



CLASSIFICATION OF NORMATIVE LEGAL ACTS WITH INTERPRETATIVE AND LAW-IMPLEMENTING ELEMENTS

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ABSTRACT

The article analyzes the rule-making process, the legal significance and effectiveness of the adopted regulatory legal documents.

The formation of civil society and the construction of a rule of law state is accompanied by reform of the entire system of government bodies Republic of Uzbekistan and its subjects. The implementation of reforms is carried out in the context of transformations aimed at democratization and liberalization of all spheres of public life and the establishment of real market forms of economic management in the country. A necessary condition for qualitative transformations is the formation of a unified information and legal space, which is designed to ensure the availability of legal regulations for every citizen of the country, as well as increase the responsibility of government bodies at all levels, improve their coordination in law-making and law enforcement activities. The most important element of the information and legal space is the system of legal acts, and normative legal acts as part of this system.

An analysis of scientific works of domestic and foreign authors shows that in legal science the problems of regulatory legal acts with interpretative and law-implementing elements are only indicated. Their essential features, types, and subtypes of function have not been sufficiently studied. The place of normative legal acts with elements of legal implementation and legal interpretation in the mechanism of legal regulation has not been determined. The problems of their action in terms of the subject of regulation and recipients, in time and space, the criteria for their effectiveness and quality, the issues of "experience" and "retroactive" effects remain practically unstudied.

The essential features of legal acts are the following. The content of legal acts always consists of legal regulations, i.e. logically completed integral commands, orders, rules, orders, requirements, guidelines, which are externally expressed and directly enshrined in the corresponding units (clauses, articles, paragraphs, paragraphs, parts, etc.) of the text of a legal document. Being an official act-document, any legal act consolidates the results of one or another legal practice of subjects of law strictly established by law, who issue this act only on issues that are directly within their competence. Legal acts reflect not only the will of the state



and social communities, but also the corresponding interests of people, their groups and organizations. All legal acts, as a rule, are of an authoritative nature, binding on the addressees. Their mandatory nature is ensured by various measures: material and spiritual, coercive and incentive, organizational and other, including means of state influence.

Each legal act is adopted for a specific purpose, i.e. to achieve a certain legal result and satisfy the most socially significant needs and interests of subjects of law. All legal acts act as regulators of the behavior of people, their teams and organizations. The vast majority of legal acts are adopted and implemented in a strictly defined, procedural form.

The study of these and other features of legal acts allows us to formulate its definition. This is a set of legal regulations formalized in the established order, expressing the will of the subject (subjects) of law, aimed at regulating social relations and entailing certain legal and other social consequences. Regulatory legal acts with interpretive and law-implementing elements have the following features: they consolidate the results of various types of legal activities; expressed in certain documents, have a specific structure, content and form.

Norm creativity is one of the legal fields that is constantly developing in our country, and systematic work is being carried out in this regard in recent years. In particular, the "smart regulation" model, regulatory impact assessment, the "package" principle, types of regulatory legal documents such as anti-corruption, gender-legal and scientific linguistic expertise, and adoption of regulatory legal documents as directly applicable legal documents is being transferred to the system. As mentioned, in the past period, the appropriate committee of the Legislative Chamber carried out a number of control and analysis measures to improve the activity of norm creation. The regulatory legal documents related to the field were studied and the issues of concern to the population in the regions were analyzed.

It is known that the departmental regulatory legal document regulates relations with an unspecified range of entities. That is, a departmental regulatory legal document is an official document adopted by the ministry, state committee and office in a prescribed manner, aimed at determining, changing or canceling legal norms as generally binding state instructions. The departmental regulatory legal document has a general binding nature. This means that the scope of this document is not limited.

Thus, illegal documents may affect the rights and interests of an unknown number of citizens and legal entities. In this regard, the question arises: can all citizens and legal entities referred to be considered participants in a legal dispute according to the content of such a document, or are certain additional conditions necessary for this? Determining the participation of citizens and legal entities largely depends on solving this issue.

V.A. According to Kirsanov, the involvement of all subjects whose rights may be violated in a dispute over a regulatory legal document causes a number of procedural problems. Persons participating in the case should be recognized only as persons participating directly or through a representative. One can agree with the opinion of this scientist. Because if the parties whose rights may be violated in cases of disputes under departmental normative legal documents are also involved as parties to the case, it complicates the court process.

Given that a departmental regulatory legal document affects the interests of a very wide range of people, the number of such applicants can be very large, and therefore there is a need to limit the number of participants in the case. According to Article 2 of the Law "On Courts",



the court in the Republic of Uzbekistan is called to protect the rights and freedoms of citizens, the rights and interests of enterprises, institutions and organizations protected by law, as declared in the Constitution and other laws of the Republic of Uzbekistan, international human rights documents done. The activity of the court is aimed at ensuring the rule of law, social justice, civil peace and harmony.

This means that the court is a state authority that ensures the rights of individuals and legal entities. The court must protect the rights of the person whose rights have been violated, as well as the rights of the person who is at risk of violation. From this point of view, taking into account that the impact of the disputed departmental regulatory legal document affects the interests of unknown circles, there is no need to separate a separate group of subjects who applied to the court to protect the rights and interests of other persons called applicants in the court procedure.

The Ministry of Justice of the Republic of Uzbekistan is one of the important participants in the cases of invalidity of departmental normative legal documents. According to the plenary decision of the Supreme Court of the Republic of Uzbekistan "On some issues of the application of procedural law norms by the court of first instance in the consideration of administrative cases", the court involved the Ministry of Justice of the Republic of Uzbekistan as a respondent in resolving the case of a dispute over a departmental regulatory legal document.

The legality of a departmental regulatory legal document can be assessed by the court from the point of view of compliance with the official requirements of regulatory legal documents. As mentioned above, the current legislation to some extent regulates the form (type) of this document, the procedure for its acceptance and signing, as well as the procedure for publication and execution. In addition, the violation of these official requirements, as a rule, leads to the fact that normative legal documents do not have legal force and their subsequent verification within the framework of the existing procedure of court proceedings is not allowed.

It is in this place that the determination of procedural evidence in cases of disputes regarding departmental normative legal documents has an important place. In evaluating the evidence, the court, taking into account the evidence of the applicant, the body (official) that adopted the departmental regulatory legal document, and other interested parties, must determine whether the content of the disputed document is in accordance with the law or other regulatory legal documents with a higher legal force, whether the body or official issued such a document. checks whether he has the authority to receive.

Regulatory legal acts with interpretive and law-implementing elements make it possible to replace the publication of several acts with different legal properties and elements (which entails a lengthy procedure for their development, approval, adoption, publication, entry into force, etc.) with a comprehensive regulation of social relations, i.e. publication of one legal act, which contains normative, interpretative and (or) law-implementing elements.

Prospects for research on this topic are also outlined. Thus, issues of legal technology require further development in the preparation of normative legal acts with interpretive and law-implementing elements: structuring, language, style of presentation. The means, methods



and rules for their implementation and systematization, the problem of interpretation of multilingual agreements and other mixed acts deserve special attention.

It is necessary to study the nature of regulatory legal acts with elements of legal implementation and legal interpretation of the constituent entities Republic of Uzbekistan, and develop measures aimed at improving their quality and efficiency. The specific nature of certain types of regulatory legal acts with elements of legal implementation and legal interpretation should be subjected to independent, in-depth and comprehensive analysis.

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