



REGULATORY LEGAL PROTECTION OF OWNERSHIP AND ENTREPRENEURIAL ACTIVITY IN UZBEKISTAN

S. A. Khamraev

Samarkand Institute of Economics and Service, Associate Professor

E-mail: sirojbek84@mail.ru

Tel.99 311 05 55

ABSTRACT	KEY WORDS
This article discusses the normative legal protection and specifics of ownership and entrepreneurial activity in Uzbekistan. The socio-economic development strategy implemented in Uzbekistan is attracting domestic and foreign investment by creating a favorable business and investment climate, achieving a strong development of the ownership sector.	Ownership, entrepreneurship, socio-economic mechanism, Development, Strategy, Business, human, investment, consumption, science and technology, consistent economic, legal and political reforms.

Introduction

Regulatory legal provision of ownership and entrepreneurial activity in Uzbekistan is carried out by various laws, decrees of the president of the Republic of Uzbekistan, decisions of the Cabinet of Ministers, regulatory acts of the central executive authorities of the Republic of Uzbekistan. One of the current laws on ownership and entrepreneurship is the law of the Republic of Uzbekistan "on guarantees of freedom of entrepreneurial activity".

Legislation on ownership and entrepreneurship is a set of regulatory acts of legal regulation of ownership and entrepreneurial activity. In other words, ownership and entrepreneurship legislation is a form of ownership and entrepreneurial law.

As noted in the constitution, achieving the unity of the National Society, which is recognized as one of the directions of development, is an important condition for establishing the economy in a market-oriented way. One of the characteristics that characterize the development of civil society as an important factor in a market economy is the establishment of mutual harmony among civil society. As one of the most important principles of a market economy, the equality of economic cycles is one of the main factors in increasing business and ownership and entrepreneurial activity and economic activity.

The law of the Republic of Uzbekistan "on the protection of foreign investment" is one of the important meory documents that form the legal framework of ownership and entrepreneurial activity, recognizing the legal and economic principles of foreign investment in the country's

economy.

The law sets out forms of illegal activity, illegal behavior, discrediting the activities of other economic entities, participation in illegal activities, illegal ownership and entrepreneurial activity, unfair ownership and entrepreneurial activity, consumer confusion. It clearly defines the conditions for advanced foreign equipment and technologies, resources, management team, their sustainable use and protection of the rights of foreign investors.

In addition to these laws, which regulate the specific legal aspects of ownership and entrepreneurial activity, there are other regulatory acts that form the basis of ownership and entrepreneurial law - decrees of the president of the Republic of Uzbekistan, decisions of the Cabinet of Ministers of the Republic, etc. A special place is occupied by regulatory acts of the executive authorities of the Republic of Uzbekistan.

For example, the decree of the president of the Republic of Uzbekistan dated September 2, 2019 "on the development of special consent rules for certain types of activities", approved by this decree "the decision of the Cabinet of Ministers of the Republic of Uzbekistan dated March 3, 1920, plays an important role.

The decree of the president of the Republic of Uzbekistan dated June 17, 2021 "on the regulation of state requirements for production, service, financial and credit activities" is also one of the important documents. This document has taken a reliable step in order to implement the appropriate state spending mechanism in accordance with the existing level of economic resources, to choose more acceptable means of spending, to avoid situations that harm the development of market resources. more reliably protects the legitimate interests of entrepreneurs.

2. RESEARCH METHODOLOGY

The decree of the president of the Republic of Uzbekistan dated January 7, 2020 "on elimination of artificial barriers, silences and illegal refusal in the field of registration and licensing of legal entities, complete elimination of cases of abuse in the activities of state bodies carrying out ownership and entrepreneurial activities and the necessary functions" on January 7, 2020 "on improving the state infrastructure system and,

Established by the decree of the president of the Republic of Uzbekistan dated August 27, 2017 "on the organization of the Council of entrepreneurs under the president of the Republic of Uzbekistan", the purpose of this institution is to develop ownership and entrepreneurship in our country. By the decree of the head of state of August 27, 2002, the "regulation on the National Fund for property and entrepreneurship assistance of the Republic of Uzbekistan", approved by the decision of the head of state of the Republic of Uzbekistan "on the rules for the use of funds of the National Fund for assistance in entrepreneurial activity" on this day.

The Presidential Decree of September 10, 2018 "on state protection of ownership and entrepreneurial development in the Republic of Uzbekistan", decrees of September 28, 2002 "on the Prevention of interference in the development of entrepreneurial activity", decree of September 28, 2002 "on the development of legal foundations of entrepreneurship and entrepreneurial activity".

The Cabinet of Ministers of the Republic of Uzbekistan, the Supreme executive body of the president of the Republic of Uzbekistan, adopts general rules within its competence, and the decisions included in the legislative system coordinated by the Constitution of our country are legal. acts of ownership and entrepreneurial activity as a normative legal act. it occupies an important place in the base. The

decisions of the Cabinet of Ministers of the Republic of Uzbekistan must be in accordance with the Constitution of the Republic of Uzbekistan and other regulatory legal acts with higher legal force than these decisions. However, when a conflict arises between the decisions of the Cabinet of Ministers and regulatory legal acts with high legal force, regulatory legal acts with higher legal force are used.

Only when the decisions of the Cabinet of Ministers of the Republic of Uzbekistan are published are mandatory for citizens, central and local executive authorities, lawyers. In particular, the decisions of the Cabinet of Ministers are strictly mentioned within their competence in order to ensure the implementation of laws and orders of the president of the Republic. Among them, the Cabinet of Ministers, as the Supreme executive body under the president, can adopt new general rules and norms, implement its own decisions and documents of the central executive authorities. For example, in 2019, the decision of the Cabinet of Ministers “on raising funds for the National Fund for promotion of entrepreneurship from other areas related to the development of entrepreneurship in the Republic of Uzbekistan” was adopted.

The resolution introduced a budget to the state budget under “investment assistance to small business entities”, including “providing loans to citizens who impose labor obligations in rural areas” and Article “loans to farmers' areas”. In order to finance state assistance in ownership and entrepreneurial activities, it is envisaged to establish new jobs as part of the financial incentives for employment and employment, as well as to cover expenses related to funds levied on the appropriation of state property.

In the system of regulatory acts, which form the legal part of ownership and entrepreneurial activity, a special place is occupied by regulatory acts adopted by the central executive authorities within their competence. The documents of the central executive authorities should not contradict the Constitution and laws of the Republic of Uzbekistan and the decisions of the Cabinet of Ministers of the Republic of Uzbekistan. After the state registration of regulatory legal acts of the relevant central executive bodies in the approved manner, if no different procedure is provided for, they will come into force from the date of publication. Regulatory legal acts of the central executive bodies are published in the “Bulletin of regulatory legal acts of the central executive bodies of the Republic of Uzbekistan” issued by the Ministry of Justice of the Republic of Uzbekistan.

3. ANALYSIS OF LITERATURE ON THE SUBJECT

The legal basis of ownership and entrepreneurial activity the main documents of the central executive bodies, directives and rules of ministries, state committees and other central executive bodies operating directly in the economic sphere play an important role. For example, the regulation on the quality of grain products approved by the decision of the Ministry of Agriculture of the Republic of Uzbekistan dated December 29, 2019 establishes the procedure for assessing the quality of grain products in our republic. In these rules, the quality of cereals is determined in accordance with the rules of arbitration courts, in accordance with the main and technical standards of the quality of cereals produced, imported and exported, exported, sold in the domestic market. According to paragraph 5 of the “rules for assessing the quality of grain crops”, its norms apply to all legal entities and individuals engaged in the activities of grain farming, excluding all legal entities and individuals. The “rules for issuing a certificate in accordance with the financial condition of the Republic of Uzbekistan, provided for by regulatory legal acts or international treaties,” approved by the Ministry

of economic development of the Republic of Uzbekistan on December 24, 2021 and noted by the Ministry of Internal Affairs on December 27, 2021, when the goods are removed from the customs contract of the Republic of Uzbekistan

- A number of legal and regulatory documents on the development of ownership and entrepreneurship have been adopted.
- State assistance to small and medium-sized ownership and business entities is carried out in accordance with the legislation in the following directions:
 - - formation of infrastructure for the creation and development of small and medium-sized enterprises;
 - - preparation of programs for assistance to small and medium-sized enterprises and organization of implementation of these programs;
 - - create favorable conditions for providing financial, material, scientific and technical and information resources of small and medium-sized ownership and business entities;
 - - to provide assistance to small and medium-sized ownership and business entities in the training of Personnel, Training of new ones and improving their skills;

Programs of state, territorial and spatial assistance to small ownership and entrepreneurship are also important in this regard. Programs for assistance to small and medium-sized ownership and business entities are carried out by the relevant executive authority in accordance with the rules approved by the relevant executive authority. Local self-government bodies, departments, foundations, associations, trade unions can independently prepare and implement programs of assistance to small and medium-sized owners and business entities, regardless of the organizational and legal and ownership status, or organize them separately. and if the projects are included in the program of assistance to small and medium-sized ownership and business entities of local self-government bodies, they can contact the relevant executive state authority.

As noted in the law "on guarantees of freedom of entrepreneurial activity", ownership and entrepreneurial activity are regulated by laws and other legislation adopted in accordance with them. Ownership and entrepreneurial activity, carried out by the formation of a founder, as well as legislation on the founders of the Republic of Uzbekistan, are regulated by the state.

The specifics of ownership and entrepreneurial activity of foreign legal entities and individuals with the consent of the Republic of Uzbekistan, in addition to various articles of this law, rely on the law of the Republic of Uzbekistan "on the protection of foreign investment" and international legal acts. Over the past years, the legislation of Uzbekistan has been systematically and comprehensively revealed. This was the result of the adoption of a number of new laws in line with international practice, numerous amendments and additions to existing laws, the abolition of outdated laws.

Regardless of the legal form of the property dispute, the state guarantees the protection of the rights and legal rights of the entrepreneur who carries out his activities in accordance with the legislation of the Republic of Uzbekistan.

From international experience, it is known that the formation and development of a stable and powerful institution of ownership and entrepreneurship is a long-term process, covering many economic, legal, political, etc. The availability of business depends on the stability of state ownership and partnership.

In the process of moving from a planned economy to a market economy in Uzbekistan, a

comprehensive legislative framework was created for the system of organizing trade fairs based on market prices. Laws were adopted on internal investment and agrarian reform, the liberalization of prices and foreign economic activity, the formation of the foreign exchange market, the role of the state in ensuring the well-being of the founders.

Legal regulations were adopted in order to create favorable conditions for the development of ownership and entrepreneurship. The formation of market institutions, foreign exchange, credit, securities, insurance and leasing markets in the country was carried out in accordance with the direction. Property owners were exempted from paying taxes other than land taxes. The legislative framework for the creation of Special Economic Zones has been formed, which is an important mechanism for the development of ownership and entrepreneurship. As a result of the reforms carried out, in 2019, the share of the private sector in GDP was 85%, industrial production was 91%, construction was 67%, agricultural production was 99.8%, trade services were 78%, and service was 70%. worked.

In the process of transition from a planned economy to a market-oriented economy in Uzbekistan, large works were carried out in the direction of development of small and medium-sized ownership and entrepreneurship. More than 200 thousand small business entities operate in our country, including more than 14 thousand small founders. However, according to the indicator of the specifics of small enterprises in the products produced in Uzbekistan, the use of advanced technologies and technologies in production, the share of small and medium-sized ownership and entrepreneurship has not reached a strong socio-economic growth level.

It is enough to note that the average product of small enterprises is less than 5% compared to the gross domestic product of our country, and the salary of the majority of workers is below 200 manat. We are far from an international demonstration describing the sustainable activities of small businesses to show the results of the economic activities of an individual entrepreneur. There are several objective and subjective reasons for this.

The results of sociological studies conducted show that some factors that hindered the development of ownership and entrepreneurship 10 years ago still hinder the development of the field today. Here, bureaucratic arbitrariness and corruption, the absence of a healthy relationship environment, the weight of the tax burden and the recent increase in bureaucratic income, the legislative and Mei-legal framework have a more serious character. In addition to other conditions for the rapid development of the country, the issue of full development of the legal base of small and medium-sized ownership and entrepreneurship is of particular importance.

Experience shows that in the state, individual elements of the legal and regional base for the development of ownership and entrepreneurship are constantly updated, and at present, the main-legal base of activity is perceived as a whole, and the solution of problems facing ownership and entrepreneurial activity is accelerated.

In this regard, it is necessary to adopt legislation aimed at stimulating ownership and entrepreneurial activity, reducing taxes, increasing the income of ownership and entrepreneurial activity, strengthening the fight against monopolies, eliminating these shortcomings.

It is important to bring to life the legislation directly related to the development of ownership and entrepreneurship, to bring to life regulatory legal documents related to other areas. It should be noted separately the implementation of laws related to civil law, private employment, foreign economic activity, court proceedings, the country's financial sector, in particular, lowering tax rates, ensuring

the correctness of the introduction of a simplified tax system. In addition, among these measures in Uzbekistan are the reduction of the labor tax rate from 18 to 14 percent, the tax of legal entities from 20 to 18 percent, the expansion of simplified tax application, the reduction of the share of social insurance payments. a special place is occupied by the fact that it is paid by entrepreneurs.

At the moment, the real problem for the development of ownership and entrepreneurship in Uzbekistan is not in the absence or scarcity of legal regulatory documents, but in the full force of current legislation. To solve this serious problem:

- it is necessary to carry out economic and legal reforms in the country;
- increase the efficiency and transparency of the activities of state structures, strengthen coordination;
- increasing the number of years aimed at ensuring the rule of law, activating the formation of an independent criminal justice system;

In this regard, it is necessary to achieve a successful combination of state, ownership and entrepreneurship, technology and life and form a system of ownership and entrepreneurship in Uzbekistan, which serves to quickly and steadily develop, human development and improve the quality of life.

In Uzbekistan, in accordance with the chosen strategy, it is necessary to increase the economic activity based on creativity in order to give a stable turn to the path of rapid development. The share of the knowledge-based economy in GDP in Uzbekistan is 2.4%. A separate share of energy-efficient products is also at such a low level. In this respect, economic policy should prioritize issues of innovative development, especially tax policy should support the expansion of a “knowledge-based economy” in the civil sector, encouraging innovation in the real sector of the economy.

At the same time, in legal regulations, it is necessary to strengthen measures to stimulate the development of ownership and entrepreneurship in the regions and, in this case, to fully use the existing economic potential in the regions of our country, to develop comprehensively. The establishment of new production enterprises, socio-cultural facilities in the regions, the opening of new jobs, the achievement of an increase in the standard of living of ahaoli determine the milestones and goals in this regard.

CONCLUSIONS AND SUGGESTIONS

At the moment, although part of the economic reforms carried out towards the payment of material and economic debts, the protection of economic independence, the development of the economy have been completed, a number of problems for the formation and development of ownership and entrepreneurship are still waiting for their solution.

Obviously, the adequate functioning of the subjects of ownership and entrepreneurship necessitates the improvement of the legislative framework. It should be noted that this improvement should provide for the protection of ownership and entrepreneurial activity.

Adequate legal framework is one of the main conditions for the development of ownership and entrepreneurship. Particular attention is paid to the issues of improving legislation in this regard, removing bureaucratic barriers that adversely affect ownership and entrepreneurial activity, receiving regulatory legal acts to reduce ownership and interference in entrepreneurial activities.

REFERENCES

1. Ўзбекистон Республикаси Президентининг Фармони «2022 – 2026 йилларга мўлжалланган Янги Ўзбекистоннинг тараqqиёт стратегияси тўg‘рисида». 60-сонли, 2022 йил 28 январь. // <https://lex.uz/doss/5841063>; Ўзбекистон Республикаси Президентининг Фармони «Янги Ўзбекистон – 2030 стратегияси тўg‘рисида». 60-сонли, 2023 йил 18 февраль. // - www.lex.uz;
2. «O‘zbekiston Respublikasida mulkchilik to‘g‘risida» O‘zbekiston Respublikasining Qonuni. - Qonunchilik ma‘lumotlari milliy bazasi, 21.04.2021 y., 03/21/683/0375-son; 25.10.2023 y., 03/23/871/0797-son); - <https://lex.uz>.
3. Tadbirkorlik faoliyati erkinligining kafolatlari to‘g‘risida O‘RQ-328-son O‘zbekiston respublikasi qonuni. -<https://lex.uz>.
4. “Nodavlat notijorat tashkilotlari faoliyati kafolatlari to‘g‘risida”gi O‘zbekiston Respublikasi Qonuni // <https://lex.uz/docs/1101278>.
5. “Fuqarolarning huquqlari va erkinliklarini buzadigan xatti-harakatlar va qarorlar ustidan sudga shikoyat qilish to‘g‘risida” gi O‘zbekiston Respublikasi qonuni. <https://lex.uz/docs/116757>.
6. Mamlakatimizda demokratik islohotlarni yanada chuqurlashtirish va fuqarolik jamiyatini rivojlantirish konsepsiyasi. –Toshkent: O‘zbekiston NMIU, 2010.
7. «Har bir oila-tadbirkor» dasturini amalga oshirish to‘g‘risida” gi O‘zbekiston Respublikasi Prezidentining 2018 yil 7 iyundagi PQ-3777 sonli qarori. <https://lex.uz/docs/3772869>.
8. "Tadbirkorlik faoliyati va o‘zini o‘zi band qilishni davlat tomonidan tartibga solishni soddalashtirish chora-tadbirlari to‘g‘risida"gi O‘zbekiston Respublikasi Prezidentining 08.06.2020 y. PQ-4742-son Qarori. - <https://lex.uz>.