

Decree  
of the President of the Republic of Belarus  
12 May 2017 No 166 Minsk

On the improvement of the special legal regime  
of the China-Belarus industrial park "Great Stone"

In order to improve the special legal regime of the special economic zone - the China-Belarus industrial park "Great Stone", create additional conditions for attracting investments into the establishment of competitive organizations and develop innovation activities, I decree:

1. To approve the attached Regulations on the special legal regime of the China-Belarus industrial park "The Great Stone".

2. To establish that:

2.1. a three-level system of governing bodies, consisting of the intergovernmental coordination council of the China-Belarus industrial park, the state institution "Administration of the China-Belarus industrial park "Great Stone"(hereinafter "the park administration") and the joint Belarusian-Chinese company for the development of the industrial park (hereinafter "the joint company") is functioning in the China-Belarus industrial park "Great Stone" (hereinafter "the industrial park").

The functions and tasks of the governing bodies of the industrial park and their interaction are determined by the Regulations on the special legal regime of the China-Belarus industrial park "Great Stone", approved by this Decree, and by the Regulations on the China-Belarus industrial park "Great Stone", approved by the Council of Ministers of the Republic of Belarus;

2.2. management of the activities and shares of the joint company is carried out exclusively by its governing bodies in accordance with their competence in the order, specified by the statute of the company, taking into account the requirements of this Decree.

The joint company operation is based on the principle of inadmissibility of interference in the operation of the joint company by the state authorities and other organizations of the Republic of Belarus;

2.3. the inspections of residents and investors of the industrial park, the joint company within the framework of control (supervisory) activities in the Republic of Belarus without approval from the park administration are not allowed.

Employees of the park administration are required to keep the confidential information, related to taxes, banking and commercial secrets, that has become known to them in connection with the approval of the inspections specified in part one of this subsection;

2.4. the foreign citizens and stateless persons that do not have a permanent residence permit in the Republic of Belarus and are engaged by the customers and contractors for the construction of the industrial park facilities for the purposes of registration at the place of their temporary or permanent stay can be registered in residential premises that are not classified as immovable property and (or) are not subject to inclusion into the housing stock;

2.5. consideration of cases on administrative offenses related to architectural, urban planning and construction activities, committed by the customers and contractors for the construction of the industrial park facilities and engineering organizations, involved in the construction of the industrial park facilities, as well as to environmental safety and environment management, committed by the residents and investors of the industrial park, the joint company in the territory of the industrial park, are under the exclusive jurisdiction of the courts.

3. To amend the following decrees of the President of the Republic of Belarus:

3.1. to complement the section 3 of the Regulation on the procedure for assignment to business trips abroad approved by Decree of the President of the Republic of Belarus No. 274 of 13 June 2005 with subsection 3.32<sup>1</sup> as follows:

"3.32<sup>1</sup>. the head of the state institution "Administration of the China-Belarus industrial park "Great Stone"- by the decision of the Prime Minister of the Republic of Belarus, and his deputies - by the decision of the head of the state institution "Administration of the China-Belarus industrial park "Great Stone";";

3.2. to complement the third paragraph of section 23 of Regulations on documents required for leaving and (or) entering the Republic of Belarus, approved by the Decree of the President of the Republic of Belarus No. 294 of 3 June 2008 "On the issuance of identity papers in the Republic of Belarus", after the words "the state institution "National Agency for Investments and Privatization" with the words "the state institution "Administration of the China-Belarus industrial park "Great Stone";";

3.3. in the Decree of the President of the Republic of Belarus No. 253 of 5 June 2012 "On the establishment of the China-Belarus industrial park "The Industrial park "Great Stone":

to delete from the title of the Decree the words "The Industrial park";

in section 1:

to redraft the section and the footnote to it as follows:

"1. To create a special economic zone - the China-Belarus industrial park "Great Stone" (hereinafter "the China-Belarus industrial park) within the boundaries, area and land plots as per the annex\* with a special legal regime of the special economic zone\*\*, the duration of which in terms of tax regulation is 50 years from the date of the entry into force of this Decree.

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\* Not distributed. ";

to complement the section with a footnote "\*\*\*" as follows:

\*\*\* For the purposes of this Decree, a special legal regime of the special economic zone means a special order of taxation and other regulations established by this Decree and other legal acts regarding registration of economic entities, land use and use of natural resources, and the customs procedure of free customs zone, applied in the territory of this economic zone in the order determined by the legislation and (or) international treaties of the Republic of Belarus.";

to redraft the annex to this Decree (enclosed) \*;

3.4. in the Decree of the President of the Republic of Belarus No. 326 of 30 June 2014 "On the activities of the China-Belarus industrial park "The Industrial park "Great Stone":

to delete from the title and preamble of the Decree the words "The Industrial park";

to delete sections 1 to 6.

4. The Council of Ministers of the Republic of Belarus shall:

4.1. ensure within three months the following:

adoption of legal acts, including technical regulations, simplifying the procedure for adaptation, approval and state expertise of project documentation, developed for the industrial park facilities in accordance with technical regulations of the Republic of Belarus, technical standards (regulations) of the People's Republic of China and other states, and also the commissioning of the industrial park facilities;

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\* Not distributed.

adoption of a legal act that defines the content and procedure for the park administration to perform their functions on "one station" principle, as well as a list of administrative procedures carried out by the park administration in cooperation with other state authorities and organizations;

adoption of a legal act that defines the procedure for confirming the conditions required for exemption from import customs duties and value added tax charged by customs authorities in respect of the goods (technological equipment, components and spare parts for it, raw materials and other materials), that are (were) imported for the exclusive use for the purpose of investment projects implementation in the territory of the industrial park;

adoption of a legal act that defines the procedure for maintaining and reconstruction of the transport infrastructure facilities constructed by the order of the joint company, arranging their inspection and diagnostics by specialized operating organizations, taking into account the specific features, established by the Regulations approved by this Decree;

amendments to the statute and the structure of the park administration, ensuring proper performance by the park administration of its functions;

alignment of legal acts to this Decree and other measures required for the implementation of the Decree;

4.2. clarify the issues related to the application of this Decree;

4.3. while drafting a legal act on updating the specified indicators of the republican budget for 2017 and the formation of the republican budget for the next years, allocate funds to finance the maintenance of the park administration and the performance of their functions on "one station" principle in accordance with the established procedure.

5. The Ministry of Architecture and Construction, The State Committee on Property, the State Committee for Standardization, the Minsk Regional Executive Committee, the park administration shall provide assistance to the residents and investors of the industrial park, the joint company in preparing of the permissive documentation, arrangement of in-parallel design and construction of industrial park facilities, state registration of immovable property located in the territory of the park and of rights, restrictions (encumbrances) on them.

6. The National Statistical Committee within six months shall ensure in coordination with the park administration the minimum list of state statistical reporting forms to be submitted by the residents of the industrial park, the joint company.

7. Republican governing bodies and other state organizations subordinate to the Council of Ministers of the Republic of Belarus, local executive and administrative bodies, shall do the following:

7.1. appoint the persons, having the status of a deputy head at least, responsible for ensuring within their competence of effective interaction between the relevant governing bodies (organization) and the residents and investors of the industrial park, the park administration, the joint company in carrying out their activities in the park;

7.2. ensure that the decisions of the intergovernmental coordination council of the China-Belarus industrial park will be implemented.

8. The Minsk Regional Executive Committee shall transfer to the ownership of the Republic of Belarus on a gratuitous basis shares of the joint company owned by the Minsk region, for the purpose of their further transfer to the park administration for the operational management.

9. The park administration within three months shall ensure the development and approval of the following:

the procedure for confirming the status of the industrial park investor and the participant in the construction of the industrial park facilities;

the procedure for making the decision on the completion of an investment project in the industrial park.

10. Legal acts of the Republic of Belarus are effective in the part not contradicting this Decree.

The legal regime for the industrial park can be modified through amendments to this Decree only.

11. The Administration of the President of the Republic of Belarus shall control the implementation of this Decree.

12. This Decree comes into force after its official publication.

The president

of the Republic of Belarus      Alexander Lukashenko

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/Official seal: The Administration of the President of the Republic of Belarus \*1\*

For legal acts/

## APPROVED

Decree of the President  
of the Republic of Belarus  
No.

## REGULATIONS

on the special legal regime for the China-Belarus industrial park "Great Stone"

### CHAPTER 1 GENERAL PROVISIONS

1. These Regulations establish the framework of special legal regime for the China-Belarus industrial park "Great Stone" (hereinafter "the industrial park"), taxation details, land matters and other specific provisions regulating the economic activities in this territory.

2. The industrial park is a territorial unit of the Republic of Belarus and is registered according to the legislation of the Republic of Belarus, applied for territories with special regime of use.

3. The objectives of the industrial park operation are to attract investments and to create competitive companies focused on the industrial and economic development in modern industries, including innovative production, research and development, trade, logistics, utilities sector and other fields.

The main tasks of the industrial park operation are to create new jobs, assist to the social and economic development of the regions and to increase the export potential of the Republic of Belarus in general.

4. For the purposes of these Regulations, the following terms and their definitions apply:

master plan - the urban planning project of the general planning of the industrial park approved by the Council of Ministers of the Republic of Belarus, developed on the basis of the state urban cadaster data and constituting the basis for the detailed planning and development of urban planning projects, architectural and construction projects and activities; it also establishes the space-and-territory development strategy for the industrial park space planning structure, functional zoning, regulations for the use of the industrial park territory, main parameters of building development and the development of the main engineering, technical and transport infrastructure, social infrastructure, as well as the conditions for the formation of green and safe living environment in the given territory;

investment project - an investment project, implemented in the territory of the industrial park;

investor of the industrial park - a person who finances the construction and (or) equipment of the industrial park facilities and is not a resident of the industrial park;

provision of comprehensive services on "one station" principle - the activity of the state institution "Administration of the China-Belarus industrial park "Great Stone" (hereinafter "the park administration") aimed at prompt and proper consideration of appeals from the residents and investors of the industrial park, the joint Belarus-China company for the development of the China-Belarus industrial park (hereinafter "the joint company"), from the participants in the construction of industrial park facilities and other business entities, registered in the territory of the industrial park. The specified activity is carried out directly at the location of the industrial park administration and includes, but not limits to, execution of administrative procedures within the authority of the park administration and other state authorities and organizations in cooperation with the employees of the mentioned authorities and organizations;

industrial park facility - a facility, constructed (being constructed) in accordance with the urban planning documentation of the industrial park;

representation expenses - expenses for negotiations with persons implementing (planning to implement) in the industrial park an investment project in any field of activity, of any amount of investments, expenses for meetings, conferences, seminars, sessions, briefings, expenses related to the arrival and hosting the delegations and individuals, official parties for representatives of current or potential partners of the person, bearing the representation expenses;

sale of own-produced goods (works, services) - the sale by the resident of the industrial park, the joint company of goods (works, services) of its own production, substantiated by the certificate of own production for this type of goods (works, services), issued in accordance with the legislation to the resident of the industrial park, the joint company. The sale of goods (works, services) produced in the industrial park does not cover the sale of goods (works, services), which were produced (performed or rendered) completely or partially outside the industrial park. Resident of the industrial park, the joint company ensures separate accounting of own-produced goods (works, services), manufactured (performed, rendered) during the validity period of the relevant certificate;

resident of the industrial park - a legal entity of the Republic of Belarus located in the territory of the industrial park, registered by the park administration as the resident of the industrial park in accordance with the legislation and implementing (planning to implement) an investment project in the industrial park;

construction of the industrial park facilities - construction, reconstruction, repair and maintenance, restoration, improvement of the industrial park facility, demolition, conservation of unfinished park facility, including implementation of organizational and technical measures, arrangement of relevant permissive and design documentation, construction, installation and commissioning;

participant in the construction of the industrial park facilities – companies and organizations, providing general design services as well as contractual, design, engineering and other services and involved in the construction of the industrial park facilities.

For the purposes of these Regulations, the terms "innovation activity", "innovation project", "subject of innovation activity" have the meanings defined in article 1 of the Law of the Republic of Belarus of 10 July 2012 "On state innovation policy and innovation activities in the Republic of Belarus".

5. Residents of the industrial park operating in the industrial park are provided with the most favorable economic regulations and terms in comparison with other applicable regulations and terms of business activities in the Republic of Belarus.

In case the legislation of the Republic of Belarus establishes more preferential regulations related to other free (special) economic zones in the Republic of Belarus, the relevant provisions will be included in these Regulations and will be applied to the industrial park.

6. The residents and non-residents of the industrial park, including investors of the industrial park, as well as other economic entities that do not invest into creation of the park facilities, are entitled to carry out their activities in the industrial park at any stage of the development of its territory.

The persons indicated in the first part of this section are entitled to apply other preferential regulations and terms in the order and on terms, specified in the legal acts of the Republic of Belarus.

7. The registration as the industrial park resident can be provided to any legal entity established in the Republic of Belarus and located in the territory of this park or established (reorganized) directly in the industrial park, with the participation of a foreign investor or without it, and implementing (planning to implement) an investment project in the industrial park that meets all the following conditions simultaneously:

according to the investment project the legal entity will carry out economic activities in the industrial park in accordance with the fields of activities of the industrial park, including the main activities, such as the creation and development of production units in the field of electronics and telecommunication, pharmaceuticals, fine chemistry, biotechnologies, engineering, new materials, integrated logistics, electronic commerce, activities related to the storage and processing of large amounts of data, social and cultural activities, as well as research and development activities (hereinafter “R&D”);

declared amount of investments in the implementation of the investment project is not less than 5 million US dollars (or not less than 500 thousand US dollars for the R&D project).

The declared amount of investments in the implementation of the investment project (except for R&D projects) of a legal entity claiming registration as the industrial park resident may amount to 500 thousand US dollars or its equivalent, under condition that the investments in this amount will be made within 3 years from the date of conclusion of a contract between the stated legal entity and the park administration, defining the conditions of its operation in the industrial park.

The park administration is entitled to make decisions related to registration as a resident of the industrial park of a legal entity, implementing (or planning to implement) in the territory of the park an investment project, that is consistent to the main tasks of the industrial park, but does not comply with the requirements related to the main activities and (or) volume of investments stated in the first and second parts of this section.

8. Registration as residents of the industrial park is not allowed to the legal entities, implementing (planning to implement) an investment project in the following fields:

production, processing, storage, deactivation, sale of radioactive and other hazardous materials and wastes;

drug trafficking, sale of psychotropic substances and their precursors;

planting, cultivation, processing, storage, sale of crops containing poisonous substances;

production of alcoholic beverages;

production of tobacco products;

production of blanks for value documents and securities, banknotes and coins, postage stamps;

lotteries;

preparation and broadcasting of radio and television programs, except for technical services related to radio and television;

treatment of persons suffering from diseases that endanger public health;

treatment of animals with highly dangerous diseases.

## **CHAPTER 2 GOVERNING BODIES OF THE INDUSTRIAL PARK**

9. The governing bodies of the industrial park are the intergovernmental coordination council of the China-Belarus industrial park (hereinafter “the intergovernmental coordination council”), the park administration and the joint company.

10. The Intergovernmental coordination council is the supreme governing body of the industrial park; its functions are performed by the Commission for trade and economic cooperation of the Belarus-China intergovernmental cooperation committee.

The intergovernmental coordination council establishes the general strategy for the development of the industrial park and settles the issues related to its operation and requiring the joint participation of the Belarusian and Chinese sides.

11. The park administration is the administrative body of the industrial park, authorized to attract investments in the industrial park, provide complex services to business entities on its territory and to coordinate the work of the state administrative bodies of the Republic of Belarus

related to the execution of administrative procedures, licensing, permitting procedures (services) and other procedures in the industrial park on "one station" principle.

The park administration is a state institution, established by the Council of Ministers of the Republic of Belarus, accountable to the Council of Ministers and operating on the basis of the statute, approved in accordance with the legislation of the Republic of Belarus.

The park administration is headed by the head of the park administration, who is appointed to this position and dismissed by the President of the Republic of Belarus. The powers of the head of the park administration are determined in the statute of the park administration.

The deputy heads of the park administration are appointed to their position and dismissed by the head of the park administration in agreement with the Council of Ministers of the Republic of Belarus.

The park administration operation and the creation of conditions for the provision of its services on "one station" principle are financed from national budget, as well as other sources, not prohibited by law.

Terms and conditions for provision of guarantees and compensations to the head of the park administration during his official business trips abroad, including training (internship, seminars, conferences and other activities related to professional development), are determined in accordance with the legislation of the Republic of Belarus. Reimbursement to the head of the park administration of his travel costs and accommodation is carried out in accordance with the procedure established for the Deputy Prime Minister of the Republic of Belarus.

#### 12. Administration of the park:

makes decisions within its competence, that are binding on state bodies and other organizations, as well as on business entities operating in the industrial park and individuals, to whom such decisions are addressed;

provides complex services for residents and investors of the industrial park, the joint company, participants in the construction of the park's facilities, other business entities registered in the territory of the park, on "one station" principle, facilitates interaction between these entities, state authorities and other organizations on the issues related to their operation in the industrial park. The scope of functions, performed by the park administration on "one station" principle, and the procedure for their performance are determined by the park administration and approved by the Council of Ministers of the Republic of Belarus;

under the request of the residents and investors of the industrial park, the joint company, participants in the construction of park facilities and other business entities registered in the territory of this park, carries out administrative procedures, required by the legislation of the Republic of Belarus, at the location of the park administration, involving employees of relevant state authorities and other organizations. State authorities and organizations are obliged to ensure the presence of their authorized employees at the location of the park administration on working days indicated by the park administration;

coordinates the work of state authorities and other organizations to ensure the implementation of administrative, permitting procedures and other procedures (services) in the industrial park on "one station" principle;

makes decisions, binding on the state authorities and other organizations, related to the performance by the mentioned bodies and organizations of administrative and other procedures required by the legislation of the Republic of Belarus, in the location of the industrial park administration, and provision of other services;

interacts with the joint company, state authorities and other organizations on the issues related to the activities of the industrial park, and also ensures the interaction of the joint company with state authorities and other organizations on these issues;

performs the state registration of business entities in the industrial park, state registration of changes and (or) amendments to the statutes of commercial and non-profit organizations (articles of association - for commercial organizations, operating on the basis of articles of association only), amendments to the state registration certificate for individual entrepreneurs.

For the purposes of state registration in the industrial park before the construction and due naming of streets is completed, the business entities are allowed to indicate the name of the industrial park as their location. However, after the construction is completed and the streets are named in due order, such business entities are obliged to notify the park administration on the change in their location within 10 working days;

performs the registration of legal entities as residents of the industrial park according to the procedures, established by the park administration, taking into account the provisions of section 7 of these Regulations;

confirms the status of the industrial park investor and the participant in the construction of the park facilities according to the procedures, established by the park administration;

withdraws and provides in accordance with legislation and the provisions of these Regulations lands within the boundaries of the industrial park for permanent or temporary use, lease, private ownership of the joint company; changes, if necessary, the category of land plots usage (purpose) and reclassifies the land plots within the boundaries of the industrial park from one category and type to other, except for protected, recreational, historical and cultural areas, forest reserve lands, water reserve lands classified as natural territories under special protection, as well as zones for sanitary protection of drinking water sources and supply systems. The decision on withdrawal and provision of land plot should be made within 3 working days from the date of receipt of documentation regarding the withdrawal and provision of land plot from the land administration organization, subordinated to the State committee on property;

approves urban planning projects for detailed planning, developed in accordance with the duly approved master plan;

assigns names to the roads and streets network units (streets, lanes, alleys, dead ends, descents, entrances, parks, gardens, avenues, highways, squares, boulevards, tracts, embankments) located within the boundaries of the industrial park and renames them;

develops, coordinates with the interested bodies and the Administration of the President of the Republic of Belarus and introduces to the Council of Ministers of the Republic of Belarus according to the legislation procedures the drafts of legal acts and other documents on issues, related to the activities of the industrial park;

ensures the creation of proper conditions, required by legislation, for the establishment of a departmental customs clearance point, temporary storage warehouses and bonded warehouses in the territory of the industrial park. Decision on the inclusion into the register of temporary storage warehouses owners, the register of bonded warehouses owners, the decision on the creation of a departmental customs clearance point in the territory of the industrial park are made by the State Customs Committee in accordance with the procedure established by the legislation of the Republic of Belarus;

submits proposals to dismiss the heads of organizations, operating in the territory of the industrial park, to the state authorities in charge of these organizations, or to the management bodies of these organizations in case the mentioned heads of organizations fail to implement the decisions of the park administration taken within its competence;

performs other functions, established by these Regulations and legal acts of the Republic of Belarus.

Decisions of the park administration that do not comply with the legislation are canceled by the Council of Ministers of the Republic of Belarus.

Decisions of the park administration that restrict or violate the rights, freedoms and legitimate interests of citizens, legal entities, as well as other decisions can be appealed to court in accordance with the civil or economic procedural legislation of the Republic of Belarus in cases determined by the legislation of the Republic of Belarus.

13. The joint company is created by Belarusian and Chinese founders. After the state registration of the joint company, its participants may include the citizens and legal entities of the Republic of Belarus, the People's Republic of China, and other foreign states.

The joint company is created to attract residents and investments into the industrial park and ensure its development by means of creating the internal infrastructure, management of park facilities and development of land plots within its territory.

The joint company:

ensures the development of urban planning projects for the industrial park, construction of park facilities, management of the park facilities, development of infrastructure within its territory (except for the populated territories, including Minsk and land plots assigned for long-term development of Minsk in accordance with its master plan, and land plots, belonging to horticultural associations and dacha co-operatives);

is entitled to develop land plots, provide the industrial park facilities (or their parts) for further use, alienate (transfer) land plots to the residents and investors of the industrial park for private ownership or lease, or sublease for construction and (or) maintenance of the park facilities, carry out other economic activities on land plots, provided to the joint company for use, lease or private ownership within the boundaries of the industrial park;

is entitled to be a customer and (or) engage other business entities for the development of urban planning projects of the industrial park, construction of park facilities and other activities related to the industrial park operation as per the legal regulations, including those indicated in the section 21 of these Regulation;

carries out economic, investment, innovative activity or other activities, not prohibited by the laws of the Republic of Belarus.

### **CHAPTER 3 LAND MATTERS**

14. The development of the industrial park territory is carried out according to the master plan.

The joint company develops the master plan and makes amendments to it, and the park administration considers the master plan and the amendments and submits them for the approval to the Council of Ministers of the Republic of Belarus according to the regulations of the Republic of Belarus related to the architectural and urban planning activities.

15. The withdrawal and provision of land plots within the boundaries of the industrial park are carried out for the purposes of construction and (or) maintenance of the park facilities, other development aimed at effective functioning of its territory in accordance with the master plan and the procedures of withdrawal and provision of land plots for state needs.

16. In case of withdrawal and provision of land plots within the boundaries of an industrial park to the joint company:

the specific legal procedures on the land plot location approval for land plots, classified as agricultural land for agricultural purposes and forest lands of the forest fund do not apply;

no preliminary approval of the land plot location is required, except for land plots located within the boundaries of the Republican Biological Reserve "Volmyansky" and the Local Significance Reserve "Mayak";

no urban planning passport for a land plot is required;

no reimbursement for lost profit within the reimbursement of losses caused by withdrawal, temporary occupation of land plots and (or) demolition of real estate objects located on them is provided to land users.

For investment sites placing and designing of facilities exceeding the area of the quarter (module), set by the master plan layout, the system (network) of the streets in the production and communal storage areas can be adjusted taking into account the geometric dimensions of the sites and objects. Adjacent streets may be included in the boundaries of the site, transferred, resized, eliminated in agreement with the master plan developer, the park administration, and the joint company. At the same time, transport services and engineering support of adjacent sites and facilities should be provided. The regulations of urban planning projects of the industrial park in

the part related to schemes of the network of main streets with engineering communications are mandatory.

The joint company will not be provided with land plots from the populated lands, including Minsk and land plots assigned for long-term development of Minsk in accordance with its master plan, and land plots, belonging to horticultural associations and dacha co-operatives.

17. The procedure for the withdrawal (formation) and provision to joint company of land plots in the industrial park is regulated by the Regulations on the "Procedure for the formation and provision of land plots for the placement of immovable property and maintenance of state-owned real estate objects, subject to sale", approved by the Decree of the President of the Republic of Belarus No. 667 of 27 December 2007 "On withdrawal and provision of land plots", taking into account the specific details provided in these Regulations.

Formation of the industrial park land plots and alteration of the purpose for land plots usage are carried out in accordance with urban planning projects of the industrial park under decision of the park administration.

18. The land plots within the boundaries of the industrial park are provided to the joint company progressively, based on the actual rate of the lands development, for permanent or temporary use, lease for a period up to 99 years or private ownership according to its applications, taking into account the specific details provided in these Regulations, without auctions and payments for the right to enter the land lease agreement, and execution of documents required for the withdrawal of these land plots simultaneously with the construction of industrial park facilities.

19. Provision of land plots to the joint company for private ownership is carried out in accordance with the legislation of the Republic of Belarus at a fee in the amount of 25 percent of the land plot cadastral value, effective on 1 January 2012; the fee is based on the official US dollar to Belarusian ruble exchange rate, established by the National Bank and effective on the date when the application for land plot provision for private ownership was submitted; no correction factors to the cadastral value are applied.

The money from the provision of land plots in the industrial park for private ownership is transferred to the current account of the park administration, remains at its disposal, and is allocated for the purpose of the industrial park development and the park administration operation, including attraction of investments, according to the procedures, approved by the Council of Ministers of the Republic of Belarus.

20. The joint company is exempt from:

rent for leased land plots within the boundaries of the industrial park for the duration of the lease agreements for such plots, including the cases when the joint company is subletting such plots;

making the payments for the right to enter the land lease contract when subletting the leased land plot, transferring their rights and obligations under a land plot lease agreement to other parties, using the lease rights to a land plot as a pledge or contribution to the statutory fund of business partnerships and associations, or performing other actions with the land plot and (or) the right for the land plot, not prohibited by the laws of the Republic of Belarus.

21. To receive land in the territory of the industrial park, its residents and investors apply to the joint company that provides (alienates) the land plots in its lease (private ownership) for sublease (lease or private ownership) to the residents and investors of the industrial park, in case they are non-state legal entities of the Republic of Belarus, or for sublease (lease) to other industrial park investors, and executes the relevant documents for land plots simultaneously with the construction of industrial park facilities. The grounds for the provision (alienation) of land plots, the procedure for considerations of applications for the provision (alienation) of land plots and the decisions-making procedure regarding the provision (alienation) of land plots are determined by the joint company. When the joint company provides land plots for sublease (lease), the terms of the sublease (lease) agreement are agreed on by the parties, and the land plot usage category should stay the same.

The joint company is entitled to provide (alienate) land plots to the industrial park investors at any stage of the industrial park territory development.

22. Subletting of land plots to residents and investors of the industrial park by the joint company requires the written consent of the industrial park administration.

Further subletting of sublet land plots by the residents of the industrial park and its investors requires the written consent of the industrial park administration and the joint company.

23. Banks and other legal entities, including non-residents of the Republic of Belarus, indicated in the list, approved by the Council of Ministers of the Republic of Belarus, may be pledgees of land plots located in the industrial park and of the lease right to such land plots, after entering the loan and (or) credit agreements with the joint company and (or) residents of the industrial park.

24. The resident of the industrial park, the industrial park investor, the joint company are obliged to proceed with occupation of the land plot provided for the construction of the industrial park facility within 2 years from the date of the park administration's decision to permit design and survey work.

25. It is allowed to alienate (purchase and sale, exchange) the land plots, transferred to the private ownership of the joint company, to residents and investors of the industrial park for the construction of the park facilities, and to lease such land plots, as well as transfer the rights and obligations under the lease agreements for such land plots, before the joint company, the residents and investors of the industrial park receive the appropriate documents, confirming their rights to permanent structures (buildings, construction facilities), located in these land plots.

#### **CHAPTER 4 CONSTRUCTION AND COMMISSIONING OF THE FACILITIES**

26. For construction activities on the territory of the industrial park:

the selection of the participants in the construction of industrial park facilities and suppliers of goods for the construction of park facilities, and conclusion of agreements with them are carried out without the application of procurement and tenders procedures, competitive bidding, negotiations and other procedures, regulating the procurement of goods (works, services) for the construction of facilities;

the regulation established by the laws of the Republic of Belarus and other restrictions on prices and tariffs for goods (works, services) related to the construction are not applied;

no conformity attestation of buildings, design documentation, construction materials and products, construction services in the National System for Conformity Attestation of the Republic of Belarus is required, unless otherwise required by these Regulations;

the residents and investors of the industrial park, the joint company, participants in the construction of the park facilities, make special contributions for financing the inspections of the Department of Control and Supervision over the Construction under the State Committee for Standardization in the amount, established for facilities, financed from the republican and (or) local budgets, including special-purpose state budgetary funds, as well as state extra-budgetary funds, and are exempt from other deductions and payments, established by the laws of the Republic of Belarus in the field of architectural, urban planning and construction activities;

starting from 1 April 2014, the customers for the construction of industrial park facilities are not obliged to obtain certificates of compliance, other supporting documents, without which the customers are prohibited to exercise their functions and (or) are subject to administrative liability;

the joint company, participants in the construction of the industrial park facilities, investors and residents of the park are exempted from reimbursement of losses to the agricultural and (or) forestry production, caused by the withdrawal or temporary occupation of agricultural lands and forest fund lands, located within the boundaries of the industrial park and intended for

implementation of investment projects, including the construction of the industrial park facilities, as well as from compensatory tree-planting, reimbursement of removed or transferred plants costs and compensatory payments for harmful impact on the wildlife and (or) their environment;

the location of the industrial park facilities with sanitary protection zones exceeding the basic dimensions of the sanitary protection zones for enterprises, buildings and other facilities that impact human health and the environment, established in the urban-development projects of the industrial park, is allowed provided that the relevant projects for sanitary protection zones are developed and the sizes of sanitary protection zones for these facilities are estimated;

development of pre-project (pre-investment) documentation is not required.

The park administration is entitled to request the architectural and planning concept of the industrial park facility and a draft design for the purpose of making the decision on permitting design and survey work related to industrial park facilities (except for engineering and transport infrastructure facilities)

27. Within the boundaries of the industrial park, the development of urban planning projects, the development and approval of project documentation, construction, commissioning and operation of industrial park facilities may be carried out according to the technical regulations (standards), similar to the European Union regulations or the People's Republic of China regulations, provided that the urban planning and design documentation has passed the Republic of Belarus state expertise, including state ecological expertise, without mandatory adaptation of this documentation to the regulations (standards) of the Republic of Belarus.

In case of adaptation of urban planning and design documentation for the industrial park facilities, the state expertise assesses its compliance with the mandatory statutory requirements of the Republic of Belarus for mechanical strength and stability, and environmental protection.

In this case, the permissive documentation for the construction of industrial park facilities, commissioning documents and other documents required for the state registration of the park objects and the rights to them, must be made in Russian (Belarusian) or Chinese (other foreign language), translated into Russian (Belarusian) language and validated by a public notary.

28. On the territory of the republican biological reserve "Volmyansky" and the local significance reserve "Mayak" the construction of the industrial park facilities is carried out in accordance with the restrictions established by the legislation of the Republic of Belarus for these reserves. It is forbidden (except otherwise set out in the management plan of the reserve) to change the natural landscape and to remove plants.

29. The construction of the industrial park facilities can be carried out in parallel with the development, expertise and approval of the necessary design documentation at each stage of the construction after obtaining positive conclusion of the state expertise for the architectural design project and its approval in accordance with the established procedure.

30. During the construction of the industrial park facilities, a fertile layer of soil is removed from the underlying land and used for the construction needs and other needs in accordance with the decision on the alienation and provision of the land plot.

During the construction of the industrial park facilities it is allowed to cut down trees and shrubs. Starting from 31 December 2016, the harvesting of timber within the land plots occupied by the joint company, including those owned by it, is carried out in accordance with the legal procedures by forestry legal entities. The harvested timber remains in state ownership and is sold by forestry legal entities, that harvested it.

31. The construction (and involvement of engineering organization) of the following industrial park facilities, necessary to ensure the full and timely development of the industrial park territory in accordance with the master plan, is financed from state and local budgets in the order defined by the legislation:

transport and engineering infrastructure (structures and utilities of electricity, heat, gas, water supplies and sewerage, telecommunications, roads and other utilities), located outside the boundaries of the industrial park;

other transport and engineering infrastructure objects – according to the decision of the President of the Republic of Belarus or the Council of Ministers of the Republic of Belarus; pre-school and secondary school buildings, medical services facilities (organizations providing medical assistance under outpatient treatment) (except for pharmacies, trade and consumer services buildings), postal service buildings, as well as emergency stations, fire stations, police stations.

The construction of pharmacies, trade and consumer services buildings is financed from other funds, not prohibited by the laws of the Republic of Belarus.

The park administration acts as the customer for the construction (including the development of project documentation) of the facilities specified in part one of this section, financed entirely or in part from the state and (or) local budgets.

32. Financing of historical and cultural heritage sites protection during the construction of industrial park facilities is made from the state and (or) local budgets.

33. In accordance with articles 21.17, 21.20 and 21.21 of the Administrative Violations Code of the Republic of Belarus, budgetary funds allocated for whole or partial financing of construction (including design and payment for engineering services) of industrial park facilities are the funds of the state and (or) local budgets, including special-purpose state budgetary funds, as well as state extra-budgetary funds.

34. During the commissioning, the facility of the industrial park is assessed by the acceptance commission, state bodies (their structural subdivisions), other state organizations exercising state supervision in construction, against the following criteria only:

compliance of the facility to the approved design and permissive documentation;  
achievement of the technical and economic parameters indicated in the project documentation;  
preparedness of the engineering infrastructure to ensure the supply and allocation of resources in the amounts indicated in the project documentation.

35. The standards and regulations for the technical operation of the industrial park facilities, except for electric, heat, gas and water supply facilities, sewerage and hydraulic engineering facilities, are determined prior to their commissioning by the park administration on the basis of the proposals from construction customers.

36. Customers for the construction of industrial park facilities after the establishment of the acceptance commission have the right to submit to the park administration an application on the establishment of a working group to coordinate the work of the state supervision bodies during the commissioning of the industrial park facilities.

The park administration within 3 working days from the date of the mentioned application receipt shall create a working group involving the representatives of state supervision authorities, whose conclusions are required for the commissioning of the facility. The bodies of state supervision within 15 days from the date of the working group establishment shall issue a positive conclusion on the facility or a motivated refusal.

The park administration ensures commissioning of industrial park facilities within 30 days after the creation of the mentioned working group, provided that there are no comments on the facility from the state supervision bodies.

37. State registration and the emergence of title, restrictions (encumbrances) for the industrial park engineering and transport infrastructure facilities may be carried out upon the application of the interested person on the basis of the act on the transfer of the facilities construction costs and technical passports.

38. After the joint company makes a decision on the gratuitous transfer of objects (their parts) of the transport infrastructure (roads, streetways, driveways, sidewalks, bicycle paths and parking areas), including objects of traffic management, traffic lights, street lighting into state ownership, the state authorities are required to make decision on the admission of such property into state ownership within 5 working days after the joint company provided the act on the transfer of the facilities (their parts) construction costs.

The maintenance and repair of the objects (or their parts), specified in part one of this section, constructed by the order of the joint company, arrangement of their inspection and diagnostics are carried out by the republican specialized operating organizations at the expenses of the funds, provided for these purposes in the state budget.

The costs for the energy, consumed by the outdoor street lighting objects, specified in the first part of this section, are covered from the state budgetary funds.

The maintenance and repair of electric, heat, gas, water supply facilities, sewerage and hydraulic engineering facilities, built by the order of the joint company, are provided by the joint company.

The use of objects, specified in part four of this section, for the performance of works and provision of services by third parties is carried out on the basis of the agreements, concluded by these persons with the joint company, and providing to the joint company the compensation of its expenses for the maintenance and repair of these objects.

39. For roads, streetways, driveways, sidewalks, bicycle paths and parking areas, located in the industrial park, as well as for roads, connecting the territory of the park with Minsk, including those, owned by the joint company, the 1st (1np) level of requirements to their operating conditions is established.

## **CHAPTER 5 TAXATION**

40. Residents of the industrial park are exempt from the following taxes:

the income tax on the profit, received from the sale of goods (work and services) of their own production, produced in the industrial park – for 10 calendar years starting from and including the first taxation period, when the resident of the industrial park had received a gross profit for the accounting period, accrued from the beginning of the taxation period, including the profit received from the sale of the said goods (work, services);

for the duration of the special legal regime of the industrial park in terms of the special taxation regulation, from the following taxes:

property tax on the facilities, subject to this tax, located in the industrial park, regardless of their usage;

land tax for land plots within the industrial park.

The residents of the industrial park, after the expiration of the ten-year period, specified in the second paragraph of the first part of this section, pay in terms of profits received from the sale of goods (works, services) of their own production, produced on the territory of the industrial park, the reduced income tax in the amount of 50 percent of the rate, established by clause 1 of article 142 of the Tax Code of the Republic of Belarus. This payment is made before the expiration of the special legal regime in terms of the special taxation regulation for the industrial park.

41. The joint company is exempt from the following taxes:

41.1. up to 1 January 2032 from the income tax on the following profit:  
profit, received from the sale of goods (work and services) of its own production, produced by the joint company in the industrial park;

income from lease (sublease, financial lease) of movable property to the industrial park residents, land plots and other immovable property (its parts) located in the industrial park, reduced by the amount of costs (expenses), related to such lease and leased (subleased, put to financial lease) property;

profit received from the sale of land plots located in the industrial park, capital structures (buildings, structures), unfinished conserved capital structures, isolated premises, including residential ones;

41.2. for the duration of the special legal regime of the industrial park, in terms of the special taxation regulation, from the following taxes:

property tax on the facilities, subject to this tax, located in the industrial park, regardless of their usage;

land tax for land plots within the industrial park.

The joint company for the duration of the special legal regime of the industrial park, in terms of the special taxation regulation, may include in the costs, accounted for the taxation, the representation expenses, born by the joint company in the framework of actions, taken to facilitate the development of the industrial park territory.

42. The park administration for the duration of the special legal regime of the industrial park, in terms of the special taxation regulation, is exempted from the following taxes:

value added tax on turnover related to transferring the land plots of the joint company to private ownership in accordance with section 19 of these Regulations;

income tax on money transferred to the current account of the park administration, received from the transfer of the joint company land plots to private ownership in accordance with section 19 of these Regulations.

43. The residents of the industrial park, the joint company are not required to provide tax declarations (calculations) for land tax (rent for land plots) and property tax on taxation objects, not subject to taxation in accordance with these Regulations.

44. For the duration of the special legal regime of the industrial park, in terms of a special taxation regulation, for the purposes of income tax calculation the residents of the industrial park, the joint company do not include in non-operating income and expenses, specified in sub-clause 3.17 of clause 3 of article 128 and sub-clause 3.24 of clause 3 of article 129 of the Tax Code of the Republic of Belarus, the following exchange rate differences:

resulting from the translation of the value of assets and liabilities, stated in foreign currency, determined in accordance with the laws of the Republic of Belarus;

resulting from the translation of the value of assets and liabilities, stated in foreign currency, from 1 January 2015 to 31 January 2016, determined in accordance with the laws of the Republic of Belarus, and recognized as deferred income (expenses) and not reserved for the financial activities income (expenses) and non-operating income (expenses), accounted for taxation.

45. The joint company for the duration of the special legal regime, applied to the industrial park, in terms of the special taxation regulation, is entitled not to include the costs, related to construction management (customer maintenance costs), into the cost of the object construction with their attribution to the costs for the production and sale of goods (work, services), property rights, accounted for taxation.

46. For the duration of the special legal regime, applied to the industrial park, in terms of the special taxation regulation, the residents of the industrial park, the joint company, have the right to deduct the value-added tax (except for amounts not subject to deduction according to the legislation) included in the price of goods (works, services), property rights purchased in the Republic of Belarus (or paid for goods imported into the Republic of Belarus) and used for the development of urban- planning projects for the industrial park, construction of park facilities and their equipment, regardless of the value added tax amount, calculated on the sales turnovers of goods (works, services), property rights, but not later than on 31 December following the year of the corresponding Industrial park facility commissioning.

The amounts of value added tax related to the costs of the development of urban planning projects for the industrial park, construction of the industrial park facilities and their equipment, including the amount of value added tax, subject to deduction in full amount in accordance with part one of this section, are calculated by the method of separate accounting of tax deductions, depending on the use of goods (works, services), property rights. This deduction is made on the basis of the list of goods (works, services), property rights purchased in the Republic of Belarus (imported into the Republic of Belarus) and used for the development of urban planning projects for the industrial park, construction of park facilities and their equipment (hereinafter “the list of

goods (works, services), property rights”), indicating the respective amounts of value added tax, approved by the park administration and submitted by the residents of the industrial park, the joint company to the tax authorities at the place of their registration together with the tax declaration (calculation) of the value added tax.

The list of goods (works, services), property rights should contain the following information:

name of the industrial park facilities (or their parts), for which the mentioned goods (works, services), property rights, purchased in the Republic of Belarus (imported into the Republic of Belarus) were used;

full name and identification number of the taxpayer – the resident of the industrial park, the joint company;

name, quantity and cost of goods (works, services), property rights, used for the development of urban planning projects for the industrial park, construction of park facilities and their equipment, purchased in the Republic of Belarus or imported into the Republic of Belarus with value added tax payment;

reference numbers of primary accounting documents, customs declarations and other supporting documents related to goods (works, services), property rights, purchased in the Republic of Belarus or imported into the Republic of Belarus and used for the development of urban planning projects for the industrial park, construction of park facilities and their equipment (document name, date and number if available);

reference numbers of documents confirming the use of goods (works, services), property rights for the development of urban planning projects for the industrial park, construction of park facilities and their equipment (document name, date of issue and number if available);

amount of value added tax, included in the price of goods (works, services), property rights, purchased in the Republic of Belarus (or paid for goods imported into the Republic of Belarus), used for the development of urban planning projects for the industrial park, construction of park facilities and their equipment, and reference numbers of documents, including electronic invoices for value added tax, stating the mentioned amount of value added tax (document name, date of issue and number if available), number and date of issue (date of signature by the resident of the industrial park, the joint company) of electronic invoice for value added tax);

amount of value added tax, paid for goods, imported into the Republic of Belarus and used for the development of urban planning projects for the industrial park, construction of park facilities and their equipment, date of VAT payment, reference numbers of documents proving VAT payment for such goods, imported into the Republic of Belarus (document name, date of issue and number if available) and reference numbers of electronic invoices for value added tax (number and date of issue).

To approve the list of goods (works, services), property rights the resident of the industrial park, the joint company submits the application for the approval of the list of goods (works, services), property rights (hereinafter “application”) to the industrial park administration.

The resident of the industrial park, the joint company encloses to the application the following documents: 3 copies of the list of goods (works, services), property rights, signed by the general manager and the chief accountant (accountant) of the resident of the industrial park, the joint company. The resident of the industrial park, the joint company ensures the information provided in the list of goods (works, services), property rights is true and correct. To approve the mentioned list, the industrial park administration is entitled to request from the residents of the industrial park, the joint company the original documents, which copies the resident of the industrial park, the joint company has provided.

The first page of each copy of the list of goods (works, services), property rights, must have the following information in the approval heading:

the word "APPROVED";

name of the park administration;

number of the copy of the list of goods (works, services), property rights.

The application is considered by the park administration within 5 working days from the date of application registration.

In case it is required to receive additional documents and (or) information, the period for consideration of the application may be prolonged up to 10 working days from the date of the application registration. The park administration notifies the industrial park residents, the joint company, that the period for consideration of the application is prolonged, within 5 working days from the date of application registration.

When considering the application, the park administration assesses the goods (works, services), property rights, included in the list of goods (works, services), property rights, whether they are designed for the development of urban planning projects of the industrial park, construction and equipment of the park facilities, and also checks:

information about the applicant (including the full name of the industrial park resident, the joint company);

availability of the information, specified in part three of this section, in the list of goods (works, services), property rights;

the name of the facilities for which the goods (works, services), property rights, were purchased on the territory of the Republic of Belarus (imported into the territory of the Republic of Belarus);

information that all the documents (including the electronic invoices for the value-added tax, issued (signed by the resident of the industrial park, the joint company), indicated in the list of goods (works, services), property rights, were issued (signed) prior to the expiration of the period, specified in part one of this section.

If the list of goods (works, services), property rights complies with the requirements, stated in parts three and eight of this section, and if the resident of the industrial park, the joint company, complies with the requirements, stated in parts five and six of this section, the park administration shall approve the list of goods (works, services), property rights - complete the approval heading in the first page of each copy of the list of goods (works, services), property rights, and fill in the following references:

full name of the head of the park administration or the authorized deputy head of the park administration;

signature of the head of the park administration or the authorized deputy head of the park administration;

date of approval.

The approval heading is validated by the stamp of the park administration.

Upon the approval of the list of goods (works, services), property rights, the first copy of this list remains with the park administration, the second and the third copies are returned to the resident of the industrial park, the joint company.

The third copy of the approved list of goods (works, services), property rights, is provided by a resident of the industrial park, the joint company, to the tax authority at the location, where the industrial park resident, the joint company, is registered.

47. For the duration of the special legal regulations, applied to the industrial park, in terms of a special taxation regulation, the residents of the industrial park, the joint company, are exempt from value added tax on the turnovers, related to the following:

gratuitous transfer of project documentation for industrial park facilities, unfinished capital construction objects, located on the territory of the industrial park, to the ownership of the joint company and (or) park residents respectively, in accordance with the laws of the Republic of Belarus, for the construction of buildings and facilities in the industrial park territory;

sale of immovable property, including land plots, located in the industrial park, by the park residents and (or) the joint company respectively;

lease (sublease) and financial lease of immovable property, including land plots, located in the industrial park, to the residents of this park and (or) the joint company respectively.

The turnovers, exempted from value added tax in accordance with part one of this section, are excluded from the total turnovers related to sales of goods (works, services) and property rights sales for estimation of relative share percentage, used to distribute tax deductions for the value-added tax by the relative share method.

The turnover, related to the sale of engineering and transport infrastructure facilities and supplies, located in the industrial park, by the industrial park residents, the joint company to operating organizations (their founders (participants, shareholders, owners of their property), legal entities, specified in part one of section 85 of these Regulations, are not subject to value added taxation.

48. For the duration of the special legal regulations, applied to the industrial park, in terms of a special taxation regulation, the industrial park residents, the joint company, are exempt from value added tax on the turnovers, related to sales of works (works, services), property rights, specified in sub-clause 1.4 of clause 1 of article 33 of the Tax Code of the Republic of Belarus, in the territory of the Republic of Belarus, including turnovers, related to the sale of these works (works, services), property rights by foreign organizations, that do not carry out their activities in the Republic of Belarus through a permanent establishment and thereafter are not registered in the tax authorities of the Republic of Belarus.

49. The rate of income tax, personal income tax, income tax for foreign organizations, that do not carry out activities in the Republic of Belarus through a permanent establishment, on dividends and other income with equal status, determined as such according to the clause 1 of article 35 of the Tax Code of the Republic of Belarus, transferred by the industrial park residents, the joint company, venture companies, located in the industrial park, financing innovation projects of innovative activities subjects, to their founders (participants, shareholders, owners of their property), who are the residents of the Republic of Belarus and non-residents of the Republic of Belarus - the actual owners of income, shall be zero (0) percent within 5 calendar years, starting from the first calendar year, in which the dividends or income with equal status were accrued.

The industrial park residents are exempted from paying offshore fees related to transfer of payments, specified in part one of this section, to their founders (participants, shareholders, owners of their property).

50. The rate of income tax for foreign organizations, that do not carry out activities in the Republic of Belarus through a permanent establishment, that are the actual owners of royalty income, paid by the industrial park residents, the joint company to foreign organizations that do not operate in the Republic of Belarus through a permanent establishment, as the reward for provision of industrial, commercial or scientific information (including know-how), license fees, patent, drawing, useful model, scheme, formula, industrial sample or process, is 5 percent until 1 January 2027.

51. Incomes of individuals, received under labor contracts (agreements) from the industrial park residents and (or) the joint company, are subject to personal income tax until 1 January 2027 at a rate of 9 percent.

Within the period, specified in the part one of this section, the individuals' incomes other than the remuneration for labor or other duties are not subject to personal income tax, i.e. welfare, gifts and prizes, payment for food, accommodation, travel, trip vouchers and flight tickets, received from the industrial park residents and (or) the joint company by their employees, in the amount up to 500 basic rates on the date of receipt of each income from each source within the taxation period (calendar year).

52. For the duration of the special legal regulations, applied to the industrial park, in terms of a special taxation regulation, capital structures (buildings, objects) classified as such for the purposes of property tax, constructed (placed) by the participants in the construction to ensure the construction of the industrial park facilities in the frames of investment projects implementation by the industrial park residents, the joint company, during the construction of these facilities.

53. The profit from alienation of a share in the statutory fund (equity unit (part of an equity unit), shares) of innovation activity subjects, received by venture companies, located in the industrial park, prior to 1 January 2027, is not subject to income tax.

## **CHAPTER 6 LABOR RELATIONS AND MIGRATION**

54. Work and rest schedule of employees of the industrial park residents and investors, participants in the construction of the park facilities, the park administration and the joint company is determined by local regulations, which may set the terms, other than specified by the laws of the Republic of Belarus on labor conditions, but should not be less beneficial for employees than those provided by the Labor Code of the Republic of Belarus and other legal acts of the Republic of Belarus, regulating the corresponding social and labor relations.

55. The industrial park investors and participants in the construction of the industrial park facilities from among the foreign companies, operating in the Republic of Belarus, for the implementation of the investment projects in the industrial park are entitled to employ under the labor contracts the foreign nationals and stateless persons, who do not have permanent residence permits in the Republic of Belarus, on the basis of the permissions for the recruitment of foreign labor and special permissions for employment in the Republic of Belarus, issued to them according to the legislation of the Republic of Belarus, related to legal entities of the Republic of Belarus, with regard to the specific provisions, established by these Regulations.

56. The industrial park residents, the joint company, the participants in the construction of the park facilities, the industrial park investors are exempt from the state fee for the issue and extension of the permissions for the recruitment of foreign labor and special permissions for employment in the Republic of Belarus for the foreign nationals and stateless persons, hired by the industrial park residents and investors, the joint company, the participants in the construction of the park objects for the purposes of the construction of the industrial park facilities, as well as for the implementation of investment projects within the park (hereinafter “foreign citizens and stateless persons”).

57. The decision on the issue, refusal to grant, extension of special permissions for employment in the Republic of Belarus for the foreign nationals and stateless persons is made within 5 calendar days, and the conclusion, whether or not it is possible to hire the foreign national or stateless person, is made within 2 working days.

58. Foreign citizens and stateless persons are exempted from the state fee for registration of temporary stay in the Republic of Belarus and permits for temporary residence in the Republic of Belarus.

59. Mandatory insurance contributions are not applied to the part of the income (payments) of employees of the industrial park residents, the joint company, that is subject to the assessment for such contributions, exceeding the single average salary of employees in the Republic of Belarus in the month, preceding the month, for which such mandatory insurance contributions are to be paid. When applying this benefit, pensions and temporary disability allowance, maternity benefits for employees of industrial park residents, the joint company, are calculated for the relevant period based on the actually paid amounts of mandatory insurance contributions.

Employees of the industrial park residents, the joint company, are entitled not to use the benefit, established in part one of this section.

60. Residents and investors of the industrial park, the joint company, participants in the construction of the park's facilities, customers for the construction of the park's facilities, as well as their employees from foreign citizens, temporarily residing in the territory of the Republic of Belarus and recruited for the implementation of investment projects in the territory of the industrial park, are exempt from mandatory insurance contributions for pension and social

insurance, calculated on the basis of the payments they receive. Provision of pensions to the foreign employees is carried out according to the legislation of the countries of their nationality.

61. For social protection of employees of the organizations, operating in the industrial park, having common interests in productive and non-business areas, it is allowed to establish in the industrial park the voluntary public organizations, ensuring such protection, regardless of the number of founders (members) of such public organizations.

62. Establish a visa-free entry into the Republic of Belarus and departure from the Republic of Belarus for individuals, having valid travel documents and engaged by the residents and investors of the industrial park, the joint company for the implementation of investment projects in the industrial park, as well as founders, participants, shareholders, property owners (employees of founders, participants, shareholders, property owners) of residents and investors of the industrial park, the joint company on the basis of lists, specified in part two of this section.

The lists of individuals, whose movement across the State border of the Republic of Belarus is allowed in a visa-free regime, are submitted to the State Border Committee by the park administration upon applications provided by the residents and investors of the industrial park, the joint company.

The basis for issuing a permit for temporary residence in the Republic of Belarus to foreign citizens and stateless persons, engaged by the residents and investors of the industrial park, the joint company, as well as for employees of the founders (participants, shareholders, property owners) of residents and investors of the industrial park, the joint company for the implementation of investment projects in the industrial park or other activities in accordance with the objectives, defined in the constituent instruments of the residents and investors of the industrial park, the joint company, is The Agreement between the Government of the Republic of Belarus and the Government of the People's Republic of China on the China-Belarus Industrial Park dated 18 September 2011.

63. Foreign citizens and stateless persons, indicated in part one of section 62 of these Regulations, having no permit for temporary residence in the Republic of Belarus, are given the right to stay in the Republic of Belarus for 180 days in a calendar year.

## **CHAPTER 7**

### **SPECIAL FEATURES OF CUSTOMS REGULATION**

64. The participants in the construction of the industrial park facilities during the construction of these facilities, carried out within the framework of an investment project, implemented by the resident of the industrial park, using goods placed under the customs procedure of a free customs zone, are entitled not to complete the customs procedure of a free customs zone with respect to such goods and (or) payment of import customs duties, value-added tax, paid on the import of goods into the territory of the Republic of Belarus, provided that these goods are not exported outside the territory of the industrial park, where the customs procedure of the free customs zone is applied, and are used for the purpose of implementing the stated investment project.

65. In case the other party performs works (render services) aimed at processing the goods, placed by a resident of the industrial park under the customs procedure of a free customs zone, and (or) goods, which were manufactured (received) with the use of goods, placed by a resident of the industrial park under a customs procedure of free customs zone, on the basis of a civil legal agreement, that does not involve the transfer of ownership of such goods, the completion of the customs procedure of the free customs zone and (or) the payment of import customs duties, value added tax in respect of goods, placed by a resident of the industrial park under the customs procedure of a free customs zone and used in the processing, are not required.

The procedure, established in part one of this section, is applied provided that goods, placed under the customs procedure of the free customs zone and (or) the goods, which were manufactured (received) with the use of goods, placed under a customs procedure of free

customs zone, are not exported outside the industrial park, where the customs procedure of the free customs zone is applied and are used for the purposes of implementing the investment project, stated in the agreement on the operation in the industrial park.

In case the conditions established in part one of this section are not observed, the import customs duties and the value added tax shall be paid (charged) in accordance with the laws of the Republic of Belarus by a resident (from a resident) of the industrial park, who placed the goods under the customs procedure of a free customs zone.

66. Goods (technological equipment and its components and spare parts, raw materials and other materials), imported into the territory of the Republic of Belarus for exclusive use on the territory of the Republic of Belarus in order to implement the investment projects related to the construction and equipment of the industrial park facilities are exempted from import customs duties (in accordance with international obligations of the Republic of Belarus) and value-added tax, charged by the customs authorities.

The basis for granting privileges, defined in part one of this section, is the conclusion, issued by the park administration, that the imported goods are intended for use in the Republic of Belarus only, for the purposes of implementation of investment projects for the construction and equipment of the industrial park facilities; the conclusion should contain the information on the name, quantity of goods, their cost, persons, engaged in their import, the details of foreign trade contracts, the name of the investment projects, together with the stages of these projects (if any); and for the purposes of exemption from import customs duties - also a confirmation of compliance to the procedures, established by international legal acts within the legal framework of the Customs Union and the Common Economic Space and international treaties and (or) acts, constituting the legislation of the Eurasian Economic Union.

In respect of goods, imported with the grant of privileges, as defined in part one of this section, and used for the implementation of the investment project, the imposed restrictions on the use and (or) disposal of them are valid until the end of the investment project, but not more than 5 years from the date when these goods were placed under the appropriate customs procedure.

In case of misuse of goods, imported with the grant of benefits, specified in part one of this section, import customs duties and value added tax are paid (charged) in accordance with the legislation of the Republic of Belarus.

Leasing (gratuitous use, financial lease (leasing) or other conditions that grant the right to use the property, but do not entail the transfer of ownership of this property, of the commissioned industrial park's facilities and (or) their parts, which construction and equipping were carried out with the granting of benefits, as defined in part one of this section, within the boundaries of the industrial park are not considered a misuse until the end of the implementation of the investment project.

The park administration informs the State Customs Committee about the date of completion of the investment project implementation within 10 working days from the date when the relevant decision was issued. Such a decision must be issued within 10 days after receiving the application of the person, who implemented the investment project, on the issue of this decision.

67. Waste, generated during the processing of goods placed under the customs procedure of the free customs zone, as specified in sub-clauses 5) and 6) of clause 1 of article 13 of the Agreement on free (special) economic zones in the customs territory of the Customs Union and Customs procedure of the free customs zone of 18 June 2010 (hereinafter "the Agreement") \* are

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\* the "consumption of goods", stated in sub-clause 6) of clause 1 of article 13 of the Agreement, is understood as the use of goods, placed under the customs procedure of the free customs zone, for the processing (treatment), manufacturing or repair of other goods, in the result of which the mentioned goods are completely destroyed, unless otherwise specified by international treaties and acts constituting the Eurasian Economic Union legislation related to customs regulation.

considered for customs purposes as unsuitable for further commercial use under the following conditions:

transfer for neutralization and (or) disposal to a legal entity or individual entrepreneur, who has a special permit (license) for activities, related to the impact on the environment, and including the works and services on the neutralization and (or) disposal of waste (hereinafter – “special permit (license)”);

neutralization and (or) disposal by the industrial park resident, having a special permit (license), at his own facilities for neutralizing and (or) disposal of waste;

transfer to a legal entity or an individual entrepreneur, operating a waste reuse facility, for their further use as a secondary raw material in accordance with the established procedure;

use by a resident of the industrial park at a waste reuse facility in accordance with the established procedure.

Information on the facilities included in the register of waste reuse facilities, legal entities and individual entrepreneurs, having a special permit (license), is posted and updated on the official website of the Ministry of Natural Resources and Environmental Protection in the Internet and should contain the following:

the name of the waste reuse facility, the name and code of the waste to be reused, in accordance with the classification of waste in the Republic of Belarus, as well as the name, legal address, means of communication (telephone, e-mail) of a legal entity, or full name, place of residence, means of communication (telephone, e-mail) of an individual entrepreneur, owning the waste reuse facilities and performing their operation;

information on the licensee (name and location of the legal entity, the full name and place of residence of the individual entrepreneur), the name of the licensed type of activity, indicating the activities and (or) services included in this type of activity and performed under a special permit (license) (neutralization and (or) disposal of waste), the number of the special permit (license), the date of issue and the term of its validity.

The information on the site specified in the first paragraph of the second part of this section is updated within 14 working days upon:

registration of the waste reuse facility or its deletion from the register of the waste reuse facilities;

obtaining a special permit (license) or a decision on its cancellation, termination, suspension, renewal of a special permit (license);

changes in the information, specified in the second and third paragraphs of the second part of this section.

Withdrawal of waste, specified in the first paragraph of the first part of this section, from the industrial park territory where the customs procedure of the free customs zone is applied, for the transfer to the organization, operating the waste reuse facility and (or) having a special permit (license), is carried out based on written request from the declarant of the customs procedure of free customs zone to the customs authority indicating the information on waste (name, net weight) and the date of its transfer, as well as the name of the legal entity or full name of the individual entrepreneur, who receive the waste for their use, neutralization, disposal, and the enclosed copy of the agreement between the declarant and the specified legal entity or individual entrepreneur, validated by the declarant. The customs authority officer is entitled to demand the original of the mentioned contract.

The amount of goods, placed under the customs procedure of the free customs zone, with respect to the amount of waste unsuitable for further commercial use in order to recognize such goods as those beyond the customs control, is determined by the declarant of the specified customs procedure according to the regulations established by the Council of Ministers of the Republic of Belarus.

68. The amount of goods, placed under the customs procedure of the free customs zone, in the terms of the amount of production losses, completely lost as a result of the operations, indicated in sub-clauses 5) and 6) of clause 1 of article 13 of the Agreement, in order to

recognize such goods as those beyond the customs control, is determined by the declarant of the specified customs procedure according to the regulations established by the Council of Ministers of the Republic of Belarus.

69. The park administration can define capital buildings (buildings, facilities) and (or) isolated premises in the territory of the free customs zone established for the industrial park resident, which were (are being) constructed and equipped by a resident of an industrial park using the goods, placed under the customs procedure of the free customs zone, and which may be transferred, without prejudice to the implementation of the resident's investment project, to another resident of the industrial park for the implementation of his own investment projects.

The transfer of immovable property between the residents of the industrial park can be made on the basis of the agreement on lease (gratuitous use, financial lease (leasing) or other agreement, granting the right to use such immovable property, but not entailing the transfer of ownership of this property.

When transferring the capital structures (buildings, facilities) and (or) isolated premises with the equipment, which has been put into operation, to the industrial park resident in the order specified in part 2 of this section for temporary use, the completion of the customs procedure of the free customs zone and payment of import customs duties and value added tax imposed on the import of goods into the territory of the Republic of Belarus in respect of goods and equipment, placed under the customs procedure of free customs zone and used for the construction and equipment of such immovable property, are not required, provided that:

the goods and equipment, specified in the first paragraph of this section, are not dismantled and are not exported outside the territory of the free customs zone, established for the industrial park resident, that placed such goods under the customs procedure of the free customs zone;

immovable property and equipment, put into operation, remains unchanged, except for changes due to normal wear and tear or natural loss under normal conditions of storage and (or) use (operation).

In case of non-compliance with the conditions set forth in part three of this section, import customs duties and value added tax, imposed on the import of goods into the territory of the Republic of Belarus, shall be paid (charged) by a resident (from the resident) of an industrial park that placed goods and equipment used for construction and equipment immovable property, under the customs procedure of the free customs zone, in accordance with the laws of the Republic of Belarus.

70. In the territory of the free customs zone, established for the resident of an industrial park in the order, in accordance with the laws of the Republic of Belarus, a free customs zone for another resident of the industrial park may be established, provided that the industrial park resident ensures to that latter resident of the industrial park the appropriate access control mode.

The resident of the industrial park, within whose territory of the free customs zone another resident's free customs zone is established, bears joint and several liability for payment of customs duties and taxes with respect to foreign goods, placed by that latter industrial park resident under the customs procedure of the free customs zone, in case such goods are used in violation of the terms and conditions of a free customs zone procedure.

71. The goods, placed by the industrial park residents under the customs procedure of release for domestic consumption and manufactured (produced) using foreign goods, placed under the customs procedure of the free customs zone, shall be exempt from the value added tax, charged by customs authorities.

72. Within the free customs zone boundaries, defined by the park administration for the industrial park residents, it is allowed to create a bonded warehouse and (or) a temporary storage warehouse if their owner is an industrial park resident.

73. A customs control zone, established in due order for the joint company and (or) an industrial park resident within the boundaries of the industrial park, may be a place of delivery of

goods, imported for the purposes of investment projects implementation by the joint company and (or) the industrial park residents,

For the delivery of goods to the customs control zone, established upon the application of the recipient of goods by the customs body in charge of the area of the recipient's location, the recipient must:

ensure the storage of goods, prevent such operations that may change the goods' condition, leading to a breach of the package, as well as avoid their handling and use before the permission to perform cargo operations with goods is obtained from the customs authority;

within 3 hours after the placement of goods in the customs control zone, to notify the customs office of destination by means of information systems and information technologies about the placement of goods in the customs control zone in order to obtain permission to perform cargo operations with goods.

The customs office of destination shall ensure registration of the notification, specified in the third paragraph of the second part of this section and send a notice confirming its registration to the recipient of the goods within 2 hours upon the receipt of the notification.

The customs office within 4 hours upon the registration of the specified notification makes the decision if the recipient is allowed to perform cargo operations with the goods.

In case the customs office of destination has not informed the recipient of the goods about the decision to refuse or allow the cargo operations with goods within 4 hours from the registration of the notification on the placement of goods in the customs control zone, the cargo operations with goods are allowed. In case the customs office of destination received the notification on the placement of goods in the customs control zone less than 4 hours prior to the end of their daily work, the cargo operations with goods are allowed after 4 hours from the beginning of the next working day, unless the customs office of destination has informed the recipient of the goods about the refusal or permission to perform cargo operations with goods.

Within the next working day after the goods are placed in the customs control zone, the carrier of goods must submit to the customs office of destination a transit declaration, transport (transportation) and commercial documents with the notes on the release of goods in accordance with the customs procedure of customs transit and identified by the customs office of departure to complete the customs procedure for customs transit.

When the goods are delivered to the place of delivery, which is a customs control zone, established upon the application of the recipient of goods by the customs body in charge of the area of the recipient's location, the recipient of the goods bears joint and several liability with the carrier of goods for payment of import customs duties and taxes from the moment the customs office of destination has registered the notification on the placement of goods in the customs control zone until the customs procedure for customs transit is completed.

## **CHAPTER 8 CURRENCY REGULATION AND FOREIGN TRADE ACTIVITIES**

74. Residents of an industrial park, the joint company are entitled to execute operations with currency without regard to the currency regulations of the Republic of Belarus, including the following:

conduct currency exchange operations in the domestic foreign exchange market of the Republic of Belarus through banks without restrictions;

buy foreign currency in the domestic foreign exchange market without restrictions on the purposes of its use;

not to make the mandatory sale of foreign currency received from their operation in the industrial park;

open accounts in foreign banks without permission from the National Bank;  
conduct the following foreign exchange transactions related to the transfer of capital without permission from the National Bank:

acquire the shares distributed among the founders, a share in the statutory fund or a unit in the non-resident's property;

acquire the securities issued by non-residents from a non-resident legal entity except for the acquisition of shares distributed among the founders;

acquire the property located outside the Republic of Belarus and classified as immovable property according to the legislation of the Republic of Belarus, including the facilities constructed under the shared construction agreements;

deposit their funds in non-resident banks or transfer the funds to non-residents (except for non-resident banks) under conditions of trust management;

provide the loans to non-residents;

obtain credits and (or) loans from non-residents without regard to the currency regulations of the Republic of Belarus.

75. Foreign trade operations involving residents of the industrial park, the joint company are not subject to restrictions established by the legislation of the Republic of Belarus on the regulation of foreign trade operations, including the time required to complete the foreign trade operations.

76. The preference stated in the fourth paragraph of section 74 of these Regulations is provided to the participants in the construction of industrial park facilities.

77. The statutory fund of the industrial park residents can be declared and formed from the deposits in foreign currency.

The statutory fund of the joint company is declared and formed from the deposits in foreign currency.

## **CHAPTER 9**

### **SALE OF GOODS (WORKS, SERVICES) PRODUCED IN THE TERRITORY OF THE INDUSTRIAL PARK**

78. When establishing the prices (rates) on goods (works, services) of own production sold by the industrial park resident, the joint company in the territory of the Republic of Belarus or exported to other countries, free prices (rates) are applied.

The industrial park residents, the joint company, are entitled not to comply with the marginal indices and other methods of prices (rates) regulation, established by the legislation of the Republic of Belarus. For services provided by the joint company and identified by the legislation as natural monopoly spheres, restrictions on the activities of natural monopoly entities established by the laws of the Republic of Belarus, including restrictions on the establishment of prices (rates), are not applied.

79. The goods (works, services) produced by the industrial park residents, the joint company, as well as the goods (works, services) imported by them are not subject to production and sales quotas and foreign trade quotas for goods (works, services) as well as the other quantitative restrictions on the production and supply of goods (works, services), unless otherwise provided for by international treaties of the Republic of Belarus.

## **CHAPTER 10**

### **OTHER PREFERENCES**

80. For the purposes of statistical reporting, the residents of the industrial park, the joint company submit only those forms included in the minimum list of state statistical reporting forms to be completed and submitted by the residents of the industrial park, the joint company, approved by the National Statistical Committee.

81. The residents of the industrial park, the joint company are entitled to use electronic document management in their operation and do not need to keep paper-based document management.

82. For the residents of the industrial park, the joint company, the prices on natural gas are established on the basis of gas supplying organizations expenses for acquisition and release of natural gas, including payments for the purchased natural gas as well as process losses, operating costs and administration expenses, attributable to the cost of natural gas.

83. For the joint company, the electricity rate up to 1 January 2028 is established on the basis of costs, related to the production, transmission, distribution and sale of an electric energy unit, tax payments, and an additional fee for the power of 750 kVA and above is not applied.

Within the period, specified in part one of this section, the joint company is entitled to establish the price for the electric energy sold by the joint company, on its own, without taking into account the restrictions established by the legislation of the Republic of Belarus, as well as establish a discount to the residents of the industrial park in the order specified by the joint company.

84. When the joint company places the advertising aimed at promoting the industrial park, the local executive and administrative bodies do not charge fees for granting the right to use the urban environment (the populated territories environment or other territories) for advertising purposes, as well as the fee for facilitating the placement (distribution) of outdoor advertising, if the owner and the local executive and administrative body are the one entity.

## **CHAPTER 11**

### **EXTENDED APPLICATION OF THE SELECTED PROVISIONS OF THE SPECIAL LEGAL REGULATIONS RELATED TO THE INDUSTRIAL PARK**

85. Privileges and preferences, established by these Regulations for the joint company, shall apply to legal entities operating in the territory of the industrial park, if the joint company owns 50 percent and more of their statutory fund shares (stakes).

Dividends or income with equal status, recognized as such in accordance with clause 1 of article 35 of the Tax Code of the Republic of Belarus, accrued to a joint company by legal entities specified in part one of this section, shall not be subject to income tax.

86. The benefits and preferences, established by these Regulations, do not apply to banks, nonbank financial institutions and insurance organizations, microfinance institutions, as well as commercial organizations in respect of their activities in the field of gambling and activities for arrangement and carrying of electronic interactive games.

## **CHAPTER 12.**

### **GUARANTEES OF THE REPUBLIC OF BELARUS**

87. The residents and investors of the industrial park, the joint company enjoy the guarantees of investors' rights and protection of investments, established by the legislation of the Republic of Belarus in the field of investments.

88. In case the legal acts of the Republic of Belarus (except for legal acts of the Republic of Belarus in the field of defense, environment protection and sustainable use of natural resources, health care, customs regulation and taxation), adopted (issued) after the entry into force of the Decree on the approval of these Regulations, worsen the situation of residents and investors of the industrial park, the joint company and the terms of their operation in the industrial park, as well as the situation of other entities, who are entitled to privileges and preferences in accordance with these Regulations, then the laws of the Republic of Belarus, which were effective at the date of the entry into force of the Decree on the approval of these Regulations, apply to the residents and investors of the industrial park, the joint company, other entities, entitled to benefits and preferences in accordance with these Regulations, unless otherwise provided by international legal acts that constitute the legal framework of the Customs Union and the Eurasian Economic Space, and (or) acts that form the legislation of the Eurasian Economic Union.

If the legal acts of the Republic of Belarus on the taxation were adopted after the date of registration of an industrial park resident or after the establishment of the joint company, but not prior to the date of effect of the Decree on the approval of these Regulations and increase tax rates and (or) impose new taxes and charges (except for cases when the relevant obligations of the Republic of Belarus are stated in international treaties, or when a new tax (charge) replaces former act or other mandatory payment to the budget and state extra-budgetary funds, or when the increase in tax rates, established in Belarusian rubles or other amounts, measured in Belarusian rubles, was made for the purposes of their adaptation to inflationary processes) in relation to taxes and charges and tax rates, effective on the indicated date (on the date effect of the Decree on the agreement of these Regulations, - for the joint company, residents of the industrial park, registered prior to the date of the entry into force of the Decree on the approval of these Regulations), the resident of the industrial park, the joint company are entitled to the following:

not to apply the legal regulations of the Republic of Belarus in terms of new taxes and charges, in regard of their activities in the industrial park;

to pay taxes (charges), which rates are increased, based on their effective rates on the date of the industrial park resident registration (on the effective date of the Decree on the approval of these Regulations - for the joint company, residents of the industrial park, registered prior to the entry into force of the Decree on the approval of these Regulations), in regard of the activities in the industrial park territory.

The guarantee, established in the second part of this section is valid till 1 January 2027 and may be extended through amendments to these Regulations.

The guarantee, established in the second part of this section shall apply to the legal entities, specified in the first part of section 85 of these Regulations. For the purposes of applying the provisions of the first and third paragraphs of the second part of this section, the initial date on which 50% or more of the shares (stakes) in the statutory funds of the mentioned legal entities were owned by the joint company is used thereby, and for the legal entities, for which this condition was fulfilled prior to the date of the entry into force of the Decree on the approval of these Regulations - the date of the entry into force of the Decree on the approval of these Regulations is used.