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The activities of the National chamber of entrepreneurs as institutional mechanism to reduce business risks in the Republic of Kazakhstan

The scientific article considers business risks as constant attributes of proactive activities aimed at receiving income. As a way to minimize such risks the activities of the National Chamber of Entrepreneurs of Kazakhstan, promoting the creation of favorable legal, economic and social conditions for implementing entrepreneurial initiative are analyzed. The article describes the cases of the solution of certain legal incidents with the participation of entrepreneurs.

Key words: the National Chamber of Entrepreneurs «Atameken», the entrepreneur, the Council on the protection of the entrepreneurs' rights, business risk, risk minimization.

Statement of problems. One of the most important aspects of economic development stability in the country or in its certain region is minimization of risks which is determined by economic stability of the entrepreneurs working in such region. Business risk is a constant attribute of the initiative activity aimed at receiving income. The risk existence is caused by impossibility to exactly forecast the situations and conditions an entrepreneur can face in the course of implementation of his or her commercial ambitions. Due to various reasons, among which is imperfection of legislative base and law-enforcement practice, an adverse environment, competitors' activity, lack of resources, insufficient competence of the entrepreneur at decision-making, etc., the entrepreneur is at risk not to receive an expected profit, moreover, to lose his own property. Considering that the entrepreneur independently bears the property burden of responsibility for all adverse effects of the activity (Para. 1 of the Art. 2 of the Entrepreneurial Code of the Republic of Kazakhstan and Art. 10 of the Civil Code of the Republic of Kazakhstan) [1, 2], he is interested not only in the risk assessment, but also in his anticipation and decrease to a minimum of possible negative consequences. In this regard, the questions connected with business safety, protection of businessmen's interests, especially in the conditions of world financial crisis, gain unprecedented urgency.

Analysis of the latest researches and publications. Theoretical and practical questions of minimization of business risks are investigated by S.N. Vorobyov [3], L.N. Mamayeva [4], M.I. Chaava [5] and other authors.

Main objectives of research. Analysis of activities of the National Chamber of Entrepreneurs «Atameken» of the Republic of Kazakhstan as an effective mechanism to decrease business risks.

Main results of research. The category of risk belongs to the categories of the least researched in civil law science. This concept is used in texts of the Entrepreneurial Code and the Civil Code of the Republic of Kazakhstan. So, according to Art. 2 of the Entrepreneurial Code (hereinafter referred to as the RK EC) and Art. 10 of the Civil Code (hereinafter referred to as RK CC) «Entrepreneurial activity is carried out on behalf of, within the risk and property responsibility of an entrepreneur» [1, 2]. The term «risk» is used in the Art. 30 of the RK EC which defines the nature of an individual entrepreneurship as the independent, initiative activity which is carried out on behalf of individual persons within their risk and their property responsibility; the Art. 33 of the RK EC which indicates the existence of risk and responsibility at transactions within the carried-out business activity by the individual entrepreneur without reference that he acts as that [1]. At the same time, despite the fact that the risk is an attribute of business activity, as fixed on legislative level, the legislator does not reveal its essence.

The concept of «risk» remains disputable in economic science as well [3–5]. As an economic category business risk quantitatively and qualitatively reflects the degree of success or a failure at achievement of the planned results. Considering that the possibility of adverse effects in economic activity is connected with understanding what events can be risky and how they can be predicted and avoided, the category of business risk is defined as a certain danger characterized by uncertainty of a result for an economic entity, but the possibility of adverse effects which for a businessman can turn into the expenses he will have to spend for restoration of the violated rights, and also into a loss of the income which he could receive under usual conditions of management [6].

The economic literature devoted to business problems does not give a harmonious classification of business risks. Analyzing the existing points of view, they can be divided into:

- a risk connected with economic activity;
- a risk connected with the personality of an entrepreneur;
- a risk connected with the absence or lack of information about the environment.

Without a detailed analysis of these concepts, we will specify only that the risk connected with the entrepreneur's personality depends on his knowledge in the sphere of business, skills and experience in running a business activity, on his ability to study and develop abilities in the course of business management. Therefore this group of risks has a subjective nature. Lack of experience in business can provoke the emergence of some risks connected with economic activity. At the same time, the risks connected with economic activity can depend not only on the entrepreneur's personality but arise without his will, for example, the rate of currency fluctuation, etc. In its turn, the risk connected with a lack of information about the environment, impossibility of its exact forecast is generally objective. Lack of reliable information about partners, their business image and their financial state can become a source of losses for the entrepreneur. Insufficient awareness of existing standards fixed in the legislation of the country, the principles of the taxation, features of legal regulation of certain forms of relationships, including the relations with the state, is also capable of becoming the reason of unplanned property expenses.

In the Republic of Kazakhstan a part of the risks connected with business activity was minimized with the creation of the National Chamber of Entrepreneurs of the Republic of Kazakhstan on July 4, 2013.

According to Art. 1 Para. 2 of the Republic of Kazakhstan Law «About the National Chamber of Entrepreneurs of the Republic of Kazakhstan», the National Chamber of Entrepreneurs of the Republic of Kazakhstan (further — the Chamber of Entrepreneurs) is the non-profit organization representing the union of subjects of business, created to provide favorable legal, economic and social conditions for realization of an enterprise initiative and development of mutually advantageous partnership between business community and the public authorities of the Republic of Kazakhstan, and also stimulation and support of activity of associations of individual entrepreneurs and (or) legal entities in the form of association (union) [7].

The main objectives of this organization are:

- 1) consolidation of business community;
- 2) representation, provision and protection of the rights and legitimate interests of the subjects of business;
- 3) organization of effective interaction of the subjects of business and their associations (unions) with the government bodies;
- 4) assistance to creation of favorable legal, economic and social conditions for realization of an enterprise initiative in the Republic of Kazakhstan;
- 5) participation in the process of improvement of the Republic of Kazakhstan legislation with the consideration of interests of business (Art. 3 Para. 2 of the Law about the National Chamber of Entrepreneurs) [7].

The Chamber of Entrepreneurs is formed in accordance with the principle of obligation of membership for the subjects of business in it. The subjects must be registered (pass the registration procedure) according to the Republic of Kazakhstan legislation, except for those subjects of business who have an obligatory membership in other non-profit organizations and the state enterprises according to the Republic of Kazakhstan legislation.

According to Art. 3 Para. 3 of the Law about the National Chamber of Entrepreneurs, the following elements belong to its system:

- 1) at the republican level:
 - the National Chamber;
 - the republican interindustry and industry associations (unions), also the republican associations (unions) of small, average and (or) large business accredited in the National Chamber;
- 2) at the territorial level:
 - the chambers of entrepreneurs of regions, cities of republican importance and the capital (further — the regional chambers);
 - the regional interindustry and industry associations (unions), and also the regional associations (unions) of small, average and (or) large business accredited in the regional chambers;
 - the association (unions) of regional, cities of regional and republican importance and the capital accredited in the regional chambers;

– the association (unions) of districts and cities of district importance accredited in the regional chambers;

3) at the city and regional levels:

– branches of regional chambers in the districts of corresponding regions, the cities of regional and republican importance and the capital, also in the cities of district and regional importance (further — the branches of the regional chambers);

4) legal entities with participation of the National Chamber as the founder;

5) branches and representations of the National Chamber in the territory of a foreign state [7].

The protection of the citizens from adverse influence of economic processes is a key priority of economic policy; therefore the fundamental function of the Chamber of Entrepreneurs is representation, protection of the rights and legitimate interests of the members in the government bodies of the Republic of Kazakhstan, and also in the international organizations.

It should be noted that for two years over 9 thousand applications from businessmen came to the Chamber of Entrepreneurs of the Republic of Kazakhstan: 2 600 — to the central office and about 7 thousand to the regional chambers. On average, about 40% of all businessmen's applications in the Chamber have got a positive result [8]. Only in 2015 about 10 billion tenges were returned to the businessmen's turnover which shows the direct economic effect of activity of this organization.

The protection of the businessmen's rights and interests is carried out through the Councils on the protection of the entrepreneurs' rights created at the Chamber of Entrepreneurs. It deals with the legal incidents with participation of businessmen. For example, «Sheber Oil» LLP applied to the Chamber of Entrepreneurs of the Karaganda region in December, 2015 with the stoppage of monetary transactions of the bank account [9]. At the meeting on this application the Council for protection of the businessmen's rights resolved the following. On December 21, 2015 the sum of 10 200 000 tenges was transferred to the current account of «Sheber Oil» LLP (further — the LLP) in the Karaganda branch of «Astana Bank» JSC (further — the Bank). At the same day the LLP applied the Bank to withdraw the money.

On December 22, 2015 the Bank informed the LLP on impossibility of any transactions with the current account without any explanations until the special order of the head office of the Bank. On January 5, 2016 the LLP received a written reply from the Bank according to which the operations on the current account were suspended in accordance with the received resolution of the Department on State Revenues of the Karaganda region of December 25, 2015. The reason for such a decision was the recognition of the transaction suspicious as a result of immediate cashing in or money transfer to the accounts of other companies.

Art. 161 Para. 1 of the Code of Criminal Procedure of the Republic of Kazakhstan states that in urgent cases the person carrying out the pre-judicial investigation has the right with the consent of the prosecutor to impose a temporary restriction on the property disposal for the period of no more than 10 days [10]. In this case the consent of the prosecutor was received on December 30, 2015 whereas the decree of the Department on State Revenues of the Karaganda region was issued and sent to the Bank on December 25, 2015. It turns out that the temporary restriction on the on the disposal of «Sheber Oil LLP» property, here in the form of suspension of transactions with current account, was done with a violation of the law.

The Council on the protection of the entrepreneurs' rights made the decision to recommend the consideration of the question at the meeting of the working group with participation of Prosecutor's office of the Karaganda region and to take measures for protection of «Sheber Oil LLP», including initiation of consideration of an incident in a judicial proceeding and legal support of this process.

It should be noted that from the moment of its creation the Chamber of Entrepreneurs of the Republic of Kazakhstan does not only fixes the cases of violation of the businessmen's rights, but also establishes the circumstances and causes of infringement. Today the system of protection of the businessmen's rights allows the Chamber of Entrepreneurs to reveal the gaps in the legislation and, using the opportunities given by the legislation, to take part in the development of regulations concerning the interests of the subjects of business, to carry out obligatory examination of their projects. These measures sufficiently reduce the risk of emergence of institutional traps.

Besides, the Chamber of Entrepreneurs initiates the questions connected with the necessity of audit of certain standards in the current legislation including the bylaws which concern the interests of business.

For example, in order to reduce the risks following from non-performance of contractual obligations, both by the businessman and his contractors, the Chamber of Entrepreneurs has initiated the necessity of the legislative differentiation of the concepts «contract» and «memorandum» which was widely used in business practice. The following can be considered as a reason of such initiative.

The term «memorandum» is contained in the text 1101 of Standard and Legal Act of the Republic of Kazakhstan. But none of them have a general definition of this concept.

Certain sources define the procedure of approval and the contents of this document in relation to the specific sphere. For example, in Art. 1-1 Para. 8 of the Law of the Republic of Kazakhstan of April 25, 2001 No. 178-II «On the Bank of Development of Kazakhstan» the memorandum is defined as «The memorandum on credit policy of the Bank of Development approved by the national operating holding» [11]. The similar situation is in Art. 62 Para.6 of the Budgetary Code of the Republic of Kazakhstan of December 4, 2008 No. 95-IV which specifies that the Memorandum is developed as an implementation of the Strategic plan for the development of the Republic of Kazakhstan for 10 years, is signed by the first head and is approved the following month from the date of signing the law on the republican budget [12].

In other sources the legislator is simply confines himself to the instruction that one or another authorized body has the right to conclude the memorandum. For example, in Art. 7 Para. 1 item 17 the Code of the Republic of Kazakhstan of September 18, 2009 No. 193-IV «On the health of the people and healthcare system» it is fixed that the authorized body carries out the functions on «the conclusion of memorandums with the heads of the local executive bodies directed on the achievement of the results in the sphere of health care» [13]. The similar norm is fixed in Art. 17 of the Code of the Republic of Kazakhstan of January 9, 2007 No. 212-III «The Ecological Code of the Republic of Kazakhstan» owing to which the authorized body in the sphere of environmental protection «concludes agreements and memorandums in the sphere of environmental protection» [14]; Art. 29 Para. 1 item 2-1 of the Law of the Republic of Kazakhstan of January 23, 2001 No. 148-II «On the local public administration and self-government in the Republic of Kazakhstan», according to which the Akim of a region, a city of republican importance or the capital, according to the legislation of the Republic of Kazakhstan signs the memorandum containing key target indicators, the achievement (performance) of which is aimed to provide many other regulations within budgetary funds in planning period [15]. But none of them reveals the essence of this concept.

There is no uniformity in interpretation of the term «memorandum» in subordinate regulations and, respectively, in law-enforcement practice. For example, in Para. 16 item 228 of the Provision on the Ministry of Energy of the Republic of Kazakhstan approved by the Resolution of the Government of the Republic of Kazakhstan of September 19, 2014 No. 994 the central office of the Ministry «concludes agreements and memorandums in the sphere of environmental protection». In this act the concept «memorandum» and «agreements» are considered as different [16]. At the same time, in Para. 18 item 51 of the Provision on the Ministry of national economy of the Republic of Kazakhstan approved by the Resolution of the Government of the Republic of Kazakhstan of September 24, 2014 No. 1011, the departments are competent «to conclude memorandums (agreements) with the heads of local executive bodies directed on the achievement of the results of activity in the adjustable sphere» [17]. In this norm the concept «memorandum» and «agreements» are considered as synonyms.

The concept «memorandum» is widely known in the international law. The Big Dictionary of Law contains some definitions of this concept:

1. a diplomatic document which states in details the actual side of an international issue, it gives the analysis of some provisions, justification of the position of a state;
2. a letter with a reminder on something (in trade);
3. a note, office reference;
4. enumeration in insurance certificates (especially maritime) of dangers which are not subjects of insurance;
5. a document containing information for the potential investor [18].

Thus, the concept «memorandum» covers the wide range of legal documents used in different spheres.

If we consider it as the diplomatic document, it contains a detailed justification of a position of one of the parties, with the references to other documents and analytical data. It is the appendix to a diplomatic note and is handed personally to the representative of the state in negotiations. In political sphere the memorandum is accepted to understand as the multilateral agreement (between the states, parties or public organizations) in which the general line of interaction is presented or described.

Within the office-work and the organization of activity of the particular legal entity, the memorandum is similar to the office letter or report.

Within trade relations the memorandum is a document reminding of financial obligations or obligations within the signed contract.

The certificate of insurance can have the memorandum as one of additions — the document listing circumstances at which the insurance payments will not be done and opening their essence. Memoranda are often attached to certificates of insurance of shipping.

Investment memoranda, as a kind of legal documents, comprise the information for potential investors.

Memoranda are also made by lawyers during a legal assessment of documents and contracts. In this case they are a certain similarity of written consultation.

At the same time, it is not absolutely clear which of these definitions should be applied, for example, to the Memorandum on control of the prices of 200 items of medicines and medical products, signed in March, 2015 by Minister of Health and Social Development of the Republic of Kazakhstan and the heads of professional pharmaceutical associations of Kazakhstan [19]. Can this document be considered as the contract? Will the obligations be compulsory to execution following from this memorandum?

The Civil Code of the Republic of Kazakhstan does not operate with the concept «memorandum». According to Art. 378 Para. 1 of the Civil Code of the Republic of Kazakhstan the contract is the agreement of two or several persons on the establishment, change or termination of the civil rights and duties [2]. Is it possible to recognize the memorandum as the contract, considering that, according to of Art. 380 Para. 2 of the Civil Code of the Republic of Kazakhstan, the parties can sign the contract both provided and not provided by the legislation?

In order to recognize a memorandum as a contract it is necessary for this memorandum to:

- contain the conformal will of two and more persons, as the contract is the agreement;
- establish, change or terminate the rights and duties of the parties;
- be concluded under the principles of freedom of the agreement and equality of the parties.

Proceeding from the text of the memorandum, the rights, duties and obligations of the parties which are registered in it, the memorandum actually can be the contract and recognized as that by the court in case of dispute, irrespective of its name. According to Art. 392 of the Civil Code of the Republic of Kazakhstan the court takes into consideration the literal meaning of the words and expressions containing in the contract when interpreting it. The literal meaning of the term of the contract in case of its ambiguity is established by its comparison with other conditions and nature of the contract in general. And if literal interpretation does not allow to define the nature of the contract, the real common will of the parties is established taking into account the contract purpose. In this case all corresponding circumstances, including the negotiations and the correspondence, the practice which was established in the mutual relations of the parties, customs of business conduct, the subsequent behavior of the parties are taken into account [2].

On the basis of stated above, it is possible to draw the general conclusion that the title «memorandum» can unite the documents absolutely different in the legal nature: from noncommittal declarations, to the contracts supported with the serious mechanism of ensuring the execution of the obligations following from them.

Taking it into account, for efficiency of law-enforcement practice and protection of interests of the businessmen, in order to reduce the risk of the property losses connected with non-execution of declarative memoranda, the Chamber of Entrepreneurs initiated the necessity of legislative assignment of the contents of the terms «memorandum» and «contract of public-private partnership».

The Chamber of Entrepreneurs on a regular basis carries out collecting, generalization and analysis of the information on observance by the government bodies and (or) state officials of the rights and legitimate interests of the subjects of business. The results of the carried-out analysis go to the Government of the Republic of Kazakhstan and (or) to the authorized government bodies. Every year they are submitted for consideration to the President of the Republic of Kazakhstan as a part of the annual national report about the state of enterprise activity in the Republic of Kazakhstan. It is especially actual because this function of the Chamber of Entrepreneurs allows to reduce the business risks, connected not only with a violation of the law, but also illegal actions of the individuals, including the organization by the government bodies of unscheduled inspections of the subjects of small business in the absence of the sufficient grounds for it.

For example, the application from the Sole Proprietor (SP) E.T. Sadvokassov came to the Chamber of Entrepreneurs in November, 2015. He complained about the actions of the government bodies [9]. In March, 2012 SP E.T. Sadvokassov purchased the land plot with an object of incomplete construction for exploitation of car service. Since the moment of purchase it was impossible to finish the construction of the object as a number of the government bodies were interfering the business development. After the purchase of the land plot the businessman addressed to Nur-Sarysuysky Basin Inspectorate on regulation of use and protection of water resources (further — the Inspectorate) for coordination of the project of improvement of car service as

the site was located in a water protection zone. The Inspectorate refused to coordinate the project. Having disagreed with the actions of Inspectorate, SP E.T. Sadvokassov appealed its actions in court.

The Specialized interdistrict economic court of the Karaganda region found illegal the actions of the Inspectorate. The court obliged the Inspectorate to coordinate the project of improvement of car service. In July, 2014 the project of improvement and the architectural project were agreed. At the same time, in 2015 the businessman went through a number of unscheduled inspections.

In June, 2015 the State Architectural and Construction Inspectorate carried out an inspection on observance of construction norms. No violations were found.

In August, 2015 the notice was received from the Department of Emergency Services of Karaganda about carrying out an unplanned fire and technical inspection regarding observance of norms and fire safety regulations. No violations were found.

In September, 2015 the Karaganda region Department of control over the use and protection of the land organized an unscheduled inspection on elimination of violations of the law under the order of the prosecutor's office of Karaganda. Again no violations of the law were found.

In November, 2015 the Akimat of Karaganda received a note from the prosecutor's office of the city about carrying out the inspection on legality of giving an additional land plot to SP E.T. Sadvokassov. The above mentioned list of unscheduled inspections allows to make a conclusion about a keen interest in SP E.T. Sadvokassov from the government bodies. After due consideration the Council on the protection of the entrepreneurs' rights made a decision to check the legality of actions of the government bodies concerning SP E.T. Sadvokassov by the Prosecutor's office.

Conclusions: Thus, the National Chamber of Entrepreneurs of the Republic of Kazakhstan is the effective mechanism to minimize business risks. At the same time, it is necessary to understand that the functions of the Chamber of Entrepreneurs are not only in rendering the qualified legal aid to the subjects of business. In his Address to people of Kazakhstan «Strategy «Kazakhstan – 2050»: new political course of the established state» the Head of state N.A. Nazarbayev noted that «... for creation of reliable dialogue on the principles of public-private partnership it is necessary to continue the business consolidation... The analysis of international experience shows that consolidation of the businessmen in the chambers is one of important factors of efficiency of economy. Where it has been done, the principle «strong business — strong state...» has been implemented» [20]. In this regard the general purpose of activity of the National Chamber of Entrepreneurs of the Republic of Kazakhstan is the formation of institutional basis for growth and further development of business in the Republic of Kazakhstan, including activities for minimization of all business risks.

References

- 1 Предпринимательский кодекс Республики Казахстан от 29 октября 2015 г. № 375-V. — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=38259854
- 2 Гражданский кодекс Республики Казахстан (Общая часть), принят Верховным Советом Республики Казахстан 27 декабря 1994 г. (с изменениями и дополнениями по состоянию на 24.11.2015 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=1006061
- 3 *Воробьев С.Н.* Управление рисками в предпринимательстве. — М.: Дашков и К, 2013. — 482 с.
- 4 *Мамаева Л.Н.* Управление рисками: учеб. пособие. — М.: Дашков и К, 2013. — 256 с.
- 5 *Антонова З.Г.* Экономика фирмы: учеб. пособие. — Томск: ТПУ, 2014. — 264 с.
- 6 *Чаева М.П.* Правовое регулирование страхования предпринимательского риска: автореф. дис. ... канд. юр. наук. — СПб., 2008. — 18 с.
- 7 Закон Республики Казахстан от 4 июля 2013 года № 129-V «О Национальной палате предпринимателей Республики Казахстан» (с изменениями по состоянию на 23.11.2015 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=31416500
- 8 *Касымов Г.* Мы на пороге великих социальных изменений. — [ЭР]. Режим доступа: <http://atameken.info/articles/Gani-Kasymov-Mu-na-poroge-velikih-socialnyh-izmeneniy>
- 9 Материалы Совета по защите прав предпринимателей Палаты предпринимателей Карагандинской области. — [ЭР]. Режим доступа: <http://karagandy.palata.kz>
- 10 Уголовно-процессуальный кодекс Республики Казахстан от 4 июля 2014 г. № 231-V (с изменениями и дополнениями по состоянию на 24.11.2015 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=31575852#sub_id=6740000
- 11 Закон Республики Казахстан от 25 апреля 2001 г. № 178-II «О Банке Развития Казахстана» (с изменениями и дополнениями по состоянию на 29.10.2015 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/document/?doc_id=1022778
- 12 Бюджетный кодекс Республики Казахстан от 4 декабря 2008 г. № 95-IV (с изменениями и дополнениями по состоянию на 01.01.2016 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=30364477

13 Кодекс Республики Казахстан от 18 сентября 2009 г. № 193-IV «О здоровье народа и системе здравоохранения» (с изменениями и дополнениями по состоянию на 01.01.2016 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=30479065

14 Кодекс Республики Казахстан от 9 января 2007 г. № 212-III «Экологический кодекс Республики Казахстан» (с изменениями и дополнениями по состоянию на 12.01.2016 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=30085593

15 Кодекс Республики Казахстан от 9 января 2007 г. № 212-III «Экологический кодекс Республики Казахстан» (с изменениями и дополнениями по состоянию на 12.01.2016 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=30085593

16 Постановление Правительства Республики Казахстан от 19 сентября 2014 г. № 994 «Вопросы Министерства энергетики Республики Казахстан» (с изменениями и дополнениями по состоянию на 23.12.2015 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=31610489

17 Постановление Правительства Республики Казахстан от 24 сентября 2014 г. № 1011 «Вопросы Министерства национальной экономики Республики Казахстан» (с изменениями и дополнениями по состоянию на 31.12.2015 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=31611088

18 Юридический словарь. — [ЭР]. Режим доступа: <http://dic.academic.ru/dic.nsf/lower/16091>

19 Меморандум по сдерживанию цен на 200 наименований лекарственных средств на 2015 г. — [ЭР]. Режим доступа: <http://www.amansaulyk.kz/ru/deyatelnost/lecarstva/lecarstva-novosti/1921/>

20 Послание Президента Республики Казахстан — Лидера нации Н.А.Назарбаева народу Казахстана «Стратегия «Казахстан – 2050»: Новый политический курс состоявшегося государства» (Астана, 14 декабря 2012 г.). — [ЭР]. Режим доступа: http://online.zakon.kz/Document/?doc_id=31305418

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Қазақстан Республикасында кәсіпкерлік тәуекелді азайтудың институционалдық тетігі ретінде Ұлттық кәсіпкерлер палатасының қызметі

Мақалада кіріс табуға бағытталған, бастамашылық қызметтің тұрақты нышаны ретінде кәсіпкерлік тәуекелдері қарастырылды. Аталмыш тәуекелдерді азайтудың тәсілі ретінде кәсіпкерлік бастамашылықты жүзеге асыру үшін қолайлы құқықтық, экономикалық және әлеуметтік жағдайлар жасауға әрекеттесетін, Қазақстан Республикасының Ұлттық кәсіпкерлер палатасының қызметі талданды. Кәсіпкерлердің қатысуымен жекелеген заңды шиеленістерді шешудің жағдайлары сипатталған.

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Деятельность Национальной палаты предпринимателей как институциональный механизм снижения предпринимательских рисков в Республике Казахстан

В статье рассмотрены предпринимательские риски как постоянные атрибуты инициативной деятельности, направленной на получение дохода. В качестве способа минимизации таких рисков проанализирована деятельность Национальной палаты предпринимателей Республики Казахстан, содействующая созданию благоприятных правовых, экономических и социальных условий для реализации предпринимательской инициативы. Описаны случаи решения отдельных юридических казусов с участием предпринимателей.

References

- 1 The Entrepreneurial Code of the Republic of Kazakhstan of October 29, 2015 № 375-V, [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=38259854
- 2 The Civil Code of the Republic of Kazakhstan (General Part), adopted by the Supreme Council of the Republic of Kazakhstan on December 27, 1994 (with amendments on November 24, 2015), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=1006061
- 3 Vorobyov S.N. *Risk management in the enterprise*, Moscow: Dashkov and Co., 2013, 482 p.
- 4 Mamayeva L.N. *Risk management: textbook*, Moscow: Dashkov and Co., 2013, 256 p.
- 5 Chaava M.I. *Legal regulation of business risk insurance: Abstract to the Thesis. ... Candidate of Legal Sciences*, Saint Petersburg, 2008, 18 p.
- 6 Antonova Z.G. *Economics of a company: textbook*, Tomsk: Tomsk polytechnic university, 2014, 264 p.

- 7 The Law of the Republic of Kazakhstan on July 4, 2013 № 129 -V «On the National Chamber of Entrepreneurs of Kazakhstan» (with amendments on November 23, 2015), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=31416500
- 8 Kassimov G. *We are close to the great social changes*, [ER]. Access mode: <http://atameken.info/articles/Gani-Kasymov-Myna-poroge-velikih-socialnyh-izmeneniy>
- 9 Materials of the Council for protection of the businessmen's rights of the Chamber of Entrepreneurs of Karaganda region, [ER]. Access mode: <http://karagandy.palata.kz>
- 10 The Code of Criminal Procedure of the Republic of Kazakhstan of July 4, 2014 № 231 -V (with amendments on November 24, 2015), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=31575852#sub_id=6740000
- 11 The Law of the Republic of Kazakhstan of April 25, 2001 № 178 -II «On the Bank of Development of Kazakhstan» (with amendments on October 29, 2015), [ER]. Access mode: http://online.zakon.kz/document/?doc_id=1022778
- 12 The Budget Code of the Republic of Kazakhstan of December 4, 2008 № 95 -IV (with amendments on January 01, 2016), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=30364477
- 13 The Code of the Republic of Kazakhstan of September 18, 2009 № 193 -IV «On the health of the people and health care system» (with amendments on January 01, 2016), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=30479065
- 14 The Code of the Republic of Kazakhstan of January 9, 2007 № 212 -III «The Environmental Code of the Republic of Kazakhstan» (with amendments on January 12, 2016), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=30085593
- 15 The Code of the Republic of Kazakhstan of January 9, 2007 № 212 -III «The Environmental Code of the Republic of Kazakhstan» (with amendments on January 12, 2016), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=30085593
- 16 Resolution of the Republic of Kazakhstan Government of September 19, 2014 № 994 «Issues of the Ministry of Energy of the Republic of Kazakhstan» (with amendments on December 23, 2015), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=31610489
- 17 Resolution of the of the Republic of Kazakhstan Government of September 24, 2014 № 1011 «Issues of the Ministry of National Economy of the Republic of Kazakhstan» (with amendments on December 31, 2015), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=31611088
- 18 Dictionary of Law, [ER]. Access mode: <http://dic.academic.ru/dic.nsf/lower/16091>
- 19 Memorandum on prices regulation of 200 items of medicines for 2015, [ER]. Access mode: <http://www.amansulyk.kz/ru/deyatelnost/lecarstva/lecarstva-novosti/1921/>
- 20 Address of the Presidents of the Republic of Kazakhstan — Leader of the Nation N.A. Nazarbayev to people of Kazakhstan «Strategy «Kazakhstan-2050»: new political course of the established state» (Astana, December 14, 2012), [ER]. Access mode: http://online.zakon.kz/Document/?doc_id=31305418