

**DECREE OF THE
STATE MINISTER OF AGRARIAN AFFAIRS/HEAD OF THE
NATIONAL LAND AFFAIRS AGENCY
NUMBER: 2 OF 1998; DATED: FEBRUARY 27, 1998**

RE

THE LICENSED SURVEYOR

THE STATE MINISTER OF AGRARIAN AFFAIRS/HEAD OF THE
NATIONAL LAND AFFAIRS AGENCY,

Considering:

- a. that for the implementation of cadastral registration throughout Indonesia, it is necessary to carry out the cadastral measuring and mapping for drawing up the mapping basic pattern, the basic map, plot map and registration map;
- b. that to be capable of utilizing all potentials available with the public in the implementation of the land registration throughout Indonesia, it is necessary to regulate the implementation of the cadastral measuring and mapping by non Governmental measuring and mapping manpower;
- c. that in relation thereto, it is necessary to stipulate a provision on the licensed surveyor by a Ministerial decree.

Bearing in mind:

1. Act No. 5 of 1960 on the Basic Regulation of the Agrarian Principles (State Gazette No. 104/1960, Supplement to State Gazette No. 2043);
2. Government Regulation No. 24 of 1997 on the Land Registration (State Gazette No. 59 of 1997, Supplement to State Gazette No. 3696);
3. Presidential Decree No. 26 of 1988 on the National Land Affairs Agency in conjunction with Presidential Decree No. 44 of 1993 on the Main Duties Function, Structures of Organization and the Working System of the State Minister;
4. Decree of the State Minister of Agrarian Affairs/Head of the National Land Affairs Agency No. 3 of 1997 on the implementing Provisions of Government Regulation No. 24 of 1997 on the Land Registration.

HAS DECIDED

To stipulate:

**DECREE OF THE MINISTER OF AGRARIAN AFFAIRS/HEAD OF THE
NATIONAL LAND AFFAIRS AGENCY ON THE LICENSED SURVEYOR.**

**CHAPTER I
GENERAL PROVISIONS
Article 1**

In this Decree:

1. Licensed surveyor shall be cadastral surveyor and assistant cadastral surveyor.
2. Cadastral Surveyor shall be a person having an expertise in the field of the cadastral measuring and mapping and know-how in the organizing of cadastral measuring and mapping, who is authorized to carry out a particular cadastral measuring and mapping in the context of land registration, either as a public service undertaking or as the employee of a legal body engaged in the field of measuring and mapping.
3. Assistant Cadastral surveyor shall be a person having a skill in the field of the cadastral measuring and mapping who is authorized to carry out a particular cadastral measuring and mapping in the context of land registration, either as a public service undertaking or as the employee of a legal body engaged in the field of measuring and mapping.
4. Minister shall be the Minister accountable in the field of Agrarian Affairs/Land Affairs.

CHAPTER II
THE SCOPE OF WORK OF THE CADASTRAL SURVEYOR
AND THE ASSISTANT CADASTRAL SURVEYOR

Article 2

- (1) The scope of work of the Cadastral Surveyor and the Assistant Cadastral Surveyor shall be to render services to the public by:
- a. implementing the measuring and mapping of a plot of land in the context of the sporadic land registration for the first time;
 - b. implementing the measuring and mapping of the plot of land in the framework of the separation, partition, and uniting of the plot of land.
- (2) Apart from running a self supporting service undertaking as meant in paragraph (1), the Cadastral Surveyor and the Assistant Cadastral Surveyor shall also be authorized to carry out a particular work in the field of measuring and mapping as an employee of a legal body to render services to the public or to the Government engaged in the field of measuring and mapping, i.e:
- a. the measuring and mapping of a plot of land in the context of systematic land registration for the first time;
 - b. the measuring and mapping of the plot of land whose area exceeds 1,000 hectares in the framework of sporadic land registration for the first time;
 - c. the densifying of technical basic points;
 - d. the drawing up of basic registration map and registration map;
 - e. the drawing up of basic registration map through photogrammetrical method:
- (3) The particular work as meant in paragraph (t), shall be:
- a. For the Cadastral Surveyor:
 - 1) to carry out the measuring and mapping of the technical basic points;
 - 2) to carry out the measuring and drawing up of the registration basic map;
 - 3) to carry out the measuring and mapping of the borders of the plot of land for the drawing up of the plot maps;
 - 4) to carry out the drawing up of registration maps;
 - 5) To supervise the work of the Assistant Cadastral Surveyor.
 - b. For the Assistant Cadastral surveyor:
 - 1) to carry out the drawing up of the registration map.
 - 2) to carry out the measuring and mapping of the borders of the plot of land for the drawing up of the plot maps;

Article 3

- (1) Before implementing the measuring of the borders of the land for the land registration for the first time, the Cadastral Surveyor or the Assistant Cadastral Surveyor shall:
- a. check the interests of the party asking for the measuring of the land concerned by asking for a written statement and photocopy on the legal status of the land concerned and other relevant documents;
 - b. report the existence of application for the said measuring to the local Land Affairs Office;
 - c. collect the data on the land concerned including the availability of the maps of land registration at the Land Affairs Office.
- (2) The Head of the Land Affairs Office shall give information for the implementation of the measuring and mapping indicated in paragraph (1).
- (3) The notification on the implementation of the measuring and application for showing the borders, shall be carried out by the Cadastral Surveyor or Assistant Cadastral Surveyor.
- (4) The measuring of the plot of land requested shall be carried out on the basis of the showing of the borders by the party concerned already agreed by the owners of the bordering plots.
- (5) In carrying out their duties the Cadastral Surveyor and Assistant Cadastral Surveyor shall receive directives and technical supervision from the National Land Affairs Agency.

Article 4

- (1) The measurement drawing resulting from the measuring as meant in Article 3 shall be signed:
- a. by the Cadastral Surveyor in case the measuring services are rendered by a legal body or the Cadastral Surveyor.
 - b. by the Assistant Cadastral Surveyor in case the measurement services are rendered by the Assistant Cadastral Surveyor.

(2) The measurement drawing as meant in paragraph (1) shall be submitted to the Land Affairs Office for legalization by the competent authority of National Land Affairs Agency, together with its supporting documents.

(3) If the results of the measuring of the borders of the plot do not meet the technical requirements, the competent official of the National Land Affairs Agency shall instruct the legal body, the Cadastral Surveyor or the Assistant Cadastral Surveyor concerned to carry out a re-measuring; of the borders of the plot without any additional fee from the applicant, by mentioning the deficiency of the measurement results.

Article 5

(1) The results of the measuring and mapping carried out in the context of the service rendering on the measuring and mapping by a legal body, the Cadastral Surveyor and the Assistant Cadastral Surveyor already submitted to the National Land Affairs Agency shall be the possessions of the National Land Affairs Agency for use in the activities of land affairs service under the regulations in force.

(2) The legal body, the Cadastral Surveyor and the Assistant Cadastral Surveyor shall maintain the data and files of the results of their work.

CHAPTER III THIS APPOINTMENT AND RELIEF OF THE CADASTRAL SURVEYOR AND THE ASSISTANT CADASTRAL SURVEYOR

Article 6

The appointment and relief of the Cadastral Surveyor and the Assistant Cadastral Surveyor shall be carried out by a Ministerial decision or a decision of an Authority appointed by the Minister.

Article 7

(1) To be capable of being appointed as a Cadastral Surveyor, one shall meet the following conditions:

- a. Indonesian citizen;
- h. at least 25 (twenty five) years old;
- c. never been imprisoned because of committing crime due to a judgment of the Court already having a definitive legal power;
- d. never been discharged dishonorably from a Government institution, State enterprise or private corporation;
- e. has passed a test held by the Office of the State Minister of Agrarian Affairs/National Land Affairs Agency.

(2) Those capable of taking the test as meant in paragraph (1), letter e, shall be:

- a. someone with a formal educational level minimum equal to a graduate of Diploma IV Study Program of Measurement and Mapping or a graduate of Strata One (S1) Study Program of Geodesy/Geomathics of State, or Private accredited Institutions of Higher Learning, having at least 3 years of experience in the field of measurement and mapping.
- b. a graduate of a Diploma III (DIII) Study Program, or its Equivalence, domestic; or overseas, of technical geodesy/survey and mapping/photogrametrics/geomathics, plus Course/Diploma Program of Cadastral Measurement and Mapping conducted by the National Cadastral School of Higher Learning (SPTN), or a Higher Learning Institute designated by the Minister, having at least 5 years of experience after the achievement of a Diploma III certificate.
- c. a former official of the National Land Affairs Agency who once held an echelon V position and has a knowledge of land measurement and registration.

Article 8

(1) To be capable of being appointed as an Assistant Cadastral Surveyor, one shall meet the following conditions:

- a. Indonesian citizen;
- b. at least 20 (twenty) years old;
- c. never been imprisoned because of committing crime due to a judgement of the Court already having a definitive legal power;
- d. never been discharged dishonorably from a Government institution, State enterprise or private corporation;
- e. has passed a test held by the Office of the State Minister of Agrarian Affairs/National Land Affairs Agency.

- (2) Those capable of taking the test as meant in paragraph (1), letter e, shall be:
- a. a graduate of Diploma I (D1) Study Program or Vocational Course of Surveying/Mapping of State, or Private accredited Institution of Higher Learning, designated by the Minister;
 - b. a former official of the National Land Affairs Agency who once held an echelon V position and has a knowledge of land measurement and registration.
 - c. a person having at least 3 (three) years of experience in the field of measurement and mapping.
- (3) At the request of the person concerned, the graduate of Diploma I (D1) Study Program of Cadastral Measurement and Mapping conducted by the National cadastral School of Higher Learning (SPTN), can be appointed as Assistant Cadastral Surveyor without taking the test indicated in paragraph (1), letter e.

Article 9

By virtue of a special consideration, the Minister can appoint someone as cadastral Surveyor or Assistant Cadastral Surveyor beyond the provisions intended in Articles 7 and 8.

Article 10

- (1) The operation territory of the Cadastral Surveyor and Assistant Cadastral Surveyor shall cover the operation territory of a Land Affairs Office.
- (2) The appointment of the Cadastral Surveyor and Assistant cadastral Surveyor shall also specify their operation territory and their domicile/office.
- (3) With a particular consideration the Minister can designate the operation territory of the cadastral Surveyor and Assistant Cadastral Surveyor more than that of one Land Affairs Office.
- (4) The Cadastral Surveyor and Assistant Cadastral Surveyor can only render services of measurement and mapping of the plots of land situated in their operation area.
- (5) In case the Cadastral Surveyor and Assistant Cadastral Surveyor render services to a legal body, the provision on the operation area as meant in paragraph (4) shall not be valid.

Article 11

- (1) Before performing their work, the Cadastral Surveyor and Assistant Cadastral Surveyor shall take an oath/a pledge for holding the position according to their respective religion in the presence of the Head of the Land Affairs Office located in the area where the Cadastral Surveyor and Assistant Cadastral Surveyor work.
- (2) For the implementation of the oath taking act as meant in paragraph (1), the Cadastral Surveyor or, Assistant Cadastral Surveyor shall report to the Head of the Land Affairs Office on his appointment as the Cadastral Surveyor or Assistant Cadastral Surveyor.
- (3) In case the report as meant in paragraph (2) is not made within at the very most 3 (three) months after the issuance of the letter of appointment of the person concerned, the letter of appointment shall be nullified for the sake of act.
- (4) The Head of the Land Affairs Office shall implement the oath/pledge taking act as meant in paragraph (1) within 1 (one) month after the receipt of the report intended in paragraph (2).

Article 12

- (1) The process of oath/pledge taking of the Cadastral Surveyor and Assistant Cadastral Surveyor shall be put in an account ("berita acara") signed by the person concerned, the "religion man" in charge, the Head of the Land Affairs Office of the area concerned, and the witnesses.
- (2) The text of the oath/pledge to hold the positions of the Cadastral Surveyor and Assistant Cadastral Surveyor shall be determined by the Minister.
- (3) The original of the account as meant in paragraph (1) shall be made in 3 (three) copies, each for the Head of the Regional Land Affairs Office, the Head of the local Land Affairs Office, and the person concerned.

Article 13

- (1) In performing their duties, the Cadastral Surveyor and Assistant Cadastral Surveyor shall abide by the provisions on the measurement and mapping stipulated by the Minister.
- (2) The Cadastral Surveyor and Assistant Cadastral Surveyor shall carry out the directives given by the official in the settings of the Office of the State Minister of Agrarian Affairs/the National Land Affairs Agency, according to his authority.

Article 14

- (1) The Cadastral Surveyor shall stop functioning because of:
 - a. passing away;
 - b. reaching the age limit of 65 (sixty-five) years;
 - c. dismissal by the Minister.
- (2) The Cadastral Surveyor shall be dismissed from his position because of:
 - a. his own request;
 - b. violating prohibitions or neglecting his duties as Cadastral Surveyor;
 - c. being sentenced to imprisonment for committing crime on account of a Court's judgment already having a definitive legal power.

Article 15

- (1) The Assistant Cadastral Surveyor shall stop functioning because of:
 - a. passing away;
 - b. reaching the age limit of 55 (fifty five) years;
 - c. dismissal by the Minister.
- (2) The Assistant Cadastral Surveyor shall be dismissed from his position because of:
 - a. his own request;
 - b. violating prohibitions or neglecting his duties as Cadastral Surveyor;
 - c. being sentenced to imprisonment for committing crime on account of a judgment of the Court already having a definitive legal power.

Article 16

- (1) The Cadastral Surveyor and Assistant Cadastral Surveyor can be discharged provisionally from their positions because of violating prohibitions or neglecting their duties, or being tried by the Court as the suspect of a criminal act.
- (2) In the judgement on the temporary discharge as meant in paragraph (1) shall be mentioned the reason and duration of the provisional discharge.
- (3) In case the temporary discharge is carried out because the Cadastral Surveyor or Assistant Cadastral Surveyor is still under a trial of the Court, the provisional discharge shall be valid until there is a judgment of the Court having an unalterable legal power.

CHAPTER IV

THE FOSTERING OF THE CADASTRAL AND ASSISTANT CADASTRAL SURVEYOR

Article 17

- (1) The Head of the Land Affairs Agency shall be responsible for the supervision and technical fostering of the Cadastral Surveyor and Assistant Cadastral Surveyor in his operation area.
- (2) The Head of the Land Affairs Agency shall carry out the supervision and technical fostering on the implementation of the duties of the Cadastral Surveyor and Assistant Cadastral Surveyor in his operation area.

Article 18

- (1) The Head of the Land Affairs Agency shall give a written warning to the Cadastral Surveyor and Assistant Cadastral Surveyor who violate prohibitions or neglect their duties by sending the copy of warning letter to the Head of the Land Affairs Agency concerned.
- (2) The Head of the Land Affairs Agency shall give a written warning to the Cadastral Surveyor and Assistant Cadastral Surveyor who are still violating prohibitions or neglecting their duties, though they have been warned as meant in paragraph (1), and send the copy of warning letter to the Minister.
- (3) The Head of the Land Affairs Agency can also give a written warning to the Cadastral Surveyor and Assistant Cadastral Surveyor who violate prohibitions or neglect their duties though they have not been warned by the Head of the Land Affairs Agency concerned.
- (4) The Cadastral Surveyor or Assistant Cadastral Surveyor who in spite of having been warned as meant in paragraphs (2) and (3), are still violating prohibitions or neglecting the same duties, shall be discharged provisionally or definitively.

- (5) The provisional discharge can be executed by the Head of the Regional Land Affairs Office.
- (6) The Minister or the Official appointed by the Minister can discharge the Cadastral Surveyor and Assistant Cadastral Surveyor who violate prohibitions or neglect their duties though they, have not been warned in writing by the Head of the Regional Land Affairs Office.
- (7) The Cadastral Surveyor and Assistant Cadastral Surveyor who receive a written warning, a written reminder or a provisional discharge as meant in paragraphs (1), (2), (3), (4) and (5), can furnish an explanation or advocacy to the Official concerned within 2 (two) weeks as of the date of receipt of the warning, reminder or provisional discharge concerned.

**CHAPTER V
OTHER PROVISIONS
Article 19**

The fees of measurement and mapping services rendered by the Cadastral Surveyor or Assistant Cadastral Surveyor shall be determined according to the provisions in force stipulated by the Minister.

Article 20

The Cadastral Surveyor and Assistant Cadastral Surveyor can carry out public measurement and mapping work outside the measurement and mapping work related to the implementation of the land registration, without first asking approval from the Minister.

**CHAPTER VI
TRANSITIONAL PROVISIONS
Article 21**

As long as the fees of the measurement and mapping of the plots of land as meant in Article 19 have not yet been stipulated, they shall be collected on the basis of the standard fees which are good for the measurement and mapping carried out by the National Land Affairs Agency.

**CHAPTER VII
CLOSING
Article 22**

This Regulation shall come into force as of the date of stipulation.

Stipulated at: JAKARTA
On: FEBRUARY 27, 1998

THE STATE MINISTER OF AGRARIAN AFFAIRS
HEAD OF THE NATIONAL LAND AFFAIRS AGENCY

signed

IR. SONI HARSONO