

ISSN 2224-5294

ҚАЗАҚСТАН РЕСПУБЛИКАСЫ
ҰЛТТЫҚ ҒЫЛЫМ АКАДЕМИЯСЫНЫҢ

Абай атындағы Қазақ ұлттық педагогикалық университетінің

Х А Б А Р Л А Р Ы

ИЗВЕСТИЯ

НАЦИОНАЛЬНОЙ АКАДЕМИИ НАУК
РЕСПУБЛИКИ КАЗАХСТАН
Қазақстан Республикасының
Ғылым Академиясының
Абай атындағы Қазақ ұлттық
педагогикалық университетінің

NEWS

OF THE NATIONAL ACADEMY OF SCIENCES
OF THE REPUBLIC OF KAZAKHSTAN
Abay kazakh national
pedagogical university

SERIES
OF SOCIAL AND HUMAN SCIENCES

5 (327)

SEPTEMBER-OCTOBER 2019

PUBLISHED SINCE JANUARY 1962

PUBLISHED 6 TIMES A YEAR

ALMATY, NAS RK

Б а с р е д а к т о р

ҚР ҰҒА құрметті мүшесі
Балықбаев Т.О.

Р е д а к ц и я а л қ а с ы :

экон. ғ. докторы, проф., ҚР ҰҒА академигі **Баймұратов У.Б.**; тарих ғ. докторы, проф., ҚР ҰҒА академигі **Байпақов К.М.**; филос. ғ. докторы, проф., ҚР ҰҒА академигі **Есім Г.Е.**; фил. ғ. докторы, проф., ҚР ҰҒА академигі **Қирабаев С.С.**; эк. ғ. докторы, проф., ҚР ҰҒА академигі **Қошанов А.К.**; эк. ғ. докторы, проф., ҚР ҰҒА академигі **Нәрібаев К.Н.** (бас редактордың орынбасары); филос. ғ. докторы, проф., ҚР ҰҒА академигі **Нысанбаев А.Н.**; заң ғ. докторы, проф., ҚР ҰҒА академигі **Сәбікенов С.Н.**; заң ғ. докторы, проф., ҚР ҰҒА академигі **Сүлейменов М.К.**; эк. ғ. докторы, проф., ҚР ҰҒА академигі **Сатыбалдин С.С.**; тарих ғ. докторы, проф., ҚР ҰҒА академик **Әбжанов Х.М.**; тарих ғ. докторы, проф., ҚР ҰҒА корр. мүшесі **Әбусейтова М.Х.**; тарих ғ. докторы, проф., ҚР ҰҒА академик **Байтанаев Б.А.**; филол. ғ. докторы, проф., ҚР ҰҒА корр. мүшесі **Жақып Б.А.**; фил. ғ. докторы, проф., академик НАН РК **Қалижанов У.К.**; филол. ғ. докторы, проф., ҚР ҰҒА академик **Қамзабекұлы Д.**; тарих ғ. докторы, проф., ҚР ҰҒА академик **Қожамжарова Д.П.**; тарих ғ. докторы, проф., ҚР ҰҒА академик **Қойгелдиев М.К.**; фил. ғ. докторы, проф., ҚР ҰҒА корр. мүшесі **Құрманбайұлы Ш.**; тарих ғ. докторы, проф., ҚР ҰҒА корр. мүшесі **Таймағанбетов Ж.К.**; социол. ғ. докторы, проф., ҚР ҰҒА корр. мүшесі **Шәукенова З.К.**; фил. ғ. докторы, проф., ҚР ҰҒА корр. мүшесі **Дербісәлі А.**; саяси. ғ. докторы, проф., **Бижанов А.К.**, тарих ғ. докторы, проф., **Кабульдинов З.Е.**; фил. ғ. докторы, проф., ҚР ҰҒА корр. мүшесі **Қажыбек Е.З.**

Р е д а к ц и я к е ң е с і :

Молдова Республикасының ҰҒА академигі **Белостечник Г.** (Молдова); Әзірбайжан ҰҒА академигі **Велиханлы Н.** (Азербайджан); Тәжікстан ҰҒА академигі **Назаров Т.Н.** (Тәжікстан); Молдова Республикасының ҰҒА академигі **Рошка А.** (Молдова); Молдова Республикасының ҰҒА академигі **Руснак Г.** (Молдова); Әзірбайжан ҰҒА корр. мүшесі **Муратов Ш.** (Әзірбайжан); Әзірбайжан ҰҒА корр. мүшесі **Сафарова З.** (Әзірбайжан); э. ғ. д., проф. **Василенко В.Н.** (Украина); заң ғ. докт., проф. **Устименко В.А.** (Украина)

«Қазақстан Республикасы Ұлттық ғылым академиясының Хабарлары. Қоғамдық және гуманитарлық ғылымдар сериясы». ISSN 2224-5294

Меншіктенуші: «Қазақстан Республикасының Ұлттық ғылым академиясы» РҚБ (Алматы қ.)

Қазақстан республикасының Мәдениет пен ақпарат министрлігінің Ақпарат және мұрағат комитетінде 30.04.2010 ж. берілген № **10894-Ж** мерзімдік басылым тіркеуіне қойылу туралы куәлік

Мерзімділігі: жылына 6 рет.

Тиражы: 500 дана.

Редакцияның мекенжайы: 050010, Алматы қ., Шевченко көш., 28, 219 бөл., 220, тел.: 272-13-19, 272-13-18,
<http://soc-human.kz/index.php/en/arhiv>

© Қазақстан Республикасының Ұлттық ғылым академиясы, 2019

Типографияның мекенжайы: «Аруна» ЖК, Алматы қ., Муратбаева көш., 75.

Главный редактор

Почетный член НАН РК
Т.О. Балыкбаев

Редакционная коллегия:

докт. экон. н., проф., академик НАН РК **У.Б. Баймуратов**; докт. ист. н., проф., академик НАН РК **К.М. Байпаков**; докт. филос. н., проф., академик НАН РК **Г.Е. Есим**; докт. фил. н., проф., академик НАН РК **С.С. Кирабаев**; докт. экон. н., проф., академик НАН РК **А.К. Кошанов**; докт. экон. н., проф., академик НАН РК **К.Н. Нармбаев** (заместитель главного редактора); докт. филос. н., проф., академик НАН РК **А.Н. Нысанбаев**; докт. юр. н., проф., академик НАН РК **С.Н. Сабиткенов**; докт. юр. н., проф., академик НАН РК **М.К. Сулейменов**; докт. экон. н., проф., академик НАН РК **С.С. Сатубалдин**; докт. ист. н., проф., академик НАН РК **Х.М. Абжанов**; докт. ист. н., проф., чл.-корр. НАН РК **М.Х. Абусейтова**; докт. ист. н., проф., академик НАН РК **Б.А. Байтанаев**; докт. фил. н., проф., чл.-корр. НАН РК **Б.А. Жакып**; докт. фиол. н., проф., академик НАН РК **У.К. Калижанов**; докт. фил. н., проф., академик НАН РК **Д. Камзабекулы**; докт. ист. н., проф., академик НАН РК **Д.П. Кожамжарова**; докт. ист. н., проф., академик НАН РК **М.К. Койгельдиев**; докт. фил. н., проф., чл.-корр. НАН РК **Ш. Курманбайулы**; докт. ист. н., проф., чл.-корр. НАН РК **Ж.К. Таймаганбетов**; докт. социол. н., проф., чл.-корр. НАН РК **З.К. Шаукенова**; д. фил. н., проф., чл.-корр. НАН РК **А. Дербисали**; доктор политических наук, проф., **Бижанов А.К.**; доктор ист. наук, проф., **Кабульдинов З.Е.**; доктор фил. н., проф., член-корр. НАН РК **Қажыбек Е.З.**

Редакционный совет

академик НАН Республики Молдова **Г. Белостечник** (Молдова); академик НАН Азербайджанской Республики **Н. Велиханлы** (Азербайджан); академик НАН Республики Таджикистан **Т.Н. Назаров** (Таджикистан); академик НАН Республики Молдова **А. Рошка** (Молдова); академик НАН Республики Молдова **Г. Руснак** (Молдова); чл.-корр. НАН Азербайджанской Республики **Ш. Мурадов** (Азербайджан), член-корр. НАН Азербайджанской Республики **З.Сафарова** (Азербайджан); д. э. н., проф. **В.Н. Василенко** (Украина); д.ю.н., проф. **В.А. Устименко** (Украина)

Известия Национальной академии наук Республики Казахстан. Серия общественных и гуманитарных наук. ISSN 2224-5294

Собственник: ООО «Национальная академия наук Республики Казахстан» (г. Алматы)

Свидетельство о постановке на учет периодического печатного издания в Комитете информации и архивов Министерства культуры и информации Республики Казахстан № **10894-Ж**, выданное 30.04.2010 г.

Периодичность 6 раз в год

Тираж: 500 экземпляров

Адрес редакции: 050010, г. Алматы, ул. Шевченко, 28, ком. 219, 220, тел. 272-13-19, 272-13-18,
<http://soc-human.kz/index.php/en/arhiv>

© Национальная академия наук Республики Казахстан, 2019 г.

Адрес типографии: ИП «Аруна», г. Алматы, ул. Муратбаева, 75

Chief Editor

Honorary member of NAS RK
Balykbayev T.O

Editorial board:

Doctor of economics, prof, academician of NAS RK **Baimuratov U.B.**; doctor of history, prof, academician of NAS RK **Baipakov K.M.**; doctor of philosophy, prof, academician of NAS RK **Esim G.E.**; doctor of philology, prof, academician of NAS RK **Kirabayev S.S.**; doctor of economics, prof, academician of NAS RK **Koshanov A.K.**; doctor of economics, prof, academician of NAS RK **Naribayev K.N.** (deputy editor-in-chief); doctor of philosophy, prof, academician of NAS RK **Nyssanbayev A.N.**; doctor of law, prof, academician of NAS RK **Sabikenov S.N.**; doctor of law, prof, academician of NAS RK **Suleymenov M.K.**; doctor of economy, prof, academician of NAS RK **Satybaldin S.S.**; doctor of history, prof, academician of NAS RK **Abzhanov H.M.**; doctor of history, prof, corresponding member of NAS RK **Abuseitova M.H.**; doctor of history, prof, academician of NAS RK **Baitanaev B.A.**; doctor of philology, prof, corresponding member of NAS RK **Zhakyp B.A.**; doctor of philology, prof, academician of NAS RK **Kalizhanov U.K.**; doctor of philology, prof, academician of NAS RK **Hamzabekuly D.**; doctor of history, prof, academician of NAS RK **Kozhamzharova D.P.**; doctor of history, prof, academician of NAS RK **Koigeldiev M.K.**; doctor of philology, prof, corresponding member of NAS RK **Kurmanbaiuly Sh.**; doctor of history, prof, academician of NAS RK **Taimaganbetov J.K.**; doctor of sociology, prof, corresponding member of NAS RK **Shaukenova Z.K.**; doctor of philology, prof, corresponding member of NAS RK **Derbisali A.**; doctor of political science, prof **Bizhanov A.K.**; doctor of History, prof **Kabuldinov Z.E.**; doctor of philology, prof, corresponding member of NAS RK **Kazhybek E.Z.**

Editorial staff:

Academician NAS Republic of Moldova **Belostechnik.G** (Moldova); Academician NAS Republic of Azerbaijan **Velikhanli N.** (Azerbaijan); Academician NAS Republic of Tajikistan **Nazarov T.N.** (Tajikistan); Academician NAS Republic of Moldova **Roshka A.** (Moldova) Academician NAS Republic of Moldova **Rusnak G.** (Moldova); Corresponding member of the NAS Republic of Azerbaijan **Muradov Sh.** (Azerbaijan); Corresponding member of the NAS Republic of Azerbaijan **Safarova Z.** (Azerbaijan); Associate professor of Economics **Vasilenko V.N.** (Ukraine), Associate professor of Law **Ustimenko V.A.** (Ukraine)

News of the National Academy of Sciences of the Republic of Kazakhstan. Series of Social and Humanities.
ISSN 2224-5294

Owner: RPA "National Academy of Sciences of the Republic of Kazakhstan" (Almaty)

The certificate of registration of a periodic printed publication in the Committee of information and archives of the Ministry of culture and information of the Republic of Kazakhstan N **10894-Ж**, issued 30.04.2010

Periodicity: 6 times a year

Circulation: 500 copies

Editorial address: 28, Shevchenko str., of. 219, 220, Almaty, 050010, tel. 272-13-19, 272-13-18,
<http://soc-human.kz/index.php/en/arhiv>

© National Academy of Sciences of the Republic of Kazakhstan, 2019

Address of printing house: ST "Aruna", 75, Muratbayev str, Almaty

NEWS

OF THE NATIONAL ACADEMY OF SCIENCES OF THE REPUBLIC OF KAZAKHSTAN

SERIES OF SOCIAL AND HUMAN SCIENCES

ISSN 2224-5294

<https://doi.org/10.32014/2019.2224-5294.159>

Volume 5, Number 327 (2019), 28 – 35

UDC 338.439.222: 35.087.44(045)

G.G. Shinet¹, S.U. Abdibekov², G.P. Koptayeva³

^{1,3}Miras university, Shymkent, Kazakhstan;

²Kainar university, Almaty, Kazakhstan;

gshnet@bk.ru, saken_abdibekov@mail.ru, asel_4747@mail.ru

**STATE REGULATION OF INSURANCE SYSTEM IN AGRICULTURE
OF THE REPUBLIC OF KAZAKHSTAN**

Abstract. The article substantiates the need for legal regulation of insurance risks of agricultural producers in crop production in order to reduce natural risks in agriculture, and to protect the property interests of farmers from the effects of adverse natural phenomena. As well as deeply studied the stages of formation of state regulation of insurance of risk situations in the crop industry, identifying the advantages and disadvantages. Legal provision of insurance of risks in agricultural production on the basis of studying of legislative acts with determination of positive and negative sides of implementation of these measures is widely analyzed. The current mechanism of risk insurance is evaluated and proposed to improve the system of state regulation of risks in the field of crop production by creating a state Fund for reinsurance of risks of the insurer. Finally, it was suggested to move from subsidizing insurance payments to subsidize 50% of insurance premiums, it will contribute to the objective distribution of subsidies between insureds, producers of agricultural products; reduce the cost to farmers in the period of seasonal work. It is also proposed to revise the methodology for calculating insurance tariffs, taking into account the agro-climatic zones, which will reduce the unreasonable costs of agricultural producers and expand the list of insurance services in the crop industry, taking into account the main types of crops to improve efficiency.

Keywords: insurance, risks, insurance rates, crop production, crops, agricultural producers, government regulation, costs, agro-climatic zones.

Introduction. The transition of the economy to market relations significantly changes the economic and legal status of agricultural producers, expressed at the level of their responsibility for the results of economic activity. In addition, agriculture is affected by negative natural and climatic factors, as well as by economic processes. In such conditions full responsibility of owners for break-even of the work is required [1].

Today the insurance is a necessary sign of a civilized, modern and effective system of management. At the same time, insurance in agriculture, and in our country in particular, is one of the most risky sectors of the economy, since agriculture in Kazakhstan is carried out in unpredictable and unregulated climatic conditions.

Agricultural insurance is the most important risk management tool in agriculture, contributing to the sustainability of agricultural producers' income through state subsidies (insurance premium) [2].

Agriculture is one of the important sectors of the economy, which forms the food and economic security of the country, as well as labor and settlement potential of rural areas [3].

Crop risk insurance in Kazakhstan is an urgent problem for agricultural producers and insurers, as agriculture is in the zone of constant natural and economic risks. The main share of risks is associated with weather events, the most common risk is drought, especially affecting the production of crops in Kazakhstan. In order to reduce natural risks in agriculture, to ensure the protection of property interests of farmers in crop production from the effects of adverse natural phenomena, the law "on compulsory insurance in crop production" was adopted»[4].

According to the law, crops and oilseeds, sugar beets and cotton are insured in crop production, but vegetables and melons, potatoes, fodder crops, which are also subject to the negative impact of adverse natural phenomena, are not covered by insurance.

However, at present, the risk insurance system in crop production is equally unprofitable for both insurers and insureds. At the same time, the current mechanism of subsidizing insurance payments reduces the motivation of insurance companies to properly assess losses and can lead to collusion between the insurance company and the agricultural producer in order to overestimate the amount of insurance payments.

Crop insurance is facing major problems that are manifested in the following: lack of awareness of farmers about insurance products; the unavailability of high-quality and reliable data; the prevalence of systemic risk in crop production; inflexible regulatory environment; limited choice of insurance schemes; lack of adaptation used by the insurance programme to the needs of small farms.

Agriculture in the conditions of frequent natural-climatic and economic-risk situations and insufficient funds to cover their negative consequences needs state protectionism, as is the case in many developed countries (Canada, Spain, etc.). In Kazakhstan and its subjects in the near future it is impossible to carry out insurance of property interests of agricultural producers without financial, organizational and legal support of the state.

Agriculture in the conditions of frequent natural-climatic and economic-risk situations and insufficient funds to cover their negative consequences needs state protectionism, as is the case in many developed countries (Canada, Spain, etc.). In Kazakhstan and its subjects in the near future it is impossible to carry out insurance of property interests of agricultural producers without financial, organizational and legal support of the state.

Methods. The information base of the study was made up of normative legal acts on the state regulation of risks of agricultural producers in crop production, namely the Law of the Republic of Kazakhstan dated July 8, 2005 №66 "on state regulation of development of agro-industrial complex and rural areas", the Law of the Republic of Kazakhstan dated March 10, 2004 №533-II "on compulsory insurance in crop production", the State program for the development of agro-industrial complex of the Republic of Kazakhstan for 2017-2021, approved by the government Of the Republic of Kazakhstan dated July 12, 2018 №423. Analytical data of the National Bank of the Republic of Kazakhstan on insurance premiums and insurance payments for insurance (reinsurance) organizations, the Ministry of agriculture are also used. It also includes statistical reviews in the field of risk insurance regulation in agriculture, posted on the official websites of the Republic of Kazakhstan, as well as the works of leading scientists and economists, published in periodicals.

Various methods were used in the research process. Theoretical in the study of the stages of development of the system of insurance of risks of agricultural producers in the field of crop production. In the analysis of the existing measures of state regulation of risk insurance in agriculture, causal methods of analysis were used. In the study of the features of the risks existing in the crop - grouping method, logical and comparative methods. Economic and statistical methods-in the analysis and evaluation of the current state of insurance in crop production, as well as trends in its development, abstract and logical-in identifying problems and developing proposals for measures of state regulation of risk insurance in agriculture of the Republic of Kazakhstan.

Results. State regulation of insurance risks in agriculture has certain stages of its development, which are directly related to the formation of our Republic as an independent state.

The first stage refers to the period of 1991-1995, when private insurance and reinsurance companies first appeared in the conditions of transition to a market economy. They carried out crop insurance of agricultural producers only on a voluntary basis. At the same time, insurance rates have become 1.5-2 times higher than in the planned economy, and insurance premiums ranged from 2% to 8% of the sum insured.

Such insurance conditions were economically unprofitable for farmers, who due to the deep crisis were insolvent and suffered heavy losses from adverse weather conditions. On the other hand, insurance (reinsurance) companies had no interest in crop crop insurance because of high crop yields. In General, the current situation has led to the collapse of the agricultural risk insurance market, and the state was forced to move to a mandatory type of insurance.

The second stage can be associated with the adoption of the Law of the Republic of Kazakhstan dated October 3, 1995 №2475 "On insurance" (as amended by the Law of the Republic of Kazakhstan dated 23.08.96. It introduced compulsory insurance of agricultural production [5]. Within the framework of the

adopted law, the state agricultural insurance enterprise open Joint-Stock Company "insurance company "Kazagropolis" was created, the purpose of which was the insurance protection of agricultural producers of all forms of ownership from natural disasters and emergencies [6].

However, this measure did not significantly affect the development of the risk insurance market in crop production. Thus, according to the Agency of the Republic of Kazakhstan on statistics, in 1997 685 insurance contracts were concluded and insurance premiums in the amount of 1.9 million tenge were paid, in 1998 – 735 contracts with a premium of 15.3 million tenge, in 1999 -74 contracts with a premium of 5.2 million tenge, in 2000 -134 contracts with 13.4 million tenge [5]. Such amounts were not sufficient for the formation of insurance companies ' reserves for payment of insurance compensation. In this regard, the number of insurance organizations on the market began to decline. If in 1998 13 companies had a license for compulsory crop insurance, by 2003 there were only 7 of them. At the same time, due to the high cost of insurance policies (more than 20% of the cost of the crop), most farmers could not afford to purchase these policies.

With the adoption of the Law of the Republic of Kazakhstan dated March 10, 2004 №533-II "On compulsory insurance in crop production" (hereinafter the Law) begins the third stage of state regulation of crop risk insurance.

The law in the field of compulsory insurance in crop production is aimed at achieving three goals:

- Protection of farms and farms from loss of agricultural crops due to weather factors;
- Support to farmers and peasant farms in obtaining loans secured by insured crops;
- Assistance to improve the efficiency of state support for crop production [6].

The law establishes insurance tariffs only for four types of crops: cereals (tariffs are set by regions), oilseeds, sugar beet and cotton, as well as minimum and maximum tariffs for groups of crops. In practice, the amount of insurance premiums is calculated at the minimum insurance rate, which does not allow to form a sufficient reserve for insurance payments and leads to financial instability of insurance companies in the event of insured events.

The size of the insurance premium for each type of crop production is established by the contract of compulsory insurance within the insurance tariff according to the law and multiplied by the corresponding insurance amount. When an insured event occurs, the Commission determines the amount of damage according to the method of determining the areas of loss of crops [6].

The amount of damage is determined based on the standards of costs for the production of crop products subject to compulsory insurance, per hectare of cultivated area. For example, the standard costs for spring wheat in Akmola region, calculated by three types (wages, fuels and lubricants, seeds) per 1 hectare is 3457 tenge. While in fact, these costs exceed the order of 34,473 tenge. In this case, we see a disproportionate amount of insurance tariffs and cost standards. For this reason, farmers cannot cover their losses, which negatively affects the number of contracts concluded with insurance companies.

In accordance with the law, the policyholder is obliged to pay contributions during the sowing period on the basis of the sowing period on the basis of the contract, which leads to an increase in the current costs for him. For the conclusion of the contract, the farmer must provide the following documents: the application form, a certificate of the Bank account, and the act on the right to use the land. In the event of an unforeseen natural phenomenon in the form of extremely high temperatures, drought or hail, which led to partial or complete destruction of the crop, the farmer applies to the local Executive body to create a Commission. The composition of the Commission is formed from the representative of the local Executive body, the state agent for reimbursement of payments, the insurer and the agricultural producer, who go to the field to determine the area and the degree of destruction of the agricultural crop. At the same time, the farmer must submit a certificate from the Republican state enterprise "Kazhydromet" or the Agency for emergency situations about the fact of an adverse natural phenomenon [7].

The next step is the conclusion of the Commission and the signing of the act of inspection on the fact of adverse natural phenomena. On the basis of the act, the insurance company reimburses the agricultural insurance payment in the amount of 100% in case of complete loss of crops within 10 working days after receipt of all relevant documents. When a partial loss of crop not earlier than 1 month but not later 3 months from the date of the completion of harvesting in the presence of a full Pacaya documents [8].

Insurance companies are compensated for insurance payments in the amount of 50% of certain damage by the state agent represented by the joint Stock Company "Kazagrogarant" [9].

Such a mechanism of state regulation turned out to be unprofitable, primarily for agricultural producers, as not every policyholder could receive insurance compensation. In addition, the very procedure of confirming the insured event and receiving compensation required the collection of many documents and time for their approval. Therefore, in order to solve the problem in 2006, the mutual insurance society (MIS) was established, the activities of which were regulated by the Law of the Republic of Kazakhstan dated July 5, 2006 №163-III "On mutual insurance" [10].

The activities of the MIS had its advantages. It allowed to accumulate on the accounts insurance premiums and to direct means of the created monetary Fund on investment or crediting of members of society.

It should be noted the negative aspects of the mutual insurance society. First, agricultural producers independently set insurance tariffs, which were lower than those stipulated by the legislation. This circumstance led to an unfavorable situation in the market of risk insurance in crop production and a reduction in the number of contracts concluded with insurance companies.

Secondly, the mutual insurance societies were created by farmers whose lands were practically on the same territory. Under adverse weather conditions, the insured event occurred simultaneously for all participants, which increased the risk of non-payment of insurance claims. As a result, the mutual insurance societies could not fully realize their advantages in terms of funding of investment funds. The insolvency of the mutual insurance societies has led to a decrease in farmers' interest in this form of insurance, which has affected their share in the agricultural risk insurance market.

Thus, in Kazakhstan, the prerequisites for the formation of compulsory and voluntary insurance of agricultural risks have been gradually created, and the state has determined the terms of the insurance policy, which are now mandatory for today are mandatory for insurance companies and the mutual insurance societies. However, the imperfection of the state regulation of market participants' activities has led to the fact that only two insurance companies and 14 the mutual insurance societies provide services for crop risk insurance.

Having studied the stages of formation of crop insurance, it is necessary to list the main problems of the existing system:

- Systemic risk and lack of risk management. Kazakhstan is in the area of high-risk agriculture, where the average annual frequency of drought is 40 % (2 years out of 5), and in the West of the country reaches 60 % (3 years out of 5). The problem of frequent adverse weather events is complicated by their systemic nature, when droughts or heavy rainfall affect large areas of agricultural land in the country and can lead to massive (unpredictable) losses for insurers. The situation is aggravated by the fact that the Law does not provide for regional or global diversification of risks through reinsurance [11].

- Insufficient insurance rates. The law on compulsory crop insurance defines minimum and maximum tariffs for different crops. In practice, insurance premiums are calculated at the minimum rate, and it does not provide for the establishment of a sufficient reserve for future insurance payments and in the event of an insured event threatens the financial stability, and sometimes even the solvency of the insurer.

- The ineffectiveness of current government subsidies. At the moment, state support for compulsory insurance of agricultural crops is provided by 50 % compensation to insurance companies and the mutual insurance companies of the amount of insurance payments. The existing mechanism of subsidizing insurance payments reduces the motivation of insurance companies to properly assess losses and can even lead to collusion between the insurer and the insured in order to overestimate the amount of insurance payments [12].

- There is no regulation of Mutual insurance companies. Due to the withdrawal of most commercial insurers from the crop insurance market, agricultural producers increasingly rely on cooperation with Mutual insurance societies, which are most often established by them. Since mutual insurance Companies are not subject to insurance supervision by the National Bank or any audit requirements, the risk of inadequate assessment of losses and fraud by the mutual insurance Company is high. In the absence of reserves for losses, solvency margins and reinsurance, Mutual insurance companies cannot provide any meaningful insurance coverage against natural disasters and thus cannot be considered as underwriters and organizations capable of servicing risks. At best, mutual insurance Societies can act as a so-called "mutual aid Fund", whose obligations are limited to the amount of the annual insurance premium collected from its members. But such an approach can only work for diversified risks and is totally unsuitable for highly correlated risks, which can easily result in annual losses exceeding premium charges.

It is clear that the agricultural sector is a special and specific sector of the economy. Its functioning and development should be based not on the primitive market relations borrowed from the last century, but on the modern conditions of the beginning of the XXI century, with a complex interweaving of private and national interests, the state and the market. The financial sector, including insurance, does not exist on its own, it serves the needs of the economy and social sphere, and must be adequate to them. Now the need for insurance services is limited by the poor financial condition of agricultural producers and the low standard of living of most of the rural population.

Therefore, it is impossible to blame only the state insurance company for the difficult financial situation. It is difficult to work effectively in an inefficient sector of the economy. We believe that insurance of agricultural producers at this stage should be mandatory. Although the voluntary insurance regime is more consistent with market conditions and will take into account the peculiarities of individual regions of the Republic of Kazakhstan [13].

It should be recognized that to date, insurance has not yet become the norm for the Kazakh village after the collapse of the old insurance system. Due to the emergence of different forms of ownership in rural areas, it is very difficult to switch to voluntary insurance because of:

- lack of financial resources of the majority of agricultural producers;
- the high cost of tariffs for voluntary insurance;

-mentality of the rural population, mainly considering the issues of risk management in agriculture as a function of state bodies.

For example, loan guarantees represents one of the ways of agricultural subsidies applied in the world practice. In Kazakhstan, at present, there are no necessary and sufficient prerequisites and conditions for the creation of a system of guaranteeing agricultural loans. The state, financial intermediaries and rural producers do not have funds for this [14].

Today, farmers are forced to take out cash and commodity loans in commercial banks under the "firm pledge" - agricultural machinery, animals, etc. And could offer their future insured harvest as collateral. In such circumstances, banks would be able to pay for credit and insurance premiums. Thus, the creation of a system of agricultural insurance in the country to some extent would solve the problem of inaccessibility of credit resources and financial support for agricultural producers [15].

Currently, the existing fundamental shortcomings of the mechanism of compulsory insurance in crop production make it necessary to develop new, principled and clear approaches to financial and credit policy that are more appropriate to the needs of agricultural producers [16].

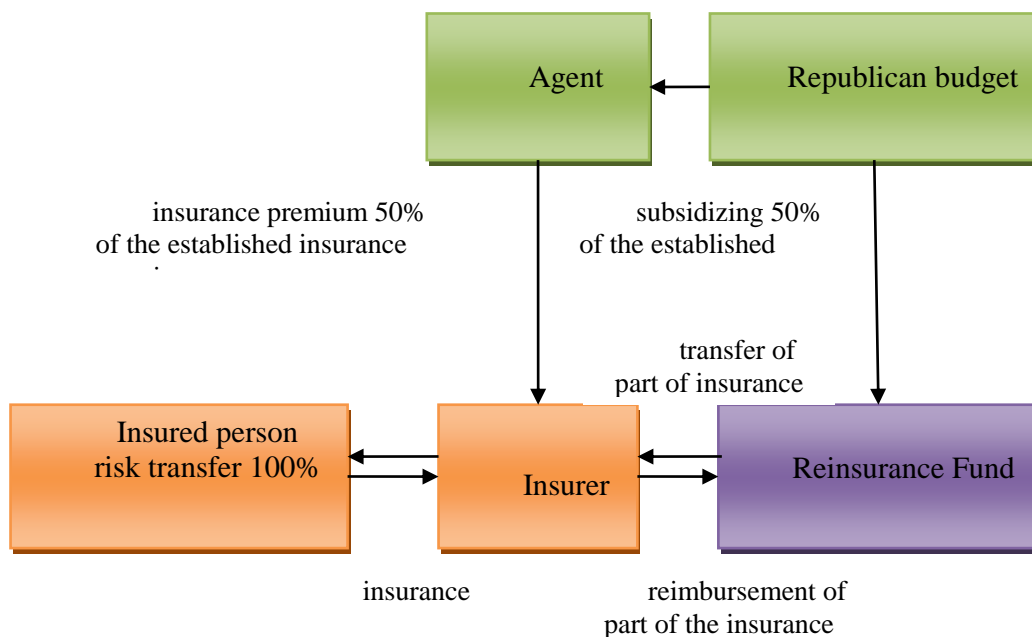


Figure 1 – Improved mechanism of state regulation in crop risk insurance

Note: compiled by the authors

Based on the above, an improved mechanism of state regulation of risk insurance in crop production is proposed, which is a harmonious interaction between the state in the person of the authorized agent for the management of budgetary funds, insurance organizations and agricultural producers. Such a mechanism is to develop public-private Partnerstva in the field of insurance of risks in crop production through the creation of a reinsurance Fund that may in the future become fully private company (Figure 1).

This mechanism involves, firstly, the transition from subsidizing insurance payments to subsidizing 50% of insurance premiums in order to reduce the costs of farmers during seasonal work. Secondly, the creation of the state Fund of reinsurance of risks of the insurer, which partially undertakes the obligation to pay insurance compensation. Third, the revision of the method of calculation of insurance tariffs taking into account agro-climatic zones, which will reduce unreasonable costs to expand the list of insurance services in crop production, taking into account the main types of crops.

In order to resolve the problematic issues, it is proposed to bring the standard of production costs in line with the actual costs, with reference to natural and climatic zones, as well as to revise them on a regular basis. At the same time, it is necessary to introduce a clearer gradation of insurance tariffs for natural and climatic zones, taking into account the frequency of occurrence of adverse natural phenomena on the basis of statistics on death and the results of actuarial calculations and revise them [17].

The proposal to carry out insurance not only taking into account climatic conditions, but also with the option of reducing technological and business risk [18].

In order to orient the economy to achieve high production results, it is necessary to switch from insurance of each crop separately and partial damage associated with the reduction of livestock to insurance of the overall final result (profit) of agricultural production in each economy, thus taking under insurance protection all stages of agricultural production before its implementation. Moreover, the widespread use of loans secured by the future harvest is strict and requires the preservation of the pledged property through insurance [19].

At a time when the legal basis of insurance of agricultural production is an extensive set of normative legal acts relating to various branches of law, and the analysis of the current practice of insurance of agricultural production clearly demonstrates the objective need for separate legal regulation of these relations, it is necessary to form a comprehensive Institute of "Legal regulation of insurance of agricultural production" within the framework of agricultural law. The formation of this community will cover the entire mechanism of insurance protection of property interests of agricultural producers [20].

Conclusions and Discussions. Analysis of state regulation of insurance risks in crop production allows us to draw the following conclusions:

- state support of farmers is compensatory in nature, but subject to full payment of the insurance premium in the season of sowing;
 - high tariffs for insurance and lack of alternative types of insurance services do not provide insurance protection to the majority of farmers;
 - non-transparent system of receiving state support in the form of compensation of insurance payments;
 - imperfection of the organization and methods of damage assessment, which leads to collusion between insurance companies and farmers and the emergence of corruption risks;
 - when calculating the insurance rates are not taken into account soil and climatic characteristics of zones and, consequently, an unfair assessment of the damage;
 - opacity of the system, inability to receive insurance payments, bureaucracy, and as a consequence, paperwork, etc.
- the absence of a mechanism of reinsurance;
- it is necessary to improve the insurance system in crop production.

ӘОЖ 338.439.222: 35.087.44(045)

Г.Ғ.Шінет¹, С.У.Абдибеков², Г.П.Коптаева³

^{1,3}Мирас университеті, Шымкент қ., Қазақстан;

²«Қайнар» академиясы, Алматы қ., Қазақстан

ҚАЗАҚСТАН РЕСПУБЛИКАСЫНЫҢ АУЫЛ ШАРУАШЫЛЫғыНДАғы САҚТАНДЫРУ ЖҮЙЕСІН МЕМЛЕКЕТТІК РЕТТЕУ

Аннотация. Мақалада ауыл шаруашылығындағы табиғи қатерлерді қысқарту және фермерлердің мүлкітік мүдделерін қолайсыз табиғат құбылыстарының салдарынан қорғауды қамтамасыз ету мақсатында елдің өсімдік шаруашылығындағы ауыл шаруашылығы тауар өндірушілерінің тәуекелдерін сақтандыруды құқықтық реттеу қажеттілігі негізделген. Сондай-ақ басымдықтары мен кемшіліктері анықтала отырып, өсімдік шаруашылығы саласындағы тәуекелдік жағдайларды сақтандыруды мемлекеттік реттеудің қалыптасу кезеңдері терең зерттелді. Осы шараларды іске асырудың оң және теріс жақтарын айқындай отырып, заңнамалық актілерді зерделеу негізінде ауыл шаруашылығы өндірісіндегі тәуекелдерді сақтандыруды құқықтық қамтамасыз ету кеңінен талданады. Тәуекелдерді сақтандырудың қолданыстағы тетігі бағаланды және сақтандырушының тәуекелдерді қайта сақтандыру мемлекеттік қорын құру жолымен өсімдік шаруашылығы саласындағы тәуекелдерді мемлекеттік реттеу жүйесін жетілдіру бойынша ұсынылған. Нәтижесінде сақтандыру төлемдерін субсидиялаудан сақтандыру сыйлықақыларының 50% субсидиялауға көшу ұсынылды, бұл ауыл шаруашылығы тауарын өндірушілер – сақтанушылар арасында субсидияларды объективті бөлуге ықпал етеді; маусымдық жұмыстар кезеңінде фермерлердің шығындары төмендейді. Сонымен қатар агроклиматтық аймақтарды ескере отырып, сақтандыру тарифтерін есептеу әдістемесін қайта қарау ұсынылды, бұл ауыл шаруашылығы тауарын өндірушілердің негізсіз шығындарын қысқартуға және тиімділікті арттыру үшін ауыл шаруашылығы дақылдарының негізгі түрлерін ескере отырып, өсімдік шаруашылығы саласындағы сақтандыру қызметтерінің тізбесін кеңейтуге мүмкіндік береді.

Түйін сөздер: сақтандыру, тәуекелдер, сақтандыру тарифтері, өсімдік шаруашылығы дақылдары, ауыл шаруашылығы тауарларын өндірушілер, мемлекеттік реттеу, шығындар, агроклиматтық аймақтар.

УДК 338.439.222: 35.087.44(045)

Г.Ғ. Шінет¹, С.У. Абдибеков², Г.П. Коптаева³

^{1,3}Университет Мирас, г.Шымкент, Казахстан

²Академия «Қайнар», г.Алматы, Казахстан

ГОСУДАРСТВЕННОЕ РЕГУЛИРОВАНИЕ СИСТЕМЫ СТРАХОВАНИЯ В СЕЛЬСКОМ ХОЗЯЙСТВЕ РЕСПУБЛИКИ КАЗАХСТАН

Аннотация. В статье обоснована необходимость правового регулирования страхования рисков сельхозтоваропроизводителей в растениеводстве страны в целях сокращения природных рисков в сельском хозяйстве, и обеспечения защиты имущественных интересов фермеров от последствий неблагоприятных природных явлений. А также глубоко изучены этапы становления государственного регулирования страхования рисков ситуаций в растениеводческой отрасли, выявляя преимущества и недостатки. Широко анализируется правовое обеспечение страхования рисков в сельскохозяйственном производстве на основе изучения законодательных актов с определением позитивных и негативных сторон реализации данных мер. Оценён действующий механизм страхования рисков и предложен путь по совершенствованию системы госрегулирования рисков в отрасли растениеводства путем создания государственного фонда перестрахования рисков страховщика. В результате предложено перейти от субсидирования страховых выплат к субсидированию 50% страховых премий, это будет способствовать объективному распределению субсидий между страхователями – сельхозтоваропроизводителями; снизятся затраты фермеров в период сезонных работ. Кроме того, предложено пересмотреть методику расчета страховых тарифов, учитывая агроклиматические зоны, что позволит сократить необоснованные затраты сельскохозяйственных товаропроизводителей и расширить перечень страховых услуг в растениеводческой отрасли, с учетом основных видов сельскохозяйственных культур для повышения эффективности.

Ключевые слова: страхование, риски, страховые тарифы, растениеводство, сельскохозяйственные культуры, сельхозтоваропроизводитель, государственное регулирование, затраты, агроклиматические зоны.

Information about authors:

Shinet Gulzada Galymkyzy - PhD, senior teacher at Miras University, Shymkent, Kazakhstan. Personal phone number: 8-702-4176084, gshnet@bk.ru.

Abdibekov Saken Ualikhanovich - C.E.Sc., First Vice-rector for educational and methodical work of the Academy "Kainar", Almaty, Kazakhstan. Personal phone number: 8-701-6027077, saken_abdibekov@mail.ru.

Koptayeva Gulzhama Perneyevna - Candidate of Economic Sciences, associated professor at Miras University, Shymkent, Kazakhstan. Personal phone number: 8-702-6540709, asel_4747@mail.ru.

REFERENCES

- [1] Mayanlaeva G.I. Organization of insurance business in the Republic of Kazakhstan. Almaty: too LEM 2002. Kazakhstan. 12p.
- [2] Kaliyev G.A., Sigarev M.I., Nurkuzhaev J.M. Improvement of the mechanism of state support on the basis of target methods of influence in the countries of the Eurasian economic Union. – Almaty: Academy of agricultural Sciences of the Republic of Kazakhstan, 2015. 52 pp.
- [3] Kirsanova O. V. agricultural Insurance of the member States of the Customs Union // Problems of the agricultural market. – 2012. -№3.-P. 47-49.
- [4] Law of the Republic of Kazakhstan "On compulsory crop insurance" dated March 10, 2004 №533-II Electronic resource.–2004. – https://online.zakon.kz/Document/?doc_id=1046884 (date accessed:10.03.2018).
- [5] Decree of the President of the Republic of Kazakhstan, having the force of the law of October 3, 1995 №2475 "On insurance" (as amended by the Laws of the Republic of Kazakhstan dated 23.08.96 № 35-1; from 11.07.97 № 154-1; № 154-1; from 2.06.97 № 115-1; from 16.07.99 № 436-1 [Electronic resource].-1995.- [URL:http://online.zakon.kz/Document/?doc_id=1004027](http://online.zakon.kz/Document/?doc_id=1004027) (accessed:15.04.2018).
- [6] Law of the Republic of Kazakhstan dated December 10, 1996 №1513 "On compulsory insurance of agricultural production" [Electronic resource].-1996.- [URL:http://online.zakon.kz/Document/?doc_id=1007153#pos=1;-125](http://online.zakon.kz/Document/?doc_id=1007153#pos=1;-125) (date accessed:15.03.2009).
- [7] Resolution of the Government of the Republic of Kazakhstan dated April 4, 2007 №270 "On approval of criteria and characteristics of determination of adverse natural phenomena" [Electronic resource].-2007.– [URL:http://adilet.zan.kz/rus/docs/P070000270](http://adilet.zan.kz/rus/docs/P070000270) (date accessed: 04.07.2019).
- [8] Resolution of the Government of the Republic of Kazakhstan of 20 October 2006 No. 1010 "On approval of the rules for the establishment by The local Executive body of the district (city of regional significance) and the organization of the work of the Commission to determine the size of the areas of crops affected by an adverse natural phenomenon, and the form of the act of inspection upon an adverse natural phenomenon" [Electronic resource].-2006.–[URL:http://online.zakon.kz/Document/?doc_id=30074284](http://online.zakon.kz/Document/?doc_id=30074284) (date accessed: 04.07.2019).
- [9] Official website of JSC "Kazagrogarant" [Electronic resource].-2016. [URL:http://www.kazagro.kz/web/kag/activities](http://www.kazagro.kz/web/kag/activities) (accessed 07.07.2009).
- [10] Law of the Republic of Kazakhstan dated July 5, 2006 №163 "On mutual insurance" [Electronic resource].-2006.Available from: [URL:http://adilet.zan.kz/rus/docs/Z060000163](http://adilet.zan.kz/rus/docs/Z060000163) (date accessed: 07.07.2019).
- [11] Mayanlaeva G. I. "Theory and practice of insurance" - Almaty, 2003
- [12] Shinet G.G. Personal Property of the Republic of Kazakhstan: Current, Current Situation and Prospects Development // Information Support for Economic Effective Management: mater. VI Interpreter. research. conf - Krasnodar, 2015. - P. 587-592
- [13] Shinet Gulzada, Myrzaliyev Borash, and Ydyrys Serikbay (2016). Conceptual Approaches to the Study of Nature of Private Ownership of Private Subsidiary Farming during Post-Socialist Transformation in Agricultural Sector, Journal of Advanced Research in Law and Economics, (Volume VII, Spring), 2(16): 350 – 362, doi: 10.14505/jarle.v7.2(16).19
- [14] G.G.Shinet, R.S.Bespayeveva, K.S.Ayazhanov, G.Y.Nurbayeva. Ways of development of the interaction of the population economies // Of the national academy of sciences of the Republic of Kazakhstan. Series of social and human sciences. - №2. - 2019. - P. 138-146. <https://doi.org/10.32014/2019.2224-5294.59>
- [15] Insurance in the Republic of Kazakhstan (vol1). Collection of legal acts from the series "Finance and credit of Kazakhstan". – Almaty: Information Agency "EconoMix Data", 2000.
- [16] Ginzburg A.I. Insurance. Short course. Textbook. Peter. St.Petersburg Moscow - Kharkiv -Minsk. 2002. Str.72-85. Economic library - <http://economy-lib.com/sistema-strahovaniya-v-selskom-hozyaystve#ixzz5sjZ9eStP>
- [17] Mindrin A.S., Zverev A.V. Economic mechanism of crop insurance. HUM "Agroprogress". Moscow. 2001. [Electronic resource].- <http://economy-lib.com/sistema-strahovaniya-v-selskom-hozyaystve#ixzz5sjYiz8Zq>(date accessed: 04.07.2019).
- [18] Dzhaksybekova G.N. (co-authored) "Business plan of a rural entrepreneur and the method of its development" - training manual. // Almaty: UIB, 2005 – 1,9 p. sh.
- [19] Kostenko L.N. Insurance. Textbook. Almaty: publishing House "too LEM" 2003. 45p.
- [20] Dzhaksybekova G.N. (in co-authorship) "Fundamentals of entrepreneurship and effective use of micro-credit for agriculture" - training manual. // Almaty: UIB, 2005 – 1,7 p. l.

**Publication ethics and publication malpractice
in the journals of the national academy of sciences
of the republic of Kazakhstan**

For information on Ethics in publishing and Ethical guidelines for journal publication see <http://www.elsevier.com/publishingethics> and <http://www.elsevier.com/journal-authors/ethics>.

Submission of an article to the National Academy of Sciences of the Republic of Kazakhstan implies that the work described has not been published previously (except in the form of an abstract or as part of a published lecture or academic thesis or as an electronic preprint, see <http://www.elsevier.com/postingpolicy>), that it is not under consideration for publication elsewhere, that its publication is approved by all authors and tacitly or explicitly by the responsible authorities where the work was carried out, and that, if accepted, it will not be published elsewhere in the same form, in English or in any other language, including electronically without the written consent of the copyright-holder. In particular, translations into English of papers already published in another language are not accepted.

No other forms of scientific misconduct are allowed, such as plagiarism, falsification, fraudulent data, incorrect interpretation of other works, incorrect citations, etc. The National Academy of Sciences of the Republic of Kazakhstan follows the Code of Conduct of the Committee on Publication Ethics (COPE), and follows the COPE Flowcharts for Resolving Cases of Suspected Misconduct (http://publicationethics.org/files/u2/New_Code.pdf). To verify originality, your article may be checked by the originality detection service Cross Check <http://www.elsevier.com/editors/plagdetect>.

The authors are obliged to participate in peer review process and be ready to provide corrections, clarifications, retractions and apologies when needed. All authors of a paper should have significantly contributed to the research.

The reviewers should provide objective judgments and should point out relevant published works which are not yet cited. Reviewed articles should be treated confidentially. The reviewers will be chosen in such a way that there is no conflict of interests with respect to the research, the authors and/or the research funders.

The editors have complete responsibility and authority to reject or accept a paper, and they will only accept a paper when reasonably certain. They will preserve anonymity of reviewers and promote publication of corrections, clarifications, retractions and apologies when needed. The acceptance of a paper automatically implies the copyright transfer to the National Academy of sciences of the Republic of Kazakhstan.

The Editorial Board of the National Academy of sciences of the Republic of Kazakhstan will monitor and safeguard publishing ethics.

Правила оформления статьи для публикации в журнале смотреть на сайте:

[www:nauka-nanrk.kz](http://www.nauka-nanrk.kz)

<http://soc-human.kz/index.php/en/arhiv>

Редакторы *М.С. Ахметова, Т.А. Апендиев, Д.С. Аленов*
Верстка на компьютере *А.М. Кульгинбаевой*

Подписано в печать 10.10.2019
Формат 60x881/8. Бумага офсетная. Печать – ризограф.
10,8 п.л. Тираж 500. Заказ 5.