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## Concept of Creativity of Law and Objectives and Duties

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**Abstract:** In this article, the author discusses in detail the concept and essence of law-making, the views of scientists on the law-making process, as well as the stages of adoption of laws and the processes of their implementation.

**Keywords:** Law making, legislative initiative, bill, legislative project

In order to ensure the rights and freedoms of citizens in society, laws should reflect the interests of the people and ensure justice. This in itself requires the quality of laws. For this reason, the adoption of the law, unlike other regulatory legal documents, goes through several stages. The aim of these is to apply the law to the society at its best.

Along with state bodies, citizens should also be able to express their opinion in the process of law adoption. The great Greek philosopher Plato said: "When people feel the need for laws and study them thoroughly, it will only benefit them. Otherwise, the goal of the law cannot be achieved" [1]. As a matter of fact, if our people do not stand firm against violations of the law, it will be difficult to ensure the rule of law, no matter how hard state agencies and officials try.

In essence, law-making is recognized as a specific direction of rule-making in many legal literatures. Based on this, it is necessary to distinguish between the concepts of law-making and norm-making, because law-making means the process of adopting any normative legal document that reflects the law, and law-making is the process related to the adoption of laws. represents

Law-making activity differs from other types of law-making by its responsibility and complexity. When the law enters into force, it becomes a decisive force in the regulation of certain social relations. This process is a specific legal mechanism that appears as a set of stages that occur in a regular and coordinated sequence[2].

Implementation of the law-making function is the main task of parliament and parliamentary chambers. The principle of the distribution of power implies that the legislative authority, which fully represents the interests of all social classes of the society and the interests of the whole nation, should adopt normative-legal documents that have greater legal force than other legal documents issued by other state bodies. It is the laws adopted by the parliament that create the necessary legal basis for all other state bodies, determine the relations of these bodies with each other and with citizens and their associations.

In accordance with Article 84 of our Constitution, the law becomes legal after it is adopted by the Legislative Chamber, approved by the Senate, signed by the President of the Republic of Uzbekistan, and published in official publications in accordance with the law. Decisions of the Oliy Majlis Chambers do not go through the same stages as the law adoption stage, and at the same



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time, they can issue decisions that are not binding for everyone and are dedicated to internal organizational issues.

According to Professor Khtodilkoriev, the law-making process is a sum of the actions of the state supreme representative body aimed at creating new laws, making additions and changes to existing laws, as well as repealing outdated laws, in accordance with the procedure established by the constitution, and it needs to be regulated by law. includes defining existing relationships, preparing a draft law, discussing and adopting it[3]. Agreeing with the above points, we believe that the proper organization of the law-making process is the basis for building a democratic and fair civil society.

The legislative process in the Republic of Uzbekistan consists of the following stages:

- Legislative initiative;
- Adoption of draft laws for consideration and discussion of the project;
- Adoption and approval of laws;
- Signing and Promulgation of Laws.

Legislative initiative, which is considered the first stage of the legislative process, is the right of certain bodies and officials to raise the issue of legislation and submit their drafts to the legislative body for consideration. Law-making initiative is the first stage of the law-making process. This process is based on intensive efforts, as a result of which appropriate legislative proposals are submitted to the legislature, and on the basis of those proposals, the parliament considers the issues of issuing a new law, amending or repealing the existing one. accepts output[4].

In accordance with Article 27 of the Law "On the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan", the right to initiate legislation in the Legislative Chamber is vested in the President of the Republic of Uzbekistan, through the highest body of his state power, the deputies of the Legislative Chamber of the Republic of Karakalpakstan, The Cabinet of Ministers of the Republic of Uzbekistan, the Constitutional Court of the Republic of Uzbekistan, the Supreme Court, the Prosecutor General have this right, and this right is exercised by the subjects of the right of legislative initiative by submitting the bill to the Legislative Chamber.

Drafting and discussion of the draft law is a separate and important stage of the law-making process. This phase begins when a bill is submitted to the legislature and is on the agenda of the session. Based on experience, the bill will be discussed in 2 different ways.

In particular, in accordance with Article 9 of the Constitution of the Republic of Uzbekistan, "The most important issues of the life of society and the state shall be submitted to public discussion and put to a general vote (referendum)."

Procedural and organizational aspects of implementation of public discussion are expressed in the Law of the Republic of Uzbekistan "On Public Discussion of Draft Laws".

In the second case, the bill will be submitted to the Legislative Chamber of the Republic of Uzbekistan and discussed there.

In accordance with the third part of Article 21 of the Law of the Republic of Uzbekistan No. 682 "On Regulatory Legal Documents" adopted on April 20, 2021, preparation of the draft regulatory legal document by the developer and, accordingly, the Supreme Court of the Republic of Uzbekistan The deadline for submission of the Majlis to the Legislative Chamber, the Administration of the President of the Republic of Uzbekistan and the Cabinet of Ministers of the Republic of Uzbekistan, if no other deadline is specified in the documents of the President of the



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Republic of Uzbekistan, decisions of the chambers of the Oliy Majlis of the Republic of Uzbekistan and documents of the Cabinet of Ministers of the Republic of Uzbekistan, cannot be set to less than two months.

The attitude of public control to legal processes and changes in our country is growing in a positive direction from year to year. We can see this in the example of the discussion of draft legal documents. In accordance with Article 24 of the Law "On Regulatory-Legal Documents", drafts of normative-legal documents are posted by the developer on the portal for discussion of drafts of regulatory-legal documents for public discussion in accordance with the law.

The draft regulatory legal document is placed on the portal by the developer before it is submitted to the body adopting the regulatory legal document.

The developer determines the period of public discussion of the draft normative legal document on the portal based on the specific characteristics of regulated social relations, and this period should not be less than 15 days from the date of posting the draft normative legal document on the portal.

It can be seen in practice that the above provisions have been introduced into the development of draft laws. We will consider this on the example of the Law No. 682 "On Regulatory and Legal Documents" adopted on April 20, 2021. It is known that the draft law is submitted to the Legislative Chamber by the subjects of the right of legislative initiative. This draft law was released for discussion by the Ministry of Justice on December 28, 2019, on the portal for discussion of regulatory legal documents, [regulation.gov.uz](http://regulation.gov.uz), and the discussion was completed on March 15 of this year.

When the draft law is posted on the portal, the comments and suggestions received from the participants of the public discussion on it will be taken into account, and the draft developer will finalize the draft in accordance with the comments and suggestions received. In case of rejection of received comments and proposals, the project developer must justify the reason for their rejection.

The prepared draft law will be submitted to the Legislative Chamber with the conclusion and explanatory letter of the Ministry of Justice on the results of the legal expertise. During the introduction of the draft law to the Legislative Chamber, he presented the following:

- an explanatory letter to the draft law describing its concept, the main idea, purpose and subject of legal regulation in this concept; the evaluation of the general description and status of the legal regulation of relevant social relations with the analysis of the laws and other normative legal documents in force in this field; the grounds for the need to draft a law; basic provisions of the bill; the forecast of socio-economic, legal and other consequences of the future law should be specified;

- a bill on amendments and additions, as well as repealing laws related to the introduction of the bill;

- the list of legal documents that should be changed, supplemented, declared invalid or accepted;

- an analytical comparative table showing the relevant provisions of international documents and legal documents of foreign countries, the relevant provisions of the laws of the Republic of Uzbekistan, reasonable suggestions about the acceptability of the application of relevant international experience in the conditions of the Republic of Uzbekistan;



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-financial and economic grounds for bills requiring material costs;  
- the conclusion of the Cabinet of Ministers of the Republic of Uzbekistan on draft laws that provide for the reduction of state revenues or the increase of state expenditures, as well as amendments to the articles of the State budget of the Republic of Uzbekistan[5].

Copies of the text of the draft law and the above-mentioned materials must be submitted in electronic form. Before the draft law is adopted by the Legislative Chamber in the first reading, the subject of the right of legislative initiative, who introduced the draft law, has the right to change the text of the draft or withdraw the draft law he introduced. In cases where the Legislative Chamber receives a bill that is related to the relevant bill previously passed by the Chamber in the first reading, the Legislative Chamber shall return the newly introduced bill or with the bill previously passed in the first reading. has the right to decide the issue of unification based on the conclusion of the responsible committee.

In our country, laws are reviewed and adopted mainly in three readings according to established procedures. The main discussion of the draft law is carried out at the meetings of the Legislative Chamber. The Legislature considers the bill, as a rule, in three readings. During the consideration of the draft law in the first reading at the meetings of the Legislative Chamber, the necessity of adopting this draft law, the concept of the draft law, its compliance with the Constitution and laws of the Republic of Uzbekistan, as well as the costs and sources of financing related to the implementation of the law. will be discussed.

In the second reading, voting on the bill is carried out article by article. Based on the results of the discussion, the Legislative Chamber decides whether to approve the draft law in the second reading or to reject the draft law, setting a deadline for submitting the draft law to the chamber for consideration in the next reading.

In the third reading, the bill is voted as a whole without discussion. If the draft law is adopted in the first or second reading, at the proposal of the responsible committee, the issue of adoption of the law may be put to a vote excluding the procedures of further reading. The Law is adopted by the Legislative Chamber with a majority vote of the total number of deputies of the Chamber. The law passed by the Legislature will be sent to the Senate for consideration within ten days. Documents submitted during the introduction of the bill to the Legislative Chamber are sent to the Senate together with the law. The law approved by the Senate of the Oliy Majlis of the Republic of Uzbekistan shall be sent to the President of the Republic of Uzbekistan for signing and promulgation within ten days. The law will be signed and promulgated by the President of the Republic of Uzbekistan within thirty days. The law rejected by the Senate of the Oliy Majlis of the Republic of Uzbekistan is returned to the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan. If during the revision of the law rejected by the Senate of the Oliy Majlis of the Republic of Uzbekistan, the Legislative Chamber approves the law again with a majority vote of two-thirds of the total number of deputies, the law is deemed to have been adopted by the Oliy Majlis of the Republic of Uzbekistan and signed. and sent by the Legislative Chamber to the President of the Republic of Uzbekistan for publication.

The President of the Republic of Uzbekistan has the right to return the law with his objections to the Oliy Majlis of the Republic of Uzbekistan. If the law in its previously adopted version is approved by a majority vote of at least two-thirds of the total number of deputies of the Legislative Chamber and Senate of the Oliy Majlis of the Republic of Uzbekistan, the law shall be



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approved by the President of the Republic of Uzbekistan within fourteen days. must be signed and posted within.

Summarizing the above, we can say that one of the indicators of the development of democracy is compliance with laws. In order to ensure legality in the society, the laws must be thorough and without flaws. Adoption of the law goes through several stages. The goal is to pass the law in a perfect state. The analysis of our current laws shows that some laws are so general that they cannot be implemented without double executive and departmental legal documents. Other laws are more nuanced than the norm and actually resemble a government decree or ministerial directive. Laws should acquire normative significance, only then will order and stability be ensured in society. In order to ensure justice in the society, the law must be carefully created on a democratic basis.

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