

WAYS TO IMPROVE THE TAX MECHANISM IN THE PRACTICE OF ADVOCACY

ASKARKHUJAYEVA GULIRA'NO

Termez State University
master degree

Consistent reduction of the tax burden, simplification of the tax system and improvement of tax administration are the most important conditions for the rapid development of the economy and improving the country's investment attractiveness:

- abolition of mandatory deductions to the state target funds from the turnover (income) of legal entities;
- reduction of corporate income tax rate from 14% to 12%, for commercial banks - from 22% to 20%, as well as abolishing the procedure for calculating additional income tax for legal entities (mobile companies) based on the level of profitability for legal entities providing mobile services increase from 20%;
- reduction of the tax rate for legal entities from 5% to 2%, while maintaining the procedure for calculating the tax at the increased rate for legal entities that inefficiently use buildings and structures, including previously privatized facilities.

The economic reforms being carried out in the country today are aimed not only at accelerating the support of entrepreneurship, but also at the broad development of the tax system.

The tax system, taxes are one of the most effective tools by the state in regulating the economy. Accordingly, since the first years of independence, our country has undergone many reforms in the field of taxation, as in all areas. The work on this issue is aimed not only at collecting taxes and levies, but also to replenish the state budget by reducing tax arrears.

We know that the main part of the state budget revenues of the Republic of Uzbekistan is formed at the expense of taxes. The timely and full receipt of taxes will serve to timely finance the expenditure part of all measures taken at the state level, ie the budget and trust funds.

However, given the pandemic period, the government provided a number of benefits and privileges to businesses from taxes. In particular,

In accordance with the Decree of the President of the Republic of Uzbekistan dated May 18, 2020 PF-5996 "On further measures to support the population and businesses during the coronavirus pandemic", small businesses are fined for land and property taxes, including these taxes and exempted from fines.

In this regard, the head of our state Sh.M. Mirziyoyev said, "Practical assistance has been provided to state-owned enterprises and more than 500,000 business entities and about 8 million citizens for a total of 66 trillion soums in tax benefits, loan extensions and financial support.

In addition, 500,000 citizens have legally started working due to the provision of tax benefits for the self-employed population and the abolition of many restrictions. "Next year, on the basis of the principle of 'Taxpayer - Assistant', entrepreneurs will have the opportunity to obtain information about the tax arrears of their business partner" he said.

Consequently, the reduction of the tax burden on taxpayers, the provision of tax benefits to lagging sectors will automatically lead to a reduction in their tax arrears.

In this regard, the task of ensuring the timely and complete receipt of taxes and fees is important. Ensuring the timely payment of taxes is done by preventing the occurrence of tax debt as much as possible and its effective collection after its occurrence.

Thus, the reduction of tax arrears of taxpayers and the prevention of new debts, as well as control over the timely receipt of taxes and levies in the budget is one of the most important issues for the tax authorities and requires special research.

Priorities for improving the financial and tax system in the country, including some issues of tax collection, have been studied by a number of foreign and domestic scholars. Foreign researcher Margerita Ebraico (2015), who conducted research on this issue, said that in addition to developing and encouraging the collection of taxes and levies in the country, strict measures should be taken against existing taxpayers, reducing tax arrears and preventing their occurrence in the future. emphasizes that it has a positive effect.

Foreign scholar Michael Brostek (2018) in his study points to the following factors to increase the efficiency of tax debt collection, in particular:

- Reducing the tax burden to prevent the emergence of tax arrears in the country will lead to a reduction in tax arrears in the future;
- The strategy of collecting overdue taxes and fees will have a positive effect only during the specified period.

In this regard, Russian researchers, S.N. Alixin and D.A. Levacheva (2018) cited the theoretical foundations of the tax debt collection mechanism in their research. According to him, they noted the complexity of collecting tax arrears from the taxpayer, as well as expanding the tax base, and the need to develop a mechanism for collecting tax arrears based on the financial condition of existing business entities, taking into account a separate approach to the process. In addition, in her research, I.G. Rustamova also notes that increasing the process of confiscation of property from businesses that have tax arrears will be effective in collecting tax arrears.

One of our local scientists, Sh. Toshmatov (2008) commented on the causes of tax arrears and their elimination, "The high tax burden has a number of negative consequences for enterprises. Such consequences include the increase in tax arrears, the expansion of the shadow economy, the increase in accounts payable. The tax system should minimize the possibility of legal and illegal tax evasion".

Also, according to I. Niyazmetov (2008), the formation of tax arrears is due to the fact that the burden of value added tax and property taxes is mainly borne by industrial enterprises, which leads to an uneven distribution of the tax burden and a relatively heavy tax burden on industrial enterprises. This will not allow companies to solve the problem of tax arrears. The bulk of tax arrears fall on the general tax cut. This indicates that the tax burden is so heavy that it has a negative impact on the financial performance of taxpayers in the generally established order.

A. Juraev's (2006) doctoral research on "Actual problems of state budget revenue generation" is devoted to the analysis of problems in the formation of state budget revenues. It is this study that for the first time in our country studied the cases of payment discipline in the implementation of tax revenues of the state budget, the formation of debt to the budget in the collection of taxes.

The research used scientific observation, statistical observation, statistical graphs, comparative analysis, data grouping, abstract-logical thinking, induction and deduction methods. These research methods serve to form conclusions and recommendations for the further positive development of the mechanism of tax debt collection in increasing state budget revenues.

Since the years of independence, our state has been providing tax benefits and preferences for the development of entrepreneurship. As a result, the business sector has developed rapidly to date. At the same time, in practice, there are cases when taxpayers, for objective or subjective reasons, are unable to pay the amount of taxes and fees that must be paid on time. This unpaid

amount is a tax debt under the tax legislation and is subject to mandatory collection by the tax authorities.

Taxation at the source of payment is carried out by tax agents based on the taxable base and the established rate.

Tax agents are required to withhold the amount of income tax levied on individuals from the taxpayer's income specified in Article 184 of the Tax Code when these income is actually paid. Withholding of the assessed amount of tax from the income of lawyers from the taxpayer is made at the expense of any funds paid by the tax agent to the taxpayer, when these funds are actually paid to the taxpayer or third parties on their behalf.

The responsibility for the proper processing and timely transfer of income tax from lawyers to the budget rests with the tax agent who pays the income. In case of non-withholding of this tax amount, the tax agent must pay the non-withheld amount and the related penalty to the budget. In order to apply the tax rate to the calculation of income tax from lawyers, the amount of the minimum wage is calculated at the end of the year (the sum of the minimum wage for each month of the relevant period from the beginning of the year).

The calculation and withholding of income tax from lawyers shall be made by the tax agent at the lawyer's main place of work on a monthly basis at the end of the year, depending on the calculation of income based on the established tax base and rates.

The calculated amount of income tax levied on lawyers shall be reduced by the amount of monthly mandatory contributions transferred to the personal accumulative pension accounts of lawyers in the manner prescribed by law.

The Bar Association, which provides financial assistance and gifts to attorneys, recalculates the amount of income tax levied on attorneys based on the amount of the minimum wage in force at the end of the tax period.

In accordance with Article 44 of the Law of the Republic of Uzbekistan "On Advocacy", legal advice is established by the territorial administration of the Chamber of Advocates to practice law and does not have the status of a legal entity.

The work of a lawyer working in a legal counsel shall be remunerated at the expense of funds received by the territorial office of the Chamber of Advocates from individuals and legal entities for the provision of legal assistance to them. In case of insufficiency of funds, the territorial department of the Chamber of Advocates, which established the legal advice, will allocate additional funds for the provision of this legal advice, including the remuneration of lawyers working in the legal advice.

In our opinion, the following proposals will be effective in reducing the debt on taxes and fees and increasing the efficiency of their timely and complete collection:

1. In Germany, tax arrears are common. This is especially true for small businesses. It is advisable to apply this concept in Uzbekistan as well. It should be noted that small businesses with tax arrears are assured that they will be developed in the future.
2. In practice, taxes, including financial sanctions, accrued as a result of a tax audit of a criminal case shall be paid by the taxpayer to the deposit account of the competent authority that conducted the criminal case, but this amount is not reflected in the tax authority's database. As a result, an automatic collection order is placed on the taxpayer's account and the taxpayer is subject to double taxation. It is advisable to make relevant amendments and additions to the Tax Code on this issue.
3. In foreign practice, there are separate private firms engaged in compulsory collection of tax debts. A system of collection of tax debts by the tax authorities in cooperation with these companies has been established. It is expedient to introduce this system in Uzbekistan as well.

4. In order to ensure timely payment of taxes by individuals and increase their liability, we consider it appropriate to impose an administrative fine for violation of payment discipline, along with the calculation of penalties for each day of late payment of taxes.

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