

**Assenova A.\***

PhD, Deputy Director,  
JSC «Economic Research Institute»,  
Astana, Kazakhstan,  
e-mail: A.Asenova@eri.kz

**Mukusheva D.**

MSc in Economics, Deputy Director,  
JSC «Economic Research Institute»,  
Astana, Kazakhstan,  
e-mail: D.Mukusheva@eri.kz

**Shaikenova A.**

Ph.D., Assistant Professor,  
KIMEP University,  
Almaty, Kazakhstan,  
e-mail: a.shaikenova@kimep.kz

## CURRENT ISSUES IN ASSESSING THE REGULATORY BURDEN ON BUSINESS

### Abstract

In the article, the authors draw attention to the problem of the quality of regulation from the perspective of applying regulatory impact analysis to assess the regulatory burden. They find confirmation of the theory of effective regulatory policy for actively stimulating entrepreneurial activity, which provides a reliable basis for developing the country's economy. The authors of the study analyzed the electronic licensing portal of the Republic of Kazakhstan to assess the regulatory burden of complying with permitting requirements. The study shows the need to implement innovative solutions when assessing the regulatory burden. One of the modern trends in improving the practice of Regulatory Impact Assessment (RIA) is the automation of the analysis process, including the assessment of the consequences of regulatory initiatives. The authors conclude that it is possible to increase the effectiveness and efficiency of applying regulatory impact analysis through a qualitative assessment of the regulatory burden.

**Keywords:** regulatory policy, regulatory impact analysis, entrepreneurship, regulatory burden, small and medium business, the permit system, automation.

### INTRODUCTION

In 2024, Kazakhstan's economy faces challenging times due to high inflation, post-pandemic downturn, economic sanctions imposed on the Russian Federation, and their impact on Kazakhstan's economy (Centre for Applied Economic Research, 2024). Now, more than ever, it is crucial for the Kazakh government to implement bold policies aimed at economic growth, poverty reduction, and improved performance. Effective regulatory policies are necessary to achieve economic development goals, alleviate social inequality, enhance quality of life, and uphold constitutional rights, freedoms, and fundamental societal values.

Regulatory Impact Analysis (RIA) serves as a tool to ensure the effective accomplishment of regulatory policy objectives with minimal costs to businesses, the government, and society. RIA is employed to assess the necessity of government regulations when other alternatives, such as educational campaigns, market mechanisms, or self-regulation, have been exhausted. The main role of the RIA is to make a balanced, well-considered decision at the state level and weed out ineffective decisions at the stage of adopting a particular regulatory legal act (OECD, 2020).

Originating in the United States in 1978, the RIA institution gained popularity due to the impactful reforms and achievements of the Dutch Regulatory Agency (ACTAL) in the early 2000s (OECD, 2010). The revolutionary model introduced by ACTAL measured the overall extent of the regulatory burden imposed by existing legislation in the Netherlands, revealing that a significant portion of the burden stemmed from only a few pieces of legislation, amounting to 4-6% of the GDP. The Dutch took further steps in RIA reforms and set targets to reduce the overall regulatory burden by 25% by 2012 (*ibid.*, p.13). Inspired by the Dutch approach, the European Commission established an advisory board called RegWatchEurope during the Netherlands' presidency of the European Union (EU) in 2016. This board was tasked with scrutinizing EU legislation for administrative burdens. Countries such as the Czech Republic, Finland, Germany, the Netherlands, Norway, Sweden, and the United Kingdom have separate agencies for regulatory scrutiny. In total, 92 out of 185 countries, as indicated by the World Bank's Global

Indicators of Governance in 2018, have implemented RIA to enhance government regulations, albeit with varying degrees of reform (World Bank, 2018).

The objective of the study is to develop a model for assessing the regulatory burden on businesses in the implementation of permitting activities within the framework of the Regulatory Impact Analysis procedure in Kazakhstan.

Over the past 7 years, Kazakhstan, following the OECD recommendations in regulatory management, has been gradually carrying out regulatory reforms. The key reform of Kazakhstan was the introduction of RIAs. Draft regulatory legal acts developed by regulatory state bodies, providing for the introduction of regulatory requirements or tightening of regulation about entrepreneurial activity using the "One in - Two Out" principle, are subject to RIA. This principle implies the abolition of two old regulatory requirements with the adoption of one new one about business. The introduced principle of "One in - Two out" has found practical application in RIA in various sectors of the economy.

Institute for Public Discussion

According to the OECD (2012) recommendations, governments should create clear policies that provide specific measures to ensure open and balanced public discussion of regulatory norms introduced or tightened in developing draft regulatory decisions (OECD, 2012). Various tools can be used to interact with stakeholders, including the expert community, online or offline consultations with selected groups, and public consultations.

In many countries, the consultation period lasts from 60 to 90 days. The consultation should allow sufficient time for all interested and affected stakeholders to provide input through the online RIA platform (OECD, 2025).

In Kazakhstan, all RIAs developed by regulators must be posted on the Open Regulatory Acts portal. This allows any interested person to familiarize themselves with the draft RIA, express their agreement or disagreement with the proposed regulation, and leave comments and suggestions. The regulator can also combine online consultations with offline meetings with individual groups (Ministry of National Economy of the Republic of Kazakhstan, 2015).

A review of the Open Legal Acts portal showed that the number of regulators' initiatives to tighten business regulation varies on average from 100 to 200 per year. The highest regulatory activity occurred in 2016, resulting in 25% of the total RIAs and the smallest, 9%, in 2018.

In 2016-2023, more than 1000 RIA projects were developed to meet the regulatory requirements for the activities of entrepreneurs in almost all sectors of the economy. However, some areas are not subject to RIA when regulatory requirements are introduced. These are areas in which regulation is related to overcoming the consequences of accidents, natural disasters, and other emergencies, the introduction of a quarantine regime, countering extremism and terrorism, the introduction and maintenance of martial law, and more.

The article's authors do not seek to dispute the importance of state regulation but rather focus on an overview of the practice of using RIAs in Kazakhstan: results, effectiveness, challenges, and future prospects. In particular, we evaluate examples of reducing some administrative barriers, such as RIA, as an example of reducing part of the regulatory burden in Kazakhstan.

The scientific novelty of the study lies in the systematization and generalization of international research on regulatory impact assessment and the effects of government regulation on entrepreneurial activity and socio-economic development.

For the first time, the authors develop a model for assessing the impact of licensing and permitting documents and procedures on entrepreneurial activity, and substantiate key indicators of regulatory policy from the perspective of the effective application of Regulatory Impact Assessment.

The authors hope this study will be a useful and practical guide for deepening the RIA process in Kazakhstan and improving its quality and effectiveness.

## LITERATURE REVIEW

In recent years, there has been a growing academic interest in the regulatory impact assessment process and its comparison with existing best practices in other countries. Regulated stakeholders and governments in many developed and emerging economies increasingly need to consolidate and streamline legislation and reduce legal costs. The basic assumption is that while providing benefits to society, regulation can also generate significant, unnecessary costs for businesses and citizens. Reducing these costs can significantly benefit a country's economy by freeing up resources that can be allocated for more productive use without compromising the benefits of regulation. Accordingly, all those countries that have established themselves as leaders in the field of regulatory governance have decided to adopt, in addition to other tools such as public consultation and RIA, comprehensive programs to measure and reduce regulatory costs.

These programs have important similarities but also important differences. In particular, some countries focus only on the administrative burden rather than a broader view of the substantial costs of compliance. Some countries have undergone a comprehensive baseline measurement of total regulatory costs, while others have chosen to focus directly on the flow of new regulations. Moreover, among the latter group, some countries

have adopted a net reduction target expressed in absolute or percentage terms, while others apply the "one in, two out" rule to control the flow of new regulation. Finally, some countries have combined this system with a comprehensive cost-benefit analysis of new legislative and regulatory proposals (OECD, 2020).

RIA is based on economic analysis and cost-benefit principles. Different cost-benefit, cost-effectiveness, or multi-criteria analysis methods can be used for RIA based on economic paradigms of rationality and policy analysis. For instance, White and VanLandingham (2015) write that although benefits and costs analysis is a long tradition at the federal level, not all states conduct such rigorous analysis in the U.S. Although the number is increasing yearly, the study concluded that not all reports were completed to qualify as full reports. The authors identified barriers to developing benefit-cost analyses, such as difficulties in finding data and saving resources, a rigorous timeline process, and a lack of attention from policymakers (White & VanLandingham, 2015).

Similarly, the OECD report (2020) concludes that the level of sophistication of the RIA methodology has increased over time due to expertise and experience, but the proportion of reports that are fully in line with the "best practices" of RIA, especially in terms of quantifying benefits and costs and obtaining a reliable net present value result (OECD, 2020). The OECD (2020) report also identifies data limitations, resource constraints, and capacity issues that prevent OECD countries from achieving the benchmark RIA (OECD, 2020). Likewise, Renda (2006) called for greater use of cost-benefit analysis, as in the United States for European ones (Renda, 2006).

Schreffler (2010) from the University of Exeter approached the adoption of RIAs from a knowledge utilization perspective. In her article "The Use of Scientific Knowledge by Independent Regulatory Bodies," she stressed the importance of a rational knowledge-based scientific approach, i.e., cost-benefit and cost-benefit analysis of decision-making over policy considerations. In order for a public administrator in an independent regulatory body to act impartially and rationally, making decisions based on technical analysis and scientific (economic) evidence, these bodies must be independent, which increases the legitimacy and credibility of their policy assessment (Schreffler, 2010). Moreover, these agencies accumulate and share knowledge, the author argues and bases her assessment of the effectiveness of RIA on how effectively the knowledge is created, stored, disseminated, and applied.

Akhmetzhanova and Kopesheva (2016) write that some elements of the quality of regulation have been present in Kazakhstan's state policy since 1998; however, the RIA principles were introduced by the "Concept of State Regulation of Entrepreneurial Activity for 2014-2020" (Akhmetzhanova & Kopesheva, 2016). In 2015, the Entrepreneurial Code mandated that RIA is performed for all new acts that affect business interests (ibid) (Entrepreneurial Code of the Republic of Kazakhstan, 2015). The authors proposed recommendations to improve RIA institute in Kazakhstan, calling for stronger political support, improving RIA assessment template, expanding the scope of assessments, and formalizing public consultations.

Baitursynov considered the institutional foundations of the practice of regulating small and medium-sized businesses, as well as the role of actors represented by institutions. Its analysis identified that only business associations have the right to participate and comment on the RIA process, which excludes the participation of public or independent experts in the review process (Baitursynov, 2018).

Probably the most notable work belongs to Abdrakhmanova and Sabirov (2018), whose analysis stems from a legal discipline point of view. The authors noted that the current system delegates the Ministry of National Economy the function of drafting regulatory impact assessments and their scrutiny, which reduces the effectiveness of the RIAs performed by the ministry. They also compared the existing system RIA in Kazakhstan with the systems of other countries and proposed creating an independent body consisting of experts rather than civil servants (Abdrakhmanova & Sabirov, 2018).

At the same time, there are several gaps in RIA research for Kazakhstan. First, the scholarly RIA works are based on a legal analytical point of view, not on research in the field of public administration. Secondly, Kazakhstan and other countries of the former Soviet Union do not have RIA studies based on quantitative and qualitative analyses. Empirical quantitative and qualitative studies on regulatory impact assessments have mainly been conducted in the United States, the United Kingdom, and Europe (Radaelli & De Francesco, 2009).

RIA is a report that the executive branch of the government produces to justify the introduction of new regulations or amendments to the existing regulations. While regulation is defined as a government measure intended to affect individual or group behavior

At the same time, an analysis of international experience in the field of regulatory impact assessment (RIA) shows that its application in the national context requires taking into account the institutional and administrative characteristics of each country. Approaches that have demonstrated effectiveness in developed countries were developed in specific political, legal, and administrative conditions that may differ significantly from Kazakhstani practice.

The recommendations and standards developed by the OECD presuppose the existence of stable regulatory policy institutions, developed mechanisms for public consultation, systematic ex post analysis, and sufficient analytical capacity of government agencies.

In Kazakhstan, these elements are also being consistently developed, but their institutional strengthening and methodological unification remain relevant areas for improvement.

Thus, international experience in implementing RIA offers significant methodological potential for Kazakhstan. According to the authors, its application requires adaptation to national conditions, the gradual development of analytical tools, and strengthening the institutional framework for regulatory policy.

### RESEARCH METHODOLOGY

In this study, an assessment of the regulatory burden in optimizing licenses and permits for doing business was carried out. The following formula was used for calculations:

$$\text{Cost} = \frac{\text{BudRev}_{t_0}}{(\sum_i (\text{List}_{it_0} * w_{it_0} * N_{it_0}))} \quad (1), \text{ where}$$

Cost is the average cost of one permit;

BudRev - tax revenues to the state budget from fees for conducting business and professional activities;

- List<sub>i</sub> - list of permits;

- share of the volume of relevant permits issued; w<sub>i</sub>

- the corresponding number of SMEs that have received the i-th permit; N<sub>i</sub>

t<sub>0</sub> - Base year.

To assess the regulatory burden, we used statistical data from the portal of the Bureau of National Statistics of the Republic of Kazakhstan, data from the portal of the «open government» of Kazakhstan, data from the portal Electronic licensing of the Republic of Kazakhstan, data from the portal Legal information system of Regulatory Legal Acts of the Republic of Kazakhstan (Open Government of Kazakhstan, 2020).

### RESULTS OR FINDINGS

On November 21, 2014, the Law of the Republic of Kazakhstan dated May 16, 2014, No. 202-V "On Permits and Notifications" (hereinafter referred to as the Law on Permits and Notifications, the Law) came into effect, which absorbed and canceled the Law of the Republic of Kazakhstan dated January 11, 2007 No. 214-III "On Licensing" (hereinafter referred to as the Law on Licensing) (Law of the Republic of Kazakhstan, 2014).

The law plays an important role in streamlining and simplifying the state regulation system in various spheres of activity. Its main purpose is to prevent unnecessary bureaucracy and eliminate excessive administrative barriers that can hinder business activities.

The Law on Permits and Notifications contains provisions on permits of the second category, which are not licenses, and includes provisions on notifications of commencement or termination of activities, previously regulated by Law of the Republic of Kazakhstan No. 107-II of 27 November 2000 "On Administrative Procedures".

For the first time, the adopted Law introduced the concept of "permit," defined as "confirmation of the right of an individual or legal entity to carry out activities or actions (operations), carried out by licensing authorities through licensing or a licensing procedure."

In addition to the definition of "permit" itself, the Law introduced a three-level tier of permitting instruments according to the degree of danger: high, medium, and low. High-risk-of-danger economic activities require licensing. Medium-risk-of-danger activities must obtain permits. Low-risk economic activities need to notify public authorities about the start and termination of such activities or actions.

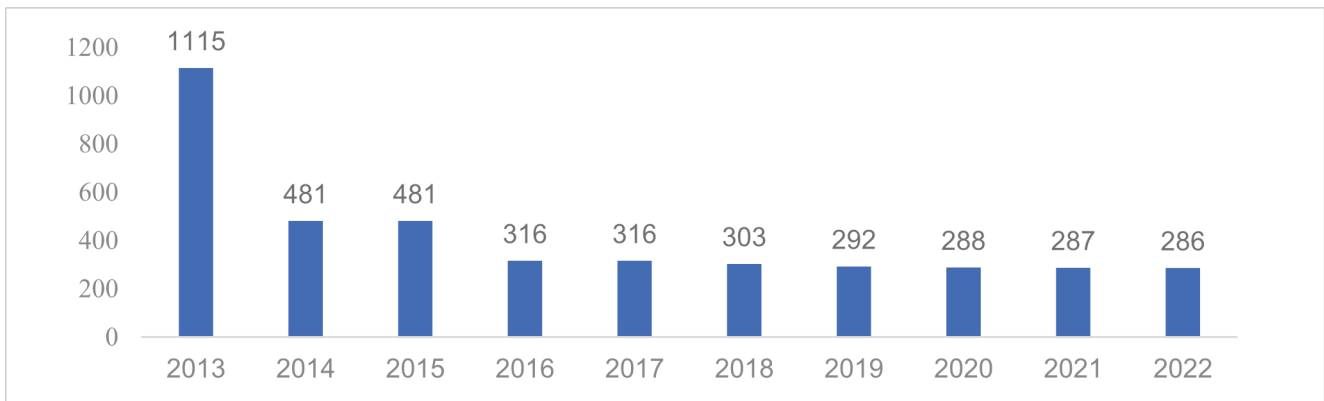
The next innovation of the improved permitting system is a unified procedure for introducing and canceling the permitting and notification procedure. Article 18 of the Law on Permits and Notifications introduces the authorization and notification procedure by including the relevant permit or notification in annexes 1, 2, and 3 of the Law on Permits and Notifications. At the same time, paragraph 2) of Article 18 of the Law introduces a requirement for the preliminary conduct of a regulatory impact analysis procedure for introducing a permitting or notification procedure.

In conclusion, the main idea of the Law on Permits and Notifications is to make the procedure for obtaining permits more transparent, understandable, and efficient for all interested parties. This will help speed up the decision-making process, reduce the cost of paperwork, and increase the overall level of trust in government agencies.

#### Permits Statistics

At the end of 2022, the permit system included 77 permits for the first category, 209 permits for the second category, and 58 notifications of the start or termination of activities, for a total of 344 permits and notifications. It should be noted that, since the adoption of the Law on Permits and Notifications, the number of permits has decreased annually (See Figure 1).

**Figure 1. Number of permits from 2013 to 2022, units**



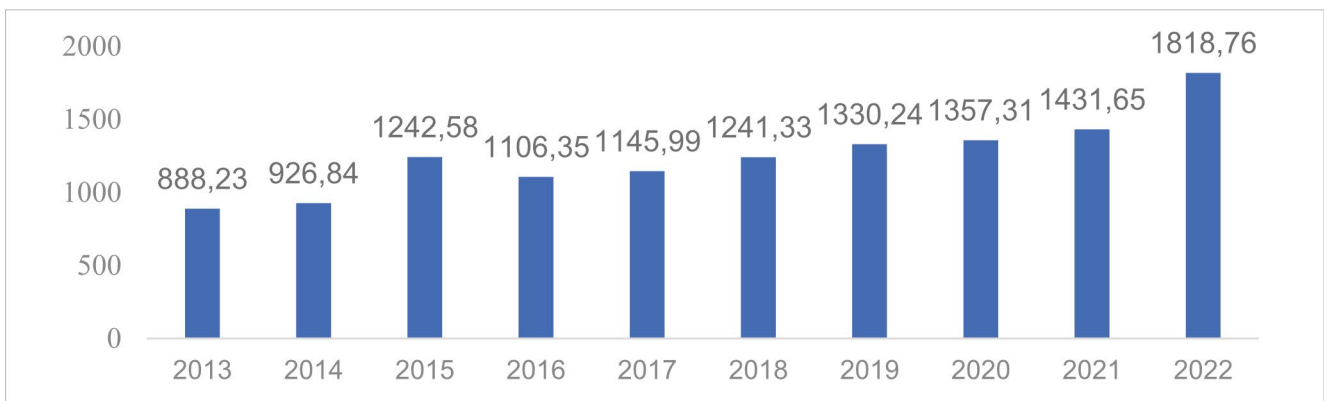
Note: compiled by the authors of the study

**Calculation of the regulatory burden**

In the first stage of the study, licenses and permits for businesses from adopting the Law on Permits and Notifications, i.e., from 2014 to 2022, were analyzed.

In 2014 - 2022, the number of operating SMEs increased by 1.9 times (2014 - 926.84 thousand units, 2022 - 1,818.76 thousand units), and those employed in entrepreneurship - by 1.5 times (2014 - 2,810.96 thousand people, 2022 - 4,106.99 thousand people).

**Figure 2. Number of operating business entities, thousand units**



Note: Bureau of National Statistics of the Agency for Strategic Planning and Reforms

Prior to the large-scale inventory of permits, 1,115 licenses and permits were in force (2011). The optimization made it possible to reduce the number of licenses and permits to 481 in 2014.

Moreover, the moratorium on introducing new permits and the effectiveness of the RIA procedure have made it possible to reduce the number of permits annually since 2014. Thus, at the end of 2022, the number of permits and licenses amounted to 286 units, having decreased by 40.5% (-195 permits) compared to 2014 and by 74.3% (-829 permits) compared to 2011.

In the second stage, the regulatory burden for 2014-2022 was calculated according to formula (1). According to the calculation results, the loss of one business entity when obtaining a license or permit in 2014 amounted to 223.18 thousand tenge, and in 2022 - 159.64 thousand tenge.

Before the optimization of the permitting system, in 2011, the losses of one SME exceeded the losses of 2014 by 2 times (487.71 thousand tenge) and in 2022 - by 3 times. The total cost of all SMEs obtaining permits in 2014 amounted to 206.85 billion tenge and in 2022 - 290.35 billion tenge. This increase was due to an increase in the number of operating SMEs. The total cost of all business entities in obtaining all permits in 2011 amounted to 407.58 billion tenge, significantly higher than the total cost of all SMEs since 2014. Thus, the costs of one business entity when obtaining a license or permit decreased by 66.8% in 2011-2022, and the total costs decreased by 28.7% in 2011-2022.

It should be noted that, starting in 2021, Kazakhstan has been implementing a phased regulatory policy aimed at systematically simplifying the conditions for doing business. In particular, on April 6, 2024, the Law of the Republic of Kazakhstan "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Business Matters" (Law of the Republic of Kazakhstan, 2024) was adopted, aimed at improving the system of state control and supervision, as well as eliminating excessive regulatory pressure. Under this law, over 10,000 requirements were cancelled, as they were deemed excessive and did not create added public value.

According to the Prosecutor General's Office of the Republic of Kazakhstan, the total control burden on businesses has decreased by 58% compared to 2019. A significant institutional innovation was the introduction, effective December 30, 2024, of a "prosecutor's filter" mechanism, which requires mandatory approval of restrictive and prohibitive measures against business entities by prosecutorial authorities. This mechanism is aimed at increasing the legal protection of businesses and reducing the risks of unjustified administrative intervention.

At the same time, the accessibility and predictability of the permitting system are being improved. A revision of the qualification requirements for obtaining licenses and permits, as well as streamlining procedures and reducing processing times, are planned for the end of 2025.

The implementation of these measures was accompanied by positive dynamics in key indicators of the business sector. Compared to 2024, the number of small and medium-sized businesses increased by 4.7% (by 96,209 units) and reached 2,125,003 enterprises. The share of SMEs in the economy's gross value added increased by 0.9 percentage points, reaching 38.6%. SME output reached 18.7 trillion tenge, an 11.4% increase over previous figures.

Thus, empirical data indicate a relationship between the consistent reduction of administrative barriers, improvement of permitting procedures and growth of entrepreneurial activity. Reducing the regulatory burden not only reduces business transaction costs but also creates a more favorable institutional environment that promotes the expansion of the SME sector and strengthens its contribution to economic growth.

Today, civil servants in Kazakhstan face significant challenges in conducting RIAs. Every year, the Institute for Economic Research (hereinafter referred to as ERI) conducts training seminars on conducting RIA. Over the past three years, more than 400 civil servants have been trained. An online survey of RIA workshop participants is also conducted on the ERI website. The results of the 2023 survey showed that 82.7% of the workshop participants had not previously conducted RIAs, and 91% had not received RIA training. Of those who conducted RIA, it was noted that the most difficult part of RIA is the calculation of the regulatory burden.

Thus, one of the main shortcomings of all RIA projects is the incorrect calculation of the regulatory burden of business and the state. Often, civil servants do not know the tools of Excel and also use reliable data. Errors are inevitable in calculations since the calculations are made manually. These barriers hinder the implementation of high-quality RIA, which can lead to unreasonable and irrational decisions by the state in the development of regulatory reforms.

One of the current trends in improving the practice of conducting RIA is automating the analysis process, including assessing the consequences of regulatory initiatives. Automation of RIA involves the development of a special software product that requires significant costs on the part of the state.

Some governments have attempted to develop and implement an electronic tool for calculating the regulatory burden. For example, the Australian Government, the Office of Best Regulatory Practices, the unit of the Office of the Prime Minister of Australia responsible for advising on the preparation of RIA and providing an independent assessment of RIA determinations has developed a user-friendly data entry system to assist in the preparation of RIA. This tool is called the Regulatory burden measure (RBM). The RBM makes it possible to calculate the administrative costs that implementing the proposed draft law will require from businesses, public organizations, individuals/private households, and similar costs that would arise from implementing possible alternatives. In the RBM system, it is also necessary to enter the draft act itself, a description of the problem it aims to solve, alternative mechanisms for solving the problem, and existing limitations.

You need to create a file to get started with the RBM system. The created file can be saved on the user's personal device and returned to it to supplement and continue work. The data must not remain on the Internet. At the same time, the RBM encrypts the file path, allowing you to open the file to work on the system repeatedly. The first page contains a link to general information on the regulatory burden assessment system and provides an opportunity for feedback. Clicking the "Create File" button takes you to the second page, which prompts you to take the first step – to fill out the Overview part of the analysis. At this stage, it is proposed to indicate the agency/organization that is the author of the analysis, the name of the proposal, the problem to be solved, the current measure(s) regulating the issue raised, the objectives pursued, the actions required from the state and the comments/proposals received during the consultations. Next, it is necessary to define the scope of calculations (groups to be analyzed, forecast periods, the format of estimated cost indicators (in current or constant prices), and expected scenarios with an indication of their expected impact on each of the categories of groups included in the analysis. After entering the scenarios, the system allows you to enter cost data. The system offers a cost classification for reference and the right choice. For all types of costs, except costs associated with the need to

purchase (equipment, technologies) in order to comply with regulatory requirements and costs associated with a forced delay in activities due to waiting for a decision by the authorities, the calculations are based on the costs of remuneration of employees involved in activities aimed at implementing the regulation. Accordingly, the system requires the input of data on the number of entities subject to regulation, the time they must spend per year to comply with the regulatory requirement, and the average rate to be paid to the employee responsible for complying with the regulations if the business costs are calculated. Based on the data entered, the formula will automatically display the cost of possible costs.

Another example of automated RIA is the ERBEX (Bill Compliance Cost Calculation) electronic tool developed by the German Federal Statistical Office for the Government and the National Regulatory Control Board. This tool is available on the OnDEA.de online platform (German Federal Statistical Office). The platform also provides a list of analyzed bureaucratic regulations. Representatives of government agencies can use ERBEX. In addition, the German statistical office conducts voluntary surveys to calculate the costs of companies and citizens. Interviews are conducted by phone or in person. Systematized survey results are also posted on the online platform. By analyzing data on administrative costs, survey results, and calculations using the ERBEX calculator, the government develops proposals to reduce the burden on different groups of German society.

The experience of Great Britain is also interesting in this matter. The UK Government website has a tab for making the calculations necessary for the Regulatory Impact Assessment. In particular, the equivalent of the annual direct cost of the claim for the business is calculated. The tab includes several options, one for data entry, the other for input of cost-benefit data for each given year, taking into account three scenarios – optimal, especially positive and pessimistic, based on which the total costs and benefits are calculated in nominal values and constant values of the base year. When entering the data, it is necessary to indicate whether the costs/benefits relate exclusively to the costs/benefits of the business, whether the impact on a wider audience of citizens is taken into account, and whether the costs/benefits are direct costs/benefits for the business. If the calculations impact a wider audience of citizens, they should be separated and introduced separately as costs and benefits of society and as benefits/costs of business.

In addition to calculating costs, preparing the regulatory impact assessment report is an option. The website contains a questionnaire for the developer of the legislative initiative. The survey results make it possible to determine the need for state intervention and the effect that the initiative's author expects from its implementation. It is also proposed to describe alternative solutions and provide reasoned evidence, including an assessment of the impact of the legislative initiative and its alternatives on society, business in general, and small business in particular, briefly in the introductory part and detailed in a separate section. A separate option is designed to describe monetized and non-monetized benefits and costs.

Following global trends in regulatory policy, Kazakhstan is actively promoting the initiative to apply innovative solutions in regulatory impact assessment. Thus, over the past three years, the Ministry of National Economy of the Republic of Kazakhstan has been developing a pilot project to introduce an electronic tool for calculating the regulatory burden when introducing new regulations and automate the entire RIA process, from filling out the analytical form to generating an opinion based on the results of the RIA review.

An electronic tool for calculating the regulatory burden is posted on the Ministry of National Economy of the Republic of Kazakhstan portal. However, only civil servants can access the tool by entering a special code.

The portal has several tabs, including the "Regulatory Impact Analysis" tab. The RIA tab consists of the following applications:

- Annex 1: general information, including information on the draft document of the regulatory state body, the name of the draft document (the title and articles of the law of the Republic of Kazakhstan), the name of the regulatory requirement, the scope of regulation, the executor;
  - Appendix 2: Assessment of compliance with the conditions for the formation of regulatory instruments and (or) requirements;
  - Annex 3: Analytical Form of Regulatory Impact Analysis;
  - Annex 4: Report on public discussions;
  - Annex 5: Analytical form for ex-post RIA;
  - Annex 6: Form of the Conclusion on Compliance with the Regulatory Impact Analysis Procedures.
- The calculation of the regulatory burden is provided for in Appendix 3, which consists of 5 sections:
- definition of the problem and the purpose of regulation;
  - Definition of regulatory instruments/requirements;
  - implementation mechanisms and possible risks;
  - Comparative analysis of benefits and costs;
  - Assessment and monitoring indicators.

In the fifth section of Appendix 3, the user is asked to calculate the regulatory burden when a business entity obtains licenses and permits. At the same time, only the labor costs for obtaining them are calculated. In this regard, to carry out more correct calculations of the regulatory burden, the study's authors propose to

include in the electronic tool the model for calculating the regulatory burden of permits described in the study methodology.

## CONCLUSION

The authors of the work conducted an analysis of the electronic licensing of the Republic of Kazakhstan portal to assess the regulatory burden of implementing licensing requirements. They assessed the regulatory burden using the Excel application.

However, not all public authorities can use Excel to calculate the regulatory burden, which can lead to large errors in the conduct of RIA. Also, a serious barrier to the quality of RIA is the insufficient knowledge of civil servants to apply various methods of calculating costs. The most common methodology for calculating business costs in implementing regulatory requirements is the methodology used by the authors to assess the regulatory burden. With the help of this methodology, the "cost" of fulfilling licensing and permitting requirements for business entities is determined.

According to the authors, an electronic tool for calculating business costs should contain an option for calculating the regulatory burden when a business fulfills licensing and permitting requirements. Automating the calculation of the regulatory burden will greatly facilitate the work of civil servants, make it possible to make calculations based on reliable data, and use mathematical tools for more complex calculations, such as assessing the impact of new regulations on macroeconomic indicators.

High-quality RIA based on calculations of the regulatory burden will allow for the development of balanced, well-considered decisions at the state level and the weeding out of ineffective decisions at the adoption stage or retrospective analysis of the effectiveness of a particular regulatory legal act.

The results of the conducted study, in particular the calculator developed on the basis of the regulatory burden assessment model, can be used by public authorities in the development of state policy measures regulating entrepreneurial activity.

The use of innovative solutions in the analysis of regulatory impact will significantly optimize excessive, unreasonable, and unclaimed requirements, the introduction of which could increase the regulatory burden.

Thus, regulatory impact assessment is not just a procedural tool for preparing regulatory legal acts, but an important element of modern regulatory policy. Provided that institutional mechanisms for its application are consistently developed, RIA can contribute to improving the validity of decisions, reducing the excessive burden on the business sector, and creating a more predictable regulatory environment.

The conducted analysis allows us to assert that further improvement of the RIA system in the Republic of Kazakhstan should be associated not so much with a formal expansion of requirements for the preparation of reports, but with an improvement in the quality of the methods used and the reliability of the source data.

In this regard, it seems appropriate to develop unified digital tools for calculating regulatory burdens, integrated with state information resources, which would minimize technical errors and ensure comparability of results.

An equally important area is strengthening the analytical competence of civil servants involved in the preparation of RIAs, including mastering methods for quantitative assessment of costs and benefits.

At the same time, the practice of involving businesses and the expert community in the discussion of draft regulatory legal acts requires further development, which will allow for the consideration of actual data on the costs of implementing regulatory requirements.

Consequently, the development of the RIA institution should be systemic and based on the gradual formation of a culture of evidence-based regulation, in which decisions are made on the basis of analysis, and not solely on normative appropriateness. This approach will improve the effectiveness of public policy and ensure a more balanced relationship between regulatory goals and the economic possibilities for achieving them.

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## БИЗНЕСКЕ ТҮСЕТІН РЕТТЕУШІ ЖҮКТЕМЕНІ БАҒАЛАУДЫҢ ӨЗЕКТІ МӘСЕЛЕЛЕРІ

### Асенова А.\*

PhD,  
«Экономикалық зерттеулер институты» АҚ  
директорының орынбасары,  
Астана, Қазақстан,  
e-mail: A.Asenova@eri.kz

### Мұқышева Д.

экономика ғылымдарының магистрі,  
«Экономикалық зерттеулер институты» АҚ  
директорының орынбасары,  
Астана, Қазақстан,  
e-mail: D.Mukusheva@eri.kz

### Шайкенова А.

PhD,  
Профессордың ассистенті,  
KIMEP университеті,  
Алматы қ., Қазақстан.  
e-mail: anar.shaikenova@nu.edu.kz

### Аңдатпа

Мақалада авторлар бизнеске түсетін реттеуші жүктемені бағалау мақсатында реттеуші әсерді талдау тетігін қолдану тұрғысынан реттеудің сапасы мәселесіне назар аударады. Авторлар ел экономикасын дамыту үшін сенімді негізді қамтамасыз ететін кәсіпкерлік қызметті белсенді ынталандыру үшін тиімді реттеу саясаты теориясының расталуын табады. Жұмыс авторлары Қазақстан Республикасының электронды лицензиялау порталын рұқсат талаптарын орындау кезіндегі реттеушілік жүктемені бағалау мақсатында талдады. Зерттеу нормативтік жүктемені бағалау кезінде инновациялық шешімдерді енгізу қажеттілігін көрсетеді. Реттеушілік әсерді бағалау практикасын жетілдірудің заманауи трендтерінің бірі – реттеушілік бастамалардың салдарын бағалауды қоса алғанда, талдау процесін автоматтандыру болып табылады. Авторлар реттеушілік жүктемені сапалы бағалау арқылы реттеушілік әсерді талдауды қолданудың тиімділігі мен тиімділігін арттыруға болады деген қорытындыға келеді.

**Түйін сөздер:** реттеу саясаты, реттеушілік әсерді талдау, кәсіпкерлік, реттеу ауыртпалығы, шағын және орта бизнес, лицензиялау жүйесі, автоматтандыру.

**АКТУАЛЬНЫЕ ВОПРОСЫ ОЦЕНКИ РЕГУЛЯТОРНОЙ НАГРУЗКИ БИЗНЕСА****Асенова А.\***

PhD, Заместитель директора  
АО «Институт экономических исследований»,  
Астана, Казахстан,  
e-mail: A.Asenova@eri.kz

**Мукушева Д.**

Магистр экономических наук,  
Заместитель директора  
АО «Институт экономических исследований»,  
Астана, Казахстан,  
e-mail: D.Mukusheva@eri.kz

**Шайкенова А.**

PhD,  
Ассистент профессора,  
Университет KIMEP,  
Алматы, Казахстан,  
e-mail: anar.shaikenova@nu.edu.kz

**Аннотация**

В статье авторы обращают внимание на проблему качества регулирования с позиции применения анализа регуляторного воздействия для оценки регуляторной нагрузки бизнеса. И они находят подтверждение теории эффективной регуляторной политики для активного стимулирования предпринимательской деятельности, обеспечивающей надежную основу для развития экономики страны. Авторы работы провели анализ портала электронного лицензирования Республики Казахстан с целью оценки регуляторной нагрузки при выполнении разрешительных требований. Проведенное исследование показывает необходимость внедрения инновационных решений при оценке регуляторного бремени. Одним из современных трендов в совершенствовании практики проведения оценки регуляторного воздействия является автоматизация процесса анализа, включая оценку последствий регуляторных инициатив. Авторы пришли к выводу о возможности повышения результативности и эффективности применения анализа регуляторного воздействия путем качественной оценки регуляторного бремени.

**Ключевые слова:** регуляторная политика, анализ регуляторного воздействия, предпринимательство, регуляторная нагрузка, малый и средний бизнес, разрешительная система, автоматизация.