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**PUBLIC-PRIVATE PARTNERSHIP –
AS A TOOL FOR SOLVING ENVIRONMENTAL PROBLEMS**

Abstract. Without using the PPP mechanism, it is impossible to solve one of the most acute problems that cause the keen attention of citizens of the country. Given the budget deficit, the introduction of a public-private partnership mechanism and an efficient system of using resource-saving technologies will contribute to solving environmental problems, in particular, eliminating accumulated environmental damage, improving air quality and optimizing the waste management system. Given the budget deficit, the introduction of a public-private partnership mechanism and an efficient system of using resource-saving technologies will contribute to solving environmental problems, in particular, eliminating accumulated environmental damage, improving air quality and optimizing the waste management system. There are listed spheres and sectors of application of public private partnership. There are mentioned advantages of the use of public private partnership. The statistical data and the dynamics of implementation of projects implemented on the basis of public private partnership are presented. An example of the use of public private partnership as an instrument for the development of territories is presented. Attention is paid to the institutional environment of the implementation of public private partnership projects.

Keywords: public-private partnerships, budget funds, ecology, implementation, mechanism, sustainability.

Introduction. Now public-private partnership (hereinafter PPP) is a universal and effective mechanism. The state will achieve more by providing public services, using available resources in the investment mechanism for the development of the territory, by attracting and using private capital to solve state problems. The consistent implementation by the public authorities of the principles of PPP helps create the conditions for attracting private investors to the regions. Based on the foregoing, there is a need to conduct research aimed at improving relations between government and private business in the form of PPPs with the aim of creating coordinated cooperation between state authorities and local self-government with private business structures for the effective functioning of the economy of the country and regions in the context of global competition.

Main part. The main areas are information and advisory, organizational and financial assistance. Each of these areas plays an important mobilizing and stimulating role in establishing and promoting public-private partnerships, especially in the field of infrastructure.

PPP - the interaction of the public and private sectors, providing for the full or partial transfer of responsibility to private sector entities for the provision of services traditionally related to the responsibility of the public sector, under conditions of adequate distribution of risks, responsibilities and benefits between its participants, as well as maintaining state control.

The main principles of PPP:

1. The principle of consistency - the phased construction of relationships between subjects of public-private partnership;
2. The principle of competitiveness - the determination of a private partner on a competitive basis, with the exception of cases established by the Law on Public-Private Partnership;
3. The principle of balance - a mutually beneficial distribution of responsibilities, guarantees, risks and revenues between a public partner and a private partner in the process of implementing a public-private partnership project;

4. The principle of effectiveness - the establishment of criteria and indicators to assess the achievement of the results of public-private partnerships.

For the successful development of public-private partnerships, a correct, balanced and proportional distribution of rights, obligations and areas of responsibility between partners: private capital and the state is necessary. The PPP mechanism is the basic design for attracting extrabudgetary investments in the development of social infrastructure and production.

	Identify Infrastructure Need	Propose Solution	Project Design	Project Financing	Construction	Operation/Maintenance	Ownership
Bid/Build	Public Sector				Private Sector	Public Sector	
Design/Build	Public Sector		Private Sector	Public Sector	Private Sector	Public Sector	
Design/Build/Finance	Public Sector		Private Sector			Public Sector	
Design/Build/Finance/Operate/Maintain	Public Sector		Private Sector				Public Sector

Figure 1 – Private Public Partnership Graphic

In PPP practice, key success factors are sometimes identified with factors that influence the occurrence or non-occurrence of risks in PPP projects. This is only partially true. Suspension or refusal to implement a PPP project can occur not only due to events that negatively affect the PPP project in terms of cost, timing and quality, that is, the risks of this project. In general, PPP projects in the field of transport are sensitive to the following factors:

- A detailed preliminary study of the parameters of the PPP project and a preliminary assessment of its effectiveness;
- Advance preparation of property and land involved in the PPP project;
- Sustainable and efficient management team of the PPP project;
- Stable political support for the development of PPP;
- Interaction with the local population - users of the object of the PPP agreement;
- Compliance with environmental standards and requirements;
- Guarantees to a private partner, etc.

The practice of implementing PPP projects in the transport sector and in Russia and in other countries indicates that with sufficient attention of the PPP project participants to these factors, it can be quite successful

Along with the advantages of using public-private partnership mechanisms, the shortcomings, problems and negative aspects of the application of mechanisms for developing and implementing projects for the interaction of government, business, science, non-governmental non-profit organizations, and civil society institutions should be calculated and disclosed. According to the results of a study of foreign experience in implementing public-private partnership projects, the following problems were identified:

- failure to meet construction deadlines;
- excess operating costs compared to planned;
- the use of cheap equipment that requires regular updates;
- reduction by private companies of the cost of the system of infrastructure facilities and, as a result, deterioration in the quality of the infrastructure component of the project [3].

The development and use of public-private partnership mechanisms in the formation of environmental infrastructure require the definition of modern criteria and algorithms for choosing between the traditional tender procedure and the formation of PPPs. The public sector, represented by public authorities, determines the procedure and methodology for selecting projects, therefore, the PPP mechanism becomes appropriate and justified if the following criteria are adhered to:

- the authority is able to determine the level of quality that a private partner should adhere to when implementing PPPs;
- it is possible to define indicators of the effectiveness and efficiency of the project according to public-private partnership mechanisms;
- the implementation of preliminary and final project assessments during the formation of certain types of environmental infrastructure;
- the lack of technological replacement and the variability of the market environment;
- the advantages of using PPP exceed the disadvantages and obstacles of its use and provide a significant positive effect for society, the population, the environment, the state;
- Creation of private incentives for investing in solving environmental problems (water, environmental pollution, neutralizing environmental risks, reducing the nature and resource intensity of the production process, products, etc.).

Realization of a high mission for the development of ecological infrastructure requires the coordination of the interests of the authorities, business, and society in optimizing the dynamic stability and balance of the biosphere and ecosystems to maintain the quality of life of the country's population. The implementation of a large-scale mission requires significant resources, innovative solutions, modernization of the environmental management system and investment process management. The main sources of financing PPP projects for the development of environmental infrastructure can be state, budget investments, the state environmental fund, private investors (businesses), funds of international financial and non-profit organizations, transnational corporations, non-governmental non-profit organizations and funds.

Global organizations can be a potential partner for solving acute and urgent environmental problems of Kazakhstan, among which the Global Environment Facility (GEF) is the most significant in the field of environmental protection and reproduction. The Global Environment Facility is an international organization created in 1991 during the signing of a resolution by the World Bank Board of Executive Directors and the relevant agreements between the United Nations Development Program. The structure of financial sources that are potentially possible to attract investment and implement PPP mechanisms for the formation of environmental infrastructure depends on many factors.

Among the most weighted factors, the following should be highlighted: the level and characteristics of the country's socio-economic development, the severity and degree of threat of environmental problems and resource-environmental risks, the structure of building environmental infrastructure and the potential choice of types of environmental infrastructure for organizing partnerships between government and business, establishing a dialogue between the state, society, business, science. More important areas for creating conditions for the development and implementation of public-private partnership mechanisms in the development of environmental infrastructure are as follows:

- creating an institutional base, increasing transparency and level of trust between government and business, science, public organizations, and main stakeholders in introducing these mechanisms into business practices, identifying and removing financial and administrative barriers to developing partnerships between government and business;
- the formation of economically- / investment-but- / institutional-legal, organizational, financial and economic attractive conditions for business participation in public-private partnership projects, attracting citizens, non-profit organizations and non-governmental organizations for discussion and adoption of important priority decisions and choosing priorities as experts and potential consumers of environmental goods and services;
- the formation of the methodological and methodological base of PPP in the development of environmental infrastructure;
- support for the formation of public institutions of partnership between the state and business; cooperation of interests of stakeholders of the partnership;
- Conducting seminars and educational events for advanced training, the dissemination of knowledge, the assimilation of experience on PPPs and the features of its application in the formation of environmental infrastructure;
- implantation of the economic mechanism of state support and effective interaction with market regulation mechanisms, the provision of indirect bonuses and the development of incentives for active participants in public-private partnerships;

- assimilation of successful foreign experience in public-private partnerships and its adaptation to the national model of the economy and the creation of individual models of the functioning of partnerships in the field of environmental infrastructure;

- intensification of investment activity, development of methods, forms and tools for attracting investments on the principles of partnerships;

- improvement of the regulatory framework in the countries, activation of the processes of modernization of the economy, environmental management, financing and investment of environmental infrastructure;

- development and approval of a concept for the development and implementation of PPP mechanisms in the development of environmental infrastructure, which is the basis for the implementation of the state approach to the formation of a strategic model for sustainable and balanced environmental management of the national economy as a whole;

- planning of measures for using PPP mechanisms and inclusion in programs and projects at the national, regional, municipal level;

- development and implementation of the priority national project “Formation of public-private partnerships in the development and development of environmental infrastructure”.

Conclusions and prospects of further scientific developments in this direction.

Conclusion. The nature, functions and types of environmental infrastructure determine the particularities of the choice of mechanisms, forms, directions and tools for the development and implementation of public-private partnerships. Promising areas for further research are the analysis of the components of decision-making by state authorities on the feasibility of using public-private partnership mechanisms in the development of environmental infrastructure, the determination of criteria for the selection and determination of the type of environmental infrastructure promising for the implementation of partnership mechanisms, a preliminary assessment of the contribution of the application of these mechanisms and the neutralization of negative trends in the field of environmental management, times abbot concept of introduction of public-private partnership in environmental infrastructure.

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МЕМЛЕКЕТТІК-ЖЕКЕМЕНШІК СЕРІКТЕСТІК ЭКОЛОГИЯЛЫҚ МӘСЕЛЕЛЕРДІ ШЕШУДІҢ ҚҰРАЛЫ РЕТІНДЕ

Аннотация. МЖӘ тетігін пайдаланбай, ел азаматтарының назарын аударатын өткір мәселелердің бірін шешу мүмкін емес. Бюджет тапшылығын ескере отырып, мемлекеттік-жекеменшік серіктестік тетігін және ресурстарды үнемдейтін технологияларды тиімді қолдану экологиялық мәселелерді шешуға, атап айтқанда, жинақталған қоршаған ортаға келтірілген залалды жоюға, ауаның сапасын жақсартуға және қалдықтарды басқару жүйесін оңтайландыруға ықпал етеді.

Мемлекеттік-жекеменшік серіктестік нысандарына баса назар аударылды. Мемлекеттік-жекеменшік серіктестіктің жергілікті жобаларын іске асырудың қазіргі жағдайы талданып, өзекті мәселелер анықталды және аумақтарды дамытуды қаржыландыру бағыттары нақтыланды. Билік пен жеке сектор арасындағы серіктестік жергілікті деңгейде инфрақұрылымдық жобаларды іске асырудың тиімділігін арттыруға, жергілікті маңызы бар маңызды мәселелерді шешуға және сапалы қызмет алуда аумақтық қауымдастық қажеттіліктері мен мүдделерін қанағаттандыруға бағытталғандығы дәлелденді. Мемлекеттік-жекеменшік серіктестікті қолдану салалары көрсетілген. Мемлекеттік-жекеменшік серіктестікті қолданудың артықшылықтары талданған. Мемлекеттік-жекеменшік серіктестік негізінде іске асырылған жобалардың статистикалық мәліметтері мен динамикасы көрсетілген. Мемлекеттік-жекеменшік серіктестікті аумақтарды дамытудың құралы ретінде пайдалану жолдары мысалға келтірілген. Мемлекеттік-жекеменшік серіктестік жобаларын жүзеге асырудың институционалды жағдайына назар аударылады. Концессиялық заңнаманы мемлекеттік-жекеменшік әріптестік туралы заңмен үйлестірудің және ҚР-да құқықтық реттеудің озық халықаралық тәжірибесін енгізудің мақсатқа сәйкестігі дәлелденді.

Мемлекеттік-жекеменшік әріптестік серіктестіктің жұмыстың орындалуы мен мемлекеттік қызмет көрсетуіне, аумақтық қоғамдастық сұранысына өнімді жеткізуіне және т.б. келісімшарт ретінде алатын тәуекел деңгейіне және тартылу дәрежесіне байланысты көптеген формаларға ие бола алады. Мемлекеттік-жекеменшік әріптестіктің халықаралық тәжірибесінде кең таралған нысандар – лизинг және жалға беру.

Мемлекеттік-жекеменшік серіктестіктің әртүрлі ерекшеліктерін зерттей келе, концессия, бірлескен кәсіпорын немесе аралас серіктестіктер жеке серіктес пен орталық немесе жергілікті атқарушы орган мен жергілікті өзін-өзі басқару арасындағы құқықтық қатынастарды құрудың ең қолайлы құралы екендігі анықталды. Қолданыстағы заңнамада мемлекеттік-жеке серіктестіктің басқа нысандарында жеке тарапты анықтау тәртібінен айырмашылығы, концессионерді таңдаудың нақты тәртібі мен шарттары белгіленген. Концессия қатынастарын жеткілікті егжей-тегжейлі реттеу құқықтық сенімділіктің жеткілікті деңгейін қамтамасыз етеді және концессиялық жобаларды толықтай жүзеге асыруға мүмкіндік береді. Келісімшарттық жалдау қатынастары (лизинг) және бірлескен қызмет жоба айтарлықтай инвестициялар мен ауқымды құрылыстарды тартпаса, жеке инвестицияларды тарту механизмі ретінде қарастырылуы мүмкін.

Түйін сөздер: мемлекеттік-жекеменшік серіктестік, бюджет қаражаты, экология, іске асыру, механизм, тұрақтылық.

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ГОСУДАРСТВЕННО-ЧАСТНОЕ ПАРТНЕРСТВО КАК ИНСТРУМЕНТ РЕШЕНИЯ ЭКОЛОГИЧЕСКИХ ПРОБЛЕМ

Аннотация. Без использования механизма ГЧП невозможно решить одну из самых острых проблем, вызывающих обостренное внимание граждан страны. В условиях дефицита бюджетных средств внедрение механизма государственно-частного партнерства и эффективной системы использования ресурсосберегающих технологий будут способствовать решению экологических проблем, в частности ликвидации накопленного экологического ущерба, улучшение качества атмосферного воздуха и оптимизация системы обращения с отходами. В условиях дефицита бюджетных средств внедрение механизма государственно-частного партнерства и эффективной системы использования ресурсосберегающих технологий будут способствовать решению экологических проблем, в частности ликвидации накопленного экологического ущерба, улучшение качества атмосферного воздуха и оптимизация системы обращения с отходами.

Рассмотрены формы государственно-частного партнерства. Проанализировано текущее состояние реализации проектов местного государственно-частного партнерства, выявлены актуальные проблемы и уточнены направления финансирования развития территорий. Доказано, что партнерство между властью и частным сектором направлено на повышение эффективности реализации инфраструктурных проектов на местном уровне, решение важных вопросов местного значения и удовлетворение потребностей и интересов территориального сообщества в получении качественных услуг. Перечислены сферы и сферы применения государственно-частного партнерства. Упомянуты преимущества использования государственно-частного партнерства. Представлены статистические данные и динамика реализации проектов, реализованных на основе государственно-частного партнерства. Приведен пример его использования как инструмента развития территорий. Обращается внимание на институциональную среду реализации проектов государственно-частного партнерства. Обоснована целесообразность гармонизации концессионного законодательства с законодательством о государственно-частном партнерстве и внедрения лучшего международного опыта правового регулирования в РК.

Государственно-частные партнерства могут принимать различные формы в зависимости от степени вовлеченности и уровня риска, который они принимают на себя в качестве контрактов на выполнение работ и оказание государственных услуг, поставку продукции для нужд территориального сообщества и т.д., и деятельность совместных предприятий. Наиболее распространенными формами являются концессия, лизинг и аренда в международной практике государственно-частного партнерства.

Изучив особенности каждой формы государственно-частного партнерства, было обнаружено, что концессии, совместные или смешанные предприятия являются наиболее подходящими инструментами для структурирования правовых отношений между частным партнером и центральным или местным исполнительным органом и местным самоуправлением, государственный орган по привлечению инвестиций. Действующее законодательство устанавливает четкую процедуру и условия отбора концессионера в отличие от порядка определения частной стороны в других формах государственно-частного партнерства. Достаточно подробное регулирование концессионных отношений обеспечивает достаточный уровень правовой определенности и позволяет в полной мере реализовывать концессионные проекты. Договорные арендные отношения (лизинг) и совместная деятельность могут рассматриваться как механизм привлечения частных инвестиций в том случае, если проект не предполагает значительных инвестиций и масштабного строительства.

Ключевые слова: государственно-частное партнерство, бюджетные средства, экология, внедрение, механизм, устойчивость.

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