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Belarus has adopted new rules for leasing and lending state property

On May 16, 2023, the President of Belarus issued Edict No. 138 "On leasing and lending of state property". State property is rented out based on a lease agreement. Lessors of immovable property are state authority and organisations, commercial companies established as a result of privatisation and their legal successors, regarding property not contributed to their charter capital, as well as legal entities founded on the right of state ownership, which has real estate in their limited real rights.

In the case of leasing real estate owned by the state, the lessee is obliged to pay a rent defined in the basic rent unit. The rent is calculated according to the formula set out in the Regulation approved with Edict No. 138.

For reference: The amount of 1 basic rent unit is currently BYN 16,90 (approximately EUR 5,40) ([Resolution of the Government of Belarus No. 180 of March 28, 2022](#)).

An agreement on the lease of immovable property may be concluded for property not registered in the Unified State Register of Immovable Property, Rights Thereto and Transactions Therewith, if the information on the object is included in the [Unified Property Register](#). Information on the property to be rented out is also included in the [Unified Information Base of Unused Property](#).

The Regulation on Leasing provides for two procedures for agreeing: as a result of an auction or without an auction. If the property is located in major cities or will be used for the production of excisable goods, jewellery, banking, real estate, insurance activities, etc., the agreement will be concluded following an auction for the right to conclude lease agreements. In the case of real estate for the location of industrial and agricultural production facilities, public catering facilities with a number of seats not exceeding 25, for hourly or occasional rentals and in other cases, a lease agreement may be concluded based on the application of the interested party under the decision adopted by the local executive body.

An agreement on the lease of state-owned property should be concluded within 10 work days following the local authority decision or an auction protocol signing.

We recommend reading the norms of the Edict at the [following link](#)

Practice areas

[REAL ESTATE](#)

Locations

BELARUS