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**FEATURES OF LEGAL REGULATION OF MOBILE COMMUNICATION OPERATORS IN THE REPUBLIC OF UZBEKISTAN****Otabek Khojiev**Student of Tashkent University of information technologies  
named after Muhammad al-Khwarizmi

*Abstract: The paper examines the mechanisms of legal regulation of mobile operators in the Republic of Uzbekistan. The relations arising in the organizational, legal, technical and economic regulation of the activities of mobile operators are considered in accordance with international experience. There are also given proposals to develop an improved regulatory framework for regulating the activities of mobile operators in the country.*

*Keywords: mobile operator, legal regulation, telecommunication services, interaction of mobile operators, tariff plans, mobile user.*

**I. INTRODUCTION**

Technological advances, their development and improvement are making radical changes in the life of humanity and society as a whole. The current situation has reached the point where it has become very difficult situation to imagine a modern person without mobile and communication devices. Constant improvement and change in technologies, increase in the volume of additional services provided, and high level of competition in the telecommunications market determine the need for an integrated approach to the process of regulating relations in this market.

Given the complexity of the process of providing access to mobile services, the process of regulating emerging relationships can be divided into three areas [7]:

1. Legal regulation of the operation and use of mobile communication networks (to a greater extent in the development of engineering communications, regulated by building codes and regulations, state building codes, as well as compliance with land legislation).

2. Legal regulation of relations for the provision of mobile communication services (traditionally regulated at the level of private law).

3. Government regulation (by obtaining special permits for the right to use radio frequencies and control their activities).

The regulation of mobile communication services in the Republic of Uzbekistan is regulated by several acts:

- Law of the Republic of Uzbekistan "On telecommunications" (No. 822-I, August 20, 1999);

- Law of the Republic of Uzbekistan "On consumer protection" (No. 221-I, April 26, 1996);

- Law of the Republic of Uzbekistan "On the contractual and legal framework for the activities of business entities" (No. 670-I, August 29, 1998);

- President of the Republic of Uzbekistan the Decision "On measures to organize the activities of the national mobile operator" (No. PP-2126, February 12, 2014)

- Cabinet of Ministers of the Republic of Uzbekistan Decision "On measures to regulate the system of registration of mobile devices in the Republic of Uzbekistan" (No. 847, October 22, 2018);

- Cabinet of Ministers of the Republic of Uzbekistan Decision "About permission in the field of use of radio frequency spectrum and regulation of use of radio electronic

means and high frequency devices" (No. 801, December 22, 2020);

- Minister of information technologies and communications of the Republic of Uzbekistan command "About approval of rules of rendering of telecommunication services" (No. 3275, June 30, 2020);

- Oz DSt 3205:2017. State Standard of the Republic of Uzbekistan. Telecommunication networks. Norms and evaluation methods for quality indicators of data transmission network services

- Oz DSt 3207:2017. State Standard of the Republic of Uzbekistan. Telecommunication networks. Norms and evaluation methods for quality indicators of mobile communication network services.

The above regulatory legal acts provide that the authorized state organization to control and regulation in the field of telecommunication services, state control over the telecommunication services market, consideration of licenses by telecommunication operators, providers, methods of verifying of law documents, compliance with standards and other norms.

## II. STATEMENT OF THE PROBLEM

As the interests of the entrepreneur intersect with the public and state interests in the market of telecommunications services, there is a need to regulate this area of activity by the state, which has the following forms of permits [7, 8]:

- licensing;
- certification;
- norms and rules for the use of the radio frequency spectrum;
- regulation of numbering capacity;
- rules of construction of networks;
- procedure for the provision of services;
- other normative legal acts determining the issues of tariff formation.

In addition, in the process of regulating the telecommunication services market, including mobile services, antimonopoly legislation is of great importance, as well as regulation of the telecommunications services market by the state and ensuring competition.

The need to comply with the requirements of the legislation is due to the fact that the unfair application of certain rules and regulations entails the responsibility of companies participating in the mobile communications market. The consequences of violating the law can be in the form of administrative sanctions in the form of suspension or revocation of the company's license, as well as in the form of impressive administrative fines or criminal liability for the head.

Today, with the rapid development of mobile technologies in many countries of the world, the solution in this area raises urgent problems: the lack of a unified approach to determining the quality of services provided by subscribers, regulation and analysis of competition in the mobile communications market, accounting, bookkeeping, etc.

## III. SOLUTIONS

With the technology of the mobile market and the growing competitive environment in this market, the lack or incompleteness of regulatory documents that directly or indirectly regulate their activities also complicates the attraction of investment in this area in some countries. In many cases, the current situation with the regulation of relations in the field of mobile services is due to the lack in some countries of a unified system of legislation that defines the basic rules and directions for their development, as well as ways to improve mobile services (for example, the quality of services and the responsibility of operators for its observance) [9].

It is known that the main agreement of the World Trade Organization (WTO) on Telecommunications, which will be ratified within the WTO, will have a significant impact on the regulation of the activities of mobile service operators [10, 16]. This agreement sets out the basic principles that ensure competition in the telecommunications services market, the rules of access to the domestic market for mobile service operators in other countries, and these principles are reflected in national legislation. It also leads to the adoption of a number of regulations that encourage competition in the interests of mobile operators, increase liability for copyright infringement in the field of telecommunications and the possibility of applying elements of judicial practice in dispute resolution [11]. In this regard, if the Republic of Uzbekistan becomes a member of the WTO, the mechanism of regulating the activities of mobile operators in the country will be further improved.

Despite the existence of a sufficient number of normative and legal documents regulating the emerging relations in the mobile market, the issue of digital capacity related to the quality of services remains one of the unresolved issues in the regulation of mobile communications services.

Determining the violation of the terms of the contract between the operator and the subscriber in the rules of services by mobile operators, resulting in liability, the inadequacy of the mechanism of liability of the parties for non-fulfillment of obligations in general (especially to the mobile operator) makes the mobile operator practically unpunished. As a result, the number of violations of the norms and laws of mobile operators, as well as the terms of the contract with the subscriber is constantly increasing.

When providing mobile services, the personalized mobile phone number is the personal data of the subscriber. On this basis, the provision of a privatized number by a mobile operator to another person or group of persons must be made only with the personal consent of the owner of this mobile number. However, sometimes mobile operators send spam-sms (or advertising-sms) messages to the subscriber when advertising a product and/or service. At the same time, mobile operators provide a database of their subscribers' numbers to these advertising agencies and other business entities when providing services for mass sending of advertising and sms messages to their subscribers by advertising agencies and other business entities [12]. Thus, the use of a database of numbers by mobile operators to send information about new tariff plans, as well as other advertising-sms (spam SMS) notifications should be strengthened by law, taking into account the rights of the number owner.

This is one of the most common cases where mobile operators often change their tariff plans unilaterally in order to make more profit, which is a violation of contract legislation. The tariff package includes not only a SIM card that gives access to the mobile network, but also a certain number of services included in the price of the tariff plan, which should not change during the entire period of using this tariff package. Therefore, the issue of changing the cost of mobile services or transferring a subscriber to another tariff plan should be decided only with the personal consent of the subscriber [13, 14, 15].

#### IV. CONCLUSIONS

With the development of mobile services, mobile operators are constantly expanding the volume of additional paid services, increasing the cost of additional paid services. In some cases, subscribers are not notified of this process. On this basis, the operator must constantly inform its subscribers about changes in the price of additional paid services,

the development of additional paid services. This should be reflected in the contract between the operator and the subscriber, as well as in the regulations on the introduction of a billing system for services provided by mobile operators.

Thus, based on the foregoing, it is necessary to revise and further improve the legal framework governing the provision of mobile communication services, which will solve the existing problems in this area.

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