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Research Article

FOREIGN EXPERIENCE IN THE ORGANIZATIONAL AND LEGAL REGULATION OF PUBLIC SERVICES

Submission Date: February 27, 2022, **Accepted Date:** March 17, 2022,

Published Date: March 29, 2022 |

Crossref doi: <https://doi.org/10.37547/tajpslc/Volume04Issue03-05>

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ABSTRACT

This article discusses the development of the system of public services in the Republic of Uzbekistan, the improvement of its organizational and legal basics, the most important areas for radical reform of the national system of public services, the introduction of e-government. and thus reflected the benefits created by citizens, business entities, as well as public administration and economic management bodies, organizations, institutions and enterprises.

KEYWORDS

Public services, e-government, interactive portal of public services, "one stop shop", e-services.

INTRODUCTION

Today, in many countries, special attention is paid to the development of public services. However, we cannot say that all countries are achieving high results in this regard. In this regard, it is important to analyze the system of organizational and legal regulation of the system of public services in countries that have made great strides in this area.

Looking at the experience of foreign countries, the organizational and legal regulation of public services can be studied in three models: French, German and Anglo-Saxon. The understanding of public services as "public service" is rooted in the French public experience. This concept is associated with the name L. Dugui [1]. An important feature of the French model



is that the state should communicate with it only in terms of meeting the needs of society. The essence of his opinion was to limit the functions of the state. Public services were initially divided into economic, social and other services only in terms of public interest [2]. Later, this view was changed by G. Jeze, who argued that the function of public services should be to protect the public interest, not to restrict public activity [3].

In the reform of public services, special attention was paid to globalization and decentralization. Issues such as improvement of personnel policy, decentralization of executive functions, evaluation of the effectiveness of civil servants, simplification of administrative procedures and the use of information technology in public services have been identified as development trends. All this is aimed at achieving two main goals: increasing the satisfaction of citizens with the work of the administration and increasing the efficiency of spending while maintaining the volume of funding through the rational management of budget funds. As a result of the reforms, there was a need to transfer public services to non-governmental organizations [4].

Legislation on the legal regulation of public services has developed in line with a certain trend. Initially, in 1992, the Charter of Public Services (La Charte des Services Public) was adopted, which defines the basic principles of public service delivery [5]. In 1997, the Regulation on the quality of public services was developed [6] and simplified public services under the 2004 Mariani Charter [7].

French model Spain [8], Italy [9] and Latin America [10] widespread in the states. These countries relied on the French model in the organizational and legal regulation of public services.

An important aspect of the German model is that public service relations should be fully regulated by the state [11]. In Germany, the focus is on the regulation of public services through administrative procedures. Administrative acts and administrative agreements play a key role in this regard [12]. Public services are provided not only through the issuance of administrative acts and the conclusion of administrative contracts, but also in the provision of social assistance, tax benefits, water supply, transport services, funding for university education and others [13].

According to a 2006 survey conducted by Grant Thornton in Europe, Germany is one of the countries in the region with the highest number of bureaucratic hurdles [14]. The number of documents that German companies have to submit to government agencies has exceeded the average limit: 78 certificates to social insurance authorities; 60 inquiries to tax and customs control authorities; 111 certificates under labor legislation and 69 certificates of statistical data [15].

"At the beginning of the 21st century, Germany ceased to be a model of dynamic development and became a model of stagnation. Foreign German investments began to abandon the choice of Germany," EG Yasin said [16]. As a result, there was a need to reform the German civil service. At the same time, attention was paid to the full coordination of the mechanism of public administration and the development of public relations.

Due to the situation in Germany, the provision of public services by German jurists began to be of a negative and positive type. In the nature of the provision of negative public services, the main privilege was on the part of the state. Positive is reflected in the provision of many benefits and rights to citizens in the provision of public services.



In Germany, the provision of public services began to be transferred from government agencies to other structures. S.V. Kalashnikov commented on the reforms: "Public services are being transferred to other structures under the strong control of the state." [17] This can be explained by the predominance of the idea of a strong state aimed at caring for the well-being of its people and, accordingly, the dependence of citizens on the direct support of their country. This approach was aimed at moving towards a developed country with a healthy economy. This was based on the principle of the welfare state, enshrined in Articles 20 and 28 of the Constitution of the Federal Republic of Germany[18].

In implementing these reforms, Germany focused on two functions: the function of ensuring general security and order and the function of creating decent living conditions for citizens.

Over time, the legislature began to transfer public services to private entities. This was due to delays in public services as a result of the administrative bureaucracy, the integration of liberal reforms as a result of the formation of the European Union, and the beginning of the global economic crisis around the world.

Unlike other European countries, German legislators did not face the task of radically revising the principles of governance. The main focus was on the reduction of government agencies in line with the 1995 "Thin State" concept[19]. Then, with the emergence of new forces at the helm of power, it was replaced by the principle of "new model of governance", which is a complex management model based on efficiency results, characterized by its idea of focusing on the interests of citizens.

There are several areas of activity aimed at optimizing public services and reforming them. First of all, the provision of public services to local entities was carried out. Second, another important process was the use of information and communication technologies in the direct management and provision of public services. For example, in 2000, the German government set itself the goal of providing most public services via the Internet by 2005. After a certain time, certain results were achieved by the set date. In particular, the e-government program was approved, which includes simplified procedures for business structures BundOnline. About 180 public services have been transferred to electronic form[20].

Despite significant pressure from the European Union, Germany has managed to maintain its own rigid, centralized management mechanism based on the professionalism of civil servants. But at the same time, a number of government agencies were abolished (merged) in order to reduce the bloated bureaucracy.

The German model of public services is Austria[21], Baltic countries [22], Azerbaijan[23], Belarus[24], Japan[25] and common in other countries.

The Anglo-Saxon model has a special place in the reform of public services. If we look at the British experience in this regard.

Since the 1980s, public administration in England has been tasked with introducing market laws and principles. Thus, from 1979 onwards, with the election of Margaret Thatcher as Prime Minister, it took a difficult and long time. He chose the main direction of reducing budget expenditures at the beginning of his management activities.

The next step in improving the performance of the executive branch in 1982, the concept of the Financial

Management Initiative was approved. It was aimed at encouraging local authorities to find effective ways to solve current problems on their own. An important step in the reform process was the adoption of the Citizens' Charter, the main purpose of which was to improve the quality of public services using evaluation standards combined. The main directions of public administration development are also the transparency of public services, openness of information on the activities of public authorities and the organization of consultations for citizens. The adoption of this program has given impetus to the development of public services. By 1996, it belonged to the civil service 42 regulations were adopted and many public services were transferred to the local level[26].

The Law on Public Services, adopted in 2012, plays a key role in the legal regulation of public services[27]. This law defines the procedure for providing public services and the procedure for providing public services to private organizations. The provision of public services is divided into several stages:

The first stage is the previous stage in the provision of public services, which includes sending advance notice in the prescribed form, familiarizing with the work schedule of the public body, sending a schematic description of the route to the citizen, indicating waiting and eating places, providing access for the disabled and contact information. The second stage, the stage after coming to the building of the state body, they should be well-equipped and informative signs of the state body, polite and careful attitude of employees, name and position cards, approximate possibilities of being in the building (place for smokers and non-smokers), list of all jobs be on a data board and have personal security ensured.

The third stage, which is a phase of telephone interaction, includes receiving calls from 9:00 to 17:00,

employees answering each call within 30 seconds, and employee self-introduction processes. The fourth stage is the process of providing public services, in which the public authority undertakes to provide public services as soon as possible and reviews the case as soon as possible[28].

In 1997, the concept of "Modernized Government" was adopted in the United Kingdom. The adoption of this concept was driven by problems such as insufficient accountability for the quality of public services, methodological and methodological problems, lack of monitoring of public services and weak relationships between public service providers. At this stage, the main focus was on the development of information technology. The main direction of improving public administration was the need to ensure electronic access to public services, which are still carried out. In addition to this concept, the "Modern Government" program was adopted. The program focused on three issues: a comprehensive approach to development, taking into account national interests and the provision of public services with careful consideration of the interests of various social groups (the elderly, women, people with disabilities, national minorities) [29]. These reforms have taken public service delivery in the UK to a new level. Today, the UK is considered one of the most developed countries in e-government services[30].

It should be noted that the Anglo-Saxon model became known throughout the world as the "new public management". The essence of this concept was perfectly explained by E.V. Talapina. According to him, the essence of the concept of "new public administration" is the transfer of management principles of private organizations to the system of public administration[31].



The United States is another country that has achieved great success under the Anglo-Saxon model. Public service reform has been hampered by bureaucratic hurdles in government, inefficient use of the state budget, high government influence in the economy, and unsatisfactory public evaluation of public services.

Public service reform in the United States dates back to the 1970s. In the 1990s, reconstruction began to develop. It is associated with the name of U.S. Vice President A. Gore. Under his leadership, the National Activity Research Committee was established. At the beginning of the reforms, proposals were received from the entire state through an electronic platform. The essence of the reforms in the United States was based on the partnership between the state and society.

The idea of a “free and democratic society” also played an important role in the historical specificity of the development of American society. Focusing on this idea, the legislature decided to improve the quality of public services by introducing competition between public authorities and private businesses.

In 1998, the Law on Inventory of Functions of Federal Bodies was adopted[32]. Under this law, the executive bodies were instructed to analyze the whole complex. It has been found that their functions can be delegated to the private sector[33].

In the United States, the rules for providing and performing certain functions have had a major impact on improving the quality of public services. The normative basis for this was the 1946 Law on Administrative Procedures[34].

Canada, another country that has achieved significant results in the system of public services, also belongs to the Anglo-Saxon model. In Canada, public service

reform has been driven by the country's vastness, uneven population density, cultural diversity, and the federal structure of the state.

Canada has gone in areas such as reforming the legal status of civil servants in public service reform and the use of information technology in public service delivery. Public service reform was carried out by the Ministry of Public Works and the Department of Public Services in the Executive Power. An Assessment Service has also been set up to process citizens' comments and complaints. In 1985, the Code of Ethics was adopted. There were restrictions on the prevention of conflicts of interest among civil servants and on the receipt of gifts. A special place in the electronicization of public services was taken by the electronic program "Government Online", adopted in 2000. The main goal of this program was to ensure that citizens have access to public services anywhere and at any time. In turn, it aims to make government more convenient, to allow the user to choose the format and language of the service, and to provide secure public services[35].

The 1-800 Canada Center has been set up to answer questions from users of public services[36]. This center has led users to make the right demands on public services.

Most of the public services provided in Canada have been transferred to state jurisdictions and private entities. In particular, the issuance of driving licenses is issued by private organizations. Today, the transfer of these sectors to the private sector is a priority in Canada's public service reform.

South Korea is another country that has developed public services based on the concept of "new governance". The development of public services in this country is based on three principles: the



introduction of market relations in public services, productivity and customer-oriented public services. The development of public services in South Korea is based on the following trends: reducing government influence on the economy, creating a competitive environment in the provision of public services and the formation of a consumer service system[37].

A review of the experience of foreign countries shows that today most countries in the world aim to provide comfortable living conditions for citizens by providing appropriate quality public services. Currently, improving the quality of public services abroad is directly related to the reform of public administration. In the most developed countries, there is a tendency to centralize public administration. These measures are aimed at attracting private funds and using private opportunities to expand the capacity to perform public functions. In some countries, public services are provided to the private sector along with government agencies. This has led to increased competition in public services. In turn, the implementation of these reforms in the United States and the United Kingdom has led to lower prices and higher quality of public services. However, there may be some risks in the delivery of public services to the private sector. For example, the industry may become commercial. Therefore, it is necessary to develop public control in this area. The analysis of foreign experience shows that Uzbekistan is also effectively using the experience of developed countries. For example, there is a system similar to the structures established in Australia (Centelink), Canada (Access Centers), Poland (Information Support Centers) and a number of other countries. However, significant work still needs to be done to provide public services. In this regard, it is necessary to effectively use the experience of countries such as Germany, England, Canada, France.

Thus, there are three models of legal regulation of public services in the world (French, German and Anglo-Saxon), and it is important to apply the positive aspects of these models in the development of public services in our country. It is also important to analyze the scope of problems encountered in the development of the industry in developed foreign countries, and to choose the path to prevent these problems is to study the experience of foreign countries.

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