



Some Important Issues Of Studying The Methods Of Administrative-Legal Regulation Of Business Activity

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Annotation

This comprehensive analysis delves into the intricate mechanisms of administrative and legal regulation governing modern business activities. The study explores the multifaceted approaches, tools, and strategies employed by governments and regulatory bodies to oversee, control, and support business operations. Through a systematic examination of case studies and regulations, this research offers valuable insights into the evolving landscape of business regulation, shedding light on its implications for both entrepreneurs and regulatory authorities.

Keywords: business regulation, administrative control, legal framework, regulatory mechanisms, government oversight, compliance strategies, regulatory impact, business operations, case studies, entrepreneurship, policy analysis

The economic function of the state is to develop, manage and regulate the main directions for the development of the economy by the state, in addition, to form the state budget, to determine the economic development strategy of the society, to ensure the implementation of various forms of property in conditions of equality, to support entrepreneurial activities[1].

In the literature, it is stated that the term "state functions" is used to define the main, most important directions of the state's activity in which social tasks are manifested[2]. In this sense, today, the development of business activity and, at the same time, regulation by the state as a social necessity of the whole state is gaining a new meaning to the economic function of the state. In this regard, U.A. Kadyrov points out that the function of economic and financial control of the state is one of the main functions, taking into account the current global financial and economic crisis [3]. Therefore, the importance and essence of the economic functions of the state manifests its character as a result of existing conditions and needs.

In the economic literature, it is emphasized that the regulation of the economy by the state is carried out through economic, legal (administrative) and financial methods. For example, Q. Speaking about the regulation of the market economy by objective economic laws and legal-economic laws adopted by the country's parliament, Muftaydinov gives examples of objective economic laws such as the law of value, the law of demand and supply, and money circulation[4], N. In this regard, Beknazov directly, that is, as economic methods, tax policy, redistribution of income and resources, price policy, state business activity, credit-finance mechanism, customs policy, etc., and indirectly, that is, as administrative methods, establishing state monopoly over certain areas, refers to standardization, metrology, social policies [5]. S.N. Shishkin divides the economy and legal regulation of entrepreneurship by the state into organizational, legal and economic forms [6]. V.S. Belykh, in line with the above authors,



divides the methods of state regulation of business activity into the following two main methods: hierarchical (administrative) and commodity-money (economic) methods. S.P. Moroz divides these methods into direct and indirect methods. However, it is worth noting that economic methods are also, in fact, implemented through legal norms. Therefore, it is reasonable to call these methods conditionally "administrative-economic" methods.

Licensing and permitting procedures are one of the widely used methods of administrative and legal regulation of business entities. Licensing is aimed at ensuring state security and national defense, protecting the health and morale of citizens, their legal interests and rights, and is a type of state regulation of business activity.

In order to carry out certain activities in licensing and permitting procedures, first of all, certain administrative procedures and conditions must be fulfilled; secondly, it is necessary to follow certain administrative procedures and conditions during the execution or implementation of these types of activities; thirdly, this process is controlled administratively by the relevant authorized entities of the executive power; fourthly, failure to comply with licensing and other permitting procedures shall result in administrative liability or administrative suspension or termination of the permit in this regard.

In Article 12 of the Economic Code of Ukraine, administrative and economic methods (state order, licensing, patenting and quotas, certification and standardization, application of regulations and limits, price and tariff regulation, investment, tax and other incentives, subsidies, compensations, targeted innovations and subsidies) are given without separation from each other. This situation can be observed in the legislation of other Commonwealth countries. In particular, in the Law of the Republic of Azerbaijan "On Entrepreneurial Activity", as methods of state regulation of entrepreneurial activity, state support and regulation of entrepreneurial activity, implementation of special permission (licensing) in the field of entrepreneurial activity, state protection of the rights and interests of entrepreneurial entities protection, regulation of business activity by the state and responsibility of entrepreneurs, while in Article 81 of the Entrepreneurship Code of the Republic of Kazakhstan, as methods (forms) of state regulation of business activity, establishment of requirements for business entities, products and business process in accordance with legislation, entrepreneurship state registration of entities, the procedure for granting permission or notification in the implementation of certain types of activity (business activity), technical regulation, state regulation of prices and tariffs, compulsory civil liability insurance of business entities according to legal documents, state control (control), protection of competition and restriction of monopolistic activity, determination of responsibility of business entities and officials of state bodies according to the state order, legal acts.

It is possible to accept as a positive experience the establishment of imperative (administrative-legal) regulation of the economy (business activity) by the state. However, further improving this experience, defining these methods by dividing them into administrative and administrative-economic methods serves to effectively regulate business activities.

Administrative and legal methods of legal regulation are widely used by the state in the legal regulation and management of business activities. Therefore, the functional tasks representing common interests, such as defining and implementing the prospective strategy of the state's



economic development, protecting the rights of consumers, ensuring healthy competition, maintaining public order and security, can be fully fulfilled only by public-legal influence on the economy.

The above-mentioned economic function of the state is fully realized by means of administrative state management, administrative and legal regulation. In addition to providing economic freedom to the subjects of market relations, the state establishes the rules that they must follow and, in necessary cases, applies mandatory measures to ensure the fulfillment of these rules.

In the explanatory dictionary of the Uzbek language, the word "method" means "the way to bring something to life, to implement it; manner of action, different order; It is interpreted as the road. H.H. Odilkoriev defines the method of legal regulation as a set of methods, means and ways applied to the existing social relations in the society by means of law. In the legal encyclopedia of Uzbekistan, an opinion in this context is expressed, and the method of legal regulation is defined as a method of influencing social relations by legal norms.

In conclusion, another issue that is neglected in the administrative and legal provision of safety and quality of goods, works and services is the moral safety of goods, works and services. It is necessary to admit that the criteria and standards of moral safety of goods, works and services and the mechanism of their provision do not meet today's requirements. After all, in today's rapidly developing processes, moral security is gaining global importance according to its scale.

Literature

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