

ABSTRACT

This study has been conducted to examine normative laws. Primary law materials are regulatory rules, those are Laws Number 16 of The Year 1985 juncto Government Regulations (PP) Number 4 of The Year 1988 regarding apartments and other regulatory rules relative to ownership of an individual apartment. Secondary materials are scientific literatures of apartment, agrarian, and hypothec laws.

The study has analysed the relationship between owners and ownership objects of an apartment, especially in relation with ownership rights on an apartment, certificate registration and issuance, as well as hypothec and fiduciary charges on an apartment.

Ownership of an individual apartment consists of two elements of ownership, i.e. personal ownership that may be used and enjoyed privately and common ownership, i.e., common parts as building, land and any other objects those are used and enjoyed in common.

The right of ownership on individual apartment deserves appropriately strong law protection, because the right of ownership is obligated to be registered and to the owner is provided with certificate of ownership on an individual apartment. Similarly, the transfer of ownership

right shall be registered to local Office of Agrarian Affairs.

Hypothec and fiduciary charge on an individual apartment is determined by the type of land ownership.