



Juridical Review of the Land Registration System Between Indonesia and Northern Australia

Velliana Samudro*, Rasji Rasji

Universitas Tarumanagara, Indonesia

Email: viavell22@gmail.com*

Abstract

Land registration systems are essential for legal certainty and protecting property rights across jurisdictions. Every country must understand its system. Two primary types exist: rights registration and deed registration. Indonesia employs a rights registration system, commonly called the Torrens System, which Northern Australia also adopts. This study explores the Torrens System implementation in both jurisdictions to identify practical applications and comparative insights. This research addresses: What is Indonesia's land registration system? What is Northern Australia's system? What similarities and differences exist between the Torrens System in Indonesia and Northern Australia? Using normative research and secondary data gathered via literature review, the study applies qualitative analysis with deductive conclusions. Findings reveal that Indonesia's use of the Torrens System does not fully align with the original Australian model. Although both regions employ the Torrens System, differences exist in the principles of Insurance and Indefeasible Title, the publication system, and parties involved in registration. These discrepancies reflect diverse legal traditions, administrative structures, and policy goals shaping land governance in each jurisdiction. This comparative review highlights how legal and procedural variations affect land registration despite shared system origins, underscoring the importance of context-specific adaptations in land administration policies.

Keywords: Indefeasible Title, Indonesia, Land Registry, Northern Australia, Torrens System

INTRODUCTION

Land ownership represents a fundamental aspect of property rights in modern legal systems, serving as both an economic asset and a cornerstone of legal certainty (Fuad et al., 2023). Globally, land registration systems have evolved to address challenges such as disputes over ownership, unclear boundaries, and fraudulent transactions (Zakariah et al., 2020). The establishment of effective land registration mechanisms is therefore essential for economic development, social stability, and the protection of individual and collective rights (Abdulai & Ochieng, 2017). Against this backdrop, comparing land registration systems across different jurisdictions offers valuable insights into how legal frameworks can be adapted to serve diverse socio-legal contexts (Kolaneci, 2024).

A plot of land can be owned by both an individual and a legal entity. The ownership is evidenced by the existence of a land certificate (Permadi, 2023). To get a certificate as proof of rights, each plot of land owned by a person/legal entity must be registered with the land office first (Mulyanto & Adillah, 2022). The registration of land ownership aims to ensure legal certainty as mandated in Article 19 of Law of the Republic of Indonesia Number 5 concerning the Basic Regulations of Agrarian Principles (hereinafter referred to as the UUPA) (Kalyana & Budidarmo, 2025). The legal certainty includes:

1. Certainty regarding the person/legal entity that is the holder of the right to the land, Certainty regarding who the holder of the right to the land is called certainty regarding the subject of the right to the land.
2. Certainty regarding the location of the land, land boundaries, length, and width of the land. Certainty regarding the location, boundaries and length and width of land is called certainty regarding the object of land rights (Bachtiar, 1983).

The existence of a certificate of proof of rights held by the landowner depends on the land registration system adopted by a country (Abubakari et al., 2018). There are two known land registration systems, namely the rights registration system and the deed registration system. Initially, the system was known as the deed registration system where the certificate of proof was in the form of a deed marked with a registration certificate and a survey letter (Maulidiana et al., 2025). While the rights registration system, the proof letter is in the form of a certificate consisting of a copy of the land book and a survey letter (Saleh, 1982).

Based on Article 16 of the UUPA, land rights in Indonesia (Property Rights, Business Rights, Building Rights and Right of Use) are evidenced by the existence of a certificate. This indicates that the existence of a certificate proves that the land registration system in Indonesia uses a rights registration system. This is stipulated in Article 1 paragraph (20) of Government Regulation No. 24 of 1997, "A certificate is a certificate of proof of rights as referred to in Article 19 paragraph (2) letter c of the UUPA for land rights, management rights, waqf land, ownership rights to flats and dependent rights, each of which has been recorded in the relevant land book."

The rights registration system or often referred to as the Torrens System was created by Robert Richard Torrens. This rights registration system was created to facilitate land registration, where to obtain information about land no longer has to conduct a title-search on existing deeds (Abraham, 2023). If someone wants to do a legal act with a piece of land, it is enough to look at the Land Certificate and Book to find out the Juridical data of the land in question (Saptoomo & Sihombing, 2020). Land rights law in Australia has a history that extends back to the 1960s (John, 2018). South Australia introduced the first land rights law in 1966, but this Act did not legalize claims.

A decade later, the Australian Parliament passed the Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA). The first land rights act that allowed indigenous peoples to claim land was the Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA) (Weepers, 2022). In the Northern Territory, the Torrens System is operationalized through the Land Title Act 2000 (NT), which regulates the registration of land titles and establishes the legal framework for land transactions (Wadlig, 2024). Under this Act, the Registrar-General maintains the central register of land titles and oversees the registration process (Halid & Hassim, 2021). The system emphasizes the principle of indefeasibility of title, meaning that once a title is registered, it is generally protected from challenge, subject to certain statutory exceptions outlined in the Act. The Northern Territory's implementation involves verification of identity, assessment of documentary evidence, and maintenance of electronic records to ensure accuracy and accessibility. This technical infrastructure supports the core objective of the Torrens System: to provide certainty, simplicity, and security in land dealings.

The vision of the Torrens System was to introduce a land registration system that would eliminate the need to consider past inaccuracies and ensure that land buying and selling transactions can be done simply, easily, and conveniently. Australia carries out land rights registration and the system is positive by collecting insurance funds of a few percent of the land price. Once the subject and object of the land is registered at the land office, no one can sue it. Any rightholder who will treat his rights to a third party, such rights must be registered in the register book. Rights that have been registered in the register book by the general register or the registration officer of rights are made a second certificate of dual rights. Certificate of duplicate rights, one is given to the right holder, the other is made part of the register book (Krassov, 2022). The certificate for the applicant is absolute evidence, in the sense that the right holder cannot be challenged by anyone (Safitri et al., 2020). However, the publication system used by UUPA and

PP 24/1997 is a negative system that contains positive elements. This system is not purely negative because it is stated that registration produces valid proof of rights as a strong means of proof. In a purely negative publication system there will be no such statement (Harsono, 2013).

The existence of the Torrens system concept in the rights registration system used by Indonesia and North Australia, of course, there are differences in regulations in the land laws and regulations in the field of land in the two countries. Even though the land registration system is used, there will be differences in its implementation in each country which may be due to different country backgrounds or due to the different circumstances of each country in implementing the land registration system.

Despite the shared adoption of the Torrens System, practical implementation challenges and regulatory critiques have emerged in both jurisdictions. In Indonesia, Government Regulation No. 24 of 1997, which governs land registration, has been subject to scholarly discussion regarding its effectiveness in achieving full legal certainty. Critics have pointed to issues such as incomplete coverage of land parcels, bureaucratic inefficiencies, and the hybrid nature of Indonesia's publication system—which, while nominally adopting Torrens principles, retains negative elements that allow for challenges to registered titles under certain conditions. These limitations raise questions about whether the system adequately protects rightholders and facilitates transparent land markets. Similarly, in Northern Australia, debates continue over the balance between indefeasibility and the recognition of native title claims, as well as the adequacy of compensation mechanisms under the insurance principle. This research is therefore timely and significant, as it addresses ongoing legal and policy debates in both jurisdictions and seeks to contribute to a deeper understanding of how the Torrens System can be optimally implemented to serve contemporary needs.

This research aims to provide a comprehensive comparative analysis of the Torrens System as implemented in Indonesia and Northern Australia, identifying both convergences and divergences in legal frameworks, administrative practices, and policy outcomes. The benefits of this study are threefold: first, it contributes to the academic literature on comparative property law by offering detailed insights into two distinct applications of the Torrens System; second, it provides practical guidance for policymakers and legal practitioners seeking to reform or improve land registration systems in their respective jurisdictions; and third, it enhances understanding of how legal transplants—such as the Torrens System—are adapted to local contexts, thereby informing broader debates on legal harmonization and reform.

RESEARCH METHOD

The research employed normative legal methods, focusing on existing literature. It examined the land registration systems in Indonesia and Northern Australia based on applicable laws and regulations.

Classified as descriptive research, the study described the Torrens system used in both countries and highlighted similarities and differences. Secondary data sources included primary legal materials such as constitutional laws, government regulations, and specific land title acts from both Indonesia and Northern Australia. Secondary legal materials consisted of related books, papers, and journals, while tertiary materials provided additional explanations on primary and secondary sources.

- a. Primary Legal Materials, obtained from laws and regulations in both countries that regulate the Land Registration System, namely:
 - 1) Constitution of the Republic of Indonesia in 1945
 - 2) Law of the Republic of Indonesia Number 5 concerning Basic Regulations on Agrarian Principles.
 - 3) Government Regulation No. 24 of 1997 concerning Land Registration.
 - 4) Regulation of the Minister of State for 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.
 - 5) Regulation of the Minister of Agrarian and Spatial Planning / Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 concerning Complete Systematic Land Registration
 - 6) Government Regulation of the Republic of Indonesia Number 18 of 2021 concerning Management Rights, Land Rights, Flats Units, and Land Registration Government Regulation Number 37 of 1998 concerning Regulations on Land Deed Making Officials as amended by Government Regulation Number 24 of 2016 concerning Amendments to Government Regulation Number 37 of 1998 concerning Regulations on Land Deed Making Officials.
 - 7) LAND TITLE ACT 2000
 - 8) Native Title Act 1993
 - 9) Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)
 - 10) CROWN LANDS ACT 1992
 - 11) The Real Property Act of 1856
- b. Secondary legal materials are legal materials that provide explanations of primary legal materials, in the form of existing literature such as books, papers, reports, research results, journals and other writings that are directly related to research.
- c. Tertiary legal materials, which are legal materials that provide instructions or explanations of primary and secondary legal materials, which are indirectly related to research or clarity on primary and secondary legal materials such as the General Dictionary of the Indonesian Language.

Two approaches were used: the statute approach, which analyzed relevant laws and regulations, and the conceptual approach, focusing on understanding legal concepts. Qualitative analysis was applied, forming hypotheses based on collected data and refining conclusions through repeated analysis.

This method allowed a detailed comparison of the legal frameworks governing land registration in Indonesia and Northern Australia, emphasizing how different administrative and legal traditions influenced the implementation of the Torrens system in each jurisdiction.

RESULTS AND DISCUSSION

Torrens System in Land Registration in Indonesia

In Indonesia, no documents have been found explaining that land registration has been held before the colonial era. This is understood because the law that was in force at that time was customary land law, it was an unwritten law and had been in effect among the indigenous people of Indonesia before the arrival of the Portuguese, Dutch, British and so on (Hutagalung et al., 2012). Indonesia during the colonial period used agrarian law that was applied with colonial nuances, which used a deed system based on *Overschrijvings Ordonnantie*. The land registration

system applied during the colonial period had different objectives from the period of implementation of the Basic Agrarian Law which generally included:

- a. Land registration in the colonial period only recognized Western rights and customary rights that were equated with Western rights. This is different from the concept of the UUPA that land registration covers all regions of Indonesia.
- b. Land registration during the colonial period was also carried out in the context of tax interests, while land registration after the UUPA came into effect was for legal certainty of land rights (Arwono & Waskito, 2019).

Various rights to land, which can be granted to and owned by people, either alone or jointly with other persons and legal entities:

- a. Property Rights (Article 16 paragraph (1), Article 20 – 27 of the UUPA)
- b. Right to Use (Article 16 paragraph (1), Article 28 – 34 of the UUPA)
- c. Right to Use-Building (Article 16 paragraph (1), Article 35 – 40 of the UUPA)
- d. Right to Use (Article 16 paragraph (1), Article 41 – 43)

Basic Agrarian Law as a basic regulation explains that land registration activities carried out by the Government include:

- a. Land measurement, mapping and bookkeeping;
- b. Registration of land rights and transfer of such rights;
- c. Providing proof of rights, which is valid as a strong means of proof.

The publication system used by the UUPA and Government Regulation No. 24 of 1997 is a negative system that contains positive elements. The system is not purely negative as stated in Article 19 paragraph (2) letter c, that registration produces letters of proof of rights, which are valid as strong evidence. But it does not produce an Indefeasible Title or a person cannot sue a land right because his right is inviolable. This can be seen from the statement in Articles 23, 32 and 38 of the UUPA that the registration of various legal events is a procedural tool for collecting, processing, storing and presenting physical data and juridical data as well as the issuance of certificates in this Government Regulation, it is clear that an effort to obtain and present correct data as far as possible, because land registration is to ensure legal certainty.

Land registration is organized by the National Land Agency. The implementation of land registration is carried out by the Head of the Land Office, except for certain activities that are assigned to other officials by Government Regulation Number 24 of 1997 concerning Land Registration or related legislation. In carrying out land registration (in the context of data maintenance, for example land buying and selling) the Head of the Land Office is assisted by the Land Deed Making Officer and other Officials who are assigned to carry out certain activities in accordance with this Government Regulation and the relevant laws and regulations. The Land Deed Making Officer, hereinafter referred to as PPAT, is a public official who is given the authority to make authentic deeds regarding certain legal acts regarding land rights or Property Rights to Apartment Units. PPAT has the main task of carrying out part of land registration activities by making a deed as evidence of the implementation of certain legal acts regarding land rights or Property Rights to Flats, which will be used as a basis for the registration of changes in land registration data resulting from the legal act.

Thus, every time a legal act occurs, a deed is always made, and seven working days from the time the deed is made, PPAT based on Article 40 of Government Regulation No. 24 of 1997 concerning Land Registration and Article 103 paragraph (1) of the Regulation of the Minister of State of Agrarian Affairs / Head of the National Land Agency Number 3 of 1997 concerning Provisions for the Implementation of Government Regulation No. 24 of 1997 concerning Land

Registration, It is mandatory to register the legal act with the Land Office. Henceforth, the land office will check the completeness of the documents and cross out the names of the old rights holders and replace them with new rights holders (article 105 PMNA No.3 of 1997). The existence of provisions in Article 105 of the Regulation of the Minister of State for 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 shows that every legal act regarding land is not made a new certificate but it is enough to cross out the name of the old holder and replace it with a new right holder. With the use of the Torrens system in land registration in Indonesia, it ultimately provides a guarantee of legal certainty as stipulated in Article 19 of the UUPA. The legal certainty referred to in the above land registration activities includes:

- a. Legal certainty regarding the person or entity that is the right holder (the subject of the right);
- b. Legal certainty regarding the location, boundaries, and extent of a land parcel of rights (subject of rights); and
- c. Legal certainty regarding their rights (Tehupeiory, 2012).

In the implementation of land registration, there are several important conditions to ensure legal certainty, namely:

- a. Cadastral maps can be used for reconstruction in the field and depict legal boundaries according to rights
- b. The measurement list proves that the right holder is registered therein as a valid right holder according to the law; and
- c. Each right and its transfer must be registered.

Torrens System in Land Registration in Northern Australia

Before getting to know the Torrens system, every legal act regarding land must be proven by a deed and the deed becomes a Certificate of Proof of Rights kept by the last rightholder. So that the more often the land is involved in legal acts, the more Letters of Proof of Rights. It is difficult to know the juridical data of a piece of land, because of the large number of Letters of Proof of Rights. Documents related to land transactions become a chain of rights and if there is one of the previous legal acts that is legally defective, then the subsequent legal acts become legally defective as well.

If the previous registration system was a deed registered with the land office, in the Torrens system it was not a deed registered with the land office, but the right was created and its changes. Then the deed is only the source of the data. Before registering the rights in the land book and recording the changes, then the land office carries out a test of the correctness of the data contained in the deed. So in contrast to the land office in the deed registration system, the land office in the rights registration system is active. As proof of his rights, a certificate was issued which is a Copy of the Register ("Certificate of Title"). When buying and selling land, it must be accompanied by the submission of the certificate to the buyer (Grigg & Esmaeili, 2016). With the submission of the certificate, the rights are transferred without the need for judicial submission. A certificate according to this system is the most complete evidence of land rights holding and cannot be challenged. Compensation to the owner should be given through insurance funds.

In the Torrens system, the insurance principle is known that this principle is used by the state if there is a lawsuit by the community regarding the land data in question. If the state provides the wrong juridical data, there will usually be a lawsuit by the community, then the state must

provide compensation to the landowner concerned. And everyone who feels aggrieved, his objection will be recorded in a list called Caveat. Australian Land Law which is sourced from the English Common Law uses the principle of *Accessie* (Attachment). All the land in Australia is the King's land. Originally land was transferred from the government for private ownership through grant land (grant) or patent land. Land status in Australia is classified into the following criteria:

1. Crown Land is used for highways, forests, government agencies, and other interests;
2. Crown Reserves Land is used for road reserves, reserve debts, protected forests, national parks;
3. Aboriginal Land (collectively owned by Aboriginal indigenous peoples) is reserved for Aboriginal peoples but under the control of the Aboriginal Government of the competent State/Territory;
4. Vacant Crown Land (vacant land belonging to the King) that is not provided for any purpose (Gumilar, 2016).

Australia carries out land rights registration, and the system is positive by collecting insurance funds of a few percent of the land price. Once the subject and object of the land is registered at the land office, no one can sue it. Any rightholder who treats his rights to a third party, such rights must be registered in the register book. Rights that have been registered in the register book by the general register or the registration officer of rights are made a second certificate of dual rights. Certificate of duplicate rights, one is given to the right holder, the other is made part of the register book. The certificate for the applicant is absolute evidence, in the sense that the right holder cannot be challenged by anyone.

On 1 December 2000, Australia's Northern Territory (NT) enacted the Land TITLE ACT 2000 coming into force on a date set by the Administrator through an announcement in the State Gazette, which created the principle of qualified or conditional Indefecity, where many states in Australia apply the principle of Indefeasibility to the absolute or inviolable land registration system following the transfer of rights on the ground. The exceptions in the principle of Indefeasibility enacted in the Land Title ACT 2000 also explain what are excluded as described in the Land Title ACT 2000 article 198 Exceptions to article 188, which are as follows:

- (1) The registered owner of a plot does not benefit from section 188 for the following interests in relation to the plot:
 - (a) equity arising from the actions of the registered owner;
 - (b) the tenant's interest in actual possession based on short-term rentals;
 - (c) the interests of the person entitled to the benefit of a title if the details of which have been omitted or misdescribed in the land register;
 - (d) the interests of other registered owners who make a legitimate claim based on prior irrevocable title to all or part of the land;
 - (e) the interests of the other registered owner if there are 2 irrevocable title titles for the same interest in the land and such inconsistency arises due to failure at the time of transfer to cancel, in whole or in part, the irrevocable title of the first registered owner;
 - (f) interests of another registered owner if the parcel of land described in the irrevocable title erroneously includes land belonging to the other registered owner.

(1A) The registered owner of a plot of land (related mortgagee) who is listed in the land registry as a mortgagee of the land plot or interest in the plot of land does not benefit from section 188 for the benefit of the relevant mortgagee as a mortgagee if:

- (a) Relevant Mortgage Holders:

- (i) in respect of a mortgage instrument or mortgage amendment – failing to comply with section 78A(2); or
 - (ii) in respect of the transfer of a mortgage instrument – failing to comply with article 81A(2); and
- (b) A person who becomes a mortgagor under a mortgage deed or mortgage amendment is not a person who becomes, or will become, a registered owner of the land plot or interest in the land plot for which the instrument is registered.
- (1B) For subsection (1A)(b), a person becomes a mortgagee under a mortgage instrument or mortgage amendment if:
- (a) The instrument is an electronic transfer of ownership documents, through digital signature by the customer based on the National Law on Electronic Transfer of Ownership (NT); or
 - (b) The instrument is an electronic transfer of title and the person who signs, as the mortgagee, a document based on the rules of participation under the National Law on Electronic Transfer of Title (NT):
 - a) required as a supporting document for a mortgage instrument or mortgage amendment; and
 - b) must be kept by the original mortgagee as referred to in article 78A(2).
- (2) The tenant's interest under paragraph (1) b does not include:
- (a) the right to acquire title to land or other land title on or after the expiration of a short-term lease; or
 - (b) The right to renew or extend the term of the short lease exceeding 3 years from the commencement of the original term.
- (3) For the purposes of paragraph (1)(c), a title is deemed to have been eliminated if:
- (a) the title already existed when the land encumbered with the title was first registered, but the information about the land encumbered with the title is no longer recorded in the land register; or
 - (b) The property rights were registered but then eliminated due to a mistake by the Registrar General

Land registration is organized by the Land Title Office or abbreviated as LTO. Land registration is carried out by the General Registration Officer (Registrar-General). In carrying out land registration (management, supervision, and implementation of the entire land rights registration system in NT), the General Registration Officer is assisted by the Deputy Registrar-General. Henceforth, the General Registration Officer, assisted by the Deputy General Registration Officer, checks the completeness of the documents and whether they are in the permitted form (physical or electronic), as described in stake 14 and section 41 of the Land Title Act 2000 Northern Territory, check the applicant's authority to register land rights (e.g. whether there are burdens or restrictions such as Caveat), considering that it is mentioned in the Land Title Act 2000 Northern Territory, namely the Verification of Identity Requirements

Similarities and Differences in Registration Systems in Indonesia and Northern Australia

a) Torrens System Equations in the Indonesian and Northern Australian Land Registration Systems

After describing the Torrens system in Indonesia and Northern Australia, it can be seen that there are similarities and differences in how these two countries apply the Torrens system in their land registration. Indonesia has several laws as the basis for the implementation of its land registration, namely:

- 1) Law Number 5 of 1960 concerning Basic Regulations on Agrarian Principles

- 2) Government Regulation of the Republic of Indonesia Number 24 of 1997 Land Registration
- 3) Regulation of the Minister of State 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.

And some of the laws of North Australia as the basis for the implementation of its land registration:

- 1) Commonwealth of Australia Constitution Act 1900
- 2) LAND TITLE ACT 2000
- 3) Native Title Act 1993
- 4) Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)
- 5) CROWN LANDS ACT 1992
- 6) The Real Property Act of 1856

Based on the publication system, the State of Indonesia does not apply the Torrens system absolutely where the publication system adopted by the Indonesian state is a negative publication system that contains positive elements. The system is not purely negative because it is explained in Article 19 paragraph (2) letter c that registration produces letters of proof of rights, which are valid as strong evidence. It has been stated above that the data contained in the Register has absolute probative power. In the case of the land rights registration system in Northern Australia, the Torrens System guarantees the right to land which creates absolute rights and results in the principle of Indefeasibility that can be excluded.

Table 1. Differences in the Torrens System in the Indonesian and Northern Australia Land Registration Systems

| No. | Indonesia | Northern Australia |
|-----|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| 1. | Using the Civil Law legal system | Using the Common Law legal system |
| 2. | In the land registration process, the relevant parties are the parties who apply for registration, PPAT and the Land Office | Involving the applicant for land rights registration, Registrar-General, Deputy Registrar-General |
| 3. | There is no swearing process in front of the officer | Provide evidence under oath or with a valid written statement if required |
| 4. | Using a negative publication system that contains positive elements | Using a positive publication system |
| 5. | Absence of insurance principle | The use of the insurance principle |
| 6. | For foreign nationals to get land rights that are different from Indonesian citizens | Can be with special permission (Foreign Investment Review Board) |
| 7. | Absence of Indefeasible Title principle | The use of the Indefeasible Title principle |
| 8. | Certificates become a powerful evidence tool | Certificates are an absolute means of proof |
| 9. | Land is controlled by the State | Land owned by the Government |
| 10. | All land activities are under the authority of the National Land Agency | All land activities are under the authority of the Department of Logistics and Infrastructure (DLI) |

CONCLUSION

This comparative study revealed that while Indonesia and Northern Australia both adopted the Torrens System for land registration, significant differences exist in their implementation due to distinct legal traditions and policy priorities. Indonesia uses a hybrid negative-positive publication system without fully embracing the principle of indefeasibility or state-backed

insurance, resulting in land titles that can still be challenged under certain conditions. Conversely, Northern Australia, particularly under the Land Title Act 2000 (NT), closely follows the original Torrens principles with a positive publication system, qualified indefeasibility, and a state insurance scheme protecting registered titles. These contextual adaptations reflect unique administrative and historical factors shaping land governance in each jurisdiction. Future research should empirically assess how these legal variations impact land market efficiency, dispute resolution, and property rights security, and explore possibilities for legal reform or harmonization to enhance the effectiveness of land registration systems in both jurisdictions.

REFERENCES

- Abdulai, R. T., & Ochieng, E. (2017). Land registration and landownership security: An examination of the underpinning principles of registration. *Property Management*, 35(1), 24–47.
- Abraham, A. G. (2023). Land title perfection and legal issues and challenges of land registration in Nigeria. *International Journal of Research and Innovation in Social Science*, 7(2), 899–916.
- Abubakari, Z., Richter, C., & Zevenbergen, J. (2018). Exploring the implementation gap in land registration: How it happens that Ghana's official registry contains mainly leaseholds. *Land Use Policy*, 78, 539–554.
- Arwono, H., & Waskito. (2019). *The implementation of land registration in Indonesia*. Kencana.
- Bachtiar, E. (1983). *Land registration in Indonesia and its implementing regulations*. Alumni.
- Fuad, F., Tardjono, H., Machmud, A., Rohayah, N., & Maghucu, P. (2023). Ownership of land: Legal philosophy and culture analysis of land property rights. *Jurnal Media Hukum*, 30(2), 98–116.
- Grigg, B., & Esmaeili, H. (2016). *The boundaries of Australian property law*. Cambridge University Press.
- Gumilar, I. (2016). *Torrens system* (Master's thesis, Bandung Institute of Technology). Faculty of Earth Sciences and Technology.
- Halid, S. N., & Hassim, J. Z. (2021). Nature of the power of the registrar of titles: Judicial, quasi-judicial or administrative. *Malaysian Journal of Law & Society*, 28.
- Harsono, B. (2013). *Indonesian agrarian law, history of the establishment of the basic agrarian law, content and implementation*. Trisakti University Publisher.
- Hutagalung, A. S., et al. (2012). *Land law in the Netherlands and Indonesia* (1st ed.). Pustaka Larasan.
- John, M. (2018). Persistent voices: A history of indigenous people and human rights in Australia, 1950s–2000s. In *Interdisciplinary approaches to human rights* (pp. 196–212). Routledge.
- Kalyana, L., & Budidarmo, W. (2025). Dynamics of land ownership rights in the perspective of Indonesian agrarian law in the perspective of legal certainty and social justice. *JOSH: Journal of Sharia*, 4(02), 234–243.
- Kolaneci, E. (2024). The intersection of law and space: Exploring legal geography. *International Journal of Religion*, 5(6), 531–542.

- Krassov, O. I. (2022). *Land and property law in countries of common law*. Norma.
- Maulidiana, A. R., Deni, F., & Wijaya, E. (2025). Implementation of the media conversion of land certificates to e-certificates by the land deed making official in South Tangerang City in support of agrarian reform. *SIGn Jurnal Hukum*, 7(1), 112–132.
- Mulyanto, E., & Adillah, S. U. (2022). Legal protection of land rights certificate holders in certificate blocking event by land office. *Sultan Agung Notary Law Review*, 3(4), 1375.
- Permadi, I. (2023). Electronic title certificate as legal evidence: The land registration system and the quest for legal certainty in Indonesia. *Digital Evidence & Electronic Signature Law Review*, 20, 47–60.
- Safitri, F. A., ALW, L. T., & Lumbanraja, A. D. (2020). Legal consequences of the use of a positive negative publication system in land registration in Semarang City (Master's thesis, Diponegoro University). Faculty of Law.
- Saleh, K. W. (1982). *Your rights to land*. Ghalia Indonesia.
- Saptomo, A., & Sihombing, B. F. (2020). Certificate of land rights in the legal philosophy of notary. *International Journal of Scientific Research and Management*, 8, 297–309.
- Tehupeiory, A. (2012). *The importance of land registration in Indonesia*. Achieving Success Areas.
- Wadlig, G. (2024). The international law of land grabbing: Human rights and development in the context of racial capitalism. *Chicago Journal of International Law*, 25, 479.
- Weepers, J. M. (2022). *The land rights act and remote community governance: The impacts of fifteen years of land tenure reforms in the Northern Territory* (Doctoral dissertation). University of New South Wales.
- Zakariah, Y., Samsudin, S., & Ngadiman, N. (2020). An overview of the fraud and forgery challenges in land registration system. *European Journal of Molecular & Clinical Medicine*, 7(03), 274–282.