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PROMISING DIRECTIONS OF DEVELOPMENT OF PUBLIC PROCUREMENT IN THE REPUBLIC OF KAZAKHSTAN

Annotation. The article discusses current promising areas in the field of public procurement. Public procurement accounts for a significant share of the budget. Being the largest buyer in the country, the authorities can dictate requirements for production conditions and suppliers, generate demand by influencing the market and manufacturers. This opportunity makes public procurement a valuable mechanism for the development of individual industries, supporting small businesses, stimulating innovation, and producing energy-efficient and environmentally friendly products.

Public procurement has always been and will continue to be used as an important tool for achieving a wide range of socio-economic and political goals.

Keywords: public procurement, contract, supplier, economy, entrepreneurship, budget.

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Перспективные направления развития государственных закупок в Республике Казахстан

Аннотация. В статье рассматриваются актуальные перспективные направления в сфере государственных закупок. Государственные закупки составляют значительную долю бюджета. Будучи крупнейшим покупателем в стране, власти могут диктовать требования к условиям производства и поставщикам, формировать спрос, воздействуя на рынок и производителей. Эта возможность делает государственные закупки ценным механизмом развития отдельных отраслей, поддержки малого бизнеса, стимулирования инноваций, производства энергоэффективной и экологически чистой продукции.

Государственные закупки всегда были и будут использоваться как важный инструмент достижения широкого спектра социально-экономических и политических целей.

Ключевые слова: государственные закупки, контракт, поставщик, экономика, предпринимательство, бюджет.

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Қазақстан Республикасында мемлекеттік сатып алу саласының дамуының перспективалық бағыттары

Аннотация. Мақалада мемлекеттік сатып алу саласындағы ағымдағы перспективалық бағыттар қарастырылған. Бюджеттің айтарлықтай үлесін мемлекеттік сатып алулар құрайды. Елдегі ең ірі сатып алушы бола отырып, билік өндіріс жағдайлары мен жеткізушілерге талаптарды белгілей алады, нарық пен өндірушілерге әсер ету арқылы сұраныс жасай алады. Бұл мүмкіндік мемлекеттік сатып алуды жекелеген салаларды дамытудың, шағын бизнесті қолдаудың, инновацияны ынталандырудың, энергияны үнемдейтін және экологиялық таза өнім шығарудың құнды тетігі болады.

Мемлекеттік сатып алу әрқашан кең ауқымды әлеуметтік-экономикалық және саяси мақсаттарға қол жеткізудің маңызды құралы ретінде қолданылған және қолданыла бермек.

Түйін сөздер: мемлекеттік сатып алу, келісім-шарт, жеткізуші, экономика, кәсіпкерлік, бюджет.

Introduction. Through the public procurement system, the state tries to ensure optimal and economical spending of budget funds, which directly affects the material well-being of the population. Public procurement is a tool for achieving socio-economic development, which affects the modernization of the entire state system, innovation in the economy and other spheres of state activity.

It should also be noted the positive impact of government procurement on the industrial development of the Republic of Kazakhstan.

Positive results of industrial development include an increase in indicators in the resource sectors of the economy, an increase in the need for equipment, components, spare parts and semi-finished products. The development of this sector of the economy increases the level of provision of specialized services, improves labor productivity, and increases the efficiency of use of resources and materials. Increasing the efficiency and optimality of procurement, the use of goods of Kazakhstani content affects internal and external demand [1, p.197].

More than 2 trillion. US dollars constitute the turnover of the united market of the Eurasian Economic Union, available for duty-free export of goods; in terms of its capabilities, this market is among the top ten world markets, which includes the United States of America, the European Union, Japan, China, India and Brazil.

Foreign trade of the Republic of Kazakhstan with the countries of the EAEU in 2019 amounted to more than 20 billion US dollars, this amount is 5.7% more than the previous year 2018. At the same time, the volume of exports amounted to 6.3 billion US dollars, imports – 14.9 billion US dollars.

In the foreign trade of the Republic of Kazakhstan with the countries of the EAEU, Russia accounts for 92%, the Kyrgyz Republic – 3.9%, Belarus – 4%, Armenia – 0.1% of trade turnover [2, p.452].

Thus, we note that the Republic of Kazakhstan has opportunities to use public procurement as a way of industrial development, increasing the growth of small and medium-sized companies in the industrial field.

To do this, it is necessary to pay attention and consider the issue of reducing administrative barriers in the field of public procurement, improving the quality and efficiency of services offered in the field of public procurement to increase productivity growth and develop innovation.

In addition to its main function of efficient use of budget funds, public procurement has a huge impact on business development. Conditions are being created for expanding existing businesses and creating new enterprises and companies, including with the involvement of foreign manufacturers.

As noted earlier, business development is not the main activity of public procurement, but its influence on business activity is undeniable. It is necessary to develop new measures to support entrepreneurship aimed at realizing the opportunities of public procurement and procurement in the quasi-public sector.

National holdings and national companies should reconsider their development strategies taking into account state policy and provide for a policy of limited intervention in the competitive market by not allowing participation in public procurement if potential suppliers include private businesses.

At the same time, the introduction of the institution of public control over public procurement should be of particular importance for the development of public procurement in the Republic of Kazakhstan.

According to the Law “On Public Procurement”, control over the public procurement system in the Republic of Kazakhstan is carried out by the authorized body represented by the Ministry of Finance of the Republic of Kazakhstan and its departments. Which exercise control over the legality of procurement in accordance with the provisions of the Law “On State Audit and Financial Control” [3].

In turn, the state audit and financial control bodies exercise control over the legality of the execution of public procurement in accordance with the Law “On State Audit and Financial Control”.

Since procurement directly affects the

rights and interests of individuals and private businesses, public control over the activities of government bodies, institutions and quasi-public sector entities represented by customers and organizers of public procurement deserves special attention.

By conducting public control of public procurement on the part of society, the responsibility of government bodies and institutions, entities of the quasi-public sector in making relevant decisions, the openness and transparency of their activities increases.

In addition, public control will increase measures to regulate the state's antimonopoly policy, which will lead to a strengthening of the country's competitive market.

In addition, public control will improve control in the regulation of economic policy over the targeted expenditure of budget funds.

Public control is one of the elements of democracy. Therefore, the development of mechanisms for its influence and the involvement of a larger number of people in it is an urgent direction, especially in the current socio-economic situation.

It should be noted that the use of public control in the mechanism of public administration will improve the quality in all areas of state control, including the quality of adopted regulatory legal acts.

Corruption crimes are one of the most dangerous and negative social phenomena that threaten the public and economic security of any state, regardless of its structure and form. At the same time, public associations and business representatives can treat objects and subjects of offenses in the field of public procurement in the same way as government bodies.

In this regard, taking measures to create an understanding in society about intolerance of corruption and combating corruption crimes will be more effective if civil society institutions are involved.

The implementation of public control should be aimed at ensuring compliance of the activities of government bodies with regulatory legal acts; citizens, public associations and other non-state institutions that are independent in decision-making from

the state apparatus should be involved in the implementation of public control.

An important characteristic of public control on the part of civil society is the active participation of citizens in monitoring public procurement. Their identification of violations of the legislation on public procurement, procedures for their implementation by customers and organizers, unreasonable spending from the state budget, acquisition of unnecessary goods, works or services.

The introduction of public control into the public procurement system causes controversial opinions among experts in terms of its effectiveness; the population and public representatives have distrust in the mechanism of public control, its role in the public procurement system, as well as the lack of a legislative framework for its implementation.

An important indicator of the state of corruption in a country is its impact on the public procurement system, since corruption offenses directly affect the economic security of the state. The significance of public procurement lies in its coverage of all areas of the economic market (purchase of food products, medicines, weapons, special equipment, cars and special equipment, etc.) [4]

To eliminate corruption risks when concluding contracts, you should be guided by the following principles:

- ensuring equal rights and opportunities, as well as access to information to potential suppliers participating in public procurement;
- acquisition of goods, works or services at the lowest prices in order to optimize budget expenses;
- maintaining strict reporting at all stages of public procurement;
- implementation of public procurement procedures in electronic format on official trading platforms.

Currently, citizens have the opportunity to monitor and control the public procurement process by tracking all acquisitions by government agencies and quasi-public sector entities to meet public needs, as well as submit complaints in case of detection of questionable acquisitions or those that are luxury goods.

It should be noted that there is currently an increase in the share of procurement carried out by requesting price proposals on the public procurement web portal. The introduction of this method pursued the following goals: increasing efficiency (reducing time), increasing anonymity (participants are unknown to the customer), achieving publicity (using the Internet made it possible to attract a large number of participants).

However, in practice the following problems are discovered that require solutions:

- registration of a potential supplier is carried out by a single operator, who, in fact, acting as a customer, determines the ability and possibility of participation of a business entity in public procurement. It is enough for a potential supplier to send the required package of documents and after checking them, he can be allowed to participate in public procurement;

- the potential supplier is responsible for the information he provides about himself, i.e. the single operator does not check him;

- after consideration of the application, the potential supplier remains unknown to the customer, i.e. the customer allows a participant to participate in public procurement without reliable information about his financial condition, work experience, founders, etc. Only after summing up the results of the procurement and before concluding the contract does the customer know the name and details of the supplier, according to which any verification can be carried out.

There are cases where during such checks it becomes known that the supplier is in the register of unscrupulous participants in public procurement or the register of debtors in enforcement proceedings. In this case, the results of public procurement are subject to cancellation, which entails the failure of the delivery of goods, the performance of work or the provision of services and the failure of the customer to utilize budget funds;

- when participating in public procurement by requesting price proposals, potential suppliers may present a much lower price for a product, work or service, thus

making it impossible to conclude an agreement with a bona fide supplier at a reasonable price. Considering that the cost of any product, work or service is formed depending on the cost and profit, the result of providing an excessively low price is either a failure in procurement or the receipt of a low-quality product, work or service.

- an important problem in ensuring the economic security of the customer is the possibility of participation in public procurement by “fly-by-night” companies that do not actually carry out financial and economic activities.

To solve the above problems and prevent the disruption of public procurement, it is necessary to verify both the potential supplier and its financial and economic activities before the stage of concluding a public procurement agreement between the customer and the supplier [5, p.302].

In conclusion, it should be noted that the proposals indicated in this work will require elaboration of the issue of introducing appropriate amendments to the current legislation on public procurement.

Improving the mechanism for ensuring economic security will make it possible to implement the principles of public procurement, which are the effective and optimal expenditure of budget funds, the responsibility of participants in public procurement, and the prevention of corruption.

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