

ABSTRACT

This research aims to know how is the regulation to use for granting of the land title for foreign investors, especially for granting the limitation of time of the right of exploitation and to know the procedures of granting of the land title for foreign investors in Yogyakarta. This research is normative legal research with the statute approach. The result of this research shows that 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. 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 several procedures of granting of the right of exploitation, from the application until the submission of a decree. 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.

Keywords: Granting of the Land Title, the Right of Exploitation, Foreign Investors, and Legal Certainty