

RINGKASAN

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**PERCEPATAN PENDAFTARAN TANAH WAKAF
DALAM UPAYA MENDAPATKAN KEPASTIAN HUKUM
DI KOTA LHOKSEUMAWE
(Dr. Marlia Sastro, S.H., M.Hum dan Dr. Yusrizal, S.H., M.H**

Percepatan pendaftaran tanah wakaf merupakan upaya memberikan kepastian hukum hak atas tanah wakaf Berdasarkan Pasal 39 ayat (2) Peraturan Pemerintah Nomor 42 Tahun 2006 tentang Pelaksanaan Undang-Undang Nomor 41 Tahun 2004 tentang Wakaf menyatakan terhadap tanah wakaf untuk didaftarkan pada kantor pertanahan. Untuk memberikan kepastian hukum dan perlindungan terhadap tanah wakaf yang belum terdaftar sehingga rentan terhadap sengketa, penguasaan oleh pihak lain maupun penyalahgunaan peruntukan tanah wakaf, maka Kantor Pertanahan Kota Lhokseumawe melaksanakan program percepatan pendaftaran tanah wakaf.

Penelitian ini bertujuan untuk menganalisis pelaksanaan percepatan pendaftaran tanah wakaf di Kota Lhokseumawe, mengkaji kepastian hukum pada program percepatan tersebut, serta mengidentifikasi hambatan dan upaya yang dilakukan dalam pelaksanaannya.

Penelitian ini menggunakan metode penelitian yuridis empiris dengan pendekatan peraturan perundangan-undangan yang bersifat preskriptif. Data diperoleh melalui penelitian lapangan dengan wawancara dan studi kepustakaan terhadap peraturan perundang-undangan dan literatur hukum yang relevan. Lokasi penelitian dilaksanakan di Kota Lhokseumawe, dengan fokus pada Kantor Pertanahan Kota Lhokseumawe.

Hasil penelitian menunjukkan bahwa percepatan pendaftaran tanah wakaf di Kota Lhokseumawe dilaksanakan melalui inventarisasi dan identifikasi tanah wakaf, pengukuran dan pemetaan bidang tanah, penelitian data fisik dan yuridis, hingga penerbitan sertipikat tanah wakaf. Kepastian hukum diwujudkan melalui penerbitan sertipikat tanah wakaf yang memberikan kepastian mengenai status hukum tanah, subjek hukum pengelola (nazhir), objek tanah wakaf, serta tertib administrasi pertanahan. Hambatan yang dihadapi meliputi ketidaklengkapan dokumen, rendahnya pemahaman nazhir mengenai pentingnya pendaftaran tanah wakaf, lambannya pemenuhan persyaratan administrasi, serta keterbatasan dokumen kepemilikan tanah. Upaya yang dilakukan antara lain pendampingan kepada nazhir, peningkatan koordinasi dengan Kantor Kementerian Agama, sosialisasi mengenai pentingnya sertipikasi tanah wakaf, serta percepatan penyelesaian dokumen administrasi permohonan pendaftaran tanah wakaf.

Berdasarkan hasil penelitian, dapat disimpulkan bahwa program percepatan pendaftaran tanah wakaf di Kota Lhokseumawe telah berperan dalam meningkatkan kepastian hukum dan perlindungan hukum terhadap tanah wakaf. Namun demikian, disarankan peningkatan sosialisasi, koordinasi antar instansi, serta kesadaran nazir dan masyarakat agar seluruh tanah wakaf dapat terdaftar dan bersertipikat secara optimal.

Kata Kunci: *Percepatan, Pendaftaran Tanah, Wakaf, Kepastian Hukum*

SUMMARY

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THE ACCELERATION OF WAQF LAND REGISTRATION AS AN EFFORT TO ACHIEVE LEGAL CERTAINTY IN LHOKSEUMAWE CITY

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The acceleration of waqf land registration is an effort to ensure legal certainty over rights to waqf land. Pursuant to Article 39 paragraph (2) of Government Regulation Number 42 of 2006 concerning the Implementation of Law Number 41 of 2004 on Waqf, waqf land is required to be registered with the Land Office. To provide legal certainty and legal protection for unregistered waqf land, which is vulnerable to disputes, occupation by third parties, and misuse of its designated purpose, the Lhokseumawe City Land Office has implemented an accelerated waqf land registration program.

This research aims to analyze the implementation of the accelerated waqf land registration program in Lhokseumawe City, examine the legal certainty provided through the program, and identify the obstacles encountered as well as the efforts undertaken in its implementation.

This study employs an empirical juridical research method using a statutory approach with a descriptive-analytical design. The data were collected through field research by conducting interviews and through library research involving statutory regulations and relevant legal literature. The research was conducted in Lhokseumawe City, with a particular focus on the Lhokseumawe City Land Office.

The findings reveal that the accelerated waqf land registration program in Lhokseumawe City is implemented through the stages of inventory and identification of waqf land, land surveying and mapping, examination of physical and juridical data, and the issuance of waqf land certificates. Legal certainty is realized through the issuance of waqf land certificates, which provide certainty regarding the legal status of the land, the legal subject responsible for its management (nazhir), the object of the waqf property, and orderly land administration.. The efforts undertaken include providing assistance to nazhir, strengthening coordination with the Office of the Ministry of Religious Affairs, conducting public awareness programs on the importance of waqf land certification, and expediting the completion of administrative documents required for waqf land registration.

Based on the findings, it can be concluded that the accelerated waqf land registration program in Lhokseumawe City has contributed significantly to enhancing legal certainty and legal protection for waqf land. Nevertheless, greater efforts are still required to improve public outreach, strengthen inter-agency coordination, and increase the awareness of nazhir and the community to ensure that all waqf land is registered and certified comprehensively.

Keywords: Acceleration, Waqf Land Registration, Waqf, Legal Certainty.