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# New Land Code

From January 1, 2023 the main part of the provisions of the new edition of the Land Code (hereinafter referred to as the Code) comes into force.

The Code introduces a number of novelties, some of which are described below:

1. It will be able to use land plots provided for the construction and (or) maintenance of capital structures, with the exception of residential houses, without changing their purpose for locating industrial, trade, catering and domestic services facilities, office premises, if construction and installation works are not required for the reconstruction of capital structures and the rights and legitimate interests of citizens, individual entrepreneurs and legal entities are not violated.

2. The list of situations where foreign citizens or stateless persons can be owners of land plots for servicing residential houses or registered apartments in blocked residential buildings has been expanded. For example,

- receipt by inheritance of a land plot provided to the testator in private ownership;

- acquisition, on the basis of a civil law transaction, of registered shares in the ownership of a land plot with house located on, including those that have not been completed and mothballed in accordance with the procedure established by law, an apartment in blocked residential building, a garden house or recognition of them in a judicial proceeding, shares in the ownership of these objects;

- allocation of share in marital property of spouses.

3. Conditions will be provided for permitting actions that are impossible under the current version of the Code, subject to additional payments using a new value - the market value, which in any case cannot be lower than the cadastral value.

Among them:

- changing the purpose of the land plot allocated for construction, before its completion;

- changes in the boundaries of the land plot allocated based on the result of the auction, providing for an increase in the size of such a plot, except for the case of reconstruction of existing capital structures;

- transfer of rights and obligations under land lease agreements for land plots provided for the construction of capital structures, until receipt of documents certifying the right of the tenant to such capital structures.

Other changes can be found at the [following link](#).

An overview of the main provisions of the new edition of the Land Code can be found in the article of Maxim Lashkevich, director, partner of GRATA International, Belarus: <https://jvs.by/zhurnal/statia/kodeks-o-zemle-osnovnye-izmeneniya> (in Russian).

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