



## **SOCIAL AND LEGAL BASIS OF NON-GOVERNMENT NON-PROFIT ORGANIZATIONS**

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<b>Received:</b> October 7 <sup>th</sup> 2023 <b>Accepted:</b> November 6 <sup>th</sup> 2023 <b>Published:</b> December 24 <sup>th</sup> 2023	This article reveals the social significance of legal entities, especially non-profit organizations in civil law, which are formed as a result of unification of individuals without economic benefit. This means that the study of the legal status of non-profit organizations, the order of their organization and the legal basis of their activity requires the study of several branches of law at the same time

**Keywords:** Non-governmental organizations, law, legal network, legal status, social, people, institution.

**INTRODUCTION.** Currently, appropriate organizational structures and modern democratic institutions are being formed to satisfy and realize existing interests in civil society. While classifying the internal structure of the civil society, it is noteworthy that public associations are included among the structures that represent interests in the social sphere. It is known that after the independence of Uzbekistan, many opportunities were created for the activities of non-profit organizations. Both the legal and economic basis of the activities of public organizations were guaranteed by the state. This created an opportunity to increase the number of public organizations in the republic over the years and contribute to the elimination of existing problems in the life of the society. After all, President Shavkat Mirziyoev said, "We all need to deeply understand the true essence of the constitutional principle of people's power. For this, it is necessary to widely introduce the practice of reporting of various levels of executive power bodies to people's representatives - parliament and local councils. It is necessary to further develop the mechanisms of parliamentary, representative and public control"[1.]", is a clear proof of the above considerations.

### **LITERATURE ANALYSIS AND METHODS.**

According to Professor G.Yagudina, non-profit organizations do not aim to make profit as the main goal of their activity. The commercial sector is the basis of any country's economy. At the same time, it is known that commercial organizations, as a rule, do not work in areas where certain financial results cannot be obtained. This situation applies primarily to the social sphere, education, science, culture, art, sports,

religion, and politics. Activities in the specified areas are mainly carried out by non-profit organizations[2.35.].

According to the rule, the purpose and essence of organizing a non-profit organization is to achieve a certain result. For example, the matlubot cooperative will be designed to satisfy the material needs of the participants, and the profit obtained can be distributed among the participants.

It is known that the main criterion for dividing legal entities into types is defined in the legislation as the purpose of their activities to make a profit. However, such a criterion is criticized in the legal literature. According to N.Imomov, in continental law, legal entities are traditionally divided into corporations and institutions. Corporations represent a general association of individuals and legal entities based on the membership of their participants (joint-stock and other societies and companies, cooperatives), an institution is an organization that does not have membership (fixed participation) and is established (founded) by one or more persons, e.g. , charity and other funds [3.130.].

Authors who have carried out research on non-profit organizations emphasize that the criterion of the purpose of activity is not clear and comprehensive, they even show that this criterion does not give clarity at all [4.6.]. According to them, granting the right to non-profit organizations to engage in business activities leads to erasure of the border between commercial and non-profit organizations, and therefore, the criteria for the classification of these legal entities can be considered unsatisfactory.

However, according to S. Mysin, it is necessary to talk not only about the purpose of the organization's



activity, but also about the purpose of its organization. The purpose of the organization allows to determine the needs of the society and the state from the general framework of the organization. In most cases, such needs cannot be realized in cases where there is a financial interest of the organization.

According to P. Yu. Gamolsky, an important feature of non-profit organizations is the purpose of its organization. These goals can range from charitable assistance to the disabled to the organization of securities trading and the restructuring of credit institutions. However, no non-profit organization can be established for profit. However, non-profit organizations can carry out commercial activities if the income from the activity is directed to the intended purpose of its organization[4.7.].

According to I.P. Greshnikov, "non-profit organization" is incorrect from a formal and logical point of view, because it does not show its essence. Therefore, the author suggests using the term "civil organization" [5.180.].

Summarizing the above analysis, based on the general opinions about the use of the term non-profit organizations and the fact that this term has been widely and deeply embedded in the practice of law enforcement, avoiding the idea of changing it or replacing it with another term, the following author's definition of this term can be proposed :

A non-profit organization is a legal entity established in the organizational and legal form established by law, the main purpose of which is not to make a profit, and which is established to achieve other goals of citizens and other persons not related to making a profit.

**RESULTS AND DISCUSSION.** In order to gain a deeper understanding of the essence of a non-profit organization, it is appropriate to analyze its different aspects from commercial organizations, another independent group of legal entities. In particular, H.Rakhmonkulov mentions that the reason for the determination of commercial organizations in the legislation is to make a profit, and shows the following about non-commercial organizations: the socio-legal nature of non-commercial organizations is devoid of such features. But the legislator approached them as an important link that ensures democratic relations between the society and the state, and made it easier for them to fulfill their social duties before the population, defining their organizational and legal status both at the public level and at the level of civil legal legislation. put [6.68.].

In the course of today's development, non-profit organizations have become equal members not only of

social life, but also of most economic relations. With a stable organizational structure, non-profit organizations lead to the expansion of social needs and allow additional economic benefits and services to be delivered to consumers.

**CONCLUSION.** The presence of non-profit organizations in the legal field, economic life, and civil society is already considered a normal situation. However, the insufficient understanding of citizens in this regard, the lack of appropriate knowledge about the purpose and capabilities of non-profit organizations, citizenship, tax legislation prevents the non-profit sector from achieving its goals and causes social conflicts, conflicts related to people's adaptation to the market[7.52.].

At the same time, the classification of non-profit organizations according to various criteria serves to determine the content, importance and place of this public structure, to determine the priorities of the state policy in this regard, to increase the effectiveness of their activities, to eliminate the existing problems in society and to ensure its general development.

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