

SUMMARY OF THE DOCTORAL DISSERTATION

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Dissertation title: Public-Private Partnership for Local Governments in Poland and Kazakhstan

The more the market economy develops, the more the economic function of the state, the scope and legal forms of public tasks are changing. Before the political transformation in Poland and Kazakhstan the government provided the public goods and services, based on the general or public rules. However, the building market institutions brought a change of the scope and forms of public tasks in order to adapt them to the changing socio-economic situation. For this goal also the using of the public-private partnership to provide the services traditionally provided by the public sector was intended.

The public-private partnership is a part of the complex problem of the economic functions of modern government and the role of public administration in delivering public goods. The issues of public-private partnership are related to the scope and the legal organizational form of the joint production and provision of public goods. In Poland and Kazakhstan the public-private partnership could potentially play an important role in meeting the social needs, through the alleviating the budget constraint problem of the public sector, on the one hand, and the activating financial, organizational and technological capital of private sector for social projects, on the other hand. Unfortunately, both in Poland and in Kazakhstan there is no the sufficient interest of the government in the area of public-private partnership, that raises the question about the opportunities and barriers for its development.

Attempt to find the answer to this question is the goal of this thesis that requires identifying and determining the nature of the relationship between the local government and private sector within the public-private partnership in Poland and Kazakhstan. It is also necessary to analyse the procedures and processes of implementation of partnership projects in Poland and Kazakhstan, which can motivate or demotivate public and private actors to work together in this innovative form.

The subject of the dissertation analysis is the setting up and implementation of the system of legal and economic relationship between the local government and the private sector partners in a public-private partnership. The doctoral thesis relates to important issues, including the essence of the partnerships of local government and private sectors, the nature of the PPP contracts, the

institutional support for the implementation of public-private partnership at the regional level. Comprehensive analysis allows systematization of the key factors hindering cross-sectoral cooperation.

There are seven chapters excluding the introduction and conclusion and other components in the dissertation: I Public-private partnership in the economic system; II Economical and organizational aspects of public-private partnership; III Local government structure in Poland and Kazakhstan; IV Public-private partnership in Poland; V Public-private partnership in Kazakhstan; VI Place of public-private partnership in the activities of local government in Poland and Kazakhstan; VII Conclusions and proposals *de lege ferenda*.

The first chapter is devoted to the place of public-private partnership in the economic system. This issue relates to the scope and functions of the public sector in modern market economies and its role in providing public goods. Both the public sector and public goods are concepts defined legally ambiguous, the content of which depends largely on the political, economic and social situation.

In the doctrine of the subject, the definitions, entities and subjects of public-private partnerships are defined in many ways, because of the complex problems of the implementation of such intersectoral collaboration. On the other hand, the statutory power of the local government creates specific barriers in the "marketization" of activity of the public entity. Taking this into account in national legislation the definitions of public-private partnerships are formulated quite generally and flexibly. The illustration of this thesis is comparison of the definitions of the public-private partnerships in selected countries.

The theoretical and normative aspects of public-private partnership allow making its economical and organizational characterization (chapter II). The choice of the legal organizational form is crucial for the potential benefits gained by the partners and the scale of the risk inherent in the joint venture.

The third chapter discusses the local government structure in Poland and Kazakhstan, i.e.: the concept and organization of local government, its public tasks and ways of their implementation. The principal difference of the competencies of local government in both countries and their relations with government are pointed out.

Further considerations are more specific and are devoted to the contractual aspects of public-private partnership in Poland and Kazakhstan, which include the parties and subjects of the agreement, the features of the private partner selection, the conclusion of the PPP agreement and the specificity of the institutional environment.

The content of the next chapter presents the place of public-private partnership in the activities of local government in Poland and Kazakhstan. In this chapter the projects of public-

private partnership are analysed, and also the financial capacity of local government and the impact of these projects on the level of public debt.

In chapter seven the previous analysis allows comparison the features of public-private partnership in the activities of local government in two countries. The presentation of the strengths and weaknesses of the public-private partnership in Poland and Kazakhstan makes it possible to propose the changes of the regulatory framework and the implementation of long-term cooperation between the public and private sectors.

Public-private partnership is differently set out in the legislation of Poland and Kazakhstan. Polish legislation are based on Community law and described in general outline. In Kazakh legislation the actual relationship between public and private sectors are set out in detail and casuistically.

There is a legitimate need for using of public-private partnership, because on the local government is charged with a number of public tasks with insufficient financial resources, in both countries. There is a legitimate need for using of public-private partnership, because on the local government is charged with a number of public tasks with insufficient financial resources, in both countries. At the same time there is a lack of managerial experience and access to modern technology of the investment process in local government in Poland and Kazakhstan.

There are some similar barriers for partnership in these countries:

- the lack of a transparent clear definition of public-private partnership;
- the lack of support instruments including the professional units on the regional level, which support the local government in the process of preparing partnership agreements, estimating of costs and benefits and selecting a private partner.

At the same time there are also the specific barriers of the PPP development. In Poland, these are: the excessive financial burden of private partners and the fears of local government because of the earlier experiences of the interaction with private entities. In Kazakhstan these are: the centralization of public administration, the complicated and multi-stage procedure of the preparation of the public-private partnership projects and still significant climate of corruption associated with intersectoral collaboration.

06.10.2016



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