is an example of PPAT's trust in employees who have been abused. Where Kamaludin as an employee at the Putri Rejeki Kasad Notary/PPAT Office was proven to have forged his PPAT signature in the deed of sale and purchase. Which belief should be firmly held by every employee, so that the PPAT's work is carried out properly and correctly in accordance with applicable regulations. Regardless of the reasons employees commit signature forgery, forgery is one of the disgraceful actions that an employee should not have committed to his boss as an employer.

3) The factor of the lack of PPAT supervision

Supervision with the basic word *awas* which means surveillance or guarding, becomes an important thing in carrying out the PPAT position. Supervision in this case is related to the supervision carried out by PPAT to its employees who help complete PPAT work. Supervision is needed so that all PPAT work is carried out and completed in accordance with the provisions of the applicable laws and regulations.

Supervision of PPAT employees is important, because if there is work that is not in accordance with applicable laws and regulations, then because of his position the PPAT must be responsible both morally and legally.

Apart from the PPAT's supervision of important employees, apart from that, the PPAT in carrying out their positions is also directly supervised by the Minister who is assisted by the PPAT Advisory and Supervisory Council, as the provisions for the guidance and supervision of PPAT are explicitly regulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the Land Agency National Number 2 of 2018 concerning Guidance and Supervision of Land Deed Officials. As the purpose of conducting PPAT guidance and supervision is to realize a PPAT who is professional, has integrity and carries out the position of PPAT.

Statutory provisions and Code of Ethics. So that PPAT's supervision is very synchronous with its employees which is linked to PPAT's guidance and supervision so that PPATs are professional, have integrity and comply with the law. According to the author, the occurrence of signature falsification, both the signature of one of the parties in the authentic deed and the signature of the PPAT itself is caused by a lack of supervision by the PPAT. PPAT should be active in supervising all work carried out by employees, including in establishing communication with external parties and clients. Like supervision carried out by superiors over their workers so that all work can be completed according to the targets and conditions set.

PPAT supervision of the work carried out by its employees can be in the form of active control of every work that is entered and active in checking the client's filing stages/processes. At least with PPAT's active supervision, it can minimize the actions of employees and clients who have the opportunity to violate the law and the professional code of ethics. Based on the description of the causes of signature forgery in an authentic deed made by the PPAT, the authors group them into external and internal factors. External and internal causes are basically difficult to avoid, because both are very closely related to everyday life. However, according to the author, the causes of signature forgery in authentic deeds can be prevented or at least minimized in several ways, such as:

- a. PPAT supervision of all employees who help do their work in the office;
- b. PPAT supervision of the parties to the deed/client by applying the precautionary principle;
- c. The implementation of PPAT positions in accordance with applicable legal provisions;
- d. Legal counseling conducted by the PPAT to clients prior to making the deed desired by the client;
- e. Clients must have sufficient understanding and knowledge of the legal actions they wish to perform.

Responsibilities of Officials Making Land Deeds Against Forgery of Signatures Made by Clients in the Deeds He Made

1. Moral Responsibilities of Officials Making Land Deeds

Moral is meant more to the inner attitude in behaving, especially in carrying out an important position in social life. While professional ethical responsibilities are regulated by the organization that oversees a profession, in the case of the PPAT profession, the one that regulates PPAT ethics is the Association of Land Deed Making Officials whose rules are made in the IPPAT Code of Ethics. Moral in this case is defined as teachings about good and bad that are generally accepted regarding actions, attitudes, obligations, and so on, morals and character. Moral responsibility can also be interpreted as an individual's awareness of something. Moral responsibility is closely related to profession, knowledge, and all matters related to position.

Decisions 1, 2, and 3 are related to PPAT's moral responsibility regardless of whether or not it is proven whether he was involved/participated in committing the crime of forging signatures, since the beginning he has been burdened with moral responsibility because of his position. Which moral responsibility relates to his position as a PPAT, when he is sworn in as a PPAT he reads the oath of office which is why moral rules are imposed in carrying out his duties as a PPAT. Like the PPAT in the Semarang District Court Decision Number: 210/Pid.B/2018/PN.Smg jo. Supreme Court Decision Number: 898 K/Pid/2018 which is not proven to be involved in forging the signature of one of the parties to the deed, but because the crime of forgery is in an authentic deed product made by or before him,

Even though this moral responsibility is intangible, it is inherent and can affect the PPAT personally and in his position. The same is the case with the PPAT in the Tangerang High Court Decision Number: 2379/Pid.B/2018/PN.Tng, where the PPAT Putri Rejeki Kasad was one of the victims of signature forgery carried out by his own office employees. Moral responsibility is still attached to him, but because he is clearly a victim, he can defend himself and vindicate the parties to the deed and colleagues who have a working relationship with him. Unlike the case with the responsibility borne by the PPAT in the Pekanbaru District Court Decision Number: 137/Pid.B/2016/PN.Pbr jo. Pekanbaru High Number: 166/PID.B/2016/PT.PBR jo. Supreme Court Decision Number: 1175K/PID/2016. Where the PPAT in the decision was legally and convincingly proven guilty of participating in the crime of forging

authentic deed in the form of a deed of sale and purchase, then the moral responsibility he should bear is much heavier compared to decision 1 mentioned above. According to the author, PPAT Puji Sunanto's moral responsibility is heavier because he was proven to have participated in committing a crime. Which action clearly affects the position held by him, the public's view of him, as well as towards himself who should feel ashamed of having committed an unlawful act.

Administrative Responsibilities of Officials Making Land Deeds

As a public official, PPAT will never be separated from administrative law in carrying out his position. Where administrative law becomes the law that manages administrative activities or can also be referred to as the law that manages all the implementation procedures in carrying out tasks. As it is known that the final product. From a PPAT as a public official is an authentic deed relating to land legal actions. The PPAT deed also does not escape potential problems or disputes if there are deviations from the legal terms of the agreement and deviations from the procedure for making a deed concerning material and formal requirements.

The form of PPAT administrative responsibility is explained in Article 62 of Republic of Indonesia Government Regulation Number 24 of 1997 (PP No. 24/1997) jo. Government Regulation of the Republic of Indonesia Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration (PP No. 18/2021) which stipulates that:

"PPATs who in carrying out their duties ignore the provisions referred to in Article 38, Article 39, and Article 40 as well as the provisions and instructions given by the Minister or appointed officials are subject to administrative action in the form of a written warning until dismissal from their position as PPAT, without reducing the possibility of being sued for compensation by parties who suffer losses resulting from the neglect of these provisions.

In addition, in Article 6 paragraph (1) of the Code of Ethics of the Association of Officials Making Land Deeds (IPPAT Code of Ethics) stipulates that:

Sanctions imposed on members of the IPPAT association who violate the Code of Ethics can be in the form of:

- a. Reprimand;
- b. Warning;
- c. *Schorsing* (temporary dismissal) from membership of the IPPAT association);
- d. *Onzetting*(dismissal) from membership of the IPPAT association; and
- e. Dishonorable termination of membership of the IPPAT association.

Continuing to visit PPAT offices at least 1 (Saturday) time a year. According to the author, decisions 1, 2 and 3 serve as a warning that the MPPD should be active in providing guidance and supervision to PPATs. The hope is that PPATs will be professional, have integrity and carry out PPAT positions in accordance with statutory provisions and the code of ethics. Guidance and supervision as well as enforcement of the rule of law through the imposition of sanctions against PPATs which are carried out directly by the ministry through the MMP in stages. Sanctions will be given to the PPAT who violates the implementation of the position of the PPAT, does not carry out the obligations regulated in laws and regulations, violates the prohibition provisions regulated in laws and regulations; and/or violate the code of ethics.

According to the author, in decision 1 where the act of forging a signature was carried out by one of the parties to the deed which according to the PPAT concerned did not know about it, however, it needs to be studied further that why there could be a forgery of the signature of one of the parties in the deed that was carried out by the other party. While the PPAT has the obligation to read the deed in front of the parties and shortly after the deed is immediately signed by the parties, witnesses, and the PPAT. With the forgery of the signatures of the parties, there is an indication that the signing of the deed was not carried out before the PPAT.

On the basis of this analysis, it can be said that the PPAT does not carry out its obligations in accordance with the provisions of the applicable laws and regulations. So it is appropriate if the PPAT in decision 1 is examined further by the MPP in the PPAT work area. Unlike the case in decision 3 where the PPAT employee is proven legally and convincingly to have forged the PPAT's signature including the deed of sale and purchase the parties were also falsified because the PPAT concerned did not know the making of the deed the. Supported by the absence of a deed in the protocol or deed register book at the PPAT office. So according to the author, the relevant PPAT is free from administrative responsibility. Unlike the PPAT in decision 2 which has been proven to be real and convincingly involved in committing/participating in the act of forging signatures by facilitating one of the parties to carry out the action. 3. Civil Responsibilities of Officials Making Land Deeds Civil PPAT's civil responsibility is closely related to PPAT's mistakes which result in losses by the parties to the deed or other parties outside the authentic deed made by or before the PPAT. So if a loss is found, then what

needs to be done is examined whether the intended loss originates from default or unlawful act. In essence, what underlies a default is if it is preceded by an agreement, while if there is no agreement then the form is an unlawful act. In the case of an authentic deed made by or before the PPAT, not preceded by an agreement, then between the PPAT and the parties if a loss occurs it is caused by an unlawful act.

The PPAT's responsibilities in civil terms are related to unlawful acts that cause losses. Article 1365 BW explains that an unlawful act is any act that violates a rule of law and causes harm to other people, where the obligation to the person who caused the loss is to compensate for the loss for his mistake. For unlawful acts, there are several elements that must be met, namely: Article 1365 BW explains that an unlawful act is any act that violates a rule of law and causes harm to other people, where the obligation to the person who caused the loss is to compensate for the loss for his mistake. For unlawful acts, there are several elements that must be met, namely: Article 1365 BW explains that an unlawful act is any act that violates a rule of law and causes harm to other people, where the obligation to the person who caused the loss is to compensate for the loss for his mistake. For unlawful acts, there are several elements that must be met, namely:

- a. The existence of an act This element can be grouped into actions that are intentional (active actions) and actions that are negligence (passive actions/no intention to do so).
- b. Which actions are against the law Which actions must be against the law with space the scope of which includes: acts that violate the law, conflict with the subjective rights of others, conflict with the obligations, law on the perpetrator, conflict with decency, and conflict with propriety, thoroughness, and prudence.
- c. There is an error on the part of the perpetrator Often the mistake of the perpetrator is used to states that someone is responsible for causing losses due to wrong actions.
- d. There is a loss for the victim. Loss with the basic word loss is defined as a state of bearing or suffering a loss. Losses are divided into 2 groups, namely: property losses and ideal losses. The loss of assets includes the losses suffered by the victim and also the profits that the victim is expected to get. While the ideal loss requires further assessment by the judge because it involves material and immaterial losses.
- e. The existence of a causal relationship between the act and the loss The basis for a claim for compensation based on an unlawful act is one of them with the existence of a causal relationship between the act and the loss suffered. Causality is more closely referred to as a causal relationship, where the person who suffers must prove the cause of the loss which originates from the actions of the perpetrator that resulted in the loss.
- f. To be declared to have committed an unlawful act, a PPAT does not have to fulfill all of the elements mentioned above cumulatively, but if one of them is fulfilled, it is enough to declare the PPAT to have committed an unlawful act. As civil sanctions are imposed on PPATs for their actions, namely actions that cause/result in losses, and normatively these actions fall behind the provisions in Article 1365 BW. Relation to PPATs with the PPAT's obligation to make authentic deeds which have perfect proof but are then declared to contain legal defects because formal requirements or conditions are not fulfilled material which ultimately results in an inauthentic deed and can be canceled or null and void by law. Which is clearly a loss, so it is clear that in this case the PPAT has not carried out its obligations and can be sued for compensation. Compensation for an unlawful act is a form of compensation that is charged to a person who has caused an error to the injured party. Compensation for an unlawful act can be borne by the PPAT who is proven to be detrimental because the deed made by or before him can result in being annulled or null and void by law.

According to the author, as a result of intentional errors or negligence of the PPAT which causes harm to the parties, the PPAT concerned must be responsible for compensating for the losses suffered in the form of replacement costs, losses and interest. It's just that a new deed can be declared null and void, and becomes an unlawful act to the point where the parties feel a loss, must be based on a court decision with permanent legal force. So for those who accuse or judge that the PPAT deed is fake or incorrect due to deviations from formal and material requirements, then that party must prove the accusation. Which allegations are filed through the civil tort legal process,

As with the parties in decisions 1, 2 and 3 who feel aggrieved but do not file a civil lawsuit, so that the PPAT in each decision cannot be sued for compensation and the deed of sale and purchase as the object of the case in which there is forgery of signatures is also not declared null and void.

Criminal Responsibilities of Officials Making Land Deeds

Criminal liability is a person's criminal responsibility for actions that violate legal provisions, where these provisions contain criminal sanctions. Criminally, PPT should not be held liable because basically

the parties have mutually agreed and stated it in the form of a sale and purchase deed drawn up by or before the PPAT. It's just that, imposing criminal sanctions can still be carried out as long as a PPAT makes a fake letter or falsifies a deed with the qualifications as a crime. The material and formal requirements for an authentic deed are formal aspects that must be complied with by the PPAT and the parties.

CONCLUSION

The causes of signature falsification in the sale and purchase deed made by the Land Deed Official are sourced from 3 (three) main causal factors, namely factors originating from the parties, factors originating from PPAT employees, and factors originating from the PPAT itself. The factors originating from the parties are in fact influenced by the parties' trust in the deed and the opportunity to gain profit. Meanwhile, the Daktor who came from PPAT, was influenced by the PPAT's own evil intentions, PPAT's trust in its employees, and the lack of supervision of PPAT in carrying out their positions.

The responsibility of the Land Deed Making Officer for signature falsification committed by his client in the deed he made is moral responsibility, administrative responsibility based on non-fulfillment of formal requirements in making authentic deeds, civil responsibility based on acts against the law, and criminal responsibility based on the actions of those who committed, ordered to do, and participated in unlawful acts.

REFERENCES

- Adjie, H. (2015). *Thematic Interpretation of Notary Law (Based on Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary)*. Bandung: Refika Aditama.
- Anshori, A.G. (2016). *Indonesian Notary Institute, Law and Ethics Perspective*. Yogyakarta: UII Press.
- Arif, M.I. (2016). *Evidence and Expiration*. Jakarta: Intermasa.
- Asrofin, E. (2017). *The Implications of Signature Falsification in the Deed of Sale and Purchase of Land Conducted by PPAT (Regional Case Study of Batang Regency)*. Semarang: Master's Thesis Notary of the Faculty of Law, Sultan Agung Islamic University Semarang.
- Chazawi, A., & Ferdian, A. (2014). *The Crime of Counterfeiting: An Offensive Crime Legal Interests in Public Trust Regarding the Truth of the Contents of the Writing and the News Delivered*. Jakarta: Raja Grafindo Persada.
- Chomsah, A.A. (2014). *Agrarian Law (Indonesian Land Affairs) Volume 2*. Jakarta: Achievements Pustaka Publisher.
- Criminal Procedure Code
- Decree of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number: 112/Kep-4.1/IV/2017 regarding the Code of Ethics for the Association of Land Deed Officials (IPPAT)
- Djaja, S.M. (2014). *Civil Law in BW Perspective, Fourth Revision*. Bandung: Nuansa Aulia.
- Dyara Radhite, O.F. (2016). *Smart Book on Managing Land Certificates and Licensing (Cet.1)*. Yogyakarta: Smart Book.
- Efendi, B. (2015). *Collection of Writings on Land Law*. Bandung: Alumni.
- Endeng. (2019). *Authority of the National Land Agency Under the Ministry of Agrarian Affairs and Spatial Planning of the Kupang Regency National Land Agency*. *Journal of Legal Positum*, 4(1), Singaperbangsa University, Karawang.
- Fatimah, P. A. (2020). *Legal Consequences of Forgery of Signatures in Sale and Purchase Deeds (Case Study of the Decision of the Supreme Court of the Republic of Indonesia Number 898K/PID/2018)*. *Indonesian Notary*, 2(4), Faculty of Law, University of Indonesia, Jakarta.
- Government Regulation Number 24 of 1997 concerning Land Registration Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration concerning amendments to Government Regulation Number 24 of 1997 concerning Land Registration Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency Number 3 of 1997 concerning Provisions for the Implementation of Government Regulation Number 24 of 1997 concerning Land Registration
- Government Regulation Number 24 of 2016 concerning Amendments to Government Regulations
- Government Regulation Number 37 of 1998 Concerning Position Regulations
- Hamzah, A. (2014). *Certain Delicts (Speciale Delicten) in the Criminal Code, Fifth Printing*. Jakarta: Sinar Graphic.
- Irwansyah. (2021). *Legal Research, Choice of Methods & Article Writing Practices (Revised Edition, 4th Printing)*. Yogyakarta: Mirra Buana Media.

- Lamintang, P.A.F., & Lamintang, T. (2013). Special Offenses: Dangerous Crimes *Public Confidence in Letters, Instruments of Payment, Evidence and Justice* (Second printing). Jakarta: Sinar Graphics.
- Land Titles Registrar
- Latumeten, P. (2015). XX Congress of the Association of Indonesian Notaries, Cancellation and Degradation of Power Proof of Notary Deed and Model Deed. Surabaya.
- Law of the Republic of Indonesia Number 5 of 1960 concerning the Basis
- Makhfudz, M. (2013). State Administrative Law (Ed. 1, Cet. 1). Yogyakarta: Graha Ilmu.
- Muharromi, M., & Marlyna, H. (2021). Notary Responsibilities Against Misuse *Blank Signature in Making an Authentic Deed*. Journal of Kertha Semaya, 9(12), Faculty of Law, Udayana University, Bali.
- Number 37 of 1998 concerning Position Regulations for Land Deed Officials
- Prakmuti, A.S., & Widayanto, E. (2015). Beware Don't Buy Disputed Land. Yogyakarta: Library Yustisia.
- Regulation of the Head of the National Police of the Republic of Indonesia number 10 of 2009 concerning Procedures and Requirements for Requesting a Criminalistic Technical Examination of the Crime Scene and Laboratory Criminalistics of Evidence to the Indonesian National Police Forensic Laboratory
- Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency Number 7 of 2019 concerning
- Ridwan, H. R. (2014). State Administrative Law (Revised Edition, Eleventh Print). Jakarta: Raja Grafindo Persada.
- Salim, H. S. (2016). Engineering for Making Land Deeds Official for Making Land Deeds. Jakarta: Rajawali Pers.
- Second Amendment to the Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency Number 3 of 1997 concerning Provisions for the Implementation of Government Regulation Number 24 of 1997 concerning Land Registration Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency Number 16 of 2021 concerning the Third Amendment to the Regulation of the Minister of Agrarian Affairs/Head of the Land Agency National Regulation Number 3 of 1997 concerning Provisions for the Implementation of Government Regulation Number 24 of 1997 concerning Land Registration
- Sjaifulrachman, & Adjie, H. (2011). Aspects of Notary Accountability in Making Deeds. Bandung: Mandar Maju.
- Soetarna, H. (2011). Law of Proof in Criminal Procedures. Bandung: Alumni.
- Sutedi, A. (2016). Transfer of Land Rights and Registration. Jakarta: Sinar Graphic.
- Syarief, E. (2012). Resolving Land Disputes Through Special Land Courts. Jakarta: Gramedia Popular Library.
- Tan, D. (2021). Legal Research Methods: Peeling and Reviewing Inner Methodology *Conducting Legal Research*. Archipelago: Journal of Social Sciences, 8(8), Muhammadiyah University of South Tapanuli, North Sumatra.
- Tan, T.K. (2007). Notary Studies and Miscellaneous Notary Practice. Jakarta: Van Hoeve's New Summary.
- The Criminal Code or Wetboek van Stafrecht the Code
- Untung, B. (2015). 22 Characters of General Officials (Notary and PPAT) Key to Success in Serving. Bandung: ANDI.
- Wahyu Utomo, H. I., & Wanda, H. D. (2017). The Prudential Principle of Making Officials *Land Deed in Transfer of Uncertified Land*. Journal of Law Ius Quia Iustum, 24(3), Faculty of Law, Indonesian Islamic University, Yogyakarta.
- Wijaya, I. (2022). Responsibilities of Officials Making Land Deeds Against Employees Who Commit the Act of Forging Letters in Making Deeds of Sale and Purchase. Notary Journal, 2(2), Notary Study Program, Faculty of Law, University of Lambung Mangkurat, Banjarmasin.
- Wulan, S., Hasrul, M., & Arisaputra, M. I. (2022). Legal Responsibilities of Making Officials *Land Deed (PPAT) for the Loss of the First Sheet of the Deed*. Journal of Widya Pranata Hukum, 4(1), Faculty of Law, University of Widya Mataram, Mataram.