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## TRANSFORMATION OF THE INSTITUTE OF PUBLIC-PRIVATE PARTNERSHIP IN KAZAKHSTAN

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### ABSTRACT

*The purpose of the study* to determine the main stages of the development of the functioning of public-private partnership (hereinafter – PPP) in Kazakhstan and to assess the PPP based on the analysis of the experience of the Kazakh PPP model.

*Methodology.* The scientific article uses the works of foreign and domestic scientists, regulatory legal acts and other official sources. The study uses a systematic approach and a method of comparative analysis.

*Originality / value of research.* The value of the research lies in the practical significance of the scientific results, namely, the improvement of the institutional and legal mechanisms of PPP for the interaction of government agencies and business entities in order to increase the efficiency of the implementation of infrastructure and socially significant projects.

*Findings.* Research results allowed us to determine how important it is to study the institutional and legal basis of the PPP mechanism in order to attract private and additional investments. Through a comparative analysis, the main stages of the development of public-private partnership in Kazakhstan are identified, an assessment of institutional and legal aspects is given and the main directions for improving the development of this tool are identified. The practical significance lies in the fact that the research materials can be used to obtain practical recommendations, taking into account the specifics of PPP projects in Kazakhstan.

*Keywords:* public-private partnership, government, business, concession, infrastructure project.

### INTRODUCTION

Improving the quality of the PPP mechanism in Kazakhstan is a priority task of the Concept of Public Finance Management of the Republic of Kazakhstan until 2030 in order to involve business in public administration and attract additional sources of financing for socially significant and infrastructure projects. This is due to the fact that Kazakhstan currently needs to modernize the country's infrastructure in order to move to an innovative development model in the face of increasing global competition. The crisis of recent years caused by the COVID-19 pandemic led to a reduction in government support and worsened the solvency of consumers, which negatively affected the financial condition of infrastructure enterprises. In this sector, there was a decline in investment and further aging of fixed assets without the possibility of updating them [1]. So, the accident of heating units in Ekibastuz in November 2022 led to an extremely difficult situation to provide heat to residents. The main reason was the physical wear of the heat supply system.

Developed infrastructure creates a comfortable environment for the population, it participates in the formation of conditions for improving living standards, as well as an increase human capital. Infrastructure implies the provision of necessary conditions (electricity, gas, water, etc.) for both the population and economic entities (trade, industry, agriculture, etc.) [2]. International and domestic experience over the past 15 years proves that PPP is one of the ways to increase resources, mobilize unused reserves for economic growth and

improve the efficiency of state property management. PPP as a promising form of involvement of economic entities in the socio-economic process requires new approaches and forms of interaction between the state and business [3].

**The relevance** of the article lies in the fact that in world practice, PPP has proven itself as an effective project management tool. Today, the most developed PPP mechanism is in the UK and Australia, and PPP is often associated with “new public management”, the main purpose is to increase the efficiency of the state. The implementation of the PPP instrument in Western countries is characterized primarily by the use of private sector funds, its technologies and experience in infrastructure [4]. Due to the fact that the first scientific definition of PPP was given in 1984, the PPP subject is new not only in Kazakhstan, but also in the world. Foreign and domestic scientists mainly study PPP from an economic point of view, although it is also important to study the issue in institutional and legal aspects. Consequently, for the present, regarding the study of PPP from the institutional and legal side, there are minor studies. Accordingly, the article is devoted to the study of the institutional and legal framework of PPP in Kazakhstan in order to analyze the basic laws that regulate public relations in the field of PPP over the past 2 decades.

**Literature review.** The study of scientific works devoted to PPP allowed us to determine that the development of this institution is primarily based on conceptual legal and financial aspects. Thus, R. S. Holland, one of the first researchers in the field of PPP, in 1984 defined the institute of PPP as cooperation between people or organizations of the public and private sector in order to obtain mutual benefit. Modern interpretations give a deeper understanding of PPP and reflect its main goals and content. According to Y. Loeva and M. A. McLindon, a PPP is a contract between a private legal entity and the government, involving a private partner in servicing public interests and sharing risks with the state [5]. M. Deryabina, researching PPP, notes that in modern conditions, PPP can be considered as a substitute for privatization programs, allowing to realize the potential of entrepreneurial initiative, on the one hand, and to preserve the functions of the state in socially significant sectors of the economy, on the other. At the same time, unlike privatization as a form of paid transfer of state property to legal entities and individuals, in PPP, the ownership right remains on the state [6]. Also, the financial and legal component of PPP, revealed the fact that the purpose of PPP is to improve the quality of public administration within the framework of public services and public infrastructure [7].

If we consider domestic researchers according to A. Soltangazinov PPP in Kazakhstan is at an early stage, and a lot of work has been done in the field of institutional and legal aspects, but nevertheless, there are still unresolved issues that require further improvement of legislation. The implementation of public investment projects using the PPP mechanism requires an effective legal and institutional framework and highly qualified personnel [8]. The same idea is confirmed by Sh. Uzakova, where she noted that when implementing PPP projects, there are a number of restrictions in the application of legislation and insufficient legal regulation, as well as the absence of a formed legal scheme of interaction within the framework of PPP. In addition, the presence of administrative barriers, high expectations of the amount of state support, unity of approaches in the preparation of projects and the lack of quality guarantees at all stages of the project implementation are problems that exist in Kazakhstan's PPP model [9]. A. Tleuberdinova, noted the PPP as a «creative alliance» between the state and private business to achieve certain goals, where other participants such as non-governmental organizations, non-profit associations, public organizations, local communities can also join in order to successfully implement the project. PPP also provides new innovative opportunities and transfers of risk to the strongest players, optimizing the price-quality ratio [10]. Z. Esbergenova considers PPP as a legally formalized relationship between the state and business in relation to projects of social significance, providing for risk sharing, consideration of interests [11]. N. Mouraviev, examining the dynamics of the development of the PPP institute in Kazakhstan, noted that the main problems in the implementation of PPP projects are ignoring the principle of «value for money», as well as putting pressure on the regions to implement PPP projects, which, with an accelerated process of selection, preparation and implementation of projects, led to an adverse consequence for the country and a sharp increase in state obligations to private partners [4].

## MAIN PART

In Kazakhstan, the PPP institute created in 2006 when the Law «On Concessions» was adopted, hence, it served as the basis for the creation of the legal framework in field of the PPP in Kazakhstan. In this regard, at the initial stage, Kazakhstan managed to create a well-organized and institutional framework for initiate PPPs [12]. In 2007, the Law on Concessions allowed the implementation of specially recognized concessions. Most of the them in terms of form were construction and operation. For example, the first one was concession related to the International Airport in Aktau; the second one was the Yeraliyevo-Kuryk railway line; the third one was the electrification of the Makat-Kandyagash railway line. Later, in 2008, concession agreements were initiated for the purpose of tapped gas turbine plant in the Kandyagash and the Korgas-Zhetygen railway line [13]. Another project was the concession project of the Great Almaty Ring Road (hereinafter – BAKAD). BAKAD's Construction-Transfer-Operation (BTO) concession agreement was signed for 20 years in February 2018. The construction cost is 540 million US dollars; the total cost is approximately until 750 million US dollars [14].

In 2008, a specialized division was created called the Kazakhstan Center for Public-Private Partnership (PPP Center). The Center contributed to the development of PPPs by determining prospects for the creating of PPPs in various sectors, helping stakeholders in the preparation of project documentation, the development of standardized contracts, as well as advising government officials and private partners on how to make decisions in terms of PPP cases. After 6 years, the PPP Center set up another LLP as the Kazakhstan Project Preparation Fund. The center acts as an independent body on the PPP issues for the government agencies.

From 2007-2011, new contracts began to appear in the energy, social and transport sectors, the terms of implementation of which ranged from 14-28 years. Nevertheless, the development of the PPP mechanism was slow and in 10 years only the legal and institutional framework was developed. In 2015, 3 more concessions were concluded: Railway in Eastern Kazakhstan, interregional and electric network in Northern Kazakhstan and Aktau International Airport.

Due to the fact that for 10 years there have been only few PPP projects, there is an opinion among practitioners and researchers that the Law on Concessions does not work at the proper level and does not meet the needs of the country. In addition, the Law was not flexible and to create partnership was bureaucratic and took a lot of time. Consequently, a year later, the new law on October 31, 2015, «On Public-Private Partnership» was adopted. After that, the number of projects has increased and according to data from 2016 to 2019, approximately 700 contracts were founded. Also, from 2017-2019, more than 700 contacts were created [4]. The main reasons for the rapid growth of PPP projects after 2015 are the following: firstly, improved procedures for create partnerships, secondly, the order of the President of Kazakhstan to the government on the activation of PPP contacts [15]. Thirdly, the Government set targets and KPIs for line ministries and governor offices of the region (hereafter – akimat), and last, a broad state support.

A comparative analysis between the two normative legal acts, which is shown in Table 1, allowed us to conclude that there is no clear separation between the two laws, or rather, identical measures of state support, deadlines for the implementation of projects are observed. Duplication of some articles of laws create difficulties in regulating public relations, prove that a concession is a form of PPP. Accordingly, double system generates a double regulation and the total number of law in field of PPP today are more than 1400 pages. Therefore, in order to make a decision, for investors necessary to study a large volume of laws and regulations.

The new law on PPP defined a significant area of the measures of support from the Government for private partners, as well as for domestic and foreign investors. The law has significantly expanded the concept of PPP and now a PPP project can be initiated not only by the state, but also by a private partner. Hence, we can to determine that there are a concession contract and a non-concession contract. A concession contract has own legislation and tax regulation. The concession contracts are not a form of PPP contract and regulated by the Concession law from 2006.

A non-concessional contract are all types of contracts that has its own legislation and elements. Most researchers and practitioners consider PPP as a contractual agreement [18]. However, the legislation did not

clarify how abovementioned contracts are related and what differences between two types of laws. However, the PPP Law for now contain provisions which is not clear or must be tested in the courts in order to understand broadly and clearly.

Table 1 – Comparative analysis between concession and PPP laws

Basic provisions	Law of the Republic of Kazakhstan «On Concessions» 2006	Law of the Republic of Kazakhstan «On Public-Private Partnership» 2015
Parties	Two parties: the concedent – represented by state bodies and the concessionaire – a legal entity and an individual who has concluded a concession agreement and participating in entrepreneurial activity.	Identical to with the concession law. But according to paragraph 2 of Article 5, parties of the PPP contract can be financial and other organizations, as well as «industry operators» can also act as parties to a PPP contract.
State Partner	The Government, akimats and authorized state agencies. State partners may be one or more state bodies.	It is identical with the law on concession, but, also state partners can also be LLP, JSC, where more than 50 % of the participation or voting shares directly or indirectly belong to the government.
Private partner	any individual and legal entity that doing business activities, foreign legal entities and a consortium	It is identical to the law on concession, but the definition is so extensive where a private partner can be a non-profit organization.
Term	Up to 30 years	Minimum 5 years – 30 years
The object of the agreement	According to Article 4, objects of tourist activity, social and public infrastructure and life support in all sectors of the economy can be transferred to the concession, with the exception of objects, the list of which is determined by the Government.	According to Article 6, PPP can be founded in all sectors of the economy. In particular, any property, including property complexes, where design, construction, development, reconstruction, modernization and operation are carried out within the framework of a PPP project, as well as works (services) and innovations to be implemented during the implementation of a PPP project, can be considered as a PPP object.
Competition	Uniform procedure under Article 19	The competition is open/closed, two-stage/simplified), or on the basis of «direct negotiations».
dispute resolution	According to article 27, disputes are resolved by law and the concession contract. Also, has the right to apply to arbitration via law «On Arbitration». But, related to concession projects where one of the shareholders of the concessionaire is a non-resident of Kazakhstan, arbitration is defined by contracts of the parties.	It is identical with a concession, but according to article 57, if a private partner or one of the shareholders owning 25 % or more of the voting shares is a non-resident of Kazakhstan, the parties to the PPP agreement may apply to international arbitration to eliminate disputes and if the cost of contract is more than four million times the size of the Monthly Calculation Index
Direct negotiations	According to article 26-2, it is possible for concession projects of special significance. The concedent, concessionaire and creditors may enter into a direct agreement.	It is identical with the law of concession and according to article 44, direct negotiations determined via the state body and by the decision of the Government of the Republic of Kazakhstan.
Note – Data are based on the source [16-17]		

Today, the main stakeholders in the implementation of state policy in the terms of PPP are the Government, the Ministry of National Economy, the Ministry of Finance, akimats and other authorized bodies that implement the policy within their competence, as well as private business. As can be seen from Table 2, the Ministry of National Economy plays as coordinator and methodological supervisor. Akimats monitor contracts and the realization of PPP contracts, prepares and hold an examination of local contracts, creates regional PPP centers on the principle of «one window» and performs other functions. One of the subjects of innovative development of territories are Social and Entrepreneurial Corporations (SEC), which ensure the promotion of partnership in Kazakhstan through the creation of joint ventures.

Table 2 – Institutional support of partnerships and their main functions

Government				
The Ministry of National Economy				
Kazakhstan PPP Center JSC	LLP «Kazakhstan Project Preparation Fund»	«Atameken»	SEC	Regional PPP centers
Examination of republican PPP projects	advisory support of republican PPP projects	preparation of an expert opinion on the project concept	together with private business development of the region's mineral resources	research on the planning and implementation of investment projects
training of specialists in the field of PPP	search for investment and infrastructure projects	maintaining a register of potential private partners	stimulating competition in areas that are unattractive for business at this stage	work on attracting foreign and domestic direct investors for projects
PPP research and recommendations	development of project documentation	participation in the competition commission	promotion of regional business development	consultations, seminars, trainings, round tables, conferences on PPP issues
support for both sides of the partnership	Search for financial solutions for projects	participation in monitoring the realization of PPP contracts	realization of high-tech investment and innovation projects	expertise of financial and feasibility studies of budget investments and concession projects
			provision of land plots, financial resources, construction and infrastructure development	
Note – Data are based on the source [19]				

## DISCUSSION AND CONCLUSIONS

When the new PPP Law came into force in 2015, the Government pursued two goals. The first one was to create a new legislative scope, which was supposed to provide more widely cognition of the idea and principles of PPP. It was estimated that the new structure would be flexible compared to the Concession Law [20]. The second one was to perform small PPP contracts at the regional level. In order to achieve these goals, the Government has decentralized the drafting, authorization and realization of PPPs, hence, projects can be implemented faster at the regional level, without any authorization from the PPP Center or ministries.

Another advantage of the PPP Law and disadvantage is that a private part can be selected via direct negotiations. The advantages of the direct negotiation method are simplified procedures, PPP projects are launched faster and a private partner can start implementing the project immediately. The disadvantage of the direct negotiation method is that in practice it can be misused at the regional level and can be used as a back door that permit to conclude an agreement out of tender. For example, by the end of 2018, more than half of the PPP agreements were concluded through direct negotiations, which raises concerns. This led to an increase in the state obligation to private partners and misuse of budget funds [4].

The Organization for Economic Cooperation and Development (OECD) noted in its report that PPP projects are focused on the national level, but many projects are carried out at the local level. There are fewer opportunities and expertise at the local level [16]. Consequently, many regional officials and businessmen tried to ensure the implementation of the projects through the PPP mechanism, in most cases through direct negotiations and without tender procedures. Therefore, most of the PPP cases at the local level are related to corruption [21]. For example, the Accounts Committee of Kazakhstan also stated to find the new approaches to PPP and explains this by the fact that recent growth of PPP projects is the reason of the state expenditures. Consequently, the Accounts Committee recommends developing procedures for calculating the socio-economic effect of PPP projects, as well as gradually reducing the burden on the budget [22]. The Prosecutor General's



Office, the Ministry of Finance and Atameken also proved abovementioned facts and confirmed that most of the contracts were fake. Also, due-to a lack of transparency and abuse of the PPP tools by officials, including for corruption reasons the development of PPP in Kazakhstan has led to negative consequences [21]. In 2018, it was becoming obvious that PPP required serious adjustments. Consequently, poor selection and preparation of PPP projects by local authorities due to lack of competence in the regions led to defaults, litigation and annulment contracts [23].

In 2020-2021, a number of amendments were made to the laws in the field of PPP, based on the Laws «On Public-Private Partnership» and «On Concessions», in order to move from the quantity to the quality of PPP projects, increase the budget efficiency and improve of investment activities. The President of Kazakhstan, at an expanded meeting of the Government, held on July 10, 2020, expressed concern about the state's obligations in the realization of PPP contracts. In particular, the President noted that more than 90 % of the cost of PPP projects are state obligations. Moreover, about 30 % of payments of all obligations will be made in the coming years. Therefore, one of the way to improve the PPP mechanism, it is necessary to objectively evaluate and select projects for business and society, equal conditions for the private sector as well as an optimal and adequate distribution of risks between the parties. In addition, regular communication between the government and the private partner will be vital to minimize risks and assess each stage of management [9].

In total, from adoption PPP law until June 2022, the Parliament adopted fourteen laws providing for amendments and additions to some legislative acts regulating the PPP sphere. The Law of the Republic of Kazakhstan «On Concessions» has been amended thirty-two times since its adoption on July 7, 2006.

Below you can see a comparative table on the one hand, the law on «concessions» and the law on «public-private partnership», and on the other hand, the Concept of the draft Law of the Republic of Kazakhstan «On Amendments and Additions to Some Legislative acts of the Republic of Kazakhstan on public-private partnership» (see Table 3). This table shows the current state of PPP in the legislative framework, and also provides the main arguments in the concept that the improvement of the situation suggests. The new concept proposes the following measures: combining the above-mentioned laws into one law in order to facilitate the implementation of the law for private and public partners; it is also proposed to give an expanded interpretation of the classification of contracts; to strengthen competition among private partners in order to implement the principle of value for money; exclusion of direct negotiations to ensure competitiveness, transparency and increased trust on the part of private partners to the state; increased monitoring of PPP projects, and especially with the expenditure of budget funds; transfer all processes to a digital format in order to minimize corruption risks and ensure accessibility for interested parties; development of mediation techniques for effective conflict resolution at the legal level.

Table 3 – Comparative analysis between current and draft laws regulating PPP in Kazakhstan

№	Laws of the Republic of Kazakhstan «On Public-private partnership» and «On concessions»	Concept of the draft Law of the Republic of Kazakhstan «On amendments and Additions to Some legislative Acts of the Republic of Kazakhstan on public-private partnership»
1.	The laws «On Public-Private Partnership» and «On Concessions» function as 2 different law.	It is proposed to combine 2 laws. The concept also provides for the abolition of dormant norms, in particular «programmatic PPP» and considers the exclusion of institutional PPP due to the lack of practice.
2.	Currently, in terms of realization the PPP divided into institutional and contractual: institutional in the form of LLP and JSC. Contractual divided to: 1) concessions; 2) trust management of state property; 3) property lease (lease) of state property; 4) leasing; 5) contracts concluded for the development of technology, production of a prototype, pilot testing and small-scale production; 6) life cycle contract; 7) service contract; 8) other agreements that correspond to the characteristics of public-private partnership.	New classifications of PPP contracts will be introduced, excluding confusion with other contracts with state property, the introduction of distinctive identification features. This measure will also eliminate the possibility of bypassing public procurement procedures through PPP.

3.	The concessions have a single tender procedure according to Article 19, and the PPP Law ensure the possibility of holding a tender (open, closed, two-stage and simplified); A simplified procedure is provided for a local project whose cost does not exceed 4,000 Monthly calculation indices; The choice of a private part is carried out via direct negotiations for contracts of special significance; The presence of a competitive dialogue from the state partner with contest participants;	PPP projects only on a competitive basis; Revision of approaches to the existing system of competitions to determine a private partner; exclusion of direct negotiations when concluding PPP contracts; Contract PPP projects through a two-stage competition regardless of complexity and uniqueness; Service contracts will be implemented through a one-stage tender to choose a private partner or through an auction, where the criterion for choosing a private partner is a price offer.
4.	As noted in Table 2, PPP projects are monitored by state bodies (Government, ministries, akimats etc.) and Atameken	Introduction of a set of tools aimed at improving the monitoring process of project implementation in order to ensure objective control of project execution
5.	Currently, private partners submit documentation in paper envelopes, which increases the risk of corruption and distrust on the part of private partners and third parties.	it is expected to transfer all the processes of planning and implementing PPP projects to a digital platform with access to information for the public, interested parties.
6.	The law on concession is identical with the law on PPP, but according to the article 57, if a private part owning 25 % or more of the voting shares is a non-resident of Kazakhstan, the parties to the PPP agreement may apply to international arbitration to resolve disputes and if the project costs more than 4000 of the Monthly calculation index. In other cases, disputes are resolved in court in accordance with the legislation.	It is expected to introduce a mechanism for pre-trial dispute settlement, conciliation procedures; it is also expected to consider supplementing the legislation in the field of PPP with provisions regulating mandatory procedures for out-of-court dispute settlement in order to maximize the interests, first of all, of the population and all stakeholders of the project.
Note – Data are based on the source [16; 17; 24]		

## CONCLUSION

In conclusion, it should be noted the following: Currently, due to the growth of state obligations to private partners, corruption at regional levels and the significant impact on the national economy the COVID-2019 pandemic has become the reason for a serious transformation of the PPP institute in Kazakhstan.

Firstly, the PPP mechanism is currently moving to the third stage of transformation. If the first stage was the adoption of the law on concessions in 2006, which create a basic institutional framework at the legislative level, then the second stage is the growth of PPP projects throughout Kazakhstan due to the adoption of the PPP Law in 2015. The PPP Law created a simplified procedure for the execution of a PPP contract and provided broad state support for private partners. Today, there is a process of combining almost two similar regulatory legal acts and that the third stage of the development of the PPP institute will significantly facilitate the regulation of public relations between the state and business, if the main provisions of the concept are adopted. Due to the fact that today there is a duplication of laws, the presence of dormant norms and collisions misleads all interested parties who are involved in the PPP process. Consequently, a unified and well-structured law in the field of PPP will greatly facilitate the work of not only a private partner, but also a public partner. Creating a strong legal base is the foundation of a strong institution. Accordingly, «a strong institution is a strong state».

Secondly, there is a high demand for high-quality provision of public services in Kazakhstan today. In this regard, it is needful to promote the principle of «value for money» at the legislative level in order to provide impactful allocation of resources. For example, the government in the UK defines the principle of «value for money» as the optimal combination of costs and quality of goods and services to meet the needs of consumers. If we ignore the above-mentioned principle, the launch of PPP projects for Kazakhstan will be very expensive for taxpayers.

Thirdly, according to article 18 of the Law on Concessions and article 32 of the Law on PPP, qualification requirements for potential private partners are defined. One of the criteria for define a private part is the availability of own funds. In the case of a concession, this is 10 % of the cost of creating a concession object, and in a PPP contract, at least 20 % of the cost of a public-private partnership object. The measure on the one hand is aimed at minimizing the disruption or closure of the project, but on the other hand, the amount of funds

available is more symbolic. In this regard, it is necessary to consider whether the amount should be adequate for each PPP project and supported by guarantees from shareholders or investors.

Fourth, today Kazakhstan is among the top most digitized states in the world. More than 90 % of public services are provided in electronic format. In this regard, the transition of the planning and realization of PPP contracts to a digital platform will ensure a favorable impact on improving the quality of the contracts. Also, this measure corresponds to the basic principles of PPP as «publicity» and «openness». Consequently, the developed digital platform will allow monitoring not only by government agencies, but also by public associations and third parties. The transition to digital PPP processes will also minimize corruption risks, which today is one of the main problems of implementing the PPP mechanism in Kazakhstan. In addition, for the public partner and for private partners and investors, providing and receiving public services in a digital format will help to use time rationally and de-bureaucratize the process.

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**ҚАЗАҚСТАНДАҒЫ МЕМЛЕКЕТТІК-ЖЕКЕМЕНШІК  
ӘРІПТЕСТІК ИНСТИТУТЫН ТРАНСФОРМАЦИЯЛАУ**

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**АНДАТПА**

*Зерттеудің мақсаты* – Қазақстанда мемлекеттік-жекешелік әріптестіктің (бұдан әрі – МЖӨ) жұмыс істеуін дамытудың негізгі кезеңдерін айқындау және МЖӨ-нің қазақстандық моделінің тәжірибесін талдау негізінде МЖӨ-ні бағалау.

*Әдіснамасы.* Ғылыми мақалада шетелдік және отандық ғалымдардың еңбектері, нормативтік-құқықтық актілер және басқа да ресми дереккөздер пайдаланылды. Зерттеу жүйелік тәсілді және салыстырмалы талдау әдісін қолданады.

*Зерттеудің бірегейлігі / құндылығы.* Зерттеудің құндылығы ғылыми нәтижелердің практикалық маңыздылығында, атап айтқанда инфрақұрылымдық және әлеуметтік маңызы бар жобаларды іске асырудың тиімділігін арттыру мақсатында мемлекеттік органдар мен шаруашылық жүргізуші субъектілердің өзара іс-қимылы үшін мемлекеттік-жекешелік әріптестіктің институционалдық және құқықтық тетіктерін жетілдіруде жатыр.

*Зерттеу нәтижелері* – жеке және қосымша инвестицияларды тарту мақсатында мемлекеттік-жекешелік әріптестік тетігінің институционалдық және құқықтық негізін зерделеудің қаншалықты маңызды екенін анықтауға мүмкіндік берді. Салыстырмалы талдау арқылы Қазақстанда мемлекеттік-жекешелік әріптестікті дамытудың негізгі кезеңдері анықталды, институционалдық және құқықтық аспектілерге баға берілді және осы құралды дамытуды жетілдірудің негізгі бағыттары айқындалды. Практикалық маңыздылығы: зерттеу материалдары Қазақстандағы мемлекеттік-жекешелік әріптестік жобаларының ерекшелігін ескеретін практикалық ұсынымдар алу үшін пайдаланылуы мүмкін.

*Түйін сөздер:* мемлекеттік-жекеменшік әріптестік, Үкімет, бизнес, концессия, инфрақұрылымдық жоба.

**ТРАНСФОРМАЦИЯ ИНСТИТУТА ГОСУДАРСТВЕННО-ЧАСТНОГО  
ПАРТНЕРСТВА В КАЗАХСТАНЕ**

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**АННОТАЦИЯ**

*Цель исследования* определить основные этапы развития функционирования государственно-частного партнерства (далее – ГЧП) в Казахстане и дать оценку ГЧП на основе анализа опыта казахстанской модели ГЧП.

*Методология.* В научной статье использованы труды зарубежных и отечественных ученых, нормативно-правовые акты и другие официальные источники. В исследовании используется системный подход и метод сравнительного анализа.

*Оригинальность / ценность исследования.* Ценность исследования заключается в практической значимости научных результатов, а именно в совершенствовании институциональных и правовых механизмов ГЧП для взаимодействия государственных органов и хозяйствующих субъектов с целью повышения эффективности реализации инфраструктурных и социально значимых проектов.

*Результаты исследования* позволили нам определить, насколько важно изучить институциональную и правовую основу механизма ГЧП с целью привлечения частных и дополнительных инвестиций. Посредством сравнительного анализа выявлены основные этапы развития государственно-частного партнерства в Казахстане, дана оценка институциональных и правовых аспектов и определены основные направления совершенствования развития этого инструмента. Практическая значимость заключается в том, что материалы исследования могут быть использованы для получения практических рекомендаций, учитывающих специфику проектов ГЧП в Казахстане.

*Ключевые слова:* государственно-частное партнерство, правительство, бизнес, концессия, инфраструктурный проект.

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#### THE IMPACT OF REMOTE WORKING ON THE EFFICIENCY OF CIVIL SERVANTS IN KAZAKHSTAN

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#### ABSTRACT

*The purpose of the study* is to draw attention to issues related to the effectiveness of distance employment in public administration system in the Republic of Kazakhstan, during COVID-19 pandemic and at the present time. The approach to the organization of remote work of civil servants in Kazakhstan is becoming one of the important objects of public attention, as they have a great impact on quality of life and well-being of the population.

The article examines administrative measures taken by the state in the context of the pandemic in order to create conditions for new flexible forms of employment in the public sector of Kazakhstan, and also presents the assessment of the effectiveness of the current state of remote work by civil servants.