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**АКТУАЛЬНЫЕ ПРОБЛЕМЫ СОЦИАЛЬНО-
ГУМАНИТАРНЫХ НАУК**

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

TOSHKENT-2024

BOSH MUHARRIR:

Isanova Feruza Tulqinovna

TAHRIR HAY'ATI:

07.00.00-TARIX FANLARI:

Yuldashev Anvar Ergashevich – tarix fanlari doktori, siyosiy fanlar nomzodi, professor, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Mavlanov Uktam Maxmasabirovich – tarix fanlari doktori, professor, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Xazratkulov Abror – tarix fanlari doktori, dotsent, O'zbekiston davlat jahon tillari universiteti.

Tursunov Ravshan Normuratovich – tarix fanlari doktori, O'zbekiston Milliy Universiteti;

Xolikulov Axmadjon Boymahamatovich – tarix fanlari doktori, O'zbekiston Milliy Universiteti;

Gabrielyan Sofya Ivanovna – tarix fanlari doktori, dotsent, O'zbekiston Milliy Universiteti.

Saidov Sarvar Atabullo o'g'li – katta ilmiy hodim, Imam Termiziy xalqaro ilmiy-tadqiqot markazi, ilmiy tadqiqotlar bo'limi.

08.00.00-IQTISODIYOT FANLARI:

Karlibayeva Raya Xojabayevna – iqtisodiyot fanlari doktori, professor, Toshkent davlat iqtisodiyot universiteti;

Nasirxodjayeva Dilafruz Sabitxanova – iqtisodiyot fanlari doktori, professor, Toshkent davlat iqtisodiyot universiteti;

Ostonokulov Azamat Abdukarimovich – iqtisodiyot fanlari doktori, professor, Toshkent moliya instituti; Arabov Nurali Uralovich – iqtisodiyot fanlari doktori, professor, Samarqand davlat universiteti;

Xudoyqulov Sadirdin Karimovich – iqtisodiyot fanlari doktori, dotsent, Toshkent davlat iqtisodiyot universiteti;

Azizov Sherzod O'ktamovich – iqtisodiyot fanlari doktori, dotsent, O'zbekiston Respublikasi Bojxona instituti;

Xojayev Azizzon Saidaloxonovich – iqtisodiyot fanlari doktori, dotsent, Farg'ona politexnika instituti

Xolov Aktam Xatamovich – iqtisodiyot fanlari bo'yicha falsafa doktori (PhD), dotsent, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Shadiyeva Dildora Xamidovna – iqtisodiyot fanlari bo'yicha falsafa doktori (PhD), dotsent v.b, Toshkent moliya instituti;

Shakarov Qulmat Ashirovich – iqtisodiyot fanlari nomzodi, dotsent, Toshkent axborot texnologiyalari universiteti

09.00.00-FALSAFA FANLARI:

Hakimov Nazar Hakimovich – falsafa fanlari doktori, professor, Toshkent davlat iqtisodiyot universiteti;

Yaxshilikov Jo'raboy – falsafa fanlari doktori, professor, Samarqand davlat universiteti;

G'aybullayev Otabek Muhammadiyevich – falsafa fanlari doktori, professor, Samarqand davlat chet tillar instituti;

Saidova Kamola Uskanbayevna – falsafa fanlari doktori, "Tashkent International University of Education" xalqaro universiteti;

Hoshimxonov Mo'min – falsafa fanlari doktori, dotsent, Jizzax pedagogika instituti;

O'rroqova Oysuluv Jamoliddinovna – falsafa fanlari doktori, dotsent, Andijon davlat tibbiyot instituti, Ijtimoiy-gumanitar fanlar kafedrasi mudiri;

Nosirxodjayeva Gulnora Abdukaxkarovna – falsafa fanlari nomzodi, dotsent, Toshkent davlat yuridik universiteti;

Turdiyev Bexruz Sobirovich – falsafa fanlari bo'yicha falsafa doktori (PhD), dotsent, Buxoro davlat universiteti.

10.00.00-FILOLOGIYA FANLARI:

Axmedov Oybek Saporbayevich – filologiya fanlari doktori, professor, O'zbekiston davlat jahon tillari universiteti;

Ko'chimov Shuxrat Norqizilovich – filologiya fanlari doktori, dotsent, Toshkent davlat yuridik universiteti;

Hasanov Shavkat Ahadovich – filologiya fanlari doktori, professor, Samarqand davlat universiteti;

Baxronova Dilrabo Keldiyorovna – filologiya fanlari doktori, professor, O'zbekiston davlat jahon tillari universiteti;

Mirsanov G'aybullo Qulmurodovich – filologiya fanlari doktori, professor, Samarqand davlat chet tillar instituti;

Salaxutdinova Musharraf Isamutdinovna – filologiya fanlari nomzodi, dotsent, Samarqand davlat universiteti;

Kuchkarov Raxman Urmanovich – filologiya fanlari nomzodi, dotsent v/b, Toshkent davlat yuridik universiteti;

Yunusov Mansur Abdullayevich – filologiya fanlari nomzodi, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Saidov Ulugbek Aripovich – filologiya fanlari nomzodi, dotsent, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi.

12.00.00-YURIDIK FANLAR:

Axmedshayeva Mavlyuda Axatovna – yuridik fanlar doktori, professor, Toshkent davlat yuridik universiteti;

Muxitdinova Firyuza Abdurashidovna – yuridik fanlar doktori, professor, Toshkent davlat yuridik universiteti;

Esanova Zamira Normurotovna – yuridik fanlar doktori, professor, O'zbekiston Respublikasida xizmat ko'rsatgan yurist, Toshkent davlat yuridik universiteti;

Hamroqulov Bahodir Mamasharifovich – yuridik fanlar doktori, professor v.b., Jahon iqtisodiyoti va diplomatiya universiteti;

Zulfiqorov Sherzod Xurramovich – yuridik fanlar doktori, professor, O'zbekiston Respublikasi Jamoat xavfsizligi universiteti;

Xayitov Xushvaqt Saparbayevich – yuridik fanlar doktori, professor, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Asadov Shavkat G'aybullayevich – yuridik fanlar doktori, dotsent, O'zbekiston Respublikasi Prezidenti huzuridagi Davlat boshqaruvi akademiyasi;

Ergashev Ikrom Abdurasulovich – yuridik fanlar doktori, professor, Toshkent davlat yuridik universiteti;

Utemuratov Maxmut Ajimuratovich – yuridik fanlar nomzodi, professor, Toshkent davlat yuridik universiteti;

Saydullayev Shaxzod Alixanovich – yuridik fanlar nomzodi, professor, Toshkent davlat yuridik universiteti;

Hakimov Komil Baxtiyarovich – yuridik fanlar doktori, dotsent, Toshkent davlat yuridik universiteti;

Yusupov Sardorbek Baxodirovich – yuridik fanlar doktori, dotsent, Toshkent davlat yuridik universiteti;

Amirov Zafar Aktamovich – yuridik fanlar bo'yicha falsafa doktori (PhD), O'zbekiston Respublikasi

Sudyalar oliv kengashi huzuridagi Sudyalar oliv maktabi;

Jo'rayev Sherzod Yuldashevich – yuridik fanlar nomzodi, dotsent, Toshkent davlat yuridik universiteti;

Babadjanov Atabek Davronbekovich – yuridik fanlar nomzodi, dotsent, Toshkent davlat yuridik universiteti;

Rahmatov Elyor Jumaboyevich - yuridik fanlar nomzodi, Toshkent davlat yuridik universiteti;

13.00.00-PEDAGOGIKA FANLARI:

Xashimova Dildarxon Urinboyevna – pedagogika fanlari doktori, professor, Toshkent davlat yuridik universiteti;

Ibragimova Gulnora Xavazmatovna – pyedagogika fanlari doktori, professor, Toshkent davlat iqtisodiyot universiteti;

Zakirova Feruza Maxmudovna – pedagogika fanlari doktori, Toshkent axborot texnologiyalari universiteti huzuridagi pedagogik kadrlarni qayta tayyorlash va ularning malakasini oshirish tarmoq markazi;

Kayumova Nasiba Ashurovna – pedagogika fanlari doktori, professor, Qarshi davlat universiteti;

Taylanova Shoxida Zayniyevna – pedagogika fanlari doktori, dotsent;

Jumaniyozova Muhayyo Tojiyevna – pedagogika fanlari doktori, dotsent, O'zbekiston davlat jahon tillari universiteti;

Ibraximov Sanjar Urunbayevich – pedagogika fanlari doktori, Iqtisodiyot va pedagogika universiteti;

Javliyeva Shaxnoza Baxodirovna – pedagogika fanlari bo'yicha falsafa doktori (PhD), Samarqand davlat universiteti;

Bobomurotova Latofat Elmurodovna - pedagogika fanlari bo'yicha falsafa doktori (PhD), Samarqand davlat universiteti.

19.00.00-PSIXOLOGIYA FANLARI:

Karimova Vasila Mamanosirovna – psixologiya fanlari doktori, professor, Nizomiy nomidagi Toshkent davlat pedagogika universiteti;

Hayitov Oybek Eshboyevich – Jismoniy tarbiya va sport bo'yicha mutaxassislarni qayta tayyorlash va malakasini oshirish instituti, psixologiya fanlari doktori, professor

Umarova Navbahor Shokirovna – psixologiya fanlari doktori, dotsent, Nizomiy nomidagi Toshkent davlat pedagogika universiteti, Amaliy psixologiyasi kafedrasi mudiri;

Atabayeva Nargis Batirovna – psixologiya fanlari doktori, dotsent, Nizomiy nomidagi Toshkent davlat pedagogika universiteti;

Shamshetova Anjim Karamaddinovna – psixologiya fanlari doktori, dotsent, O'zbekiston davlat jahon tillari universiteti;

Qodirov Obid Safarovich – psixologiya fanlari doktori (PhD), Samarkand viloyat IIB Tibbiyot bo'limi psixologik xizmat boshlig'i.

22.00.00-SOTSILOGIYA FANLARI:

Latipova Nodira Muxtarjanovna – sotsiologiya fanlari doktori, professor, O'zbekiston milliy universiteti kafedra mudiri;

Seitov Azamat Po'latovich – sotsiologiya fanlari doktori, professor, O'zbekiston milliy universiteti; Sodiqova Shohida Marxaboyevna – sotsiologiya fanlari doktori, professor, O'zbekiston xalqaro islom akademiyasi.

23.00.00-SIYOSIY FANLAR

Nazarov Nasriddin Ataqulovich –siyosiy fanlar doktori, falsafa fanlari doktori, professor, Toshkent arxitektura qurilish instituti;

Bo'tayev Usmonjon Xayrullayevich –siyosiy fanlar doktori, dotsent, O'zbekiston milliy universiteti kafedra mudiri.

OAK Ro'yxati

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THE LEGAL NATURE OF E-COMMERCE IN THE REPUBLIC OF UZBEKISTAN

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Abstract. In modern realities, the vast majority of consumers prefer to receive and pay for goods, works and/or services without leaving home. Commercial banks and other organizations actively provide assistance, creating convenience for the public, in the development, development and application of electronic payment infrastructure. Digitalization of financial services is designed to reduce costs and improve the efficiency of the system, digitalization allows you to increase the number of people served, even in rural regions, due to greater speed and ease of use of a simple interface. The steady advancement of the economy into the virtual space – its rapid digitalization around the world causes an immediate demand for all market participants to make the necessary modifications to the content of their activities. Of course, commercial banks, which are the building blocks of the material development of society, did not stand aside either.

Keywords: e-commerce, electronic platform, electronic payments, virtual space, digitalization.

O'ZBEKISTON RESPUBLIKASIDA ELEKTRON TIJORATNING HUQUQIY TABIATI

Muqumov Bobur Meliboy o'g'li

Toshkent davlat yuridik universiteti o'qituvchisi

Annotatsiya. Zamonaliv voqelikda iste'molchilarning aksariyati uydan chiqmasdan tovarlar, ishlar va/yoki xizmatlarni olish va to'lashni afzal ko'rishadi. Tijorat banklari va boshqa tashkilotlar aholiga elektron to'lovlar infratuzilmasini ishlab chiqish, rivojlantirish va ulardan foydalanishda qulayliklar yaratib, faol yordam ko'rsatmoqdalar. Moliyaviy xizmatlarni raqamlashtirish xarajatlarni kamaytirish va tizim samaradorligini oshirishga yordam berish uchun mo'ljallangan, raqamlashtirish, hatto qishloq hududlarida ham oddiy interfeysdan foydalanish qulayligi tufayli xizmat ko'rsatiladigan aholi sonini ko'paytirishga imkon beradi. Iqtisodiyotning virtual makonga ishonchli rivojlanishi-uning butun dunyo bo'ylab jadal raqamlashtirilishi bozorning barcha ishtirokchilariga o'z faoliyati mazmuniga kerakli o'zgarishlarni kiritish uchun zundlilik bilan talabni keltirib chiqaradi. Albatta, jamiyatning moddiy rivojlanishining qurilish poydevori bo'lgan tijorat banklari ham chetda qolmadи.

Kalit so'zlar: elektron tijorat, elektron platforma, elektron to'lovlar, virtual makon, raqamlashtirish.

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Electronic commerce (e-com) is a term first used by IBM, which defined it as "the transformation of core business processes using Internet technologies". [1]

The main definition of e-commerce, which is used in modern international markets, is officially enshrined in the final communique of UNCTAD, the United Nations Conference on Trade and Development in 2000 as "all forms of transactions between commercial

organizations and (or) individuals based on the processing and transmission of digital information, including text data, sounds and visual images".[2]

Nevertheless, each scientist interprets this concept in his own way and defines its semantic meaning.

For example, A.V. Martynyuk gives the following definition of e-commerce: "this is an economic sphere that includes all financial and trade transactions carried out using computer networks, and business processes related to transactions".[3]

B. Kleindl defines the concept of e-commerce as "the practice of engaging in transactions on the global Internet network and using electronic information systems of online commerce for these purposes, including the implementation of automated purchases on websites".[4]

According to V.Y. Grechkov's definitions: "e-commerce is determined by the presence of the following features:

- trading operations are carried out electronically;
- all assets and objects of purchases and sales have ownership rights;
- homogeneous trading operations are performed with a uniform frequency;
- work is carried out with tangible and intangible assets in order to increase their marketability;
- the desire to make a profit".[5]

The main existing approaches to classifying definitions of the concept of e-commerce are reflected in Table No. 1.

E-commerce has been developing in the Republic of Uzbekistan since 2004. On April 29, 2004, the Law of the Republic of Uzbekistan "On Electronic Commerce" No. 613-II was adopted. Subsequently, in 2015, the Law was adopted in a new version.

President of the Republic of Uzbekistan Sh.M. Mirziyoyev has repeatedly stressed the importance of digitalization of the economy through the introduction of various information and communication technologies. Thus, in the Decree of the President of the Republic of Uzbekistan "On measures for the development of the digital economy in the Republic of Uzbekistan" it was noted: "The state is taking large-scale measures to develop the digital sector of the economy, introducing electronic document management systems, developing electronic payments and improving the regulatory framework in the field of e-commerce".[6]

By virtue of Article 3 of the Law of the Republic of Uzbekistan "On Electronic Commerce":

"Electronic commerce is the purchase and sale of goods (works, services) carried out in accordance with an agreement concluded using information systems".[7]

It is important to emphasize that the national legislation of the Republic of Uzbekistan identifies the concept of "electronic commerce" with a narrower analogue of "electronic commerce".

In the law "On Electronic Commerce", developed by the United Nations Commission on International Trade Law in 1996, the term "electronic commerce" is interpreted as "all aspects of commercial relations, both contractual and non-contractual,"[8] covered by this law. In this interpretation, the concept of "e-commerce" includes commercial civil law transactions that are not limited to the scope of purchase and sale, but must necessarily be concluded using electronic networks or the global Internet network.

In the Republic of Uzbekistan, e-commerce participants include legal entities and individuals who are sellers or buyers of goods (works, services) in e-commerce.[9]

We believe that this concept is not entirely correct, because the so-called "information intermediaries" highlighted by the legislator in a separate article, even if they do not belong to the number of participants in e-commerce by the legislator, are a priori such, because they participate in e-commerce through the provision of certain services, for example, they are holders of sites where e-commerce takes place, or provide payment services (banks).

"E-commerce, or e-commerce, is a tool for selling goods and services over the Internet. The buyer pays for the product with a bank card directly on your website or on any other online platform, for example, in the application".[10]

E-commerce includes such global categories as online trading; electronic data exchange; electronic banking, insurance services and online trading; money transfers and electronic money; electronic marketing (systems for collecting user data, electronic catalogs, reference books, bulletin boards).[11]

In accordance with the Rules of e-commerce, "an electronic trading platform is a software and hardware complex of organizational, information and technical solutions, including an online store, providing interaction between the seller and the buyer (customer) through an information system for the sale of goods (works, services)".[12]

The most famous electronic trading platforms in the world are: AliExpress, Amazon, Ebay.

In the Republic of Uzbekistan, the marketplace is also gradually gaining momentum, for example, the marketplace is particularly popular in our country express24.uz .

"Information intermediary is a legal entity providing services related to the circulation of electronic documents and electronic messages in e-commerce". [13]

Internet banking systems - provide the ability to manage a bank account via the Internet based on electronic payment systems.

A participant in e-commerce in the Republic of Uzbekistan is a legal entity or an individual who is a seller or buyer of goods (works, services) in e-commerce. At the same time, the seller of goods (works, services) in e-commerce is exclusively a legal entity or an individual entrepreneur.

Thus, the legislator refers exclusively to the seller and buyer as participants in e-commerce, and other persons providing services related to the circulation of electronic documents and electronic messages, holders of trading platforms are allocated to a separate category - information intermediary.

As for the place of banks in e-commerce, banks also refer to information intermediaries as banks providing services for providing access to payment systems and making payments to e-commerce participants.

E-commerce is impossible to imagine without banks, because all payments are made exclusively by banks one way or another. Take at least the usual processes of paying for services on the Internet or goods via bank plastic cards or, in other banking terms, P2P/P2B payments in e-com.

The ability to conduct e-commerce, that is, to provide their services / goods on the Internet, appeared due to the introduction of E-POS terminals.

"When carrying out e-commerce transactions by business entities, payment can be accepted in cash with mandatory sending to the buyer through virtual terminals

(E-POS) an electronic receipt or other supporting document confirming acceptance of payment in cash with strict observance of the rules of cash collection to servicing banks," reads the Decree of the President of the Republic of Uzbekistan "On measures to accelerate the development of electronic commerce".

Electronic payment systems are used to pay for goods and services when making electronic transactions. They are one of the main elements of the infrastructure of the e-commerce system.

So, according to the Law of the Republic of Uzbekistan "On Payments and Payment systems", "a payment system is a set of relations that ensure the implementation of payments through the interaction of the operator of the payment system, participants of the payment system and (or) payment organizations through the application of procedures, infrastructure and rules of the payment system established by the operator of the payment system".

However, so far only two payment systems are popular – UZCARD and HUMO.

Further, on the path of digitalization of the economy, and, consequently, the banking system as an integral part of it, it is necessary to focus on electronic money.

So, according to Article 39 of the Law of the Republic of Uzbekistan "On Payments and Payment Systems", "an electronic money system is a payment system that ensures the implementation of payments and other transactions using electronic money through the interaction of the operator of the electronic money system with the issuer of electronic money and (or) the owners of electronic money".

Electronic money – unconditional and irrevocable monetary obligations of the issuer of electronic money, stored in electronic form and accepted as a means of payment in the electronic money system.

Electronic money is a collection of digital data that is the real equivalent of paper money. Electronic money systems differ from conventional payment systems in that they exchange electronic money directly, as in cash circulation, paper money is exchanged, and not information about the amounts of money held in bank accounts of certain persons.

The cost of operating such a system is significantly less than the cost of all of the above. In addition, the transfer of electronic money, as well as ordinary money, does not entail the transfer of any additional information, which ensures complete anonymity of the payment, and this means the preservation of bank secrecy in accordance with the Law of the Republic of Uzbekistan "On Bank Secrecy".

In the Republic of Uzbekistan, issuers of electronic money can only be the Central Bank of the Republic of Uzbekistan and other banks,

It should be noted that in accordance with Part 2 of Article 40 of the Law of the Republic of Uzbekistan "On Payments and Payment Systems", electronic money issued by an issuer of electronic money in the territory of the Republic of Uzbekistan must be denominated only in the national currency of the Republic of Uzbekistan.

Different scientists and researchers hold different positions on the impact of electronic money. Some say that they will not have any impact on the global economy at all, since cash will simply be partially and gradually replaced by electronic means of payment. Others say that electronic money has unique properties that distinguish it from ordinary money, which can lead to changes in the global economic system, an increase in the inflow of currency into the banking system, as well as an expansionary growth of credit.[15]

By virtue of Article 14 of the Law of the Republic of Uzbekistan "On Payments and Payment Systems", the issue of electronic money is also a payment service providing for the issuance of electronic money by the issuer of electronic money to an individual directly and (or) through the operator of the electronic money system or an agent of the electronic money system by exchanging for an equal amount of money at their nominal value.

All settlements between the owner of electronic money, the operator of the electronic money system, as well as issuers of electronic money (banks) are carried out in accordance with the relevant agreements concluded between them.

Thus, in accordance with clause 13 of the "Rules for the issuance and circulation of electronic money in the territory of the Republic of Uzbekistan", electronic money is recorded by the issuer on a special deposit account opened in a settlement bank. The special deposit account is used only for operations on crediting funds when issuing electronic money and for debiting funds when redeeming electronic money. The balance of funds in this account must be equal to the amount of obligations for all electronic money issued in the corresponding electronic money system.

In the electronic money system, each of the payments is made by means of a corresponding transfer of electronic money from the electronic wallet of one owner of electronic money to the electronic wallet of another owner of electronic money in accordance with the rules of a particular electronic money system.

In the Republic of Uzbekistan, the legislator has provided for the free use of electronic money in order to pay for various kinds of goods/works/services, it is only necessary that a legal entity or an individual seller of goods/works/services be a participant in the appropriate electronic money system.

As mentioned above, issuers of electronic money in the territory of the Republic of Uzbekistan can only be the Central Bank of the Republic of Uzbekistan and other banks with the appropriate license.

To date, there are 10 electronic money systems in the Republic of Uzbekistan.

Summarizing all of the above, we can safely say that the digitalization of the economy, which inevitably leads to the emergence of new ways of carrying out mutual settlements and, of course, to the digitalization of banks and banking services, has a positive effect on society itself.

So in 2021, the number of payments through E-POS terminals increased by 15%, to 398 million. For conventional POS terminals, the indicator decreased by 12% to 451 million. The number of cards issued in the country increased by 4.5% to 4.54 million.

Thus, the digital economy is penetrating deeper and deeper into all aspects of society, and banks, accordingly, are gaining more and more authority and trust. The monopolized sphere of issuing electronic money and, in some way, making payments in e-commerce has a positive impact factor on the development of the banking sector and improving the quality of banking services.

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ГУМАНИТАРНЫХ НАУК**

ACTUAL PROBLEMS OF HUMANITIES AND SOCIAL SCIENCES

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