

DEVELOPMENT OF TREASURY MANAGEMENT OF PUBLIC PROCUREMENT: PROBLEMS AND PROSPECTS

Irina V. Glazunova

Dostoevsky Omsk State University, Omsk, Russia

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The subject of this study is the legal norms contained in legislation, other legal acts, as well as materials of law enforcement practice regulating the process of treasury management of budgetary funds. This article also analyzes the experience of legal regulation of the mechanism of treasury management of budgetary funds during public procurement, examines the gaps in budget legislation directly related to the topic under consideration.

The purpose of this article is to consider the problems and prospects of the development of the Institute of the Federal Treasury in the Russian Federation. The reason for this study was multiple scientific discussions, which caused an ambiguous reaction from the legal community of Russia. The gaps in the budget legislation directly related to the topic under consideration are considered.

The methodology. General scientific methods were applied in the framework of comparative, logical and statistical research and analysis of law enforcement and judicial practice in the field of treasury management of budget funds.

The main results. A number of issues related to the chosen topic were considered. First of all, it is necessary to understand how the legal regulation of treasury management of budgetary funds is carried out. The form of legal regulation of treasury management differed from other forms and instruments of control - the norms on treasury management were established annually by the federal law on the federal budget and acts of the Russian Government, Russian Ministry of Finance and the Federal Treasury adopted in pursuance of this federal law. Secondly, it is worth noting how the procedure for treasury management of budgetary funds during public procurement is built. The mechanism of treasury management provides for operations on personal accounts opened in the Federal Treasury with funds received from the relevant budget in the form of subsidies and budget investments, as well as funds directed to the execution of government contracts, contracts, the source of financing of which is the budget of the budgetary system of the Russian Federation. Thirdly, it is necessary to understand what prospects the institute of treasury management of public procurement has. Trends in the development of the institute of treasury management show that quantitative parameters will grow, including due to the use of "extended" treasury management and due to the spread of technological solutions to the level of subjects of the Russian Federation and municipalities.

Conclusions. Treasury management of budgetary funds during public procurement is a new institution of budget law, a comprehensive budgetary and legal instrument of public administration, which is used at the stage of budget execution for expenditures to exercise financial control over the public procurement, contracts with legal entities and sole proprietors who are not participants in the budget process. In addition, treasury management is a tool with sufficient elasticity and relative "versatility". At its core, it allows you to strengthen control over the targeted and effective use of budget funds, ensure transparency and openness of procurement procedures and execution of state contracts; reduce unscrupulous suppliers in the chain of co-executors while ensuring proper execution of the state contract; increase financial discipline of the parties to the contract. It is also worth noting that treasury management minimizes some of the risks inherent in the use process. This institution should be considered as a system element in a larger mechanism of budget monitoring

1. Introduction

New priorities for the development of Russian society and the state at the present stage, such as ensuring national, economic and environmental security; the development of the Arctic zone; the development of information society and artificial intelligence; countering extremism require financial support, which is carried out at the expense of budgetary funds. In this connection, there is an active search for various tools that can improve the quality of the "settings" of the functioning of public administration in the field of public finance and ensure the effectiveness and efficiency of the use of budgetary funds. New legal instruments are being developed and experimentally introduced, such as the provision of funds from the federal budget for demand; treasury support of government contracts, agreements, contracts; the use of treasury letter of credit [1, pp. 11-22; 2, p. 35].

The improvement of the public financial control system is carried out both through the composition of the bodies authorized to conduct state control, and according to the list of tools and means used in the implementation of state financial control procedures [3, pp. 529-531; 4, pp. 145, 147].

In the context of changing the paradigm of financial control as a means of detecting offenses to control as a means of preventing violations of budget legislation, a mechanism for monitoring the use of targeted funds by the Federal Treasury - treasury budget support was developed and implemented.

The new institute of budget law - the Institute of Treasury management of public procurement (furthermore - Treasury support) - acts, as noted by N.A. Povetkina and A.Y. Demidov, both as a tool for setting up the process of state management of public finances and is gradually being involved in the budget process, and as an element of a larger mechanism - budget monitoring [1, p. 155].

Among the prerequisites for the creation and implementation of a new financial control tool, one can single out the paradigm that was in effect

until recently when determining the life period of budget funds, when funds were considered budgetary as long as they were in the accounts of recipients of budget funds (organizations receiving budget financing). After the transfer of budgetary funds to the accounts of performers under state contracts or recipients of subsidies, they lost their original status, became "quasi-budgetary", and therefore were not subject to state control, which, firstly, violated the systemic interdependence of the goals and results of public administration and the budget mechanisms involved, and secondly, funds are provided from the state treasury not to be searched for later [5, pp. 270-272].

Additional prerequisites for the transfer of budget funds to treasury support include the specifics of financial and economic activities of individual recipients of budget investments and subsidies, as well as such frequent violations of the established procedure for spending budget funds on public procurement, subsidies and budget investments, as the purchase of products at unreasonably inflated prices; conclusion of a contract with an unscrupulous supplier of products (recipient of subsidies, budget investments); failure to achieve the goals of subsidies, budget investments; late acceptance and payment of products, etc. [6, pp. 26-29; 7, pp. 6,7].

The above reasons were the prerequisites for systemic change in the system of public financial management aimed at reducing the risk of loss of budgetary funds, their inappropriate and inefficient use of non-achievement and failure to achieve results, and led to the establishment in 2015, based on the model of Bank support of the Institute of Treasury support, which started operation in 2016 [8, p. 16].

2. Legal regulation of the Treasury support

Treasury support acts as a flexible instrument of internal financial control, contributing to the creation of conditions for ensuring the actual receipt of goods, works, services, which are financed from budget funds, and reducing accounts receivable, as well as increasing discipline and responsibility of both executors of government contracts and government customers.

Until recently, the form of legal regulation of treasury support differed from other forms and instruments of control - the norms on treasury support were established annually by the federal law on the federal budget and acts of the Government of the Russian Federation, the Ministry of Finance of the Russian Federation and the Federal Treasury adopted in pursuance of this federal law. And if we take into account the experimental nature of the institute of treasury support and the need for "point-by-point" tuning, then we can also highlight such its specifics as the justified multiplicity of acts of subordinate regulation. Thus, in 2019, two resolutions of the Government of the Russian Federation, 12 orders of the Ministry of Finance of the Russian Federation and the Treasury of the Russian Federation, 44 orders of the Government of the Russian Federation were adopted [9, p. 9].

Treasury support is given a special character not only by the form of its legal regulation, but also by the limitation of its use by certain forms of budget expenditures, which include subsidies, budget investments to legal entities, individual entrepreneurs, peasant (farmer) farms, and cases of using an advance payment form. At the same time, every year the list of grounds is significantly expanded by adding additional forms of budget expenditures to it, for example, already in 2021. the following list of grounds subject to treasury support was approved:

1) advances on contracts concluded by recipients of subsidies and budget investments, recipients of contributions to the authorized capital at the expense of these subsidies; advances on state contracts for 100 million rubles or more (exception - contracts on the state budget);

2) settlements under contracts under clause 2 of Part 1 of Article 93 of Law No. 44-FZ in the amount of 600,000 rubles and settlements under contracts concluded for the execution of such agreements in the amount of 600,000 rubles or more;

3) advance payments under state contracts for 100 million rubles or more, which are concluded by federal budgetary and autonomous institutions whose personal accounts are opened in the TOFC, and the source of funding is subsidies

under paragraph 2 of paragraph 1 of Article 78.1 and Article 78.2 of the BC of the Russian Federation;

4) settlements under state contracts for the implementation of the state defense order in the amount of more than 600,000 rubles and settlements under agreements for their execution in the amount of more than 600,000 rubles.;

5) advance payments under contracts for 100 million rubles or more by customers (including budgetary and autonomous institutions) to meet the needs of the subject of the Russian Federation and municipal needs, subsidies to legal entities, budget investments under concession agreements from the budget of the subject of the Russian Federation or the local budget, if the source of financing is inter—budgetary transfers with a specific purpose;

6) advance payments under contracts of executors and co-executors for the execution of agreements from clauses 3, 4, 6 and 8 of Part 2 of Article 5 385-FZ of contracts, subsidy agreements, concession agreements.

These circumstances allow us to state the absence of unified approaches to the legal provision of treasury support, since the absence of its codified bases in the Budget Code of the Russian Federation (hereinafter referred to as the BC of the Russian Federation), the frequency of adoption of the budget law is demonstrated by annual changes in the conditions and grounds for using this institution without amending the federal law [1, p. 163]. Since all the "special" conditions and grounds for the use of treasury support are established in the annually adopted law on the federal budget or the decree of the Government of the Russian Federation, they differ from each other depending on the year. As a result, the legal structure of treasury support is unstable and temporary, as it is tied to the federal law on the budget, which has an urgent nature, and applies only to funds provided from the federal budget.

In addition, this tool cannot be freely used to monitor the expenditure of funds from the budgets of the subjects of the Russian Federation (municipalities). But, for example, as part of the execution of the order of the Government of the Russian Federation No. 869-r dated May 5, 2018, the Federal Treasury conducted an experiment on the basis of the Federal Treasury Department for the

Republic of Karelia on the implementation of treasury support of funds provided to legal entities from the budget of the Republic of Karelia, defined by Order No. 869-r.

Considering that legal support is an important factor in the implementation of treasury support, the addition of Chapter 24.4 of the BC of the Russian Federation from January 1, 2022 is encouraging. "Treasury support", which establishes the concept of "treasury support", which means conducting operations with funds of a legal entity, an individual entrepreneur, an individual producer of goods, works, services (a participant in treasury support), the use of which is carried out after confirmation of compliance with the conditions and (or) goals established when providing funds, as well as establishing the basis for the implementation of treasury support of funds provided from both federal and regional (local) budgets.

We believe that the consolidation of the main principles of the treasury support system at the level of the BC of the Russian Federation as one of the elements of the system of funds to improve the efficiency of budget expenditures will allow one step closer to the implementation of such a principle of the budget process as the efficiency of budget spending. In turn, the full implementation of this principle is possible only when there is a proper legal consolidation of the integral mechanism of its (effectiveness) achievement [10, p. 18].

3. Treasury support procedure

The mechanism of treasury support provides for operations on personal accounts opened in the Federal Treasury with funds received from the relevant budget in the form of subsidies and budget investments, as well as funds directed to the execution of government contracts, contracts, the source of financing of which is the budget of the budgetary system of the Russian Federation. In other words, with treasury support, settlements under state contracts are carried out only after authorization by the Federal Treasury bodies and through personal accounts opened to executors under a state contract in the Federal Treasury bodies.

Considering that treasury support is subject to four types of targeted funds provided from the federal budget: 1) subsidies and budget investments; 2) contributions to authorized (pooled) capital and contributions to property; 3) advance payments under government contracts (contracts, contracts); 4) settlements under government contracts, then the content, procedure and conditions of treasury support have their own characteristics and differ depending on the form of expenses provided by treasury support.

The mechanism of treasury execution is being transformed and intensively developed over five years of practical application. To date, three types (models) of treasury support are being implemented: the basic mechanism, extended treasury support and full support of financial and economic activities of legal entities [11, p. 28].

Within the framework of the basic (general) treasury support, control procedures apply to budgetary funds provided to interested persons (the supplier of products - the main contractor - legal entities, individual entrepreneurs, peasant (farmer) farms, etc.) to personal accounts opened by them in the bodies of the Federal Treasury - the administrator of this instrument. Funds are transferred from the federal budget in the form of subsidies and advances for specific needs and exactly at the moment when they are needed to pay monetary obligations. Unused funds remain in the federal budget on a Single Treasury Account and participate in the procedures for managing the liquidity of this account, ensuring additional federal budget revenues.

They allocate treasury support for "civilian" targeted funds and treasury support for the use of funds within the framework of the implementation of the state defense order on the basis of the Federal Law "On the State Defense Order". A regulatory and methodological framework has been developed for each option, defining their features [12, p. 28].

For example, control and treasury support of the state defense order in 2021 is mandatory. All customers and executors of the State Budget are working with the Treasury on defense state contracts. The rules were approved by the Decree of the Government of the Russian Federation No. 2153

of 12/18/2020. The Federal Treasury keeps track of the money allocated for the execution of defense contracts. All payments in rubles for settlements under state contracts concluded by the head executors with the executors or between the executors are subject to support. An exception is provided for state contracts concluded by the Ministry of Defense, and for contracts concluded by state customers in the presence of bank support or to provide: foreign intelligence agencies with intelligence tools; FSB - counterintelligence tools; Rosatom - goods, works, services related to nuclear munitions and charges. All cases excluding treasury support of the state defense order in 2021 are described in paragraph 3 of Part 3 of Article 5 385-FZ "On the Federal Budget for 2021 and for the planning period of 2022 and 2023". The Treasury does not accompany contracts for the supply of utilities, communications and electricity services and contracts signed with state institutions of the federal level under clause 5, part 1 of Article 93 of the 44-FZ.

The second type of treasury support - "extended" treasury support provides, together with authorization (the passage of funds through personal accounts opened in the Treasury of Russia), the possibility of implementing such additional control procedures as checking the facts of product delivery; checking the provision of an expenditure declaration on the structure of the price of a state contract; checking the correctness of separate accounting of the results of financial and economic activities in the execution of a state contract or a subsidy agreement; verification of the economic validity of the costs attributed to the cost of production.

In this case, the set of control options is set individually in the relevant decision of the Government of the Russian Federation. So, in 2021, as part of the "expanded" treasury support for settlements under government contracts concluded (concluded) The Ministry of Emergency Situations of Russia in the amount of more than 600 thousand. rubles, for the supply of motor and aviation fuel, anti-water crystallization liquid and fuel and lubricants, clothing, food and the provision of services for the organization, as well as settlements under contracts (contracts) concluded

(concluded) within the framework of the execution of state contracts in the amount of more than 600 thousand rubles, verification of the fact, timing and quantity of delivery, as well as separate accounting is carried out. Separately, it should be noted that on the basis of paragraph 18 of Part 1 and paragraph 16 of Part 2 of art. 8 of Federal Law No. 275-FZ of December 29, 2012 "On the State Defense Order", keeping separate records of the results of financial and economic activities is the responsibility of all head executors and executors, regardless of the use of the treasury support mechanism. In case of bank support, separate accounting by legal entities will be conducted on the basis of the Rules established by the Decree of the Government of the Russian Federation No. 47 dated 19.01.1998. Of course, separate accounting allows you to control the validity of the cost of the supplied products, to prevent its overstatement and excessive spending of budget funds, as well as the costs of performers themselves at the expense of the advances provided. At the same time, it is necessary to agree with the position of E.A. Pork, which indicates the inexpediency of both the widespread spread of the obligation to keep separate records regardless of the nature, cost of the products supplied, place in the production chain, and the existence of two legal regimes for keeping separate records by head executors (executors) within the State Budget, which is an unjustified complication of the activities of economic entities [13, pp. 51-59].

The third type of treasury support is full support of financial and economic activities of the participant of treasury support, the list of which is established by separate decisions of the Government of the Russian Federation. This mechanism is designed to ensure not so much the restriction of some operations with budget funds, as to make all operations with funds absolutely transparent.

It is advisable to point out that the transformation covers not only the expansion of the types of treasury support, but also the internal fullness of the procedure for conducting treasury support procedures.

As noted above, when treasury support is mandatory, a personal account is opened with the Federal Treasury body for each contractor and co-

executor under a state contract. According to the Federal Treasury, as of January 1, 2019, 95,238 personal accounts were opened to 32,985 legal entities. Personal accounts were opened separately for each contract.

Since 2019, the functionality of opening "unified" personal accounts of legal entities that are not participants in the budget process has been implemented. As before, with treasury support of target funds, operations for their crediting and debiting are carried out on accounts opened by the territorial bodies of the Federal treasury (hereinafter – TOFC) in institutions of the Central Bank of the Russian Federation, and are reflected in personal accounts opened in the TOFC to legal entities and individual entrepreneurs who are not participants in the budget process. At the same time, the formation of documents (application, signature sample card, foundation document) required for reserving, opening, changing details, closing a personal account (or its section) is carried out using GIS "Electronic Budget" (and in the case when the foundation document is a state (municipal) contract - through the EIS). When opening the TOFC, it assigns a unique number to the personal account, and a separate unique analytical code to the section. Meanwhile, in case of violation of the established procedure, the TOFC suspends the opening or refuses to open a personal account (for example, in case of violation of the form or content of the necessary documents, the presence of information about the liquidation, reorganization, bankruptcy of the client, the existence of a relationship of connectedness (affiliation) with the state customer, the lead contractor, as well as in other cases provided for by Order of the Treasury of Russia dated December 23, 2019 No. 39n).

This innovation, on the one hand, provided a higher quality and convenience in servicing performers under a state contract, on the other hand, demonstrates the practical expansion of the potential of the GIS "Electronic Budget" [14, p. 29; 15, p. 9, 11].

4. Prospects for the development of the Institute of treasury support of budgetary funds

Trends in the development of the institute

of treasury support show that quantitative parameters will grow, including due to the use of "extended" treasury support and due to the spread of technological solutions to the level of subjects of the Russian Federation and municipalities.

For example, on the basis of the Decree of the Government of the Russian Federation dated 14.07.2017 No. 1502-r in 2017, an experiment was conducted on the implementation of treasury support with the use of additional control tools, which later became mandatory as part of the expanded treasury support (providing information on the structure of the price of a state contract, contract, contract, as well as data on separate accounting of the results of financial and economic activities of the recipient of earmarked funds) when authorized in the TOFC.

As another example, an experiment can be called on the implementation of treasury support of concession agreements on the basis of the UFK in the Samara region. The latter, in 2016, on the basis of a letter from the Housing and Communal Services Reform Assistance Fund (hereinafter referred to as the Fund) with a positive resolution by Deputy Prime Minister of the Russian Federation D.N. Kozak, began treasury support of two concession agreements concluded for the modernization of municipal infrastructure systems with funding from the Fund. At the same time, municipal districts acted as the concedent in both cases, and control by the UFK, in addition to checking payment documents, included monitoring the fulfillment of the terms of the contract regarding the timing and scope of work, as well as checking the facts of work performed using photo and video equipment. In the course of its activities, the UFK in the Samara region carried out a number of organizational measures to ensure treasury support of concession agreements, including developed and approved the regulations on the project office, within which the relevant procedures and mechanisms were worked out, as well as the rules of interaction of the departments of the UFK with the participants of the treasury support of concession agreements. The procedures worked out experimentally allowed both to carry out all the required control stages during the acceptance of the completed works, and to achieve the passage of payments through three levels of

budgets and six balance accounts from the Fund to the contractor in 7-8 working days. After that, the practice of treasury support of concession agreements began to be introduced in other regions on the basis first of the Decree of the Government of the Russian Federation dated 31.07.2017 No. 1644-r (subject to the Fund's funds), and then the relevant provisions were fixed in the federal law on the federal budget [16, pp. 64-66].

The Russian Treasury sees the project "Electronic Certificate" as promising, the essence of which is to create a mechanism for treasury support of funds allocated for social support of persons recognized by the current legislation as needing it. At the same time, according to S.E. Prokofiev, if at first, as part of the experiment on "social treasury support", it is supposed to extend its effect to the purchase of rather expensive technical means of rehabilitation, then in the future it will be possible to extend it to the purchase of medicines, food, and other social support measures [17, p. 28].

Meanwhile, the initiative to extend treasury support to the funds of the regional budget, as well as to the funds of the capital repair fund of the subject of the Russian Federation was put forward by the Government of the Republic of Karelia. It, together with the Federal Treasury, carried out preparatory, organizational, methodological work on the preparation of the corresponding pilot project. The regulatory framework for its implementation was the Decree of the Government of the Russian Federation No. 869-r dated 05.05.2018. The latter, among the funds subject to treasury support, named budget investments to legal entities, advance payments under state contracts (contracts) concluded in 2018 by recipients of funds of the Republic of Karelia, budgetary and autonomous institutions of the Republic of Karelia, the subject of which is the construction (reconstruction) of state-owned objects of the Republic of Karelia included in the regional targeted investment program, as well as for the purchase of medicines. At the same time, the price threshold for such government contracts (contracts) it was set at 10 million rubles. It is worth noting that in fact, only treasury support of

the funds of the Capital Repair Fund of the Republic of Karelia was carried out, as well as within the framework of the implementation of the targeted investment program. This was due to the fact that in 2018, advance payments were not provided for in contracts for the purchase of medicines, and budget investments were not provided to legal entities. Although treasury support of funds in the Republic of Karelia was carried out according to regulatory documents defining the procedure for treasury support of federal budget funds, the UFK encountered a number of problems in the process, for the solution of which significant methodological work was done [18, pp. 40-43]. The result of the pilot project was the legislative consolidation of the possibility of treasury support of regional budget funds, as well as funds of the capital repair fund of the subject of the Russian Federation.

In our opinion, the problem of control over the expenditure of capital repair funds of the subjects of the Russian Federation is particularly relevant. These funds annually accumulate significant financial resources on their accounts, mainly consisting of extra-budgetary funds - contributions paid by owners of premises in apartment buildings who are not able to independently control their spending. At the same time, as part of the implementation of capital repair programs, the following are common: incomplete disbursement of allocated funds, accumulation of unused balances on the accounts of the regional operator; failure to meet the deadlines for the implementation of capital repair programs due to unfair actions of contractors, failure to fulfill their obligations; financing of outstanding works (including by advance payment); poor-quality overhaul of apartment buildings [19, pp. 192-194].

To solve these problems, to prevent the misuse of funds, as well as the admission of unscrupulous contractors, the widespread use of the mechanism of treasury support of funds of the capital repair fund of the subject of the Russian Federation is capable. Of course, the legislative consolidation of such a possibility is a positive step, however, in our opinion, it is advisable to establish a mandatory regime for the treasury authorities to accompany these funds, even without a corresponding appeal from the financial authority of

the subject of the Russian Federation.

It should be noted that treasury support of regional budget funds may not be carried out on the initiative of the financial authority of the subject of the Russian Federation. For example, this may occur as part of the implementation of "external management" on the basis of Article 130 of the BC of the Russian Federation in relation to an insolvent region. Under this model, the right to make decisions on the expenditure of the budget of a constituent entity of the Russian Federation passes to representatives of the Ministry of Finance of the Russian Federation and the Federal Treasury, and the latter implements the support of payments when making priority expenditures of the regional budget. In this case, treasury support acts as an instrument of financial control of the federal government over the economic activity of the subject of the Russian Federation [20, p. 18-19]. At the same time, if in 2018 an experiment was conducted on the basis of the Kostroma Region, the Republic of Khakassia and the Republic of Mordovia, then in 2019, based on separate decisions of the Government of the Russian Federation, the Federal Treasury provided treasury support for funds provided from the budgets of the subjects of the Russian Federation in 8 regions: the Republics of Dagestan, Karelia and Altai, Kemerovo, Novgorod, Novosibirsk and Leningrad Regions, the Jewish Autonomous Region.

In general, the results of the conducted experiment on treasury support of target funds of the subjects of the Russian Federation are evaluated positively, which will make it possible to extend these technologies to the budgets of municipalities. Thus, from January 1, 2022, the financial authorities of municipalities will be entitled to use the mechanism of treasury support. Now only the Federal Treasury and its territorial bodies have this right.

Along with the obvious advantages, the transition to treasury support caused a number of problems faced by both state customers and contract executors (suppliers of goods, works, services) within the framework of the state order. As noted by A.Yu. Astafyeva and N.I. Odintsova, the introduction of a new mechanism often caused wariness and

apprehension, and sometimes opposition from clients of the Federal Treasury, and as the basic reason they cite insufficient awareness about the new treasury mechanism [21, p. 56]. The fact that legal entities - recipients of budget funds faced difficulties when starting to use the treasury support mechanism was also recognized by Deputy Minister of Industry and Trade G.M. Kadyrova, although she noted the disciplining influence to which the persons involved in this process were subjected.

Of course, the introduction of treasury support, like any state reform, entailed difficulties, including for the treasury bodies themselves. As N.R. Rakhmatullin notes, conducting control (including on-site) of the result of the execution of a state contract within the framework of expanded treasury support has its drawbacks: difficulties in admitting employees of the UFK to control particularly dangerous, technically complex and unique objects, lack of their competence (including when accompanying contracts related to foreign economic activity). In addition, the problem is the lack of a clear methodology for checking and confirming the quality and scope of work, slow updating of the technical base and, often, a lack of manpower to implement an appropriate level of control [24, p. 39]. In this regard, the mechanism of interdepartmental interaction, provision of advisory and expert assistance plays an increasingly important role in modern public administration.

Of course, for participants in public procurement, treasury support acts as additional barriers that hinder their free economic activity. However, we agree with N.A. Povetkina, who notes that the social and socio-economic positive effects of the use of "budget rules" prevail over the desire of private organizations, and the Russian Federation, as the owner of budget funds, has every right to independently, without looking at other entities, establish a regime for public spending [25, p. 32]. In addition, as correctly noted by F.A. Gurtueva, "treasury support creates conditions under which the level of interaction between the state and the private sector becomes more efficient and normalized, primarily due to the improvement of the legislative framework" [26, p. 96].

Therefore, the above difficulties cannot be identified as an obstacle to further improvement of

the institution of treasury support.

5. Conclusions

The above allows us to draw several conclusions. Firstly, treasury support is a new institution of budget law, considered as a comprehensive budgetary and legal instrument of public administration, used at the stage of budget execution for expenditures to exercise financial control over the implementation of government contracts, contracts, agreements by individuals and legal entities, individual entrepreneurs who are not participants in the budget process.

Secondly, treasury support is a tool with sufficient elasticity and relative "universality", allowing to strengthen control over the targeted and effective use of budget funds, to ensure transparency and openness of procurement procedures and execution of state contracts; to reduce unscrupulous suppliers in the chain of co-executors while ensuring proper execution of the state contract; to increase financial discipline of the parties to contracts.

Thirdly, treasury support minimizes only part of the risks inherent in the process of using budget funds, and since the effectiveness of budget law institutions can be ensured only in their complex and systematic application, treasury support should be considered as a system element in a larger mechanism of budget monitoring [27, p. 26, 28; 28, p. 91, 92].

REFERENCES

1. Artyukhin R.E., Povetkina N.A. (eds.) *New institutions of budget law in the Digital Revolution*, Monograph. Moscow, Norma Publ., INFRA-M Publ., 2021. 192 p. (In Russ.)
2. Kovtun L.R. The role of the Treasury of Russia in the implementation of the concept of increasing the efficiency of budget expenditures. *Finansy = Finance*, 2020, no. 10, pp. 34–39. (In Russ.)
3. Meliksetyan S.N. Actual directions of increasing the efficiency of the use of budgetary funds in Russia. *Mezhdunarodnyi bukhgalterskii uchet = International Accounting*, 2019, vol. 22, no. 5 (455), pp. 527–544. DOI: 10.24891/ia.22.5.527. (In Russ.)
4. Proshunin M.M. State financial control and financial technologies: legal aspect, in: Tsindeliani I.A. (ed.) *Trudy kafedry finansovogo prava Rossiskogo gosudarstvennogo universiteta pravosudiya*, Collection of scientific papers, Moscow, Prospekt Publ., 2020, pp. 145–151. (In Russ.)
5. Ogorodnikov A.P. The formation of internal financial control and internal financial audit in the system of executive authorities. *Istoricheskie i ekonomicheskie issledovaniya = Historical and economic research*, 2018, Vol. 19, no. 2, pp. 267–282. DOI: 10.17150/2308-2588.2018.19(2).267-282. (In Russ.)
6. Demidov A.Yu. The main results of treasury support in 2018. *Finansy = Finance*, 2019, no. 7, pp. 25–32. (In Russ.)
7. Povetkina N.A. Legal instruments for combating corruption in the field of public finance. *Finansovoe pravo = Financial Law*, 2018, no. 3, pp. 3–8. (In Russ.)
8. Gurtueva F.A. Application of foreign experience in the implementation of treasury support of government contracts in the Russian Federation, in: *Sbornik statei po materialam 26 mezhdunarodnoi nauchno-prakticheskoi konferentsii*, Moscow, International Center of Science and Education Publ., 2019, pp. 14–18. (In Russ.)
9. Kovtun L.R. Development of state treasury control. *Baikal Research Journal*, 2020, vol. 11, no. 1, p. 9. DOI: 10.17150/2411-6262.2020.11(1).9. (In Russ.)
10. Povetkina N.A. Efficiency of spending budget funds: problems of legal qualification. *Finansovoe pravo = Financial Law*, 2015, no. 3, pp. 16–22. (In Russ.)
11. Kovtun L.R. Treasury support of target funds: innovations and prospects. *Finansy = Finance*, 2019, no. 8, pp. 27–30. (In Russ.)
12. Kovtun L.R., Tsydypova E.B. Treasury support of the state defense order, in: Danilenko N.N., Baeva O.N. (eds.) *Aktivizatsiya intellektual'nogo i resursnogo potentsiala regionov*, Materials of the 4th All-Russian Scientific and Practical Conference, in 2 parts, Irkutsk, May 17, 2018, Irkutsk, Baikal State University Publ., 2018, pp. 361–368. (In Russ.)
13. Svininykh E.A. About separate accounting of results of financial and economic activity under the state contract (contract) within the state defense order. *Pravo v vooruzhennykh silakh = Law in the Armed Forces*, 2019, no. 5 (262), pp. 51–59. (In Russ.)
14. Veremeyeva O.V. Improvement of the budgetary legislation in terms of building a digital economy in the Russian Federation. *Finansovoe pravo = Financial Law*, 2019, no. 1, pp. 26–30. (In Russ.)
15. Ledneva V. The Concept of digital budget under Russian law. *Finansovoe pravo = Financial Law*, 2019, no. 9, pp. 8–11. (In Russ.)
16. Agisheva V.E., Yemelyanov A.A. Treasury support of concession agreements. *Finkontrol' = Fincontrol*, 2018, no. 2, pp. 64–66. (In Russ.)
17. Prokofiev S.E. Operational efficiency of the Federal Treasury and the directions of its improvement. *Finansy = Finance*, 2019, no. 5, p. 28. (In Russ.)
18. Flugrant O.V., Podgornaya T.M. Treasury support of regional funds. *Budzheth = Budget*, 2019, no. 7 (199), pp. 40–43. (In Russ.)
19. Bilikhodze A.K., Parushina N.V. Development of a mechanism for controlling the formation and expenditure of capital repair funds for effective digital property management, in: *Integratsiya i garmonizatsiya ucheta, analiza i audita v usloviyakh tsifrovoy ekonomiki*, Collection of scientific papers of the International Economic Forum, Moscow, 2019, pp. 192–194. (In Russ.)
20. Marinova S.Sh., Ganina S.V., Ruzaeva D.V. Optimization of the debt burden of the subjects of the Russian Federation (on the example of the Republic of Mordovia). *Rossiiskii khoroshii zhurnal = Russian Good Journal*, 2019, no. 2, pp. 18–19. (In Russ.)
21. Astafieva A.Yu., Odintsova N.I. Treasury support: new feature, a tool to improve liquidity and additional control, in: *Sovremennye problemy i perspektivy sotsial'no-ekonomicheskogo razvitiya predpriyatii, otraslei, re-*

gionov, collection of articles, Yoshkar-Ola, April 21-22, 2016, Yoshkar-Ola, Volga State Technological University Publ., 2016, pp. 53–57. (In Russ.).

22. Fedorov F.A. Treasury support of the national project "Education". *Ekonomika obrazovaniya = Economics of education*, 2020, no. 3 (118), pp. 90–100. (In Russ.)

23. Harutyunyan M.S., Hismatullin O.Yu. On the issue of increasing the efficiency of budget expenditures. *Pravovoe gosudarstvo: teoriya i praktika = The rule of law: theory and practice*, 2020, no. 1 (59), pp. 88–91. (In Russ.)

24. Rakhmatullin N.R. Some problems of public procurement. *Evrasiiskaya advokatura = Eurasian Advocacy*, 2018, no. 1 (32), pp. 38–41. (In Russ.)

25. Povetkina N.A. State contracts: budgetary and legal bases or "barriers"? *Monitoring pravovedeniya = Monitoring of law enforcement*, 2018, no. 2 (27), pp. 27–31. DOI: 10.21681/2226-0692-2018-2. (In Russ.)

26. Gurtueva F.A. The essence and methodological foundations of the mechanisms of budget monitoring and treasury support. *Sfera znaniy: obrazovatel'nye initsiativy i razvitie tvorcheskogo potentsiala sovremennoi nauki*, Collection of articles, Kazan, Sitivent Publ., 2018, pp. 93–96. (In Russ.)

27. Demidov A.Yu. The evolution of the budget management: from treasury support to budget monitoring. *Finansy = Finance*, 2017, no. 12, pp. 24–29. (In Russ.)

28. Povetkina N.A. Transformation and architecture features of budget law. *Vestnik Universiteta imeni O.E. Kutafina (MGYuA) = Courier of Kutafin Moscow State Law University (MSAL)*, 2020, no. 9, pp. 89–97. DOI: 10.17803/2311-5998.2020.73.9.089-097. (In Russ.)

INFORMATION ABOUT AUTHOR

Irina V. Glazunova – PhD in Law, Associate Professor;
Associate Professor, Department of State and Municipal Law

Dostoevsky Omsk State University

55a, Mira pr., Omsk, 644077, Russia

E-mail: irine.glazunovoi@yandex.ru

SPIN-код РИНЦ: 9844-8842; AuthorID: 297941

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