

The Implementation of Discretion in Determining the Submission of Time for Land Registration by the Land Office

Rina Sari Wigati^{*)}

^{*)} Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, E-mail: wiggatisari@gmail.com

Abstract. *The existence of regulations regarding land registration and procedures for settling land disputes is a must, but it also becomes another problem when the applicable regulations are deemed not to be in favor of the interests of a person, group or legal entity. In carrying out government tasks and serving the public, policy-making authority is focused on government positions carried out by government officials, discretionary power is closely related to the obligations, duties and functions of modern government under the rule of law to strive for general welfare through public service. This study uses a Juridical Sociological legal research approach which in this case is used to find out what problems arise related to Discretion in Determining the Time for Filing of Land Registration by the Madiun Regency Land Agency Office or the method of collecting data consisting of document studies or library materials as well as interviews . In carrying out its public service mandate. The National Land Agency, in this case the Head of the National Land Office, has the authority to issue discretionary policies regarding time limits for applications for land blocking and to continue the process of applications for registration or registration in accordance with applicable laws and regulations. In the end it is understandable that the national land agency does not have any interest in matters of land disputes but it is imperative to find or provide solutions in terms of problems that arise in the area of the Head of the Madiun Regency Land Agency Office so that there is no confusion of information, unclear status of the applicants, and no There is a legal vacuum in it, discretion which is the policy of state officials is aimed at allowing a public official to carry out a policy that is slightly contrary to the law as long as it is based on the public interest.*

Keywords: Discretion; Land; Office; Registration.

1. Introduction

Not all land in Indonesia has been registered with the local land office because there is still land that has not been certified as well as land that has not been

converted into land rights as contained in the BAL. UUPA orders that western rights/foreign rights be converted into land rights based on national land law based on the provisions of Chapter IV transitional provisions. The western rights that must be converted are eigendom rights to property rights, eigendom rights belonging to foreign governments to usufructuary rights, eigendom rights to foreigners and legal entities with building use rights, erfpacht rights for large plantation companies to become usufructuary rights, some the rights to become usufructuary rights (namely: vruchtgebruik, gebruik, grant controleur, bruikleen, ganggam bauntuik, anggaduh, bengkok, lungguh, pituwas) rights, gogolan rights,¹ Differences in land tenure interests are basically a natural thing in the life of society, nation and state. However, it is not uncommon for this to be the cause of disputes that lead to disputes over land rights between individuals or between individuals and legal entities. The objects of disputes related to land can vary, both regarding physical data, juridical data, or legal actions related to land rights. In various cases, land disputes are often followed by blocking of certificates by interested parties, whether by individuals, legal entities, or the government. Blocking is done with the consideration that the interests of the person or legal entity entitled to the disputed land receive legal protection.²

Provisions regarding land blocking have been regulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 13 of 2017 concerning Blocking and Confiscation Procedures. This Ministerial Regulation is intended as a guideline for the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency, Regional Offices of the National Land Agency and the Land Office in carrying out the recording and removal of blocks and confiscations or disputes and cases concerning land rights with the aim of realizing uniformity, standardization and orderly administration in the implementation of recording and deletion of blocked and confiscated records or the existence of disputes and cases regarding land rights.

Article 13 paragraph (1) of the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 13 of 2017 concerning Blocking and Confiscation Procedures states explicitly that blocking records by individuals or legal entities are valid for a period of 30 (thirty) days calendar starting from the date of the block recording. Then Article 13 paragraph (2) states that the period referred to in paragraph (1) can be extended with a court order in the form of a stipulation or decision.

¹ Conversion provisions in Law Number 6 of 1960 Concerning Basic Agrarian Regulations, state gazette 1960 – 104, additional state gazette number 2043

²²Redy Savendra Sihaloho and Agus Nurudin, Implementation of Blocking of Land Rights Certificates in View from the Aspect of Legal Certainty, Notary journal, Volume 12 Number 2 (2019)

Furthermore, Article 15 paragraph (1) confirms that records blocked by individuals or legal entities are deleted if: a). the blocking period ends and is not extended as referred to in Article 13; b). the party requesting the registration has withdrawn his request before the expiry period; c). The Head of Office removes the blocking before the period ends; or d). there is a court order in the form of a decision or determination.

As an administrative measure, blocking can be an excellent alternative to prevent the transfer of rights or imposition of rights, however, with a stipulation of a period of only 30 days it is felt that it will be detrimental to the right holder if after the deadline for blocking the dispute that occurs is still ongoing and there has been no determination or decision. Because in the Regulation of the Minister of Agrarian Affairs and Spatial Planning / Head of BPN No. 13 of 2017 concerning Procedures for Blocking and Confiscation extensions of blocking can only be carried out because of a court order in the form of a stipulation or decision³

2. Research Methods

In this research approach method will use an empirical (sociological) approach or also referred to as Non-Doctrinal Legal Research which is carried out using primary data sources and secondary data sources. In this study, law is conceptualized as what is written (law in book) or law as a rule or norm that is a measure of decency in human behavior.⁴

3. Results and Discussion

3.1. Implementation of discretion in determining the application for land registration by the Madiun District Land Agency Office

Existence of the National Land AgencyThe final is determined based on Presidential Regulation No. 10 of 2006 concerning the National Land Agency. It is stated in the preamble considering letter c of the Presidential Regulation that "land regulation and management is not only aimed at creating legal order, but also for solving land problems, disputes and conflicts that arise".⁵This shows that the National Land Agency is not only devoted to maintaining law and order through land certificates needed by the community, but also regarding matters

³ Jazillatul Ulfa and Fitika Andraini, Legal Protection and Position of Rightsholders Against Blocking of Land Rights Certificates by the Land Office, *Jurnal Dinamika Hukum*: Vol 21 No 2 (2020): Vol. 21 No. 2 August 2020 Issue

⁴ Amiruddin and Zainal Asikin, *Introduction to Legal Research Methods*, Revised Edition, Jakarta: PT. Raja Grafindo Persada, 2016, p. 118.

⁵ Ulya, Zaki. 2015. The Existence of the Aceh Land Agency as a Regional Apparatus in Aceh in the Aspect of Legal Certainty in the Land Sector. *Journal of the Constitution*, Volume 12, Number 3, September 2015

related to solving land problems, disputes and conflicts. It is stated that the authority of the National Land Agency in Article 3 of Presidential Regulation No. 10 of 2006 has 21 authorities of the National Land Agency, of the 21 authorities for administering the land sector, 9 authorities are delegated to regional governments based on Article 2 Paragraph (2) of Presidential Decree No. 34 of 2003 on National Policy in the Land Sector. In connection with the duties and functions of the Land Agency Nasional as one of the elements of the government organization that regulates land in Indonesia as part of the state administration. As a rule of law, the most basic thing for administrators of government is the principle of legality, meaning that every action of state administrators or government must be based on applicable law or statutory regulations.

According to the statement of IMS as the Head of the Madiun Regency Land Legal Relations Section explained that with the application of discretion which in this case relates to the Head of the Madiun Regency Land Agency Office explained that since the beginning of the land registration process for the first time at the Madiun Regency Land Agency Office it has given 30-60 days work, since the announcement of the juridical data with the aim that if there are parties who have objections, they will have the opportunity to submit objections.

Which means that if within that time period there are no other legal remedies from the objecting party, the process must be continued/continued by the Madiun Regency Land Agency Office, where this has also been confirmed in PP No. 24 of 1997 Article 30 paragraph 1 Letter C states that on the basis of evidence and minutes of ratification "the physical data and or juridical data are disputed but no lawsuit is filed with the court, the bookkeeping is done in the land book with records regarding the existence of said dispute and to the party objecting to being notified by the head of the Adjudication Committee for systematic land registration or the Head of the Land Office for sporadic land registration to file a lawsuit to the Court regarding the disputed data within 60 (sixty) days of systematic land registration and 90 (ninety) days in sporadic land registration calculated from the delivery of the notification. In the case studies that the author examined were inheritance disputes, land restriction disputes, land disputes, land ownership and management.

In resolving disputes, the Madiun Regency Land Agency Office is very careful in the mediation process. In practice regarding land disputes from the community or legal entities, the Madiun District Land Office first conducts an inspection, the files of the parties then the Madiun Regency Land Office calls for mediation facilitated by the land office, if the mediation procedure is not reached or no agreement is reached between the parties, the Land Agency Office calls for legal action within the competence area in accordance with the law -applicable invitations. Mediation is a process of negotiation of problem solving in which an

impartial third party works with the disputing parties to help reach a satisfactory agreement. According to data from the Madiun District Land Agency Office, there are many land issues that occur such as multiple certificates, inheritance disputes, certificate falsification, fraudulent transfer of land rights, or differences in land area. This makes Dispute problem solving complete Operation as one of the challenges of the National Land Agency.

Seeing the facts from the statement of the National Land Agency, it is necessary to make a breakthrough because it focuses on dealing with land disputes and disputes easily, quickly and cheaply. At the Madiun Regency Land Agency Office, disputes are included in the field of disputes, and disputes and cases are resolved through mediation: disputes between individuals, disputes between individuals and corporations, and disputes between individuals and the government.

3.2. Obstacles faced in submitting land blocks carried out by the Madiun District Land Agency Office

Blocking in accordance with the provisions of Article 45 paragraph (1) letter e PP 24 of 1997 was carried out by the head of the Land office out of consideration in order to avoid criminal risks as stipulated in Article 416 and 417 of the Criminal Code (KUHP) which can be broadly interpreted as exceeding authority position as head of the Land office for details, in the case of blocking if the court judge's decision states that blocking is not under his authority, then based on that decision the block is opened or deleted and a certificate is transferred resulting in a loss for the blocking applicant (plaintiff) which is won in a court decision.

Whereas based on Article 45 paragraph (1) letter e PP 24 of 1997 which is interpreted as an article regarding the authority of the head of the Land Office 'can' refuse registration of transfer or encumbrance of rights If land is the object of dispute in Court, but 'does not refuse' registration transfer and encumbrance of land rights so that losses arise, then the head of the Land Office can be held criminally responsible. Regarding the recording of the case block, the Land Office in other places also does the same thing. If the block is accompanied by a problem, the block is valid until an inkraht decision. (Radyanto, 2019) Blocking recording has been specifically regulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 13 of 2017 concerning Blocking and Confiscation Procedures.⁶

Article 13 of the Ministerial Regulation states that blocking by individuals or legal entities is valid for a period of 30 days and can be extended with a court order in

⁶ Sihaloho, Redy, Agus Nurudin, and Adya Paramita Prabandari. "Implementation of the Blocking of Land Rights Certificates in View from the Aspect of Legal Certainty." Notary 12.2 (2019): 550-565.

the form of a court decision or decision processed because there is objection from the other party. Certificate blocking is usually due to a dispute.⁷In the regulation of the minister of agrarian and spatial planning/ head of the national land agency of the Republic of Indonesia number 13 of 2017 concerning blocking and confiscation procedures, article 6 describes the requirements for submitting blocks by individuals or legal entities, including: application form, which contains a statement regarding approval that the recording of blocking is deleted when the time period ends; photocopy of the identity of the applicant or his attorney, and the original Power of Attorney if authorized; photocopy of Legal Entity Establishment Deed; information regarding the name of the right holder, type of right, number, area and location of the land being requested for blockage; proof of deposit of non-tax state revenue regarding blocking recording; evidence of the legal relationship between the applicant and the land. such as: lawsuit letter and case register number or suspension by the State Administrative Court, in the case of a request for blocking accompanied by a lawsuit in court; marriage certificate/marriage book, family card, or court decision regarding divorce or inheritance, in the event of a blocking application regarding joint property disputes in marriage and/or inheritance; and Court Decisions regarding accounts payable or sales and purchase agreement deed, loan deed, deed of exchange that has been legalized by an authorized official, in the case of a request for blocking regarding a legal action. If the application for recording a blockade is accompanied by a letter of claim, then the recording of the blockage shall be guided by Article 45 number (1) letter e of Government Regulation No. 24 of 1997 concerning Land Registration with a blocking period until a court decision with permanent legal force (*inkracht van gewijsde*).

The existence of differences in land tenure interests is basically a common thing in the life of society, nation and state. However, it is not uncommon for this to cause disputes to arise which ultimately lead to disputes over land rights between individuals or between individuals and legal entities. The object of the dispute relating to land can vary, both regarding physical data, juridical data, or legal actions related to land rights. The Head of the Land Office decides to accept the request for the registration of the blocking of cases as evidenced by attaching a copy of the lawsuit registered by the District Court. The Madiun Regency Land Agency Office explained that with the case in court.

Blocking if it is based on the provisions of Article 45 paragraph (1) letter e PP 24 of 1997 is carried out by the Head of the Land Office with the consideration of avoiding criminal risks as stipulated in Articles 416 and 417 of the Criminal Code (KUHP) which can be interpreted broadly namely exceeding the authority of the position as Head of the Land Office. For more details, in the case of blocking, if the court judge's decision states that blocking is not under his authority, then

⁷ibid

based on that decision the block is opened or deleted and a transfer of certificate occurs which causes losses to the blocking applicant (plaintiff) which is won in a Court decision.

As an example of a land case, there is a land lawsuit from the heirs from the first marriage against the heirs from the second marriage, the right holder and the village officials and the Madiun Regency Land Agency Office, regarding the announcement of physical data and juridical data regarding land registration for the first time, recognition or affirmation of rights issued by the Madiun district ATR/BPN Office through LETTER OF ANNOUNCEMENT OF PHYSICAL DATA AND JURIDIS DATA No 1755/Peng-12.20/XI/2021 dated 4 November 2021 located in Madiun Regency. If in matters relating to Discretion that the Head of the Madiun Regency Land Agency Office can make a policy or decision,

Discretion, according to Fatimah Achyar, is defined as one of the formulations of the power of the state government, namely giving space for freedom (giving freies ermessen) to public officials who are given the power to decide for themselves how to interpret (capturing the aims and objectives) of power with the intention of organizing delegated government, and determine whether he will exercise his power, as a state official.⁸it can be concluded that in essence discretion is the freedom of action or freedom to make decisions from Government Administration Agencies or Officials. Discretion is a tool that provides moving space for the State administration to take action without having to be fully bound by the law and there is a delegation of legislative power to the government, so that under certain circumstances and/or in certain portions and levels the government can issue statutory regulations (products of legislation) without the prior approval of parliament. In a constitutional state, every act of government must be based on law, because in a state there is the principle of *wetmatigheid van bestuur* or the principle of legality. The principle of legality is considered as the most important basis of a rule of law. Although the principle of legality is important, but according to Bagir Manan, the presence of congenital defects (natural defects) and artificial defects (artificial defects) of statutory regulations as a form of written law. As written provisions or written law, statutory regulations have a limited reach - just the moment of taking into account the political, economic, social, cultural and defense elements that were most influential at the time of formation, because it is so easy when compared to the changes in society that are getting faster or accelerated, when this discretion is put into writing, it becomes a policy regulation, namely a general regulation issued by a government agency.

3.3 Implementation of land blocking

⁸ Fatimah Achyar, *A Glance About the State Administrative Court Law*, Published by the Supreme Court of the Republic of Indonesia, 1989, Jakarta, p. 111

The recording of blocking has been specifically regulated in the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency No. 13 of 2017 regarding Blocking and Confiscation Procedures. Article 13 of the Ministerial Regulation states that blocking by individuals or legal entities is valid for a period of 30 days and can be extended with a court order in the form of a court order or decision. The method used in this study is an empirical juridical approach with research specifications in the form of analytical descriptive.

If the application for recording a blockade is accompanied by a letter of claim, then the recording of the blockage shall be guided by Article 45 number (1) letter e of Government Regulation No. 24 of 1997 concerning Land Registration with a blocking period until a court decision with permanent legal force (*inkracht van gewijsde*). The recording of a block based on the provisions of Article 45 point (1) letter e causes confusion between the recording of a block and a confiscation so that legal certainty cannot be realized. The National Land Agency as an agency that has the authority to record blocking in practice does not implement the provisions of Article 13 of the Ministerial Regulation ATR/KBPN No. 13 of 2017 which says that blocking records are deleted or expire within 30 days if they are not followed by a confiscation in the form of a stipulation or decision,

Requests for blocking by individuals or legal entities can generally be made if the conditions for a legal relationship are met, namely the subject or party that has a legal relationship with land and objects related to land or land as collateral objects in the agreement. Blocking records can be categorized into two, namely, ordinary blocking or blocking without cases attached and blocking with cases attached or blocking cases. Blocking records without a case are carried out by the Land Office in terms of fulfilling the requirements for a legal relationship and evidence of a legal relationship between the applicant and the land, as stated in Article 5 and Article 6 letter (F) of Permen ATR/Ka.BPN 13 of 2017, for example in the case of inheritance, joint property disputes in marriage, or engagements with collateral objects in the form of land. The period of blocking without a case is regulated in Article 13 of Permen ATR/Ka.BPN 13 of 2017, namely blocking individuals or legal entities valid for a period of 30 days from the date of recording and can be extended with a court order in the form of a stipulation or decision. Meanwhile, the blockade with a case is carried out by the Land Office in the event that the blockade applicant attaches a copy of the claim that has been registered with the District Court as stipulated in Article 6 letter f number 1 Permen ATR/Ka.BPN 13 of 2017, even though the object of the lawsuit is not related to land or land as the object of collateral in the contract.

The Head of the Land Office decides to accept the request for the registration of the blocking of cases as evidenced by attaching a copy of the lawsuit registered

by the District Court. The Madiun Regency Land Agency Office explained that with a case in court, the blocking was carried out until a decision with permanent legal force (inkracht decision) was guided by the provisions of Article 45 paragraph (1) letter e PP 24 of 1994 which states that the Head of the Land Office Landlords refuse to carry out transfer registration and encumbrance of rights if the land in question becomes the object of dispute in court.

Blocking if it is based on the provisions of Article 45 paragraph (1) letter e PP 24 of 1997 is carried out by the Head of the Land Office with the consideration of avoiding criminal risks as stipulated in Articles 416 and 417 of the Criminal Code (KUHP) which can be interpreted broadly namely exceeding the authority of the position as Head of the Land Office. For more details, in the case of blocking, if the court judge's decision states that blocking is not under his authority, then based on that decision the block is opened or deleted and a transfer of certificate occurs which causes losses to the blocking applicant (plaintiff) which is won in a Court decision,

Regarding the recording of the case block, the Land Office in another place also does the same thing, if the block is accompanied by a case, the block is valid until an inkrecht decision (permanent legal force). Requirements for recording individual blocks by attaching a case (claim letter) for the validity period of the block until there is a court decision that has permanent legal force based on the provisions of Article 45 paragraph (1) letter e PP 24 of 1997 with the consideration that not all objects of lawsuits are land or certificates as guarantees in engagement with the aim of paying off creditors' receivables creates confusion between the recording of civil blockades with case confiscations and criminal confiscations.

As an example of a land case, there is a land lawsuit from the heirs from the first marriage against the heirs from the second marriage, the right holder and the village officials and the Madiun Regency Land Agency Office, regarding the announcement of physical data and juridical data regarding land registration for the first time, recognition or affirmation of rights issued by the Madiun district ATR/BPN Office through LETTER OF ANNOUNCEMENT OF PHYSICAL DATA AND JURIDIS DATA No 1755/Peng-12.20/XI/2021 dated 4 November 2021 located in Madiun Regency. If in matters relating to Discretion that the Head of the Madiun Regency Land Agency Office can make a policy or decision,

To ensure that the discretion of the decisions and/or actions of public officials results in effective governance, public officials must act in the public interest, which needs to pay attention to the interests of all parties. There is a legal obligation for public officials to comply with the principles, namely upper and lower limits (hierarchical laws and regulations), guided by the principles of good governance, which include: legal certainty, benefit, orderly state administration,

public interest, openness, proportionality or balance, professionalism, accountability or impartiality, prudence, not exceeding/not abusing/not mixing authority, negating the consequences of a decision, and so on.

It can be concluded that in essence discretion is the freedom of action or freedom to make decisions from Government Administration Agencies or Officials. Discretion is a tool that provides moving space for the State administration to take action without having to be fully bound by the law and there is a delegation of legislative power to the government, so that under certain circumstances and/or in certain portions and levels the government can issue statutory regulations (products of legislation) without the prior approval of parliament. In a constitutional state, every act of government must be based on law, because in a state there is the principle of *wetmatigheid van bestuur* or the principle of legality. The principle of legality is considered as the most important basis of a rule of law. Although the principle of legality is important, but according to Bagir Manan, the presence of congenital defects (natural defects) and artificial defects (artificial defects) of statutory regulations as a form of written law. As written provisions or written law, statutory regulations have a limited reach - just the moment of taking into account the political, economic, social, cultural and defense elements that were most influential at the time of formation, because it is so easy when compared to changes in society that are getting faster or accelerated⁹

Discretion issued by State administrations in the context of carrying out governmental tasks has the potential to cause legal and administrative problems, so it needs to be supervised by the community and it needs to be emphasized again that a government administration is required to be able to account for discretionary actions made by it to the community without the need to wait for lawsuits legalistic. In the Authority Theory used in public law, authority consists of at least three components, namely influence, legal basis and legal compliance. The influence component is that the use of authority aims to control the behavior of legal subjects.¹⁰

In fact, discretion which is the policy of state officials is aimed at allowing a public official to carry out a policy that is slightly contrary to the law as long as it is based on the public interest, within the stages and limits of his area of authority, and also does not violate general principles, good governance. because in article 1 number 9 Act No. 30 of 2014 concerning government administration, discretion

⁹ Bagir Manan and Kuntana Magnar, *Legislation in the Development of National Law*, (Bandung, Armico, 1987)

¹⁰ I Nengah Suriata, "Licensing for a Drinking Water Depot Trading Industry in the City of Denpasar," *public administration* (2021) ha. 42–54.

becomes a decision, action or effort that is determined or determined or carried out by government officials solely for the purpose of overcoming problems faced by government administrators.

4. Conclusion

In the implementation of governmental tasks and serving the public, policy-making authority is focused on government positions carried out by government officials, discretionary power is closely related to the obligations, duties and functions of modern government under the rule of law to strive for general welfare through service public. In carrying out its public service mandate, the government is given the freedom or independence to act in dealing with special issues that require immediate attention and there are no rules. As a result of efforts to provide public services and facilitate the very complex tasks and responsibilities of the government, more and more actions of the government/state administrators are expressed in the form of discretionary power. Blocking if it is based on the provisions of Article 45 paragraph (1) letter e PP 24 of 1997 is carried out by the Head of the Land Office with the consideration of avoiding criminal risks as stipulated in Articles 416 and 417 of the Criminal Code (KUHP) which can be interpreted broadly namely exceeding the authority of the position as Head of the Land Office. To achieve the goals of the state, public officials act according to their authority, including in carrying out legal actions, especially in the form of administrative decisions as one of the juridical instruments in running the government. The National Land Agency, in this case the Head of the National Land Office, has the authority to issue discretionary policies regarding time limits for applications for land blocking and to continue the process of applications for registration or registration in accordance with applicable laws and regulations.

5. References

Journals:

- [1] Jazillatul Ulfa dan Fitika Andraini, Perlindungan Hukum Dan Kedudukan Pemegang Hak Terhadap Pemblokiran Sertifikat Hak Atas Tanah Oleh Kantor Pertanahan, Jurnal Dinamika Hukum: Vol 21 No 2 (2020): Vol. 21 No. 2 Edition August 2020
- [2] Redy Savendra Sihaloho dan Agus Nurudin, Pelaksanaan Blokir Sertipikat Hak Atas Tanah Ditinjau Dari Aspek Kepastian Hukum, jurnal Notarius, Volume 12 No.2 (2019)
- [3] Sihaloho, Redy, Agus Nurudin, and Adya Paramita Prabandari. "Pelaksanaan Blokir Sertipikat Hak Atas Tanah Ditinjau Dari Aspek Kepastian Hukum." Notarius 12.2 (2019): 550-565.

- [4] Ulya, Zaki. 2015. Eksistensi Badan Pertanahan Aceh sebagai Perangkat Daerah di Aceh dalam Aspek Kepastian Hukum Bidang Pertanahan. *Jurnal Konstitusi*, Volume 12, No. 3, September 2015

Regulation:

Conversion provisions in Act No. 6 of 1960 Concerning Basic Agrarian Regulations, state gazette 1960 – 104, additional state gazette number 2043