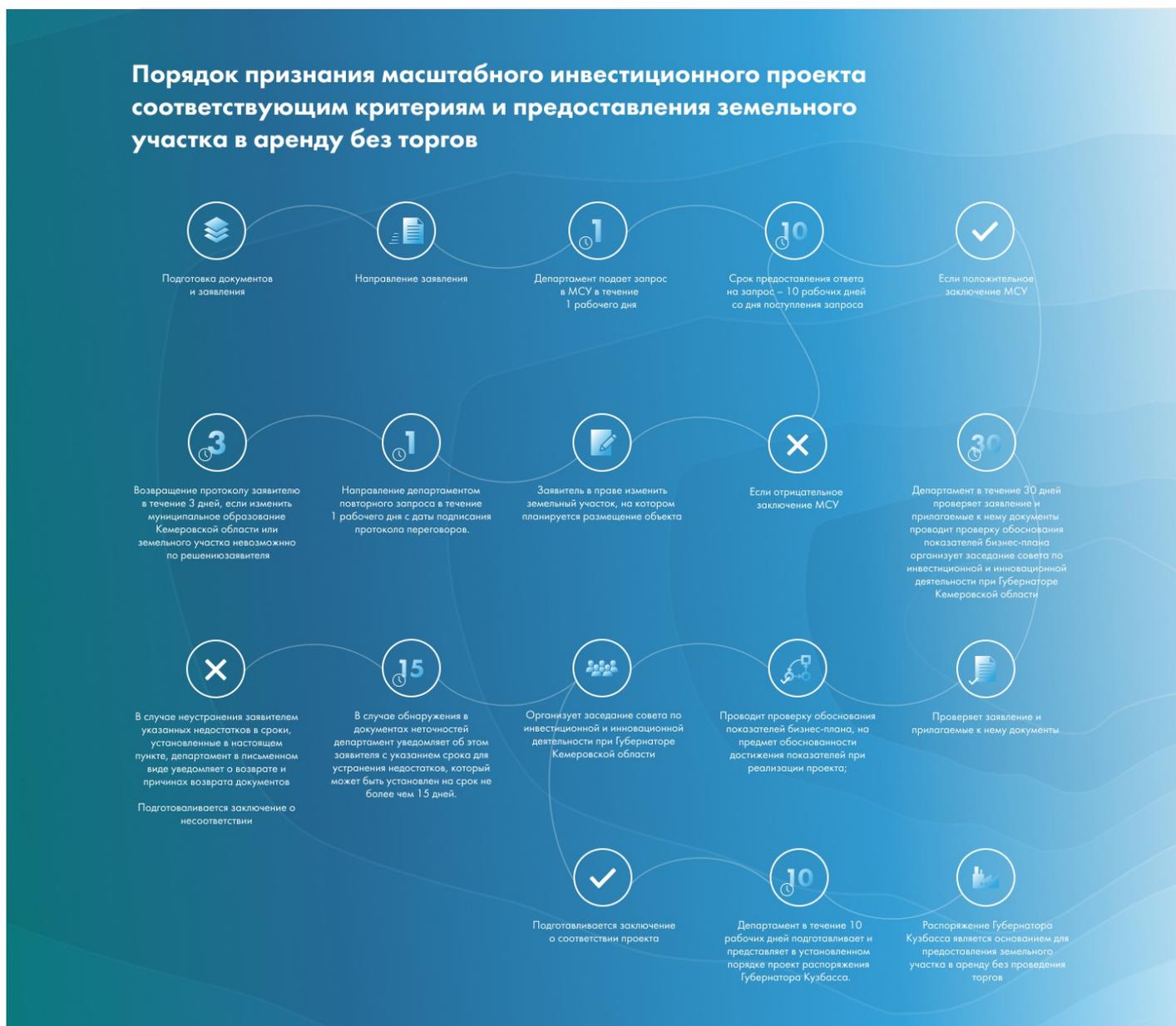


The procedure for the provision of land plots in state or municipal ownership for rent without bidding for the placement of investment projects on them, recognized as large-scale



- You can view the scheme in high quality [by link \(opens in a new window\)](#).

Regulatory regulation:

Land Code of the Russian Federation (Art. 39.6.)

Закон Кемеровской области от [08.07.2016 N 52-ОЗ "Об установлении критериев, которым должны соответствовать масштабные инвестиционные проекты, размещаемые на земельных участках, находящихся в государственной или муниципальной собственности, для предоставления юридическим лицам в аренду без проведения торгов"](#)

[Постановление Коллегии АКО от 02.09.2016 № 347 "Об утверждении Порядка принятия решения о соответствии масштабных инвестиционных проектов, размещаемых на земельных участках, находящихся в государственной или муниципальной собственности, для предоставления юридическим лицам в аренду без проведения торгов, критериям, установленным Законом КО от 08.07.2016 N 52-ОЗ"](#)

Criteria to be met by large-scale investment projects

An object created as a result of the implementation of an investment project and the placement of which will increase the number of jobs:

on the territory of Kemerovo and Novokuznetsk - for at least 250 jobs;

in the territories of other urban districts - for at least 100 jobs;

in urban and rural areas - for at least 50 jobs.

facilities, the placement of which will significantly (by 1% or more) increase the annual revenue from taxes levied on the territory of the municipality and entering the consolidated budget of the Kemerovo region, with the exception of excise taxes and mineral extraction tax, but by no less than 5 mln. rubles;

objects planned for placement on the territory of an industrial (industrial) park, created in compliance with the requirements and rules provided for in paragraph 1 [постановления Правительства РФ от 04.08.2015 № 794 "Об индустриальных \(промышленных\) парках и управляющих компаниях индустриальных \(промышленных\) парков"](#).

The provision of the Law No. 52-OZ does not apply to facilities that are located by residents of the PSEDA

The procedure for recognizing a large-scale investment project as meeting the criteria and providing a land plot for lease without bidding:

1) A legal entity sends an application to the Department of Investment Policy and Entrepreneurship Development of Kuzbass in the prescribed form (Appendix No. 1 to the Procedure).

2) The following documents are attached to the application:

- copies of constituent documents;
- documents confirming the authority of the head;
- a business plan on paper and electronic media, drawn up in the form in accordance with Appendix No. 2 to this Procedure;
- a certificate from the tax authority on the status of settlements for taxes, fees, penalties, fines, interest;
- information on the status of payments for insurance premiums, penalties and fines;
- copies of financial statements and annexes thereto for the year preceding the year of filing the application;
- a certificate of the average number of employees and the average salary for the past reporting period, certified by the signature of the manager and the seal of the applicant;
- information on the indicators of the implementation of a large-scale investment project, compiled in the form in accordance with Appendix No. 3 to this Procedure;
- documents confirming the applicant's own funds and (or) sources of borrowed funds necessary for the implementation of the project;
- other documents.

3) The Department, within 1 working day from the date of registration of the application and the documents attached to it, sends a request to the local authority of the municipal formation of the Kemerovo Region-Kuzbass, regarding the possibility of implementing the project on the territory of the municipal formation.

The term for providing a response to the request is 10 working days from the date of receipt of the request.

4) IF A negative conclusion of the LSG body upon request - the applicant has the right to change the municipality (land plot) on which the object is planned to be located. The results of negotiations on making a decision to change the content of the application in terms of determining the municipality or land plot are drawn up in a protocol signed by the department and the applicant.

5) Sending by the department of a repeated request within 1 working day from the date of signing the protocol of negotiations.

6) The Department, within 3 working days from the date of signing the protocol, returns the documents to the applicant, if the protocol of negotiations contains the applicant's decision on the impossibility of changing the municipal formation of the Kemerovo region or the land plot.

IF the positive conclusion of the LSG body - the Department within 30 days from the date of registration of the application and the documents attached to it or from the date of registration of the protocol drawn up following the results of negotiations on the adoption of a decision to change the content of the application in terms of determining the which contains the applicant's decision to change the municipal formation of the Kemerovo Region-Kuzbass:

checks the application and the documents attached to it for compliance with the requirements specified in the Procedure;

verifies the justification of the indicators of the business plan for the justification of the achievement of indicators during the implementation of the project;

organizes a meeting of the Council for Investment and Innovation Activities under the Governor of the Kemerovo Region-Kuzbass in order to consider the issue of compliance (non-compliance) of the project with the criteria established by the Law [от 08.07.2016 N 52-03](#), and the validity (unreasonableness) of achieving the indicators provided for by the project business plan.

In the event that inaccuracies and (or) technical errors are found in the documents, the department within the period specified in paragraph 9 of this Procedure notifies the applicant about this with an indication of the period for eliminating the deficiencies, which can be set for a period of not more than 15 days.

In the event that the applicant fails to remedy the indicated shortcomings within the time limits established in this clause, the department notifies in writing of the return and the reasons for the return of documents and sends the received documents to the applicant in full.

The period provided for in paragraph 9 of this Procedure is suspended for the period when the applicant eliminates inaccuracies and (or) technical errors in the documents.

The return of documents for the reasons specified in this paragraph does not deprive the applicant of the right to reapply.

If the council decides on the compliance (non-compliance) of the project with the established criteria and the reasonableness of achieving the indicators provided for by the business plan of the project, the department prepares an opinion on the compliance (non-compliance) of the project with the criteria established by the Law [от 08.07.2016 N 52-03](#), which should also contain conclusions on the rationale for achieving the indicators provided for by the project business plan. The deadline for preparing the opinion is within 15 days from the date of the council meeting.

If, at the conclusion of the department, the project does not meet the established criteria, the department, within 3 working days, prepares a notification to the applicant, containing a reasoned refusal to recognize the project as meeting the criteria established by the Law [от 08.07.2016 N 52-03](#).

IF, at the conclusion of the department, the project meets the criteria established by the Law [от 08.07.2016 N 52-03](#), the department within 10 working days prepares and submits in the prescribed manner a draft order of the Governor of the Kemerovo region - Kuzbass.

The notice of the issuance of the order of the Governor of the Kemerovo Region - Kuzbass, no later than 3 working days from the date the order comes into force, is sent by the department to the applicant and to the local government body authorized to provide the land plot necessary for the project. A mandatory attachment to the notification is information on the performance indicators of the project in the form in accordance with Appendix No. 3 to this Procedure.

The order of the Governor of the Kemerovo Region - Kuzbass is the basis for the provision of a land plot for lease without bidding, provided that the applicant applies to the state authority or local government body authorized to provide the land plot with an application for the provision of the land plot for lease without bidding.

A lease agreement for a land plot is concluded by a state authority, a local government body, authorized to provide a land plot.