

**НОРМА ИЖОДКОРЛИГИ ЖАРАЁНИНИ АХБОРОТ БИЛАН  
ТАЪМИНЛАШНИНГ АЙРИМ ЖИҲАТЛАРИ**

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**Аннотация:**

Ушбу тезисда норма ижодкорлиги жараёнини ахборот билан таъминлаш бўйича ахборот таъминотининг турлари ва даражаларининг баъзи жиҳатлари кўриб чиқилади. Миллий қонунчиликни ривожлантириш бўйича бир нечта таклиф ва тавсиялар илгари сурилади.

**Калит сўзлар:** норма ижодкорлиги, ахборот билан таъминлаш, ахборот билан таъминлаш турлари ва даражалари, хорижий тажриба.

**Abstract:**

In this thesis some aspects of providing rulemaking process with necessary information concerning types and levels of informational are discussed. Several recommendations and suggestions to develop national legislation have been put forward.

**Keywords:** rulemaking, informational support, types and levels of informational support, foreign experience.

**Аннотация:**

В данном тезисе рассматриваются некоторые аспекты обеспечения процесса нормотворчества с необходимой информацией, касающейся типов и уровней информационного обеспечения. Выдвинуты несколько рекомендаций и предложений по развитию национального законодательства.

**Ключевые слова:** нормотворчество, информационная поддержка, виды и уровни информационной поддержки, зарубежный опыт.

Informational support through various methods, tools, legal mechanisms have become an integral element of the management of social processes, a key component of our lives. In short, it is difficult to imagine the development of normative regulatory mechanisms in the regulation of modern society without information. Therefore,

naturally, the quality of information provision of the rulemaking process, the development of information systems creates various new concepts and views. The process of rulemaking cannot be imagined without the exchange of information. Indeed, providing with information is dynamic and requires the movement of special subjects to collect, analyze, support or present information in the process of rulemaking.

As M.A. Mitrofanova noted, first of all, we should analyze on the basis of scientific approaches and empirical research to identify the levels of informational support of rulemaking process [1].

According to E.V. Skurko, the process of rulemaking of subjects can be divided into internal and external relations:

internal relations – the relationship between the subjects of rulemaking activity;

external relations – arising as a result of mass media and other social relations [2].

Firstly, if we focus on the advanced international practice in this area, Great Britain can show some special attributes. Providing rulemaking process with information is divided into two levels according to the supremacy of normative legal acts. They are acts of parliament and departmental acts. Acts of parliament are adopted by the British Parliament and if the acts of parliament cannot provide a solution to the relevant situation or issue, departmental normative legal acts are adopted by the authoritative governmental bodies. The issue of providing relevant information to the process of drafting acts of parliament is set out in the Regulations of Houses. However, departmental normative legal acts are developed according to the Cabinet Manual. In this regard, it is emphasized that there are two levels of providing with information in the process of rulemaking in the country.

Another words, these levels are called “primary” and “secondary legislation”. As a result, as the volume of primary legislation is constantly increasing, the complexity of the legal regulation of modern society leads to the transfer of rulemaking functions to the executive branch as secondary legislation. This power, called secondary legislation, implies the creation of a rule not only by the legislative but also by the executive branch. In this case, the law becomes the primary legislation, and the relevant departmental acts of the executive branch become the secondary legislation.

If we focus on the areas of rulemaking activities carried out by local public authorities, the organization and operation of local government in the four constituent parts of the country (England, Wales, Northern Ireland, Scotland) differ sharply. Special laws regulating the activities of local executive authorities have been adopted for each region. The Royal Authority does not provide for a strict separation of powers between the representative and executive bodies at the local level, as the “Commission Model” [3] of local government in Europe and the United States has been introduced in the country.

The competence of local authorities in the UK includes: public services, environmental protection, education and schools, transport, roads (highways), traffic regulation, social services, fire protection, sanitation, socio-economic planning, housing construction, parks and recreation areas, organization of elections to state bodies, including voter registration.

Normative legal acts adopted by local executive authorities are also called “acts of secondary legislation” or “acts of delegated legislation”, and these local authorities exercise their powers within the limits set by the central government.

In order to check information, the British parliament apply special mechanisms of evaluation of supported information in the process of developing drafts of acts of parliament. Established mechanism of inspection and monitoring called “legislative scrutiny”. This is divided into two levels “pre-legislative scrutiny” and “post-legislative scrutiny” in accordance with adoption and putting into force.

In addition, according to S. Brink [4], R. Chopra, L.M. Khan [5], K.J. Strandburg [6] and T. Becker [7], we consider it is expedient to develop the levels of informational support of rulemaking. Taking into account the experience of foreign countries and the views of scientists analyzed above, we consider it is appropriate to put forward the following conclusions, suggestions and recommendations:

Firstly, there are two levels of informational support of rulemaking process:

First, information support of primary legislation – for instance, legislative activity carried out by the Oliy Majlis of the Republic of Uzbekistan – information support of the process of development of laws and resolutions of the Chambers;

Second, information support of secondary legislation – for instance, information support of the process of development of decrees, resolutions of the President of the Republic of Uzbekistan, resolutions of the Cabinet of Ministers, normative legal acts of ministries, state committees, agencies, inspections, decisions of local authorities.

Secondly, some legal terms such as “primary legislation”, “secondary legislation”, “acts of secondary legislation”, “acts of delegated legislation”, “legislative scrutiny”, “pre-legislative scrutiny” and “post-legislative scrutiny” have been introduced into the national Uzbek jurisprudence.

Thirdly, Legislative chamber of Oliy Majlis in cooperation with the Cabinet of Ministers of Uzbekistan should draft regulations to regulate the mechanism of “legislative scrutiny”, “pre-legislative scrutiny” and “post-legislative scrutiny”.

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