

NECESITATEA EXISTENȚEI UNEI REGLEMENTĂRI DISTINCTE A CONTRACTULUI DE PARTENERIAT PUBLIC-PRIVAT

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***Abstract:** The term "**public-private partnership**" carries a specific meaning. First, it relates to the provision of public services or public infrastructure. Second, it necessitates the transfer of risk between partners. Arrangements that do not include these two concepts are not technically "**public-private partnerships**". The definition embraced by The Canadian Council for Public-Private Partnerships, for example is as follows: "A cooperative venture between the public and private sectors, built on the expertise of each partner, which best meets clearly defined public needs through the appropriate allocation of resources, risks and rewards".*

*Public-private partnerships span a spectrum of models that progressively engage the expertise or capital of the private sector. At one end, there is straight contracting out as an alternative to traditionally delivered public services. At the other end, there are arrangements that are publicly administered but within a framework that allows for private finance, design, building, operation and possibly temporary ownership of an asset. The term "**privatization**" is used in the case of full divestiture or when a specific function is turned over to the private sector and regulatory control remains a public sector responsibility.*

***Keywords:** Public-Private Partnership, Public Sector, Private Sector, Responsibility.*

***JEL Classification:** K23*

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