**ANALYTICAL REFERENCE**

**on the analysis of corruption risks of the Republican state enterprise on the right of economic management "Kazakh Scientific Center of Dermatology and Infectious Diseases" of the Ministry of Health of the Republic of Kazakhstan**

Almaty city on March 25, 2022

By order of the Director of the Republican State Enterprise on the right of economic management "Kazakh Scientific Center of Dermatology and Infectious Diseases" of the Ministry of Health of the Republic of Kazakhstan (hereinafter – the Enterprise) No. 64-p dated February 25, 2022, a working group consisting of the following was established to conduct an internal analysis of corruption risks:

Petrenko I.I. – Deputy Director for Organizational, Methodological and Anti-epidemic work (Head of the group);

Temirzhanova A.B. – Head of the Internal Audit Service;

Mukhametkalieva A.T. – Head of the Department of Personnel Management, Public Procurement and Legal Support;

Dzholdasov E.R. – Economist for Financial work of the Department of Planning and Economic Analysis;

Makymbaeva M.B. – Legal Adviser of the Department of Personnel Management, Public Procurement and Legal Support.

The deadline for conducting an internal analysis of corruption risks is March 25, 2022.

**1. Personnel management**

*There are no corruption risks*

**2. Conflict of interest settlement**

*There are no corruption risks*

**3. Provision of public services**

*There are no corruption risks*

**4. Implementation of permissive functions**

*There are no permissive functions*

**5. Implementation of control functions**

*There are no control functions*

**6. Other issues arising from organizational and managerial activities**

**Organization of anti-corruption work**

*Absence of a person or unit whose competence includes anti-corruption functions.*

In accordance with the approved organizational structure of the Company dated December 30, 2021, there is a position of compliance officer, but currently this position is vacant.

It is necessary to take measures to fill the vacant position of compliance officer of the Enterprise.

**Development and distribution of budgetary and financial resources**

*The presence of facts of violations during the internal audit by the Internal Audit Service of the Enterprise:*

1. *in violation of subparagraph 1) of paragraph 2 of Article 9 of the Law of the Republic of Kazakhstan "On Public Procurement" (hereinafter - the Law), the Company has established requirements in the technical specifications within the framework of open tenders that limit and unreasonably complicate the participation of potential suppliers in public procurement;*

Within the framework of the open tender No. 5340148-1 dated 01.03.2021, the Company established in the technical specification a requirement to provide the facility with engineering and technical security equipment for the period of providing security services and the presence of a device with a remote control for receiving an alarm.

In accordance with subparagraph 1) Paragraph 1 of Article 10-3 of the Law of the Republic of Kazakhstan "On Combating Corruption", owners, owners, managers or other officials of facilities vulnerable to terrorism, in order to ensure their anti-terrorist protection, are obliged to implement measures in accordance with the requirements for the organization of anti-terrorist protection of facilities vulnerable to terrorism, measures to ensure the appropriate access regime, equipping facilities with modern engineering and technical security equipment in accordance with the requirements imposed on them. According to paragraph 1-1 of Article 10-3 of the above-mentioned law, security entities that have concluded contracts for the provision of security services for objects vulnerable to terrorism, perform duties to ensure appropriate access control, organize training events with their personnel, proper use of technical means of protection in accordance with the requirements for the organization of anti-terrorist protection of objects vulnerable to terrorism, and instructions on the organization of anti-terrorist protection of objects vulnerable to terrorism.

Consequently, providing the facility with engineering and technical security equipment for the period of providing security services and the presence of a device with a remote control for receiving an alarm was not required.

Within the framework of the open tender No. 5338412-OK1 dated 02.03.2021, the Company established in the technical specification a requirement for the availability of a sanitary and epidemiological conclusion for vehicles for the transportation of food raw materials and food products. Whereas, in accordance with subparagraph 31) of paragraph 4 of the List of products and epidemiologically significant objects subject to state control and supervision in the field of sanitary and epidemiological welfare of the population, approved by Order of the Minister of Health of the Republic of Kazakhstan dated 30.11.2020 No. KR DSM-220/2020, vehicles transporting food products, food raw materials, household drinking water, dangerous goods belong to objects of minor epidemic significance.

According to subparagraph 2) of paragraph 1 of Article 24 of the Code of the Republic of Kazakhstan "On the health of the people and the healthcare system", the activity (operation) of an object of minor epidemic significance is carried out upon notification. The presence of a sanitary and epidemiological conclusion on the transport carrying out the transportation of food raw materials and foodstuffs was not required.

2) *in violation of paragraph 7 of Article 43 of the Law, public procurement contracts have been concluded with violation of deadlines.*

According to lot No. 43001682-ZTSP1 "Withdrawal", the winner according to the protocol of results was recognized as IP "BASHIR", which did not sign contract No. 172-2021 on the public procurement web portal in a timely manner and was entered into the register of unscrupulous participants in public procurement on 26.03.2021, while after the termination of the above contract, the second winner of IP Tabys concluded contract No.203-2021 from 04/26/2021.

According to lot No. 42999888-ZTSP1 "Roller", the winner according to the protocol of the results was recognized IP "BASHIR", which did not sign contract No. 158-2021 on the public procurement web portal in a timely manner and was entered into the register of unscrupulous participants in public procurement on 26.03.2021, while after the termination of the above contract, the second winner IP Tabys concluded contract No.296-2021 from 05.08.2021.

It is necessary to carry out explanatory work on an ongoing basis to prevent violations during public procurement.

**Collection of taxes and other payments**

*There are no corruption risks*

**Conclusion of contracts with individuals and legal entities**

*There are no corruption risks*

**Ensuring transparency and publicity of activities**

*There are no corruption risks*

**Group Leader I. Petrenko**