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New Procedure of Seizure and Provision of Land Plots

On the last day of 2017 the Edict of the President came into force, which brought a lot of new provisions to land legal relations. The most long-awaited provision is that land users, prior to state body's decisions on forthcoming withdrawal of the land plot for state needs and the demolition of real estate located on it, shall be entitled to use these land plots and exploit and improve the property on it without taking into account town planning regulations regarding restrictions of long-term development of settlements (territories subject to reconstruction, etc.).

There is also a positive innovation for investors: when providing land plots for construction and (or) maintenance of transport and engineering infrastructure in free economic zones or providing it for investors for construction and (or) maintenance of facilities as stated in investment agreements with the Republic of Belarus, losses of agricultural and forestry production shall not be reimbursed by the investors.

In certain cases of termination of investment agreement for finishing the construction it shall be possible to provide an investor with a land plot without holding an auction.

In addition, if during performance of design and survey work it is found out that for construction of the facility as provided in the investment agreement a larger land plot is required and an additional plot is no more than 10 percent of the size of land plots included in the list of land plots for implementation of investment projects, amendments to the investment agreement shall be made after modifying the town-planning passport of the land plot without including an additional plot in this list of land plots.

Administrative procedures relating to land plots shall also be simplified: allocation of a land plot and its boundary shall be combined into one general procedure.

Specific term for the local executive committee to take a decision on refusing to provide a land plot shall also be stipulated. The competent authority shall be obliged to respond within 10 working days from the date of receipt of the application of the interested person.