



ENTREPRENEURS UNDER THE PROTECTION OF THE LAW

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Abstract: This article provides scientific, theoretical, and practical analyses of the essence of laws adopted in our republic to further strengthen the legal protection of private property, create favorable conditions for small business and private entrepreneurship, and support them. It also examines the transition of state policy in this area to a qualitatively new level.

Keywords: private property, small business and private entrepreneurship, legitimate interest, complaint, business entities, innovative ideas and technologies

Currently, one of the main directions of economic reforms being implemented in our country is aimed at developing entrepreneurship and ensuring its legal protection. This is because the development of entrepreneurship is the key to the progress of our country and economy. For this reason, since the early days of our independence, reforms aimed at transforming the economic, social, and legal spheres, and establishing free entrepreneurial activity have been gradually implemented in our country.

The declaration by the head of our state of 2018 as the "Year of Supporting Active Entrepreneurship, Innovative Ideas and Technologies" in our country has created enormous opportunities for entrepreneurs, including in the field of supporting entrepreneurship - creating favorable legal and organizational conditions for the development of active entrepreneurship, introducing innovative ideas and technologies, legal guarantees for the protection of business entities and mechanisms for preventing illegal interference in their activities, further improving tax and customs policy, the banking and financial sector, developing a strategy for reforming the agricultural sector, abandoning the provision of individual benefits with the provision of benefits to sectors and spheres of the economy, and accelerating the development of regions.

For example, the Decree of the President of the Republic of Uzbekistan "On Additional Measures to Ensure the Accelerated Development of Entrepreneurial Activity, Comprehensive Protection of Private Property and Qualitative Improvement of the Business Climate" of October 5, 2016, is aimed primarily at further strengthening the legal protection of private property, creating favorable conditions and comprehensive support for small business and private entrepreneurship, increasing the investment attractiveness of the republic, and indicates a qualitatively new level of state policy in this area. This decree also establishes that regulatory bodies no longer have the right to organize unscheduled inspections, and in order to ensure legal mechanisms for protecting the rights and interests of citizens, the limited possibility of conducting short-term inspections only based on appeals from individuals and legal entities regarding violations of legislation remains, and such inspections can only be conducted in accordance with the decision of the Republican Council, and the inspection period is limited to one working day.

This decree also stipulates that business entities and their employees who have committed offenses in the implementation of financial and economic activities for the first time may be exempt from administrative and criminal liability and the application of fines if they voluntarily eliminate the violations within the time limits established by law and compensate for the material damage caused. In addition, it is established that persons who have committed offenses related to the implementation of illegal entrepreneurial activity for the first time are exempt from administrative and criminal liability if they voluntarily compensate for the damage caused within one month from the date of discovery of the offense, register as a business entity, and issue the necessary permits.

In short, this decree establishes that strict adherence to the requirements of legislation in eliminating any obstacles and barriers to entrepreneurial activity, ensuring their full and uniform implementation, as well as the development of entrepreneurship in our country, ensuring their reliable legal protection, and organizing the full and uniform implementation of normative legal acts adopted in this direction with a correct understanding of their essence and content are priority tasks of all state bodies and officials.

In order to further support entrepreneurs in our country, the President of the Republic of Uzbekistan signed the Law "On the Commissioner under the President of the Republic of Uzbekistan for the Protection of the Rights and Legitimate Interests of Business Entities" dated August 29, 2017. In this law, the Commissioner for the Protection of the Rights of Entrepreneurs exercises control over the development of entrepreneurial activity, the protection of the rights and legitimate interests of business entities, and the observance by state bodies of the rights and legitimate interests of business entities, that is, according to Article 3 of this law, the Commissioner for the Protection of the Rights and Legitimate Interests of Business Entities is an official who ensures guarantees for the protection of the rights and legitimate interests of business entities, the observance of these rights and legitimate interests by state bodies, including law enforcement and regulatory bodies, and exercises his powers independently, independent of state bodies and their officials, and is accountable to the President of the Republic of Uzbekistan in his activities.

Article 12 of the aforementioned law establishes the procedure for the Commissioner for the Protection of the Rights of Entrepreneurs to consider complaints and other appeals of business entities, according to which the Commissioner considers complaints of business entities against decisions of state bodies and other organizations, actions of their officials that violate their rights and legitimate interests. In addition, this article stipulates that complaints sent to the Authorized Person for the Protection of the Rights of Entrepreneurs by representatives of business entities who are suspected, accused, or convicted in cases of crimes in the field of entrepreneurial activity and located in places of detention, penal institutions, as well as complaints from persons subjected to administrative arrest and held in a special reception center, cannot be reviewed by the administration of the places of their detention and are sent to the Authorized Person no later than twenty-four hours. The response of the Authorized Person for the Protection of the Rights of Entrepreneurs cannot be inspected and is immediately delivered to the complainant. In addition, heads and officials of state bodies and other organizations are obliged to send a response to the representative's appeal in writing, as well as to provide the requested information, documents, and materials to the representative within a period not exceeding ten days from the date of receipt of the corresponding appeal.

Article 13 of this law stipulates that the Commissioner for the Protection of Entrepreneurs' Rights considers complaints and sends their conclusion on restoring the violated rights and legitimate interests of business entities to the state body or other organization, or its official, whose decisions or actions have violated the rights and legitimate interests of business entities. Article 18 of this law stipulates that state bodies and other organizations, and their officials, are obliged to assist the Commissioner for the Protection of Entrepreneurs' Rights in their activities, providing the requested documents, materials, and other information related to the rights and legitimate interests of business entities no later than ten days from the date of receipt of the request, unless another period is established.

Thus, these laws, adopted by our President, ensure reliable protection of private property rights and guarantees, eliminate all obstacles and restrictions on the development of private entrepreneurship and small business, give them freedom, and contribute to the continuous functioning of their activities.

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