



THE ROLE AND SIGNIFICANCE OF TECHNICAL REGULATION LEGISLATION IN ENSURING PRODUCT SAFETY AND QUALITY

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Abstract: This article explores the legal foundations and practical importance of technical regulation in ensuring product safety and quality. It examines technical regulation legislation as a crucial tool for guaranteeing product quality and safety. The article also analyzes the legal mechanisms incorporated into national and international legislation, technical regulations, and standards in this field, including their development and implementation. It emphasizes the role of technical regulation in the process of bringing products to market, its importance in consumer protection, and its contribution to national economic development. Additionally, the article provides recommendations for improving the legislative framework to successfully implement technical regulation, drawing on both Uzbek and international experiences.

Key words: technical regulation, product safety, product quality, technical regulations, certification, state control, national standards, international standards, product conformity assessment, consumer rights, legislative mechanism.

Legislation in the field of technical regulation plays a crucial role in ensuring safety, quality, and market competition in every country. The Law of the Republic of Uzbekistan "On Technical Regulation" [1] (hereinafter referred to as the Uzbekistan Law) and the Federal Law of the Russian Federation "On Technical Regulation" [2] (hereinafter referred to as the Russian Law) are the primary sources regulating legal relations in this field.

This Law of the Republic of Uzbekistan establishes the legal foundations for technical regulation and governs relationships in this area. The main objective of the law is to introduce technical requirements to ensure the quality and safety of goods, works, and services, as well as to create mechanisms for monitoring their implementation.

The Law defines important principles of technical regulation, including openness, transparency, regulation of relations on a normative legal basis, and the proportionality of regulatory documents. Additionally, the law establishes a solid legal framework for technical regulations, standards, certificates, and their compliance system.

The Federal Law of the Russian Federation establishes comprehensive legal norms in the field of technical regulation. This law encompasses the procedure for developing, approving, and implementing technical regulations, as well as mechanisms for ensuring the technical conformity of products and services.

The law also legally establishes the functions of certification, control, and audit, while ensuring technical safety, environmental requirements, and the protection of consumer interests. In the Russian Federation, this law aims to provide a systematic and uniform approach to technical regulation.

Both laws define the legal basis in the field of technical regulation, but there are a number of differences in their content and structure. While Uzbekistan's law is relatively simplified and adapted to local economic conditions, the Russian Federation's law is more detailed and harmonized with international standards.

Furthermore, in the Russian Federation, technical regulations and certification processes are governed by robust legal documents, whereas in Uzbekistan, these processes are in the development stage, and there is a noted need for improving the law.

Some articles in the Russian Federation's law, such as the notification of technical regulations, procedures for coordination with the European Union and other international structures, as well as mechanisms for recognizing and complying with international technical documents, are not regulated in detail in Uzbekistan's law.

While the law in Russia stipulates extensive state control and monitoring, in Uzbekistan these aspects are relatively simplified, and the role of the state is somewhat limited.

The legislation of the Russian Federation provides for various forms of conformity assessment and certification of products, as well as special certification procedures for new products. In Uzbekistan, there are fewer types of standards for certification procedures and product control.

Professor S.N. Bratus highly appreciates the importance of laws in the field of technical regulation. In his opinion, the laws in both countries are aimed at introducing uniform standards in the field of technical safety and product quality, which is important for economic development and increasing international competitiveness[3]. However, Professor Bratus emphasizes the simplification and ease of implementation of the Uzbekistan law, taking into account certain territorial characteristics.

Albina Sergeevna Panova assesses the law of the Russian Federation as improved in terms of legal mechanisms and procedures. She highly appreciates the comprehensive system of the law in regulating technical regulations and certification processes, but at the same time notes the presence of misunderstandings and limitations in the practical application of some norms[4].

Researcher Yu.M. Kuznetsov warns about the complexity of some legal norms and the danger of their transformation into administrative barriers for business[5]. According to him, although technical regulations in the Russian Federation are highly detailed, in practice some of their requirements are very demanding and difficult to fulfill for small and medium-sized enterprises.

Uzbek lawyer D.J. Rashidov emphasizes that the law on technical regulation should be simplified and actively improved in accordance with local economic conditions. He states that while the transparency and organizational mechanisms of the law have significantly improved in recent years, it is necessary to strengthen alignment with international standards.[6].

Among the lawyers of the CIS countries, the idea of creating a unified regional system of technical regulation is also being discussed. For example, Professor A.I. Kovalyov believes that harmonizing technical regulations and basing certification on a common foundation among the CIS countries is an important factor in ensuring technical safety.

At the same time, B.M. Ivanov, analyzing the characteristics of Russian and Uzbek laws, notes that the influence of the national economic and legal environment is significant in each of them. According to him, local conditions and adequacy are of primary importance in the implementation of any law.



The Law of the Republic of Uzbekistan "On Technical Regulation" (hereinafter - the Uzbekistan Law) and the Federal Law of the Russian Federation "On Technical Regulation" (hereinafter - the Russian Law) are both the main legal documents providing guarantees for technical safety, quality, and compliance of products with standards. However, there are some important differences in their legal foundations and structures.

Uzbekistan's law is primarily adapted to the local economic and legal environment, with particular emphasis on simplifying technical regulation processes. For example, Article 9 of the law clearly and comprehensibly defines the procedures for certification and conformity assessment.

Russian law, in contrast, is a comprehensive system aimed at ensuring regulation in accordance with CIS and international standards, encompassing extensive mechanisms for technical regulations, certification, licensing, and control. Chapter 8 of the Russian law provides highly detailed procedures for developing and implementing technical regulations.

The system of technical regulations in Uzbekistan is relatively new and has its own distinctive features. The law includes a special procedure for adopting and approving technical regulations, taking into account national standards and international norms. Additionally, the law clearly stipulates the norms for state oversight of certification services.

In the Russian Federation, technical regulations are harmonized not only at the national level but also within the framework of the Eurasian Economic Union. This allows for the implementation of technical regulation based on unified criteria. The Russian law specifies in detail the powers of certification bodies, their responsibilities, and licensing procedures.

Both laws serve as the primary legal foundation for technical regulation, but various issues are observed in their implementation. Despite the simplicity and reliability of the law in Uzbekistan, some legal experts and practitioners point out that the requirements within the framework of technical regulations are not sufficiently detailed. This can lead to deficiencies in ensuring product quality and safety.

In Russia, however, the complexity of the law and bureaucratic procedures create significant barriers for small and medium-sized businesses, and there is criticism in this area. Legal experts, including A.S. Panova, emphasize the necessity for regulatory reforms on this matter.

The laws of Uzbekistan and Russia represent important steps in the process of creating unified legislation in the field of technical regulation among the CIS countries. These countries strive to ensure compliance with international and regional standards while preserving national characteristics in their legal frameworks.

However, according to experts, achieving a balanced and comprehensive regulation of national laws in the field of technical regulation remains a crucial task in the process of harmonizing common legislation and mutual integration.

Comparative analysis shows that, although the laws of both countries in the field of technical regulation have common goals, their implementation mechanisms and legal approaches differ. In the Law of Uzbekistan, state bodies play a prominent role in the process of adopting and implementing technical regulations, while in Russia, the activity of the private sector and standardization bodies is significantly more pronounced.

The Law of the Republic of Uzbekistan "On Technical Regulation" (June 22, 2022) aims to protect the interests of society and the economy through the introduction of technical

regulations. This law consists of 6 chapters and 34 articles, which outline the procedure for adopting technical regulations, conformity assessment, and state control.

The Federal Law of the Russian Federation "On Technical Regulation" (No. 184-FZ, 2002) covers legal relations in this field more comprehensively. It thoroughly describes the processes of standardization, accreditation, certification, and documentation.

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