

Law of Uzbekistan "On guaranties of activities of the non-state non-profit organizations"

The law was adopted by the Legislative Chamber of Oliy Majlis on 11 October 2006 and approved by the Senate on 1 December 2006. Source: Press-UZ, 16 January 2007.

Chapter 1. General provisions

Article 1. The aim of the Law

The present Law is aimed at regulating relations in the area of provision of guaranties for the activities of non-state non-profit organizations, ensuring protection of their rights and legal interests, support for the non-state non-profit organizations.

Article 2. Legislation on the guaranties of activities of the non-state non-profit organizations

Legislation on the guaranties of the activities of non-state non-profit organizations consists of this Law and other legal acts.

Provided that an international agreement of the Republic of Uzbekistan stipulates other rules than those envisaged by the legislation of the Republic of Uzbekistan on the guaranties of the activities of non-state non-profit organizations, then the rules of the international agreement come into force.

Article 3. The specifics of applying the present Law with regard to some non-state non-profit organizations

This Law is applied with regard to non-state non-profit organizations irrespective of their organizational-legislative form including the trade unions, political parties, religious organizations and other non-state non-profit organizations provided that different provisions are not stipulated by other laws regulating the order of their establishment and functioning.

Article 4. Guaranties of support for the activities of the non-state non-profit organizations

The State guarantees the protection of rights and legal interests of non-state non-profit organizations, defines the forms and conditions of their support. Legal entities and natural persons in accordance with legislation may provide financial or other support for the activities of non-state non-profit organizations.

Chapter 2. Main guaranties of activities of the non-state non-profit organizations

Article 5. Guaranties of the freedom of activity

The non-state non-profit organizations can within their statute objectives exercise any practice not prohibited by law.

The non-state non-profit organizations are independent in their activities from bodies of state authority and administration, and neither accountable to them, nor under their control except for cases stipulated by legislative acts. The obstruction of or interference into the activities of the non-state non-profit organizations is prohibited.

Article 6. Guaranties of access to information

The State ensures the right of the non-state non-profit organizations to search, obtain, research, disseminate, use and keep information in accordance with legislation.

Access to information is secured by means of publishing the appropriate materials and exercising the right of non-state non-profit organizations to address government agencies and their officials with an inquiry to obtain information necessary to exercise their statutory practice.

A reply to an inquiry by the non-state non-profit organization should be given as soon as possible but no later than 30 days from the date, on which the inquiry was received, providing the different order is not stipulated by law. In case an agency or an official do not possess the requested information, they are obliged within seven days from the date, on which the inquiry was received, to notify about it the non-state non-profit organization, and if possible to advise about an agency or officials from which such information could be obtained.

Governmental agencies and their officials are obliged to provide the non-state non-profit organizations with an opportunity of familiarization with legislative acts, documents, decisions and other materials, which affect their rights and legal interests.

Information affecting the rights and legal interests of the non-state non-profit organizations is to be provided free of charge except for cases stipulated by law.

Article 7. Ownership right safeguards

The ownership of the non-state non-profit organizations is inviolable and protected by law. Property of the non-state non-profit organizations is not subject to nationalization, requisition and expropriation excluding the cases envisaged by law.

Chapter 3. Protection of rights and lawful interests of the non-state non-profit organizations

Article 8. Protection of business reputation

The non-state non-profit organization shall have a right to demand in legal form the refutation of the information that discredits its business reputation.

If the information that discredits the business reputation of the non-state non-profit organization is disseminated in mass media it must be refuted in the same mass media. If the mentioned information is in the document which proceeds from the organization then such document is subject to replacement or recall.

The non-state non-profit organization with regard to which the information that discredits its business reputation is disseminated shall have a right alongside with a refutation of such information to file for an award for damages caused by their dissemination.

Article 9. Protection of results of an intellectual activity

An exclusive right by the non-state non-profit organization to the fairly expressed results of an intellectual activity and means of its individualization are safeguarded by law and protected by state.

Article 10. Protection from unlawful decisions of the state bodies, acts (inaction) of their officials

The non-state non-profit organizations shall have a right to appeal the unlawful decisions of the state bodies, acts (inaction) of their officials to a higher body in accordance with subordination or the court.

The non-state non-profit organizations shall be relieved of payment of state fees in appealing to the court the unlawful decisions of the state bodies, acts (inaction) of their officials, which infringe their rights and lawful interests.

The damage caused to the non-state non-profit organizations as a result of unlawful decisions of the state bodies, acts (inaction) of their officials is subject to reimbursement based on the verdict of the court.

Chapter 4. State support of the activity of the non-state non-profit organizations

Article 11. Forms of the state support

The state may support the activity of the non-state non-profit organizations in the form of subsidies, grants and social orders.

The state may also render another support to the activity of the non-state non-profit organizations in accordance with legislation.

Article 12. The state subsidy

The state subsidy is a financial or another material assistance at the expense of the State budget of the Republic of Uzbekistan, state special funds rendered for the support of the non-state non-profit organizations and not related with special projects.

The Cabinet of Ministers of the Republic of Uzbekistan defines the order and conditions of allotting the state subsidies to the non-state non-profit organizations.

Article 13. The state grant

The state grant are the funds and material resources allotted at the expense of the funds of the State budget of the Republic of Uzbekistan to the non-state non-profit organizations on the contest basis for the implementation of projects aimed at achieving the goals of the social use.

The Cabinet of Ministers of the Republic of Uzbekistan defines the order and conditions of allotting the state grants to the non-state non-profit organizations.

Article 14. The state social order

The state social order to the non-state non-profit organizations is a state task for the implementation of works or holding of events to implement the projects of social significance through conclusion of an agreement between the state body and non-state non-profit organization.

The Cabinet of Ministers of the Republic of Uzbekistan defines the order and conditions of filing the state social order to the non-state non-profit organizations.

Article 15. Resolution of disputes

The disputes in the sphere of granting the guarantees of activity of the non-state non-profit organizations, ensuring the protection of their rights and legal interests, support of the non-state non-profit organizations are resolved in accordance with order established by legislation.

Article 16. Responsibility for violation of the legislation on guarantees of activity of the non-state non-profit organizations

Persons guilty of violation of the legislation on guarantees of activity of the non-state non-profit organizations shall be held accountable in accordance with the established order.

Article 17. Bringing the legislation in accordance with this Law

The Cabinet of Ministers of the Republic of Uzbekistan shall:

bring the resolutions of the government in accordance with this Law;

ensure the review and cancellation by bodies of state governance of their normative and legal acts that contradict this Law.

Article 18. Entering into force of this Law

This Law shall enter into force from the day of its official publication.

President
of the Republic of Uzbekistan
Islam Karimov

City of Tashkent
3 January 2007