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PLANNING OF PUBLIC-PRIVATE PARTNERSHIP PROJECTS

PLANNING OF PUBLIC-PRIVATE PARTNERSHIP (PPP) PROJECTS

State initiative



Private finance initiative

Necessary condition

- ✓ A public-private partnership project is initiated by a potential private partner in relation to an object that is owned or leased for a long-term by mentioned potential partner , or
- ✓ A public-private partnership project is inseparably linked with the implementation of exclusive rights to the results of intellectual creative activity belonging to a potential private partner.



METHODS FOR PUBLIC-PRIVATE PARTNERSHIP IMPLEMENTATION

CONTRACTUAL PPP

- Service contracts
- Fiduciary management or property lease
- Life cycle contracts
- Agreements for the development of technology, production of a prototype, pilot testing and small-scale production
- Leasing contract
- Concession
- Other agreements corresponding to the signs of public-private partnership

INSTITUTIONAL PPP

- ✓ Establishment of a PPP company (joint venture)

Types of PPP project financing

- Private partner's own funds;
- Funds borrowed in the manner prescribed by the legislation of the Republic of Kazakhstan;
- State budget funds;
- Funds of quasi-public sector entities;
- Other means not prohibited by the legislation of the Republic of Kazakhstan.

FORMS OF PARTICIPATION

STATE

- Land plots
 - Government support and payments
 - Provision of engineering infrastructure
 - Transfer of state property objects for use / management
 - Participation in establishment and operation of the joint company
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PRIVATE PARTNER

- Financing of PPP projects;
 - Design, construction, creation, reconstruction, modernization and (or) operation of PPP facilities;
 - PPP project management;
 - Transfer of property and property rights for the purpose of implementing a PPP project;
 - Transfer of exclusive rights to intellectual property objects;
 - Participation in establishment and operation of a public-private partnership company;
 - Other forms that do not contradict the legislation of the Republic of Kazakhstan.
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QUASI-PUBLIC SECTOR

- Participation in the establishment of a PPP company;
- Transfer of property / exclusive rights to intellectual property objects;
- Attracting investments in PPP projects;
- Service support for PPP projects;
- Provision of services for technological parks, business incubators, special economic and industrial zones;
- Export promotion;
- Construction, creation, reconstruction, modernization and (or) operation of PPP facilities;
- Other forms that do not contradict the legislation of the Republic of Kazakhstan.

LEGISLATION, REGULATORY LEGAL ACTS

LEGISLATION

- Law of the Republic of Kazakhstan "On public-private partnership"
 - Law of the Republic of Kazakhstan "On Concessions"
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REGULATORY LEGAL ACTS

- Order of the Acting Minister of National Economy of the Republic of Kazakhstan dated November 25, 2015 No. 725 "On some issues of planning and implementation of public-private partnership projects"
- Order of the Minister of National Economy of the Republic of Kazakhstan dated December 5, 2014 No. 129 "On approval of the Rules for the development or adjustment, conducting the necessary examinations of the investment proposal of the state investment project, as well as planning, consideration, selection, monitoring and evaluation of the implementation of budget investments"
- Order of the acting Minister of National Economy of the Republic of Kazakhstan dated November 25, 2015 No. 713 "On approval of the Rules for the acceptance of PPP objects into state ownership"
- Resolution of the Government of the Republic of Kazakhstan dated December 26, 2017 No. 875 "On approval of the list of PPP projects of particular importance"
- Resolution of the Government of the Republic of Kazakhstan dated November 6, 2017 No. 710 "On approval of the list of objects that are not subject to transfer for PPP implementation, including concession"