



ACTIVITIES OF INTERNAL AFFAIRS BODIES IN THE IMPLEMENTATION OF LICENSING, PERMITTING AND NOTIFICATION PROCEDURES

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ABSTRACT

This article provides suggestions and recommendations for improving licensing by internal affairs bodies in the implementation of licensing, based on the views of scientists and the results of the study of practice.

Keywords: license, administrative law, licensing authorities, license applicants, form, method, style, procedure, licensing activity.

By ensuring public safety, the formation of an integrated system of crime prevention and combating crime, the effective functioning of internal affairs bodies from the lowest to the national level and the introduction of modern methods of work, important reforms are being carried out in our country in order to strengthen law and order and ensure the peace and tranquility of the population. The role of licensing certain types of activities by internal affairs bodies in ensuring public order and safety is invaluable.

Issues of legal regulation of licensing activities of internal affairs bodies have always been the object of scientific research. There are different views on the meaning and significance of the term "licensing activities".

In particular, in the textbook "Activities of law enforcement agencies" published under the editorship of Professor I. Ismailov it is mentioned that "the control and licensing system in the broadest sense is a procedure established by legal norms, which requires the competent state authorities to obtain a license (permission) to perform certain actions or enterprises, institutions and organizations, associations or individuals to obtain certain powers."

According to foreign scientist V.I. Shalashov, licensing is a type of administrative activity of law enforcement agencies. These are complex actions of law enforcement agencies on licensing of activities on the basis of applications of individuals and legal entities, monitoring their compliance with the rules of the licensing system, detection, prevention, suppression and prosecution of violations. According to A.B. Grokhman, licensing is a joint activity of various services of internal affairs bodies and its main



form is the issuance of permits and licenses to carry out certain activities by the relevant entities.

According to A.V. Lugovaya, licensing activities of law enforcement agencies are an integral part of the licensing system of the country and is a license and permission to engage in a particular type of activity (works, services), the right to use objects and means that have been withdrawn from circulation in whole or in part and giving legitimacy of executive bodies with special authority to control compliance with the rules, requirements and conditions of the license We agree with the views of these scientists.

Therefore, social relations related to the control and licensing system are regulated by the Law of the Republic of Uzbekistan "On licensing, permitting and notification procedures" [1] No. ZRU-701 (July 14, 2021). The list of activities for which licenses are required, types of activities (actions) for which permits are required, and activities for which notification of the competent authorities is approved in accordance with the legislation, the competent authorities in the field of licensing, permitting and notification procedures for these activities. One such authority is the internal affairs bodies.

The activity of special units carrying out control and licensing activities in the internal affairs bodies has been established and they are part of the system of the Patrol and Post Service and the Main Department of Public Order of the Ministry of Internal Affairs of the Republic of Uzbekistan. The system of these services includes the Department of Organization of Control and Licensing Activities within the Main Department of Patrol and Public Order of the Ministry of Internal Affairs of the Republic of Uzbekistan; The Ministry of Internal Affairs of the Republic of Karakalpakstan, the Main Departments of Internal Affairs of the city of Tashkent and Tashkent region, the Patrol and Post Service and the Public Order Departments of the Regional Departments of Internal Affairs.

The position of inspector for control and licensing activities has been introduced in the district (city) Departments of Internal Affairs (divisions). Where such positions are not introduced, this task is assigned to one of the inspectors of the district (city) Department of Internal Affairs (division) of the Department of Public Order or the Department of Crime Prevention (senior) inspectors. However, these officers must complete a training course and pass a test in a timely manner in the Ministry of Internal Affairs of the Republic of Karakalpakstan, the Main Departments of Internal Affairs of Tashkent and Tashkent region, the Patrol Post Service and Public Order Departments of regional police departments. Based on the research conducted in this





area, the analysis of existing regulations and legal literature, let's analyze the tasks assigned to the IAB in this regard.

In particular, the analysis of existing regulations shows that only two of the 49 types of activities that require a license to conduct a total activity are carried out by law enforcement agencies. This consists of 4%.

The following types of licensing activities can be specified.

- License for the creation, production, transportation, storage, sale, use, destruction and disposal of pyrotechnic articles (except for military products);
- License for the production, repair and sale of civilian and service weapons and ammunition.

The law specifies a total of 120 types of activities (actions) that require the issuance of permitting documents for implementation. Of these, the issuance of permits for seven types of activities is carried out by law enforcement agencies.

In particular:

- By type of activity for the carriage of dangerous goods by road - a certificate of placement of the vehicle for the carriage of dangerous goods;
- By type of activity for making changes to the elements of the design and components of the motor vehicle using units and components, spare parts and components of other models and modifications - permit for re-equipment of motor vehicles;
- By type of activity for approval of the project of construction, reconstruction and repair of petrols, gas filling compressor station for cars and gas station for cars on road structures, railway crossings, stations, roads and streets - approval of the project of construction, reconstruction and repair of petrols, gas filling compressor station for cars and gas station for cars on road structures, railway crossings, stations, roads and streets;
- By type of activity of acquisition, sale, storage, transportation, collection, exhibition, import and export of civil and service weapons and ammunition, transit through the territory of the Republic of Uzbekistan [2] - Permit for acquisition, sale, storage, transportation, collection, exhibition, import and export of civilian and service weapons and ammunition, transit through the territory of the Republic of Uzbekistan;
- By type of activity for import, receipt, storage of explosives by legal entities operating in the field of explosives, as well as transportation by road and rail - permission for import, purchase, storage of explosives, as well as transportation by road and rail;
- By type of activity for storage of narcotic drugs, psychotropic substances, their analogues and precursors in facilities (rooms) - conclusion on compliance of facilities (rooms) with technical requirements for storage of narcotic drugs, psychotropic substances, their analogues and precursors;



- By type of activity to hold public events, including concert events and public events of international and national importance - permission to hold public events.

The law specifies a total of 33 types of activities carried out in the order of notification of the competent authorities. Of these, the order of notification of the internal affairs bodies is on two types of activities:

- Notification of commencement or termination of activities related to the change of the design of the motor vehicle and (or) part of it;
- Notification on the beginning or termination of the operation of public catering establishments and entertainment facilities at night - on operation from 23.00 to 06.00.

The following main tasks are assigned to the services of law enforcement agencies engaged in control and licensing activities:

- Study and assessment of the condition of control and licensing facilities;
- consideration of applications for storage, transportation, purchase, use and production of items, substances and equipment for which a license is required;
- Permitting the operation of control and licensing facilities;
- Planning, inspection of facilities and keeping records of the work done in this regard;
- Inspection of facilities and registration of results together with the administration, prevention inspectors and other related services;
- Keeping records of persons with hunting weapons, identifying unregistered weapons and taking measures to register them.

Based on the above analysis, we can say that licensing control activity of internal affairs bodies means a set of primary and systematic actions to be taken by divisions of special powers of internal affairs bodies to determine compliance with licensing requirements and conditions in accordance with the procedure established by law.

Based on the above, it can be concluded that the results of the study and analysis of the legal framework of licensing activities of law enforcement agencies require: first of all, improvement of the laws directly regulating this sphere; secondly, ensuring full and quality implementation of the relevant decrees and resolutions of the President of the Republic of Uzbekistan and the Cabinet of Ministers on the effective organization of direct licensing, permitting and notification activities; third, creating a legal framework for the models that are being put into practice today as best practices and working methods in the field of licensing, permitting and notification; fourth, eliminating shortcomings in the departmental regulations of the Ministry of Internal Affairs of the Republic of Uzbekistan through in-depth monitoring, legal inspection and systematization.





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