

CHAPTER V

CONCLUSION AND RECOMMENDATION

A. Conclusion

Based on the explanation in previous chapters, it arrives at the conclusion of this research. There are two points, namely:

1. The regulations of granting of the land title for foreign investor have been regulated in Law Number 25 Year 2007 about investment and Law Number 5 Year 1960 about Basic Regulations on Agrarian Principles. However, for the limitation of time for granting of the land title, especially for the right of exploitation Law Number 25 Year 2007 about Investment is used. Because, it is based on principle of *Lex Posterior Derogate Legi Priori*, Law Number 25 Year 2007 about Investment as new legislation defeats Law Number 5 Year 1960 about Basic Regulations on Agrarian Principles as old legislation. Then, for the limitation of time on the right of exploitation Article 22 of Law Number 25 Year 2007 about Investment are 95 years for the limitation of time on the right of exploitation, but in Article 29 of Law Number 5 Year 1960 about Basic Regulations on Agrarian Principles are only 85 years.
2. The procedures of granting of the land title for foreign investors in Special Region of Yogyakarta is same with other provinces in Indonesia. However, there is Regional Regulation of Special Region of Yogyakarta Number 4 Year 2013 about Providing of Incentive and Ease of

Investment for investment activities in Yogyakarta. The permission of granting of the land title is granted by Local Government. Then, it is held by National Land Agency. There are several steps, namely:

- a. Firstly, applicant have to submit the application document to the counter of One Step Integrated Service.
- b. Secondly, application document is given to the Supporting Team for map analysis and checking the document. This process also need confirmation from Regional Office of Agrarian Spatial/National Land Agency. Then, Regional Office of Agrarian Spatial/National Land Agency must be also accountable for the costs. After four days, the Supporting Team issued the SPS.
- c. Thirdly, after the applicant obtains the SPS, the applicant does the payment to the appointed bank.
- d. Fourthly, after the applicant does the payment and complete document. The applicant returns to the counter of One Step Integrated Service to re-submit the document.
- e. Fifthly, the document is submitted directly to the Regional Office of Agrarian Spatial/National Land Agency for the examination of land and checking the document. This checking takes 30 days. After that, Regional Office of Agrarian Spatial/National Land Agency issues Regional Office of Agrarian Spatial/National Land Agency Decree for 200 hectares.

- f. Sixtly, the final step is the submission of decree granted to the applicant from the One Step Integrated Service.

B. Recommendation

From the problem that has been discussed, this research can be proposed a recommendation, that for the limitation of time on the right of exploitation Law Number 25 Year 2007 about Investment is better to use because in the Article 22 mentioned there are 95 years to use the right of the exploitation.