Principles of acquisition, encumbering with limited real rights, transfer and granting the use of immovables

Adopted based on clause 10 (1) of the University of Tartu Act, and clauses 9 (2) 9) and 29 (2) of the Statutes of the University of Tartu, adopted by the Senate of the University of Tartu regulation no. 11 of 21 July 2014 and approved by the Council of the University of Tartu resolution no. 18 of 29 July 2014.

This regulation establishes the principles of acquisition, encumbering with limited real rights, transfer and granting the use of immovables (‘principles’) in the University of Tartu (‘university’). [effective as of 1 January 2016]

1. On the proposal of the rector, the council of the university, approves a list of the historical buildings of the university; the transfer and encumbering with building rights of the immovable property included in the list is decided by the council of the university. The encumbering of the immovables included in the list of historical buildings with other limited real rights and the terms, method and price thereof are decided by the rector, unless otherwise provided in the regulation.

2. On the proposal of the rector, the council of the university approves the list of immovables that are not needed for the main activities of the university; the transfer and encumbering with a limited real right of the immovables included in that list, as well as the terms, method and price of transfer and encumbering with a limited real right is decided by the rector, unless otherwise provided in the regulation or decided by the council.

3. The transfer and encumbering with building rights of immovables not included in the lists specified in clauses 1 and 2 of this regulation is decided by the council of the university and the encumbering of such immovables with another limited real right is decided by the rector, unless otherwise provided in the regulation.

4. The encumbering of the immovables of the university with a lien is decided by the council of the university.

5. The purchase of immovables for the university is decided by the council of the university. The acquisition of immovables granted, transferred without a charge, or bequeathed to the university is decided by the rector.

6. Establishing a limited real right for the benefit of the university and the terms of the right are decided by the rector, unless otherwise provided in the regulation.

7. The encumbering of the immovables of the university with the right of usufruct and personal right of use (except if such personal right of use is related to a public road or utility networks or utility works that are required in the public interest) and the establishing of the right of usufruct and personal right of use for the benefit of the university is decided by the council of the university, if the term of such limited real right is longer than five years. [effective as of 1 January 2016]
8. The rector decides on granting the use (leasing) of the immovables of the university (incl. buildings and rooms) to other persons and taking immovables (incl. buildings and rooms) into the use of the university (on lease) from other persons, if 1) the contract for use is open-ended or its term does not exceed five years or 2) the term of the contract for use is longer than five years but according to the contract, the university always holds the right to cancel the contract before the expiry of the contract.

9. The council of the university decides on granting the use (leasing) of the immovables of the university (incl. buildings and rooms) to other persons and taking immovables (incl. buildings and rooms) into the use of the university (on lease) from other persons, if the term of the contract for use is longer than five years and the right of the university to cancel the contract before the expiry of the contract is limited.

10. The rector establishes:
   10.1. the rules of investment in the buildings of the university (incl. the procedure of making investment proposals);
   10.2. the regulation of using the immovables of the university (incl. buildings and rooms).
   [effective as of 1 January 2016]