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PUBLIC-PRIVATE PARTNERSHIP IN KAZAKHSTAN: PROBLEMS AND PROSPECTS

Abstract. The article is devoted to the analysis of the development of public-private partnerships in the Republic of Kazakhstan. The assessment of the formed regulatory framework in the field of public-private partnership projects is given. The features of the implementation of public-private partnership projects in Kazakhstan are identified, the roles of the parties involved in them are indicated. The analysis of PPP projects in the regional context was carried out according to such indicators and criteria as the number of projects, the amount of financing, the ratio of attracted investments to government obligations for financing PPP projects, coverage of areas and sectors of the economy, development dynamics. The results of the analysis allowed the authors to highlight the strengths and weaknesses of the development of PPPs in each region of Kazakhstan. The conclusion is drawn about the extremely uneven development of PPP in the regions of the Republic of Kazakhstan. The inability of most PPP projects to reduce the overall burden on the country's budget is indicated as an unfavorable trend in Kazakhstan's practice of developing PPPs - in fact, they only allow deferring payments from the budget. Positive assessment of the transformation of the legislation of the Republic of Kazakhstan in the field of PPPs, the authors substantiate the need to create a more favorable and safe investment climate for more active involvement of the private sector in PPP projects.

Key words: public-private partnership, projects, concession, state budget, private sector.

Introduction. Under the conditions of continuing transformation of economic relations in the world and inclusion of the national economies into the integration processes, there is urgent need in structural changes and closer interaction of the State and private sector. The necessity to overcome the innovative and infrastructure underdevelopment under the conditions of limited budget resources in some countries, enforced, on the governmental level, to acknowledge the necessity to develop and adjust effective management and utilization of the public-private partnership institute (PPP). In Kazakhstan, PPP represents significant means and instrument to solve important national tasks for mid- and long-term perspective. New social and political conditions, events, challenges, real and declared actions of the State and business in the field of PPP development in Kazakhstan stipulate the necessity if its detailed analysis to develop further actions on improving existing PPP mechanisms for its wider application in significant sectors of social and economic sphere.

Methods. The investigation methodology is based on application of systematic, procedural and dialectic approaches to scientific cognition of the partnership features of the State and private sector. During the investigation the following general scientific research methods were used: observation, description, analysis and synthesis, comparative-legislative, formal-logical, and other methods of cognition. The information base of the investigation were the legislative acts of RK regulating the relations within the PPP projects implementation, the data of the Ministry of the National Economics and Kazakhstan PPP Centre.

Results and discussion. The relations of a public partner and a private partner in Kazakhstan are regulated by the Laws of RK “On public-private partnership” dated December 31, 2015, “On concessions”

dated July 7, 2006 and corresponding subordinate acts. According to the Law of RK “On public-private partnership” there are four signs identifying the PPP:

- Conclusion of the agreement between the State and a private partner;
- Mid-term or long-term implementation of projects: from three to thirty years;
- Joint participation of the State and private sector in project implementation;
- Combining of the resources of the State and private sector to implement the project [1].

Thus, the RK legislation considers the PPP as mutually beneficial cooperation between the State and private sector. At the same time, the PPP projects are implemented in the spheres subjected to the governmental control. In this case the private sector receives access to otherwise closed markets, and the State receives better methods of management, distribution of risks and expenses. According to the Law, the main tasks of the PPP in RK are:

- Creation of conditions for effective interaction of the PPP participants to ensure social and economic development;
- Attraction of investments into the national economics to develop the infrastructure through consolidation of public and private sector resources;
- Improvement of accessibility and quality of goods and services for population and other interested parties;
- Increase of innovation activity, particularly in high-tech sectors.

In its turn, these tasks should be implemented according to the PPP principles:

- Sequence – relations between the PPP subjects should be constructed step-by-step;
- Competition – the private subjects can participate in PPP on the base of a competition;
- Balance – obligations, risks and profits between the State and private sector should be distributed to mutual benefit;
- performance – the assessment of the PPP results should be based on the established criteria and indicators aimed at the result.

At the same time, under the PPP the private sector can manage the issues of any industry except soils, water, plants and animals, nature conservation area, military property belonging to the governmental organizations and other troop formations [2].

The PPP has two types: institutional and contractual. Under the institutional type the PPP is performed basing on the PPP agreement, and under the contractual form there are eight types of the PPP:

1. Concession – activity on reconstruction and exploitation of a facility at the expense of a person having a concession, but with the public co-financing [3].
2. Trust management of the public property.
3. Property lease of the public property.
4. Leasing.
5. A contract for development of technology, manufacture of a test sample, experimental-industrial trial or limited production.
6. Life cycle contract.
7. Service contract.
8. Other agreement having the PPP sign.

The PPP projects can be financed by the own means of the private sector, loans or budget means. At the same time, the PPP projects are controlled and managed by several public entities starting from the government and ending with regional local representative bodies and cities of national status. In addition, the Law “On public-private partnership” considers the participation of “Atameken” SPE that provides expert, consultation, monitoring support to the PPP participants from the public and private sector sides.

Basing on the official data it is possible to state that at the moment the most part of financing is allocated for the facilities under the construction, and not commissioned. If one looks at the number of facilities, not financing, the situation is reverse – more projects were accomplished, not being constructed (Table 1). This shows the large concentration of capital on facilities not accomplished yet.

Basing of the report of the Minister of National Economics, in 2018 the PPP structure was domineered by the education sphere – 63%, and 15% was for the healthcare system, 8% related to culture and sport.

Table 1 – The PPP status in RK as of 01.10.2019

Public-private partnership	Concluded agreements/facilities	Commissioned facilities	Facilities under construction
Amount (unit)	610	544	66
Sum (billion tenge)	1582	471.6	1088
Note – compiled by reference [4].			

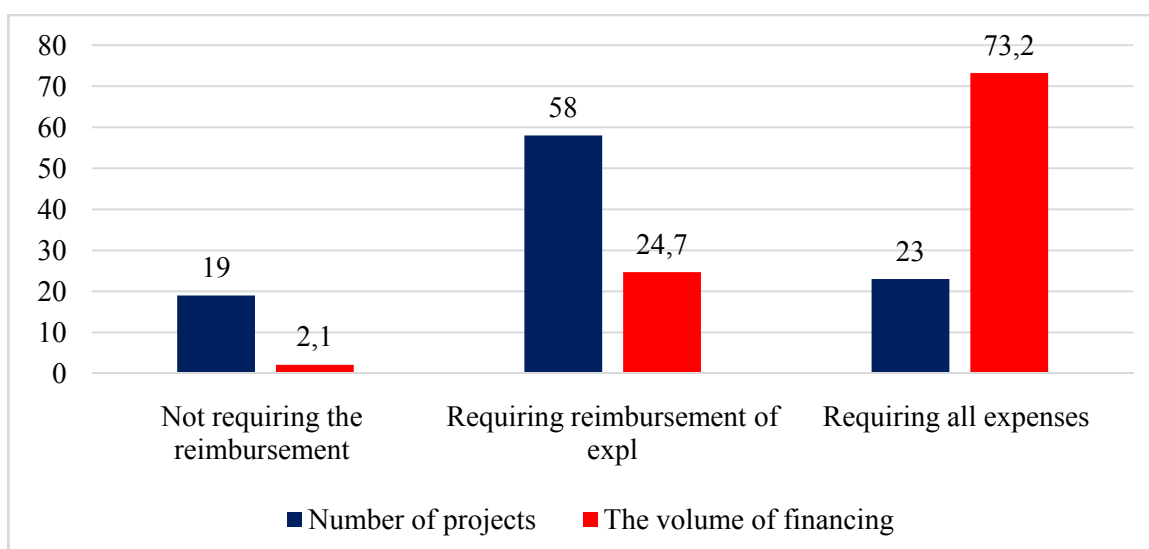
At the same time, the PPP practice is almost absent at such strategically important sectors as water supply, water disposal, and tourism the development of which is one of priority tendencies. According to the same report, the application of the PPP decreased the one-time burden on the state budget [5]. In addition, the report suggested new measures on stimulating local PPP projects, particularly the techniques on determining limits of the state obligations under the PPP projects. The investments into the large infrastructure projects at the cities of regional significance should be stimulated by new measures of currency risks compensation.

In whole, the State carries out a planned policy on building-up the financing and number of regional projects aimed at improving the base infrastructure of cities, and construction of educational and healthcare institutions. The work on specialists training is conducted in regions for effective elaboration of projects according to the OECD recommendations.

Basing on all mentioned above, it can be stated that the State is interested in the PPP development, especially at the regional level, as namely PPP allows improving the life standards of population at simultaneous burden decrease on the budget. In addition, the PPP favors the increase of economic processes efficiency in the traditionally national sphere of responsibility [6]. However, at the moment, the tendency of high financial and staff state participation in the PPP projects is still observed. This especially is seen in regions experiencing not only the shortage of investments into the social sphere, but the lack of staff too. In addition, as noted above, relatively cheap projects the effect of which is rarely beyond the bounds of local needs are implemented; however the regions need large scale infrastructure changes. All PPP projects can be divided into three large categories:

1. Not requiring the reimbursement from the state budget.
2. Requiring reimbursement of exploitation expenses.
3. Requiring all expenses [5].

The projects of the first category contain only 19% of all projects in 2018, and the exploitation expenses reimbursement is required for 58% of projects, and other require the complete reimbursement (Figure 1).



Note – compiled by reference [5].

Figure 1 – Distribution of the PPP projects by the types of expenses reimbursement (%)

Therefore, more than 73% of financial means expensed on implementing the PPP projects will be actually taken from the state budget, 24.7% will require the reimbursement of exploitation expenses, and only 2.1% will not require additional inflows from the budget. Basing on this it can be concluded that as of 2018 the PPP projects in RK represent mostly the form of the state expenses delay on the social and economic development, and not full-fledged cooperation of the State and business.

In this regard, in 2019, the Prime Minister of RK Askar Mamyn has charged the MNE RK and MIPD to study the infrastructure model of PPP under which the State reimburses to investors their investments using the payment for accessibility during long period of time and payment of non-medical services rendered to partners. Thus, an investor will be protected from the currency and inflation risks. Such scheme is applied by Turkey for construction of medical institutions; it allows distributing the risks among all partners by the most beneficial way for them.

In July, 2019, the President of RK highlighted nine issues of development, and 4 of them imply the application of the PPP practice.

The first area is development of tourism for which the company “Kazakh Tourism” was already established, and the National Program of Tourism Development in RK for 2019-2025 was adopted [7]. Even in the countries with developed tourist sector the State applies mechanisms of the sector entities support at simultaneous attraction of private investors. For tourism development in RK, Kazakhstan PPP Centre works out the opportunities of program PPP under the adopted program.

The second area is development of agro-industrial complex for which application of the PPP is quite topical for modernization of the infrastructure and material and technical base: construction of roads, repair and improvement of water disposal and water supply systems, starting of new sites exploitation. The major problem of the PPP application for the agro-industrial complex, especially in rural area is the issue of profitability. The agriculture, due to the inherent specifics of the production process, is subjected to additional risks. These risks are related to the climate changes, soil degradation etc. that hampers the attraction of private capital even on the base of the PPP agreements. For the PPP development in the agro-industrial complex it is necessary to develop such schemes of financing that would ensure sufficient profitability, but not limiting the consumer purchasing power, and control over the risks.

The third and fourth areas are improvement of the healthcare and education systems. The PPP in these areas are mainly aimed at improving the infrastructure that is the most topical for regional public utility companies [8]. In addition, the PPP allows purchasing the modern equipment that is urgent for the healthcare institutions.

In addition to internal measures, The Memorandum on Cooperation was signed by Kyrgyzstan, Kazakhstan, Uzbekistan, Georgia, and Tajikistan. This Memorandum allows the private enterprises of these countries to participate in the PPP projects in all countries that signed the document [9].

From May 2019, the Kazakhstan Centre for the PPP provides to investors the services on “one stop” principle. These services include the following:

- Consultations, information support, and training of investors;
- Selection of the interested area projects portfolio for an investor on the Republican or local levels;
- Informing of potential investors on forthcoming, and announced for competition PPP projects;
- Work with private partners at the stage of the PPP projects implementation [10].

In addition, the Centre acquires statistics and forms ratings of regions basing on which it is possible to judge on the PPP development character in regions (Table 2).

Table 2 shows that the largest volumes of the PPP projects financing falls to Akmola and Almaty regions, and Nur-Sultan city, at the same time the financing indicator for Akmola regions is almost 9 times higher than for Nur-Sultan coming immediately after it. Akmola region also has the largest average volume of project financing, after it are Nur-Sultan city and Atyrau region. The smallest volume of financing falls to Zhambyl, West Kazakhstan, and North Kazakhstan region. As for the number of projects the absolute leader is East-Kazakhstan area, and then are Almaty city and Kostanay region.

Table 2 – The indicators of the PPP projects by regions in 2019

Region	Number of projects (units)	Financing (billions tenge)	Average financing of project (billions tenge)
Akmola region	40	263,9	6,60
Nur-Sultan	14	29,8	2,13
Almaty region	31	27	0,87
Almaty	53	24,4	0,46
Shymkent	15	20,5	1,37
Kostanay region	45	18,7	0,42
Atyrau region	8	17	2,13
East-Kazakhstan region	180	15	0,08
Kyzylorda region	41	11,5	0,28
Aktobe region	16	10,8	0,68
Mangystau region	10	9,2	0,92
Pavlodar region	30	7	0,23
Karaganda region	39	5	0,13
Turkestan region	24	3,7	0,15
North Kazakhstan region	23	3	0,13
West Kazakhstan region	7	1,8	0,26
Zhambyl region	30	1,7	0,06
Total	606	470	16,9

Note – reference [11].

According to the general PPP rating by regions compiled by the KCPPP the leaders are Kostanay region, East-Kazakhstan, and Karaganda regions (Figure 2).

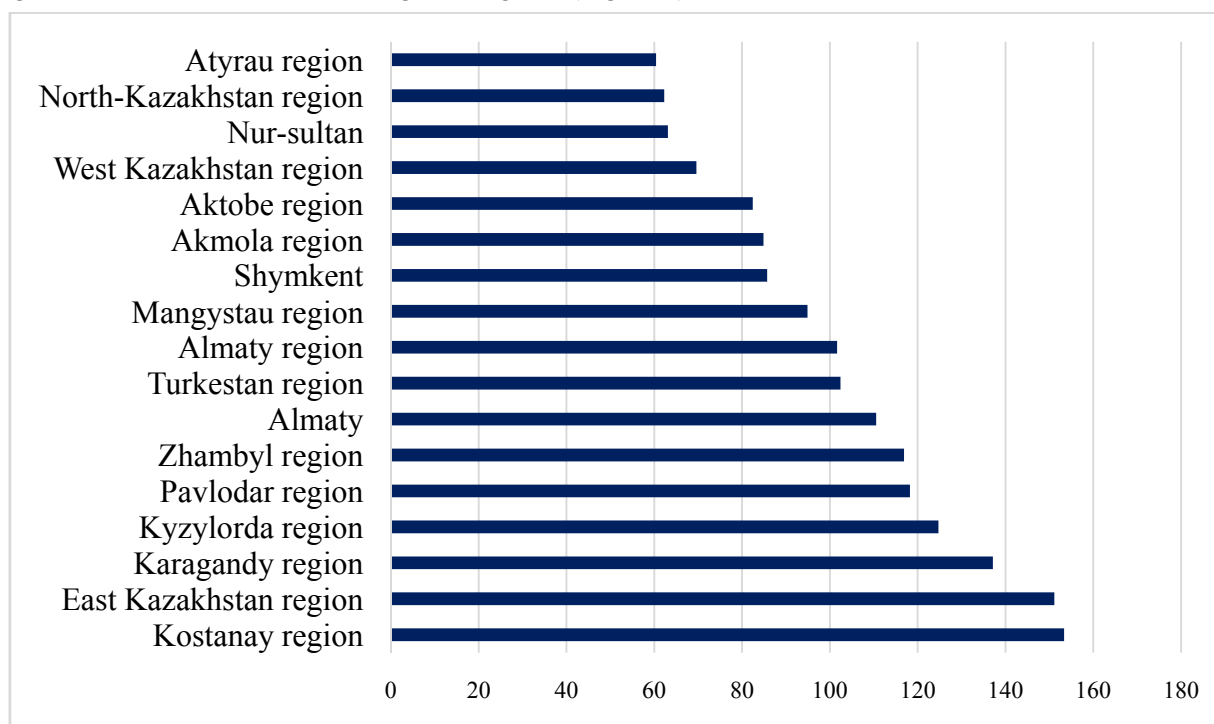
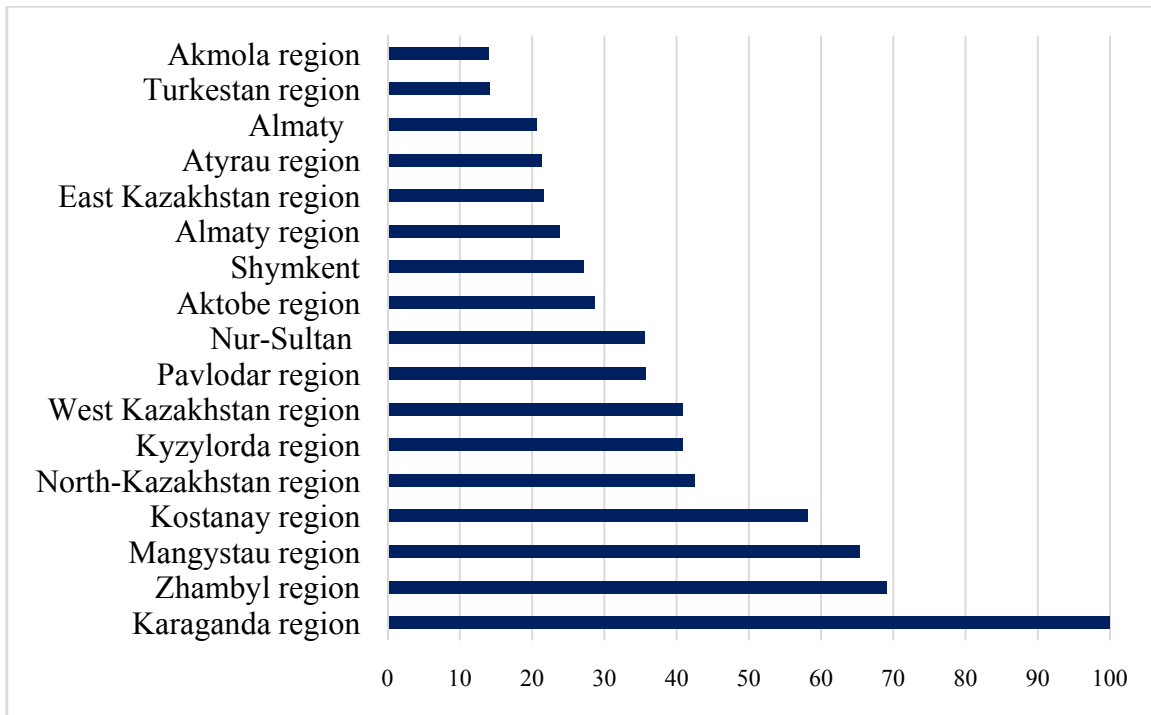


Figure 2 – General PPP rating by regions according to the KCPPP

At the same time, Atyrau, North-Kazakhstan regions, and Nur-Sultan city are at the worst rating positions. This difference between the numerical indicators and integral rating is stipulated not only by the number of projects and its financing, but by the efficiency of its implementation.

If we compare the ratio of the attracted investments and the state obligations, the best ratio is observed for Karaganda, Zhambyl, and Mangystau regions, i.e. in these regions the largest volume of the attracted investments fall on a unit of the public obligations. The worst indicator in this case have Akmola

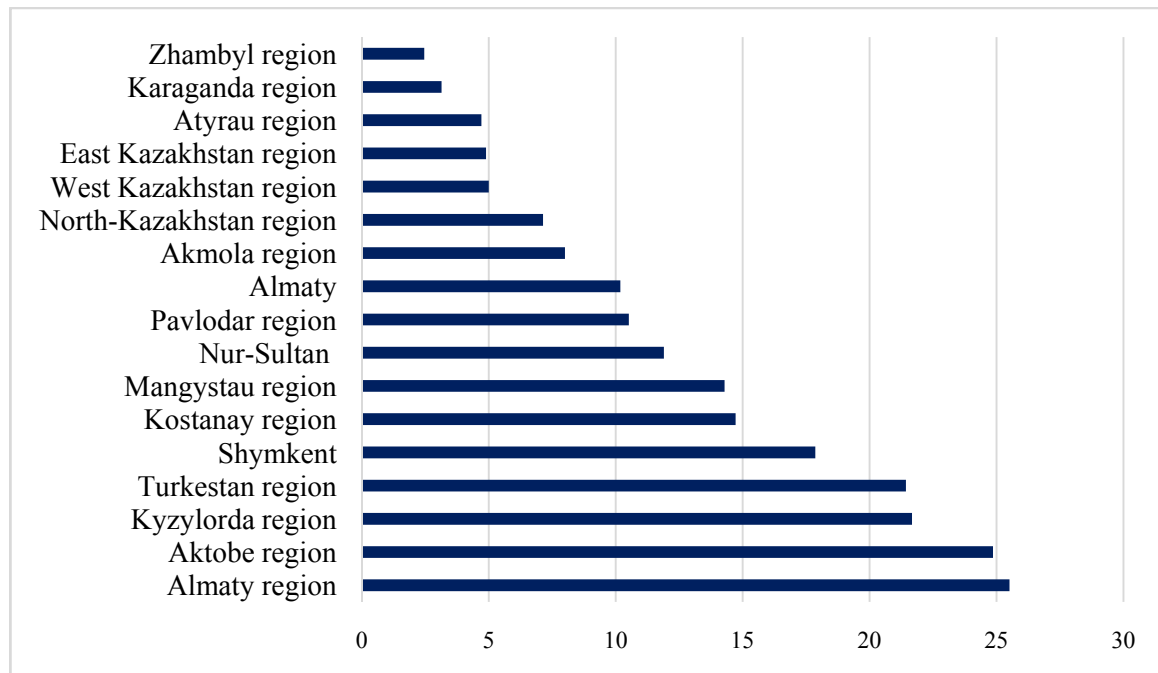
and Turkestan regions, and Almaty city indicating on large share of the state in the PPP projects in these regions. Considering the leadership of Akmola region on financing of the PPP projects, it is possible to say that the largest volume of the public obligations is also there (Figure 3).



Note – reference [12].

Figure 3 – The ratio of the attracted investments to the public obligations according to the KCPPP

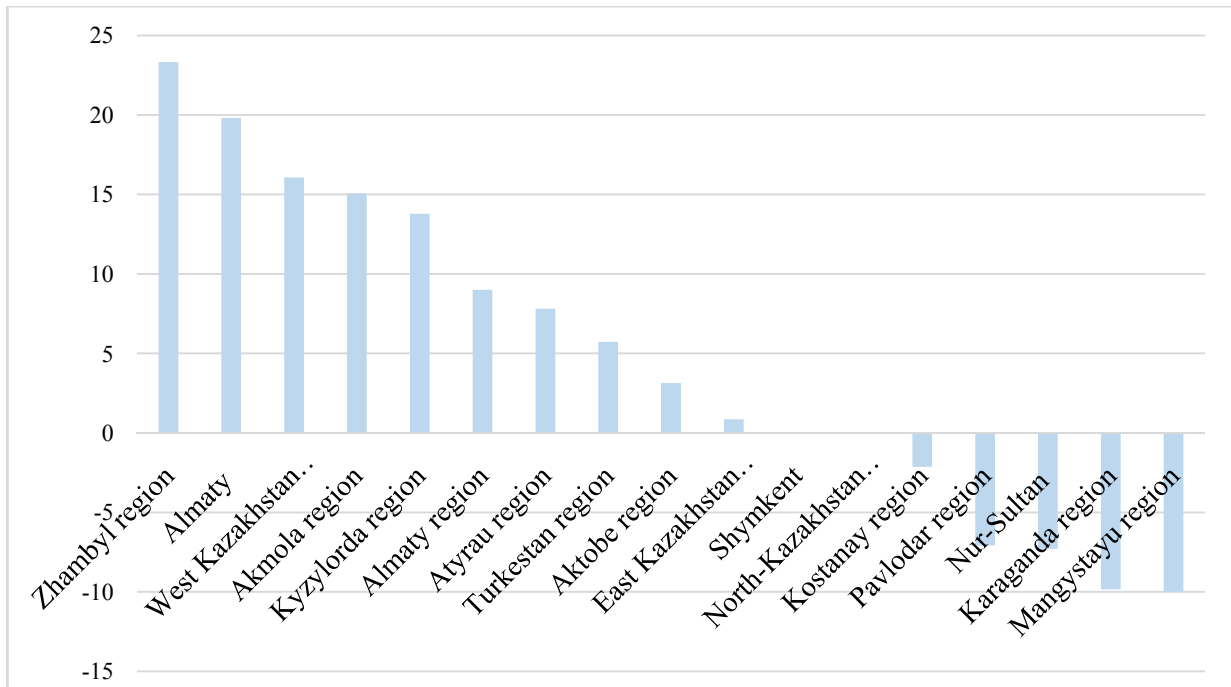
On the sectors cover the best positions belong to Almaty, Aktyubinsk, and Kyzylorda regions: the PPP projects in these regions are implemented in the largest amount of sectors comparing to other. The most highly specialized are Zhambyl, Karaganda, Atyrau regions (Figure 4).



Note – reference [12].

Figure 4 – Rating of spheres/sectors cover according to the KCPPP

Finally, the analysis of the PPP development dynamics in regions provides the following pattern: the best dynamics of the PPP development is in Zhambyl region, Almaty city, and West Kazakhstan region. The worse, but still positive PPP development is in the East Kazakhstan region. Shymkent city and North Kazakhstan regions do not show notable dynamics, and Mangystau and Karaganda regions, and Nur-Sultan show negative rating of the PPP development dynamics (Figure 5).



Note – reference [12].

Figure 5 – Rating of the PPP development dynamics according to the KCPPP

Basing on all mentioned above we have compiled a table of the PPP development in regions; the Table describes the strengths and weaknesses regarding each other as of 2019.

Table 3 – Strengths and weaknesses of the PPP development in the regions of RK in 2019

Region	Strengths	Weaknesses
Nur-Sultan city	Large volume of projects financing. High average cost of project	Bad development dynamics Low general rating of the PPP development
Almaty city	High positive dynamics of development	Low ratio of the attracted investments to the public obligations
Shymkent city	High cover of sectors	Low ratio of the attracted investments to the public obligations
Akmola region	High volume of financing High average cost of project	Low ratio of the attracted investments to the public obligations
Aktope region	High cover of sectors	
Atyrau region	High average cost of project	Low cover of sectors Small number of projects Low general rating of PPP development
East Kazakhstan region	Large amount of projects High general rating of the PPP development	Low average cost of project Low cover of sectors Low ratio of the attracted investments to the public obligations

Zhambyl region	High positive dynamics of development High ratio of the attracted investments to public obligations	Low cover of sectors Small volume of project financing Low average cost of project
West Kazakhstan region	High positive dynamics of development	Low cover of sectors Small volume of project financing
Karaganda region	High ratio of the attracted investments to public obligations High general rating of the PPP development	Bad development dynamics Low cover of sectors Low average cost of project
Kostanay region	Large cover of sectors High ratio of the attracted investments to public obligations Large amount of projects High general rating of the PPP development	Bad development dynamics
Kyzylorda region	Large cover of sectors Large amount of projects	Small volume of project financing
Mangystau region	High ratio of the attracted investments to public obligations	Bad development dynamics Small number of projects
Pavlodar region	High general rating of the PPP development	Bad development dynamics Small volume of project financing
North-Kazakhstan region	High ratio of the attracted investments to public obligations	Low cover of sectors Low general rating Small volume of project financing Low general rating of PPP development
Turkestan region	High cover of sectors	Low ratio of the attracted investments to the public obligations Small volume of project financing
Note – compiled by authors		

Conclusion. Basing on the stated above the following can be concluded on the PPP development in Kazakhstan:

1. The rules and regulation framework able to ensure various ways of interaction between the State and the private sector is developed quite well in Kazakhstan.

2. The most part of financing falls to the PPP projects in the process of implementation, not on the completed ones, but the number of projects prevails among the completed. This shows that most of small projects are finished, and the large ones are under implementation and its effect is to be investigated.

3. Large number of the PPP projects, in its essence, represents the budget payment delay, i.e. decrease the on-time burden, but not the common. At the same time, the projects, not requiring additional budget inflows are less in number. Therefore, it is necessary to elaborate new mechanisms of the PPP financing that would stimulate the appearance of the first type projects not requiring additional expenses.

4. The application of PPP is possible in four of nine areas of economics development highlighted by the State, but the complete mechanisms of its application are to be formed.

5. The PPP development in regions can be characterized as extremely uneven. At the same time, there are significant contradictions observed, for instance, when the region has high volumes of project financing, but weak dynamics of development or low cover of sectors. The leveling of development is possible only through the creation of favorable and safe investment climate, and building of trust to the State on the side of the private sector.

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ҚАЗАҚСТАНДАҒЫ МЕМЛЕКЕТТІК-ЖЕКЕ ӘРІПТЕСТІК: МӘСЕЛЕ ЖӘНЕ БОЛАШАҚТАР

Аннотация. Мақала Қазақстандағы мемлекеттік-жеке әріптестіктің дамуына талдау жасауға бағышталған. Мемлекеттік-жеке әріптестік жобаларын іске асыру саласындағы Қазақстанда қалыптасқан нормативтік-құқықтық базасына баға берілген. Қазақстандағы мемлекеттік-жеке әріптестік жобаларын іске асыру ерекшеліктері анықталып, олардың қатысушы тараптарының рөлдері көрсетілген. Аймақтардағы МЖӘ жобаларын талдау келесі көрсеткіштер мен критерийлер көмегімен жүргізілген: жобалардың саны, қаржыландыру көлемі, тартылған инвестициялардың мемлекеттік міндеттемелерге қатынасы, экономика салалары мен сфераларын қамту деңгейі, даму серпіні. Жүргізілген талдау нәтижелері авторларға Қазақстанның әрбір аймағындағы МЖӘ жобаларының дамуының күшті және әлсіз жақтарын бөліп көрсетуге мүмкіндік берді. Оған қоса, ҚР аймақтарындағы МЖӘ дамуының әркелкілігі туралы ұйғарым жасалған. МЖӘ дамуының қазақстандық тәжірибесіндегі жағымсыз үрдісі ретінде МЖӘ жобаларының көбісінің ел бюджетінің жалпы ауыртпалығын төмендетуге қабылетсіздігі, олардың шын мәнінде тек бюджет түсімдерінің уақытын жылжытуға ғана мүмкіндік беретіні көрсетілген. МЖӘ саласындағы қазақстандық заңнаманың өзгерісіне оңтайлы баға бере отырып, авторлар жеке секторды МЖӘ жобаларына белсенді түрде тарту үшін анағұрлым қолайлы және қауіпсіз инвестициялық климат қалыптастырудың қажеттілігін негіздейді.

Ключевые слова: мемлекеттік-жеке әріптестік, жобалар, концессия, мемлекеттік бюджет, жеке сектор.

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ГОСУДАРСТВЕННО-ЧАСТНОЕ ПАРТНЕРСТВО В КАЗАХСТАНЕ: ПРОБЛЕМЫ И ПЕРСПЕКТИВЫ

Аннотация. Статья посвящена анализу развития государственно-частного партнерства в Республике Казахстан. Дана оценка сформировавшейся нормативно-правовой базе РК в сфере реализации проектов государственно-частного партнерства. Выявлены особенности реализации проектов государственно-частного партнерства в Казахстане, обозначены роли участвующих в них сторон. Анализ проектов ГЧП в региональном разрезе был проведен по таким показателям и критериям как количество проектов, объем финансирования, отношение привлеченных инвестиций к государственным обязательствам по финансированию проектов ГЧП, охват сфер и отраслей экономики, динамика развития. Результаты проведенного анализа позволили авторам выделить сильные и слабые стороны развития ГЧП по каждому региону Казахстана. Сделан вывод о крайне неравномерном развитии ГЧП в регионах РК. В качестве неблагоприятной тенденции казахстанской практики развития ГЧП указана неспособность большинства проектов ГЧП к снижению общей нагрузки на бюджет страны – по сути они позволяют только отсрочить платежи с бюджета. Позитивно оценивая трансформацию законодательства РК в сфере ГЧП, авторы обосновывают необходимость создания более благоприятного и безопасного инвестиционного климата для более активного вовлечения частного сектора в проекты ГЧП.

Ключевые слова: государственно-частное партнерство, проекты, концессия, государственный бюджет, частный сектор.

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