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**A LEGISLATIVE NATURE AND  
DIRECTION OF MODERNIZATION  
OF AGROINDUSTRIAL COMPLEX**

In this article theoretical and practical aspects of legal status of agro-industrial complex (APK) in Kazakhstan are considered. The agro-industrial complex unites all industries which are taking part in production of agricultural products, its processing and bringing to the consumer. Kazakhstan, owing to natural, climatic and geographical features and also specific conditions and traditional labor skills of indigenous people inherent in it, long since is considered one of the largest livestock countries. In Kazakhstan nearly a half of the population lives in the village, but agriculture became the weakest industry which demands correctly picked up consecutive approach to reforming.

Now sustainable development of agro-industrial complex is considered as the complex generalizing criterion of successful activity as in general national economies, and the separate industries, and effective activity of APK most fully is equitable to the interests of producers, consumers and potential investors.

Authors focus attention to relevance of the studied problem, define the place and a role of agro-industrial complex in economy of Kazakhstan and also author's definition by comparison of various points of view of scientists is given and offers ways of improvement of the current legislation in the field.

In article the difficult and many-sided questions of productive and economic, organizational, social and legal character requiring the comprehensive solution and making problems of development of agro-industrial complex of the Republic of Kazakhstan are considered. As the most significant are allocated problems of creation of new more perfect production facilities, high-quality change of the relations of productive and economic character between subjects of economy. The increasing nonequivalence of barter of the branches of agriculture with other industries is noted. It is revealed that one of the reasons of low labor efficiency level in agriculture is the high moral and physical wear of the equipment and fixed assets. Besides, problems of providing the favorable environment with the state for the purpose of effective functioning of agrarian production which has to be implemented through certain functions are analyzed. Formation and reproduction of effective subjects of the market relations has to become the most important function of the state. At the same time the role of the state has to come down to that by means of scientifically based forms, methods, levers, preparation and retraining of personnel to create a favorable environment for steady reproduction of effective subjects of the market relations in APK of the Republic of Kazakhstan, its regions, enterprise structures.

**Key words:** agro-industrial complex, agrarian legislation, agriculture, agricultural cooperative, food security of the country, production efficiency, agrarian legal relationship, land law, ecological right, state mechanism.

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### **Агроөнеркәсіп кешенінің заңнамалық сипаты мен жаңартылу бағыты**

Бұл мақалада Қазақстандағы агроөнеркәсіптік кешеннің (АӨК) құқықтық мәртебесінің теориялық және практикалық аспектілері талқыланады. Агроөнеркәсіптік кешен ауыл шаруашылық өнімдерін өндірумен, оларды өңдеу және тұтынушыға жеткізумен айналысатын экономиканың барлық секторларын біріктіреді. Табиғи, климаттық және географиялық ерекшеліктері, сондай-ақ жергілікті халықтың дәстүрлі еңбек дағдылары мен нақты жағдайлары арқасында Қазақстан ұзақ жылдар бойы ірі мал шаруашылығы елдерінің бірі болып саналады. Қазақстанда халықтың жартысына жуығы ауылда тұрады, бірақ ауыл шаруашылығы ең әлсіз сектор болып табылады, ол реформаның дұрыс таңдалған, дәйекті көзқарасын талап етеді.

Қазіргі уақытта агроөнеркәсіптік кешеннің тұрақты дамуы тұтастай алғанда ұлттық экономикаға да, жекелеген салаларға да табысты қызметтің жалпыға ортақ өлшемі ретінде қарастырылады, ал агроөнеркәсіп кешенінің тиімді қызметі өндірушілердің, тұтынушылардың және әлеуетті инвесторлардың мүдделерін толығымен қанағаттандырады.

Авторлар зерттелетін мәселенің өзектілігіне назар аударады, Қазақстанның экономикасындағы агроөнеркәсіп кешенінің орны мен рөлін анықтайды, сондай-ақ ғалымдардың түрлі көзқарастарын салыстыру арқылы авторлардың өз анықтамасы беріледі және осы саладағы қолданыстағы заңнаманы жетілдіру жолдары ұсынылады.

Мақалада Қазақстан Республикасының агроөнеркәсіп кешенінің кешенді шешімі мен компоненттерін талап ететін өндірістік және экономикалық, ұйымдастырушылық, әлеуметтік-құқықтық сипаттағы күрделі және көп қырлы мәселелер қарастырылады. Ең бастысы, жаңа, неғұрлым озық өндірістік бірліктерді құру проблемалары, экономика субъектілері арасындағы өндіріс пен экономикалық сипаттағы қарым-қатынастардың сапалы өзгеруі атап өтілді.

Ауыл шаруашылығында еңбек өнімділігінің төмендігінің себептерінің бірі жабдықтар мен негізгі құралдардың жоғары моральдық және күш қуаты жағынан нашарлауы болып табылады. Бұдан басқа, ол үкіметке белгілі бір функциялар арқылы іске асырылуы тиіс ауыл шаруашылығы өндірісінің тиімді жұмыс істеуі үшін қолайлы ортаны қамтамасыз ету проблемалары талданады. Мемлекеттің маңызды функциясы нарықтық қатынастардың тиімді субъектілерін қалыптастыру және көбейту болуы тиіс. Сонымен бірге, Қазақстан Республикасының агроөнеркәсіптік кешенінде, оның өңірлерінде, бизнес-құрылымдарында нарықтық қатынастардың тиімді субъектілерін тұрақты түрде қалпына келтіру үшін қолайлы ортаны құруға байланысты мемлекеттің рөлі ғылыми негізделген нысандарды, әдістерді, тетіктерді, оқытуды және қайта даярлауды қолдануы тиіс.

**Түйін сөздер:** агроөнеркәсіп кешені, аграрлық заңнама, ауыл шаруашылығы, ауыл шаруашылық кооперативі, елдің азық-түлік қауіпсіздігі, сапалы өнімділік, ауыл шаруашылық қатынастары, жер құқығы, экологиялық құқық, мемлекеттік механизм.

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### **Законодательная характеристика агропромышленного комплекса и пути его совершенствования**

В данной статье рассматриваются теоретические и практические аспекты правового статуса агропромышленного комплекса (АПК) в Казахстане. Агропромышленный комплекс объединяет все отрасли хозяйства, принимающие участие в производстве сельскохозяйственной продукции, ее переработке и доведении до потребителя. Казахстан в силу присущих ему природных, климатических и географических особенностей, а также специфических условий и традиционных трудовых навыков коренного населения издавна считается одной из крупнейших животноводческих стран. В Казахстане почти половина населения живет в селе, но именно

сельское хозяйство стало самой слабой отраслью, которая требует правильно подобранного последовательного подхода к реформированию.

В настоящее время устойчивое развитие агропромышленного комплекса рассматривается в качестве комплексного обобщающего критерия успешной деятельности как в целом экономики страны, так и отдельных отраслей, так и эффективная деятельность АПК наиболее полно отвечает интересам производителей, потребителей и потенциальных инвесторов.

Авторы акцентируют внимание на актуальности исследуемой проблемы, определяют место и роль агропромышленного комплекса в экономике Казахстана, а также дается авторское определение путем сопоставления различных точек зрения ученых и предлагает пути совершенствования действующего законодательства в данной области.

В статье рассмотрены сложные и многогранные вопросы производственно-экономического, организационного, социально-правового характера, требующие всестороннего решения и составляющие проблемы развития агропромышленного комплекса Республики Казахстан. Как наиболее значимые выделены проблемы создания новых более совершенных производственных единиц, качественного изменения отношений производственно-экономического характера между субъектами экономики. Отмечена увеличивающаяся неэквивалентность товарообмена отраслей сельского хозяйства с другими отраслями. Выявлено, что одной из причин низкого уровня эффективности труда в сельском хозяйстве является высокий моральный и физический износ оборудования и основных средств. Кроме того, анализируются проблемы обеспечения государством благоприятной среды с целью эффективного функционирования аграрного производства, которое должно реализовываться через определённые функции. Важнейшими функциями государства должны стать формирование и воспроизводство эффективных субъектов рыночных отношений. При этом роль государства должна сводиться к тому, чтобы с помощью научно-обоснованных форм, методов, рычагов, подготовки и переподготовки кадров создать благоприятную среду для устойчивого воспроизводства эффективных субъектов рыночных отношений в АПК Республики Казахстан, её регионах, предпринимательских структур.

**Ключевые слова:** агропромышленный комплекс, аграрное законодательство, сельское хозяйство, сельскохозяйственный кооператив, продовольственная безопасность страны, эффективность производства, аграрные правоотношения, земельное право, экологическое право, государственный механизм.

## Introduction

Full implementation of the potential of the agro-industrial complex is one of the priorities set by the head of State in his Address to the people of Kazakhstan. At the same time, labor productivity and exports of processed agricultural products should be increased by 2.5 times. This is a task defined for the next five years. “All measures of state support should be directed to the large-scale involvement of modern agricultural technologies in the country. We should use the best experience in the management of the industry by introducing flexible and convenient standards and attracting reputable foreign experts in the field of agriculture – “smart people”. It is necessary to create a system of mass training to teach rural entrepreneurs new skills of management. I instruct the government to provide for at least 100 billion tenge annually for these purposes in the next 3 years,” Nursultan Nazarbayev said (electronic resource Growing welfare of kazakh citizens: increase in income and quality of life: 1).

The head of state noted the large-scale problems necessary for the revitalization of agriculture, important areas of development of the country, in

which it is necessary to introduce new technologies of industrialization.

We know that in 2015 the Law of the Republic of Kazakhstan on agricultural cooperatives was adopted. It defines all types of agricultural cooperatives as commercial legal entities in the organizational and legal form of a production cooperative (electronic resource On agricultural cooperatives The law of the Republic of Kazakhstan: 2). Since today most types of agricultural cooperatives, with the exception of agricultural production cooperatives, are non-profit organizations, that is, do not have the right to distribute income among their members, which significantly limits the attractiveness of this type of Association.

## The object and subject research of article

The object of the article is the scope of public relations related to the improvement of agro-industrial complex. Regulatory legal acts related to agrarian industry.

One of the problems in the agroindustrial complex is the small-scale production. It confirms the high proportion of small businesses in the total

agricultural output. In 2018, the share of private farms accounted for 57.8% of gross agricultural output, 33% – peasant and farm enterprises, 21% – agricultural enterprises (electronic resource The National Plan – 100 Real Steps to Implementing Five Institutional Reforms: 3). An agricultural cooperative is a legal entity established through a voluntary Association of natural and legal persons to carry out joint activities in order to meet the various interests of its members. In addition, the law establishes the principles of voluntariness of participation in the cooperative, mutual assistance and ensuring the economic benefits of democratic governance based on equality of the members of the co-operative: one member – one vote and others.

The law committed to conduct an annual internal audit for an agricultural cooperative.

In accordance with the current legislation, agricultural cooperatives (rural consumer cooperatives, rural consumer cooperatives of water users, agricultural partnerships) are non-profit organizations and are not able to distribute profits among members in accordance with the Civil code of the Republic of Kazakhstan. The Ministry of agriculture considers it inappropriate to prohibit the distribution of profits between members of the cooperative. In this regard, the draft laws provide for the establishment of agricultural cooperatives in the form of a commercial organization and, consequently, the profits of these cooperatives will be distributed among its members.

The Ministry of agriculture proposes the application of a special tax regime for agricultural cooperatives without restrictions. In accordance with the current legislation, a special tax regime for agricultural cooperatives is applied in the following cases:

- only peasant and farm enterprises are members of cooperatives;
- at least 90% of the total annual income is derived from the processing and sale of agricultural products of its members. Cooperatives whose members have other agricultural cooperatives, as well as rural consumer cooperatives of water users and agricultural partnerships, are not entitled to use STR.

### Material and methods

The methodological basis of research is made by the dialectic method of scientific knowledge reflecting interrelation of the theory and practice, in the course of research methods of synthesis, analogy,

generalization, and also system, comparative and legal, legallistic, statistical were applied also.

The law «On agricultural cooperation» provides for the introduction of the principle of sale of goods (works, services) to its participants at cost. That is, agricultural producers who are members of the cooperative can purchase herbicides, agricultural products and products of its processing, services of the machine and tractor fleet, activities for the sale of products produced in the cooperative, and so on, thereby optimize their costs.

In addition, through mergers, cooperatives can increase their incomes by participating in large quantities of goods and long-term supplies.

Also, the Law «On agricultural cooperation» provides for the possibility of distribution of profits between members of the cooperative.

Thus, the members of the cooperative, on the one hand, optimize their costs, on the other hand, will be able to increase their income.

### Results and discussion

The process of agricultural cooperation in the country is not at the proper level of development. So, today in Kazakhstan, the share of peasant and farm households that are members of cooperatives is 1.33%, and in the developed countries of the West this figure is 140 % (USA – 100%, France – 100%, Spain – 120%, the Netherlands – 140%, OECD and FAO data) (Begaliev B.B., 2013: 37).

In the course of the analysis carried out by the Ministry, the main barriers hindering the process of cooperation were identified, which:

- lack of opportunities for mutual distribution of income in agricultural cooperation, created in the form of non-profit organizations;
- too much regulation;
- lack of state support in the form of special tax regime and preferential crediting for rural consumer cooperatives of water users and agricultural partnerships;
- opacity of cooperatives ' activities, distrust of cooperative members to each other as a threat of fraud;
- redundancy of legal regulation in internal procedures;
- lack of possibility of participation of legal entities in production cooperatives (Khajiev A.H., 2011: 25).

The Law of the Republic of Kazakhstan «On Agricultural Co-operation» stipulates that agrarian cooperatives are obliged to become members of supervisory unions (associations). These audit

unions (associations) will conduct annual mandatory inspections of cooperatives. This innovation is aimed at enhancing the transparency of the activity of cooperatives and increasing the confidence of agricultural producers to cooperative societies. The main image of the shadow economy in the agro-industrial complex is informal production. The shadow sector is mostly found in private businesses, because there is shadow turnover of cash and informal employment. For example, five years ago, 75% of the private subsidiary farms accounted for 25% livestock production, respectively. There are a number of systemic issues that keep the shadow sector in the agribusiness, including improvement of tax legislation, the lack of logistics in the production of small commodity products, the availability of many small participants in the market and the transportation and storage of raw materials that lead to unreasonable rise in prices, and imperfection of trade and logistics infrastructure.

According to the world practice, the main solution to the problem of shadow sector in agriculture is the development of agricultural cooperatives, which is the basis of cooperation between farmers, farmers, farmers and legal entities in agrarian cooperatives and cooperating with trade outlets of agricultural producers through cooperatives. Thus, cooperation will help to formalize economic activity in agriculture.

At the same time The Ministry of agriculture recommends that Agrarian Cooperatives be subject to mandatory revision by the unions (associations) and to introduce a mechanism for subsidizing the costs of supervisory unions (associations) in conducting such inspections. This innovation is aimed at raising the transparency of its activity for its participants and increasing the confidence of agricultural producers to cooperative cooperatives.

In general, the agrarian cooperation in the republic is slowly developing. In Kazakhstan, the share of peasant and individual farms in the cooperation does not exceed 1.5%, whereas in developed countries this figure is 140% (USA – 100%, France – 100%, Spain – 120%, the Netherlands – 140%, Food and Agriculture Organization organization) (Khajiev A.H., 2011: 45).

The main reasons that hinder the process of development of cooperation: the inability of profit sharing in agricultural cooperatives established in non-profit form; Lack of state support in the form of preferential lending and special tax regimes for agricultural consumer cooperatives rural consumer cooperatives. In addition, the cooperation of

the cooperative is not transparent, and internal procedures are excessively regulated.

At present, agrarian cooperative activities are regulated by five laws: the Law of the Republic of Kazakhstan “On Consumer Cooperatives”, Law of the Republic of Kazakhstan “On Production Cooperatives”, Law of RK “On Rural Consumer Cooperatives”, Law “On Agricultural Partnerships and Their Associations (Unions) Law of the Republic of Kazakhstan “On consumer consumer cooperatives”. The Ministry of Agriculture has abolished the last three laws and established the new Law “On Agricultural Cooperation” to establish agricultural cooperatives in the organizational-legal form of legal and natural persons cooperatives. Possibility to benefit from the document, possibility for inspecting unions (associations) cooperatives, and subsidizing the costs of these services. Moreover, it is proposed to apply a special tax regime for all agrarian cooperatives without restrictions.

“Summing up this brief study of the legal status of agricultural cooperatives, it should be that the developers of the law on agricultural cooperatives violated the integrity of the system of organizational and legal forms of commercial legal entities that its creators, the authors of the Civil Code of the Republic of Kazakhstan, are proud of.

The new law eliminated many of the flaws and mistakes made in previous laws. Today, in many regions of the country, agricultural producers are increasingly expressing a desire to unite in cooperatives.

The new law establishes the following principles for the creation of agricultural cooperatives:

- voluntary entry into the agricultural cooperative and exit from it, the possibility of entry for any person;
- democratic governance based on equality of members of the cooperative: one member – one vote, regardless of the size and quantity of property (share) contributions, with the exception of associate members of the cooperative;
- election and accountability of the management bodies of the agricultural cooperative to the general meeting of its members;
- autonomy and independence of agricultural cooperatives;
- the agricultural cooperative sells goods (works, services) to its members at their cost price;
- mutual assistance and provision of economic benefits for members of the cooperative;
- availability of information on the activities of an agricultural cooperative, an association (union)

of agricultural cooperatives for all their members» (Yerkinbayeva L.K., 2018: 98).

Within the agricultural organization, agricultural producers will be able to process their products at a cost-effective co-operative with the use of machinery and tractor park services, importing herbicides, agricultural products and their processing products. At the same time, the members of the cooperative may increase their income by joining a large group of goods and long-term delivery. Audit unions (associations) conduct annual mandatory inspections of cooperatives.

At the same time, agricultural cooperation is aimed at shrinking the shadow economy. The large share of the shadow sector is determined by private farms. Thus, in 2013, private farms produced 75% of livestock products, while organized households accounted for 25%, respectively. Preservation of the shadow economy in the agrarian sector is imperfection of tax legislation, small commodity production, underdeveloped commodity logistics infrastructure, which in its turn leads to the increase in the number of small players in the market and unreasonable rise in prices (Ozenbayeva A.N., 2013: 30).

The food security legislation of the Republic of Kazakhstan states that article 22, paragraph 1, subparagraph 2 of the Law of the Republic of Kazakhstan «On National Security of the Republic of Kazakhstan», adopted on January 6, 2012, states that economic security covers food security, ie food security, food security is sufficient to satisfy the physiological norms of the state's consumption and demographic growth. infectious and safe food products to the population and to provide access to economic state of the economy, including the protection of the agro-industrial complex that provides defined (electronic resource On the national security of the Republic of Kazakhstan, the law of the Republic of Kazakhstan: 8).

From these definitions, you can define the basic requirements for food security. This is the availability of economic access to basic foodstuffs and the quality and safety of food products.

At the same time, there should be food independence, food independence – the situation in which the food crisis does not arrive in case of stopping the supply of foodstuffs from abroad, the provision of food security and resource supply of the agro-industrial complex from import deliveries. Another requirement for food security is physical access to food, physical access to food throughout the country, and the availability of foodstuffs in a variety of quantities and quantities that meet the solvent

demand at any given time (Rahimzhanova G.M., 2015: 31).

The cooperation between the Republic of Kazakhstan and the Food and Agriculture Organization of the United Nations has been developing since 1997, and in 1997 Kazakhstan joined the FAO (Food and Agriculture Organization of the United Nations (FAO)). The agreement between the Government of the Republic of Kazakhstan and the Food and Agriculture Organization of the United Nations on the establishment of the FAO Bureau of Communication and Cooperation in the Republic of Kazakhstan in 2015 was signed by the Bureau in 2016. In accordance with Article 3 of this Agreement, the participation of the FAO in its activities and programs at the national, regional and international levels of the FAO is facilitated by the Government's coordination, provision of food security and poverty eradication, as well as relations with international development and cooperation organizations, expanding opportunities for cooperation between Kazakhstan and FAO through expanding relations, food security management, technology transfer, and training. In addition, the Office implements cooperation with international organizations in Kazakhstan and promotes partnerships.

FAO Assistance to Kazakhstan Country Program for 2014-2017 was implemented in five priority areas:

- 1) food security and production of ecologically clean products;
- 2) livestock and animal health, rangeland management and phytosanitary surveillance;
- 3) sustainable management of natural resources (water, land and forests);  
Fisheries and aquaculture development;
- 4) development; Agricultural statistics;
- 5) information technology for collecting and analyzing data for agricultural statistics.

The main wealth of our state is land resources, which are its economic and social favorable basis. Rational use of land in the Republic of Kazakhstan and rational economic management and preservation of land in them – the main state and public purpose and the constitutional duty of every citizen. The process of reforming the political and economic construction in the Republic of Kazakhstan shows the need for a radical change in land relations and land reform through direct control and management of the state (Erofeev B.V., Arkhipov I.G., 1997: 82). At the same time, transition to market economy objectively generates need of introduction of various forms of ownership of the earth, failures of the right of land use and legal recognition of the earth as

object of civil and economic turnover, keeping the main functions of the earth as the main means of production of the earth, the basis of territorial space and the most important natural object.

At step 35 of the program of the President of the Republic of Kazakhstan dated may 20, 2015 «plan of the Nation-100 concrete steps for the implementation of five institutional reforms» raised the issue of introduction of agricultural land in the market for effective use, as well as amendments to the Land code and other legislative acts. That is, the development of socio-economic, political and legal relations of the young independent state that meets the requirements of a new life, for us and future generations demanded to re-regulate the basic relations of the above-mentioned state, to carry out economic and legal reforms in accordance with the requirements of modern life. According to the President of the Republic of Kazakhstan, the main political goal is to ensure stability, especially during the transition period, as a necessary condition for the successful implementation of economic reforms. Also in his address to the people, Nursultan Nazarbayev noted that the newly adopted law on land has not led the population to a civilized market and should immediately eliminate the shortcomings in this law.

The concept of the General concept, type, form and rules of agricultural land is set out in the Land code of the Republic of Kazakhstan of 20 June 2003. Article 97 of the Land code of the Republic of Kazakhstan establishes agricultural land as land provided for or intended for agricultural purposes (electronic resource Land Code of the Republic of Kazakhstan: 10). This is the most basic category of land from the categories of land, the main feature of which is that the Land is the main means for industrial raw materials and feed needed for humans and animals. In General, agricultural land-the most favorable, fertile land subject to special protection, compared with other categories of land of the Republic of Kazakhstan.

In General, agriculture is the oldest of all branches of economy and directly depends on the state of nature. In addition, agriculture is the most common industry. Indeed, at present there is no state that is not engaged in various sectors of agriculture. In the house of scientists, approximately 50 species secrete. According to data, in the world about 1.3 billion people work in this industry, including peasant families in agriculture, this figure reaches 2.6 billion people. According to the proportion of able-bodied men in agriculture, the country is classified as industrial, post-industrial and agricultural. In the

world, 46% of the economically active population work in this area. The spread of agriculture to all lands depends on its diversity (Erkinbayeva L.K., Aygarynova G.T., 2010: 54).

According to the President of the Republic of Kazakhstan N. A. Nazarbayev, especially agriculture require a special agricultural policy. According to this policy, state regulation should be of higher importance in agriculture than in other sectors of the economy. In addition, state support should be comprehensive. State regulation of agricultural land is a system of legal, organizational, political, economic and other measures aimed at preserving the quality of land, preventing their unjustified and illegal economic and market turnover and ensuring their rational use. The land code of the Republic of Kazakhstan provides for a special section providing for the regulatory functions of the state related to the protection of land and its rational use. This section of the land code covers and regulates land protection, state control, land management, monitoring and land cadastre. Referring to this section of the land code, it is possible to determine the content of state regulation of land, including agricultural land and the goals set for it.

For the purpose of legal regulation of agricultural cooperatives, the Law «On agricultural cooperatives» was introduced on January 1, 2016. «The purpose of this law is the legal status, rights and obligations of members of agricultural cooperatives, as well as the legal status of agricultural cooperatives and their associations, the order of their creation, reorganization and liquidation. The legislation of the Republic of Kazakhstan on agricultural cooperatives is based on the Constitution of the Republic of Kazakhstan and consists of the Civil code of the Republic of Kazakhstan, this law and other regulatory legal acts of the Republic of Kazakhstan. If an international Treaty ratified by the Republic of Kazakhstan establishes rules other than those contained in this Law, the rules of the international Treaty shall apply» (electronic resource On agricultural cooperatives The law of the Republic of Kazakhstan: 2). The legal capacity of an agricultural cooperative as a legal entity begins from the moment of its state registration in the order established by the legislation of the Republic of Kazakhstan. The new law unified the audit of cooperatives. Members of cooperatives may hire an audit and review the activities of their cooperative. In addition, the act increases the income of farmers. This will allow farmers not only to receive income, but also to meet the demand of consumers. That is, the main purpose of cooperatives is to generate

income and distribute income among the members of the cooperative. If not, success can focus on the development of the cooperative as a whole. The establishment of an agricultural cooperative is based on the support of the state for the agricultural sector.

The organization and implementation of land monitoring is transferred to the Central Executive body for land management and its local authorities.

The improvement of these goals is to perform its functions in order to preserve the agricultural land of the country as the roots of everyday life and activities of citizens of the Republic of Kazakhstan and ensure the rational use of land. In this regard, land monitoring and land cadastre functions are a mechanism for addressing land use and its protection. At the same time, legal relations in the sphere of land relations do not regulate the object of property rights to land. Since these legal relations indicate that the land resources of the country are useful or harmful to human life and health on the basis of control and determination of its natural existence, species, nature and properties (Bekturganov A.E., 1997: 61).

Land monitoring is carried out on the basis of a single instruction, methodology and a special program prepared by the State Committee of the Republic of Kazakhstan on land relations and land management with the participation of interested ministries, state committees and departments, which are mandatory for operational and systematic monitoring of the state of agricultural land, all special works and links for surveys, audits and mapping.

The organization of the land cadastre in the Republic of Kazakhstan is carried out by the Central authorized body for land management and its territorial bodies. The state land cadastre is an integral part of the state cadastral system of the Republic of Kazakhstan and is implemented by the Central authorized body for land management on the whole territory of the Republic of Kazakhstan by state enterprises on the basis of a common system for all.

## Conclusions

First, in order to further improve and develop state control over the protection and rational use of agricultural land, monitoring of land, it is necessary to expand the number and staff of land inspections.

Second, in order to control the rational use of land, it is necessary to carry out constant monitoring. Rent the first 5 years-annually, subsequent periods on irrigated arable land every 3 years, on rainfed land-every 5 years. The procedure for monitoring

is determined by the Ministry of agriculture and is carried out through a Commission composed of representatives of land relations, agriculture, public organizations and associations, the National chamber of entrepreneurs. The monitoring results serve as a basis for extending the lease term of the land plot.

This article will establish the rules for drawing up a list of land plots to be put up for the competition, specify the procedure for holding the competition, the content of the tender offer, the rationale for refusing the competition, the conditions for determining the winner, the conditions for appealing its results, cases of not holding the competition or invalidation, the sequence of actions of local executive bodies and persons interested in participating in the competition, whose competence includes the issues of the competition.

Development of agro-industrial complex of Kazakhstan is of paramount importance for agrarian policy direction. The main objective of the agro-industrial complex is to provide the country with food and industrial raw materials. Since 2013 a new program of agro-industrial complex development has been developed in Kazakhstan, achievement of global agrarian sector development and industrial agro-industrialization. Today, the program is launching its “Agribusiness 2020” program (electronic resource A new level of development of the agro-industrial complex. <https://egemen.kz/article/158601-agrooenerkasip-keshenin-damytudynh-zhanha-denhgeyi>:14).

Development of the agro-industrial complex is the main parameter of development of a regulated industry or sphere of activity under the program «Sustainable development of agro industrial complex and rural territories, increasing their competitiveness and ensuring food security of the country”.

Today the situation in the agro-industrial complex of the republic is characterized by the growth of production efficiency, development of the rural financial services market, improvement of the quality of life of the rural population.

In the current situation, the economic upsurge in Kazakhstan has come to its forefront. The main and proper organizational structure of functioning of market relations has already been established and the gradual decline of production and the possibility of further advancement have arisen, and it is necessary to identify the strategy and tactics of development of agro-industrial production.

President of the Republic In his work “Strategy of formation and development of Kazakhstan



as a sovereign state”, Nazarbayev underlined: “Before all strategic plans development of agro-industrial complex, it is necessary to systematically and consistently reform ...”. The Law “On the advantages of rural development, agriculture and agro-industrial complex” is also intended for these purposes. Having practiced the ideas of the Head of state, adopted laws and decrees of the Government of the Republic of Kazakhstan, scientists of the Kazakh Academy of Agricultural Sciences have developed “Agribusiness Development Program for 1993-1995 and Conceptual Program for 2007”. Various measures and legislative amendments are being made to address urgent issues to stop production decline at the expense of internal sources, stabilize the economic situation and increase agricultural production.

Agro-industrial complex:

- The bioclimatic potential of the natural regions of the republic to their ecological system, economic targets, self-sufficiency, and the volume of basic agricultural crops will be brought to conformity with the global market conditions.

- To fully utilize the genetic potential of livestock in agriculture due to the capabilities of the fodder base in each natural region.

- Establishment of agricultural machinery industries to meet the needs of agro-industrial complex in the production base.

- The formation of efficient and efficient manufacturing industry enterprises.

- Development of social infrastructure in the country, taking into account economic diversity and emergence of private property.

- Including the creation of economic, legal and technical and technological guarantees for the environmental safety of all elements of ecosystems involved in the agro-industrial complex.

There has been a conscious change and progress on the material and economic basis of all sectors of agriculture and agribusiness. Agrarian production has been planned to be relocated to a large machine industry, inter-farm cooperation and agro-industrial integration. State agro industrial committees and regional, regional committees of the republics, as well as regional agro-industrial associations were established. Now, scientific production associations and production systems are being established in different regions of the country. Although they have some distinctive features, they all share common interests. First of all, science and practice are closely linked, reducing the way science breaks down to production, and, on the other hand, the relationships between partners on the basis of

cooperative agreements provide mutual interest and responsibility for economic accountability. Agro industrial complexes; associations, firms, scientific production and production systems, various accounting and contracting firms, are actually new phenomena in our agrarian economy. Advantages of new types of crop management and agro-industrial production management are as follows: characterized by the fact that, firstly, the true integration of these innovations into true integration, the production of agricultural products, procurement; a single process of storage, processing and storage of food-stuffs will be provided. The economic situation of associations and enterprises and enterprises included in it, as well as the good development of the employees of the agro industrial complex will increase the care and attention to raw materials processing and quality of food products, as a significant part of the output is directly related to the sale of products to consumers. Improving material conditions of labor collectives and solution of social issues of agro-industrial associations will encourage and force the organization of production on the principle of actual economic accounting and self-financing in the event that the end products are entirely connected with sale.

One of the key issues in agriculture is the agro-industrial complex. About 1, 6 million households are engaged in agricultural production, including more than 185 thousand agro-productions. In general, 96 percent of agricultural enterprises (177.6 thousand) are peasant farms. Their land and farming levels do not allow the production of large quantities of products on an intensive basis. About 27 percent of the total production belongs to such farms, while 40 percent belong to farmers who do not have an area of more than 10 hectares. 81.2% of peasant farms do not exceed 50 hectares. That is, we see low productivity in this area. At the same time, households account for 74 per cent of gross domestic product of the country. Tiny structures are unable to solve the problem of product competitiveness, introduction of innovation, safe food supply (Saypinov D., 2016: 23).

At present, agro-industrial complex uses modern innovative technologies for harvesting, storing and processing. An in-depth study of the agrarian market focuses on the results of the research, which has been obtained with the use of satellites and other research tools. The need for specific data, which can be based on the volume of data, its digital processing and decision-making, grows every year. The main branch of agriculture in the country is grain production. The development of virgin and fallow lands has put Kazakhstan in the

list of the largest grain producers. Kazakhstan is the second largest producer of grain in the world after Canada. Therefore robotization of production is a key issue for large farms.

In general, in the conditions of increasing competition, it is important to upgrade the agricultural legislation. Through cooperation, entrepreneurs and consumers will be able to increase their competitiveness by solving their own production

and other needs. That is why the Government pays great attention to this direction.

The law defines the basic conditions of such cooperatives as voluntary participation in the creation of a rural consumer cooperative – ensuring economic efficiency, democratic governance. This will be the basis for the development of the agricultural cooperative. After all, the agro-industrial complex can become a new driver of the economy.

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