

ABSTRACT

In the 1945 Constitution Article 28 D Paragraphs (1) states that "Everyone is entitled to the recognition, guarantee, protection and legal certainty and equal treatment before the law". This provision applies also in the field of land.

The provision of the authority of the Government to regulate the land affairs is rooted in Article 33 Paragraph (3) of the 1945 Constitution which affirms that the earth, water and natural resources contained therein are controlled by the state to be used for the greatest prosperity of the people then affirmed in the Law No. 5 of 1960 on the Basic Regulations of Agrarian Principles.

*The granting or determination of land rights included in any settlement of land issues is intended as an effort to grant legal certainty to the right holder. In order to provide legal certainty which is one of the main objectives of the Basic Agrarian Law (UUPA), the Law instructs the Government to register land throughout the territory of Indonesia which is *Rechskadaster* means the purpose of ensuring legal certainty and certainty of its rights as regulated in Article 19 Basic Agrarian Law. As a technical basis on land registration is regulated in Government Regulation no. 10 on land registration, and then refined in Government Regulation no. 24 of 1997. Holder Building Use Rights which ends in accordance with Government Regulation No. 40 of 1996 concerning Right to Use of Business Land, Building Use Right and Land Use Right in order to be able to renew the application for renewal of Building Use Rights or renewal shall be submitted no later than two years before the expiration of the Building Utilization Right or renewal and for the holders of Right to Build still physically controls the land, causing the right of ownership over the land cannot remove by itself and by rights from the land is still attached to the Holder of Building Utilization Right and still has the priority right to re-apply the right to renewal or renewal of the land rights .*

Keywords: Legal Certainty, Legal Protection and Priority Right for the Holders of Building Use Right that has expired the period of time according to the prevailing Law Regulation.