

DIRECTION FOR IMPROVING THE ORGANIZATIONAL AND INSTITUTIONAL FRAMEWORK OF PUBLIC-PRIVATE PARTNERSHIP

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Abstract

The introduction of modern mechanisms of public-private partnership in our country on the basis of mutually beneficial cooperation is one of the important priorities in the Action Strategy for the development of the Republic of Uzbekistan.

Despite the existence of a clear and well-developed strategy for the development of the country, there are insufficient organizational and legal mechanisms for the implementation of the tasks set by some executive authorities, duplication of tasks and excessive state regulation has a negative impact on the effectiveness of ongoing reforms.

Keywords Republic of Uzbekistan, public-private partnership, endowment, institutional, Public-Private Partnership Development Agency.

INTRODUCTION

The current system of coordination and control over the activities of the executive branch is also flawed, which does not ensure the timely identification and elimination of systemic problems that hinder the implementation of decisions [1]. In particular, in our opinion, such a situation is unacceptable in the implementation of government decisions aimed at creating a favorable business environment in our country. This is because domestic and foreign investors pay special attention to the cases where there is a big difference between the tasks announced on paper and their practical implementation. In this regard, the signing of the Decree of the President "On approval of the Concept of Administrative Reforms in the Republic of Uzbekistan" [2] was welcomed by entrepreneurs of our country. Because its

implementation will further reduce the administrative impact on sectors of the economy and expand the market mechanisms of governance. It is noteworthy that the document outlines measures to improve the management system, focusing on the development of a healthy competitive environment in the most important sectors of the economy and social spheres (industry, transport, energy, etc.), eliminating conflicts of public and commercial interests. Development of clear market mechanisms of state participation in economic activity, improvement of the legal and institutional framework of social and public-private partnership aimed at ensuring the broad participation of non-governmental non-profit organizations and business entities in addressing pressing issues of socio-economic development. The task of transferring them to the private sector with the introduction of mechanisms

of state control over the proper performance of their functions is also important.

The head of our state is carrying out large-scale and systematic reforms in our country, based on deep logic and taking into account the interests of the people. In this process, along with the protection of human rights and freedoms and legitimate interests, laws, decrees and resolutions are adopted aimed at realizing the entrepreneurial potential of citizens, increasing their participation in solving socio-economic problems.

The Law of the Republic of Uzbekistan "On Public-Private Partnership" [3] was adopted on May 10, 2019.

The main purpose of the law is to regulate the system of public-private partnership in our country, effective coordination and regulation of relations in this area. In addition to defining the legal basis of public-private partnership, this document is related to the rules and processes related to public-private partnership, the principles governing and applicable to the institutional system and public-private partnership. identifies other issues. It defines the purpose, criteria, duration, scope, institutional mechanism, role, public-private partnership, project initiation, preparation, selection of a private partner, tenders and contract signing processes.

It should be noted that equality of public and private partners before the law, transparency of rules and principles in the implementation of partnerships, competition and impartiality in the selection of the private sector, non-discrimination and corruption are the main principles of public-private partnership. It should be noted that the public-private partnership agreement in Uzbekistan can be concluded for a period of 3 to 49 years. In addition, the law addresses the protection and guarantee of private partners, the implementation and monitoring mechanisms for public-private partnership projects, and their financial support.

By law, the Public-Private Partnership Development Agency under the Ministry of Finance has been appointed to be responsible for

implementing a single public policy in the field of public-private partnership in Uzbekistan. This agency determines the policy of public-private partnership in the country, reviews projects, coordinates tender documents and agreements on public-private partnership with line ministries, develops, conducts tenders and conducts public-private partnerships. assists in financing private partnership projects.

In May 2019, the Law of the Republic of Uzbekistan "On Public-Private Partnership" was adopted, and to date, some work has been done to implement the main provisions of this law. A Public-Private Partnership Development Agency has been established under the Ministry of Finance. More than a dozen relevant decisions and other normative legal acts have been adopted on the development of certain areas of public-private partnership. In particular, a number of targeted projects and programs are being implemented in the field of preschool education, culture and arts on the basis of public-private partnership. Important steps have been taken to develop public-private partnerships in the field of physical culture and sports.

In 2020, special attention will be paid to the development of public-private partnerships. In the Address of the President of the Republic of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis on January 24, 2020 [4] in the development of active investment policy in public transport, energy, road construction, utilities, medicine, education and a number of other sectors the need for the widespread introduction of a partnership mechanism was noted.

The consideration of public-private partnership issues at the video conference held by the President on August 5, 2020 was an important impetus to increase the effectiveness of these tasks.

At the meeting, the President discussed the establishment of modern public-private partnership hemo-dialysis centers, radiotherapy centers for oncology patients, construction of a new tunnel on the Kamchik Pass, development of terms of reference for the partnership of a number of airports in the country and important tasks were given to implement a number of projects.

It should be noted that at the meeting, the President instructed to introduce a public-private partnership in the sale of electricity and natural gas to consumers, which is currently in full swing. Indeed, by providing competition between producers and sellers in this field, it is possible to improve the quality of service and reduce the cost and losses of the product.

It was also criticized that the projects in the field of public utilities have been carefully considered, and the reforms in the sector are almost invisible, and there are delays in this regard.

From the point of view of the social interests of the people of Uzbekistan, it is important to pay more attention to the implementation of public-private partnership projects in the utilities sector.

Under current law, "natural monopolies" are those that provide electricity and natural gas, clean drinking water, central heating and hot water, and household waste disposal and disposal services. There is almost no competition in this area, and no alternative, modern forms of service delivery are used. As a result, non-manufacturing losses are borne by utilities through prices and tariffs. In some heating networks, the heat loss from the boiler to the consumer is up to 50%.

We fully agree with the President's opinion that the accelerated implementation of public-private partnership projects will both ease the budget and improve the quality of services. For example, \$ 2.6 billion is required for sewerage projects in our country alone. The implementation of this project in partnership with private partners will, in fact, greatly facilitate the budget, the entry of the private sector into the industry will create competition and, ultimately, improve the quality of services.

Based on the above, we can conclude that, first of all, we need to focus on a number of issues related to increasing the role of parliament in the development of modern mechanisms of public-private partnership. It is necessary to increase the effectiveness of parliamentary and parliamentary control in this area.

Second, the analysis of the implementation of the Law on Public-Private Partnership over the past

three years shows the need to further improve the relevant legislation and procedural mechanisms.

For example, this law clearly defines the powers of the Cabinet of Ministers of the Republic of Uzbekistan and the Public-Private Partnership Development Agency under the Ministry of Finance of the Republic of Uzbekistan in the development of public-private partnership. The powers, rights and obligations of other public bodies are defined only in terms of their participation in the relevant public-private partnership agreements. However, no provision of the Law defines the powers and responsibilities of the ministries of the republic, regional, city and district khokimiyats and various local government bodies as initiators of public-private partnership projects in areas that fall within the exclusive competence.

Third, in addition to traditional areas, we believe that modern mechanisms of public-private partnership should be introduced in new areas. For example, the establishment of endowment funds in higher education institutions, which are financed from the commercialization of sponsorship and research results, with the help of target capital and other funds [5]. Endowment funds are one of the most effective and promising forms of education. Endowment fund - endowment (from the English endow - charity, trust, permanent income) - money is formed at the expense of charitable funds, which are transferred to the trust management of the management company to generate income, and the law donation of a non-profit organization used to finance the activities specified in the documents. Examples include the Endowment Foundation [6], established at the Moscow State Institute of International Relations, St. Petersburg State University, and the Moscow State University named after MV Lomonosov. In addition, the development of public-private partnerships and social entrepreneurship is aimed at creating favorable conditions for lonely elderly people living in "Muruvvat", "Sakhovat" and "Mehribonlik" homes, children left without parental care, people with disabilities in need of care.

In addition, the Decree of the President of the Republic of Uzbekistan "On additional measures to improve the mechanisms of financing projects in

the field of entrepreneurship and innovation"[7] and the Cabinet of Ministers "On the activities of investment and management companies We believe that more venture funds should be put into practice on the basis of the decisions "On the approval of the Charter" [8]. So what is a Venture Fund? It's a financial institution - but not a bank. An organization like this gives money to startups - but not on loan. The fund receives money from investors. The investor can be a government, a bank, an investment fund, or an individual. They all want to spend their money on something that will bring in huge profits in a few years. For example, different startups! But they don't have the time or knowledge to analyze the prospects or vice versa of every little star-tap. So they entrust it to a venture fund. The venture fund will raise capital from their investment and will have to distribute that capital. The fund studies hundreds of startups, selects the best ones, and gives them money in exchange for a stake. He does not expect the startup to return the money to him with a profit: he sells it when the stock price of the startup rises and recovers the money spent with a profit.

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