

RESOLUTION  
CABINET OF MINISTERS OF THE REPUBLIC OF UZBEKISTAN

ON APPROVAL OF THE REGULATIONS ON THE ORGANIZATION PROCEDURE  
ACTIVITIES OF INFORMATION INTERMEDIARIES-ORGANIZERS  
ELECTRONIC FAIRS, AUCTIONS AND COMPETITIONS

In order to accelerate the development of e-commerce in the Republic of Uzbekistan, as well as creating additional favorable conditions for the development of activities information intermediaries and e-commerce participants Cabinet of Ministers decides:

1. To approve the Regulation on the procedure for organizing the activities of information intermediaries - organizers of electronic fairs, auctions and competitions according to application.
2. Control over the implementation of this resolution shall be entrusted to the first deputy Prime Minister of the Republic of Uzbekistan R.S. Azimov.

Prime Minister of the Republic of Uzbekistan Sh. Mirziyoyev

g-  
Tash  
Kent,  
2  
Aug  
one hundred  
2016  
g-  
No.  
249

APPENDIX  
ENE

to  
decided  
enjoy  
Cabinet  
Ministo  
from 2  
August  
2016 year  
No. 249

POSITION

on the procedure for organizing the activities of information intermediaries -  
organizers of electronic fairs, auctions and competitions

I. General Provisions

1. This Regulation determines the procedure for organizing the activities of information intermediaries - organizers of electronic fairs (including exhibition and fair trade), auctions and competitions.

See previous edition.

2. This Regulation does not apply to the conclusion of the participants e-commerce transactions using proprietary information systems, public procurement, as well as for activities:

(the first paragraph of clause 2 as amended by the resolution President of the Republic of Uzbekistan from 30 December 2020 No. PP-4938 - National database of legislation, December 31, 2020, No. 07/20/4938/1680)

organizers of electronic exchange and over-the-counter trade in goods of a certain kind and quality, including derivative financial instruments (derivatives); on the organization of electronic government and corporate procurement;

organizers of e-commerce in real estate; information intermediaries providing services to e-commerce participants, not related to the circulation of electronic documents and electronic messages when concluding transactions between e-commerce participants.

3. For the purposes of this Regulation, the following concepts are used:  
**agent** - e-commerce participant-legal entity accredited information intermediary and providing intermediary to sellers and buyers services in e-commerce on the basis of a commission agreement or an agreement commissions;

**acceptance** - a response of the person to whom the offer is addressed, about its acceptance;  
**information intermediary** - a legal entity carrying out the organization electronic fairs (including trade fair trade), auctions and contests;

**information system** - information system of an information intermediary, organizationally orderly aggregate information resources, information technology and communication facilities, allowing the collection, storage, search, processing and use of information to conclude deals based on results holding electronic fairs (including exhibition and fair trade), auctions and competitions;

**offeror** - an e-commerce participant who has placed an offer in the information information intermediary system (the seller - when selling the goods, the buyer - when purchasing goods);

**offer** - an offer addressed to one person, several specific persons or to an indefinite circle of persons, containing all the essential terms of the contract, from which the will of the person making the offer is seen to conclude an agreement on the offering terms with anyone who responds;

**information intermediary rules** - local act of information intermediary (rules for conducting electronic fairs (including exhibition and fair trade), auctions and competitions), which determines the procedure for organizing e-commerce with using the information system of the information intermediary;

**goods** - goods, work and (or) service that are not withdrawn from civil circulation and are the subject of an e-commerce transaction.

II. Rights and obligations of information intermediaries

4. An information intermediary has the right:  
determine the conditions for the provision of services to e-commerce participants and the prices for their services, with the exception of cases established by law;  
establish information intermediary rules and requirements for participants e-commerce;

suspend the provision of services to e-commerce participants in the event violation of the established rules, the presence of an e-commerce participant outstanding debt to the information intermediary and (or) participants e-commerce;

provide e-commerce participants with informational, educational, consulting, logistic and other additional services related to e-commerce;

create joint databases with other information intermediaries, including including registers of unscrupulous e-commerce participants.

Information intermediaries may have other rights in accordance with legislation and agreement.

5. An information intermediary is not entitled to:  
become a party to a transaction concluded using its information systems, as well as to carry out production, trade, trade and intermediary or other activities not related to the provision of services as information mediator;

interfere in the process of implementing e-commerce, pricing when concluding deals, restrict the freedom of e-commerce participants when choosing counterparties and the conclusion of transactions, as well as otherwise restrict the rights of participants e-commerce.

6. The information intermediary is obliged to:  
comply with legislation, including standards, norms and rules in the field e-commerce;

disclose to e-commerce participants information about their full name, organizational and legal form, services provided, their conditions provision and cost (tariffs);

do not change the content of electronic documents and electronic messages, their order use, with the exception of cases stipulated by agreements with participants e-commerce;

provide security measures for electronic documents, electronic messages and personal data from unauthorized access;

not to transfer electronic documents and electronic messages to third parties, for except for cases provided by law or contract;

ensure the storage of electronic documents and electronic messages in compliance with the law;

place your information system on servers located on the territory Republic of Uzbekistan.

Information intermediaries may have other responsibilities in accordance with legislation and agreement.

7. The information intermediary is obliged to ensure the placement and disclosure on his the official website for the following information and documents:  
regulations governing electronic commerce in the Republic Uzbekistan;

the text of the public contract for the provision of services to e-commerce participants; the rules of the information intermediary and the text of local acts that have mandatory force for e-commerce participants;

current tariffs for the provision of services for the use of its information system; other information, the mandatory disclosure of which is provided for by law.

8. Information intermediary:  
is not obliged to control or verify the accuracy of the transmitted, received and stored electronic documents and electronic messages, as well as their compliance legislation, unless otherwise provided by legislation or agreement;

is not responsible for legal consequences related to the content the electronic documents transmitted to them and electronic messages of the participants e-commerce.

III. E-commerce participants

9. Sellers of goods (works, services) in e-commerce using information systems are legal faces and individual entrepreneurs.

10. Buyers of goods (works, services) in e-commerce using information systems can be legal entities and individuals.

11. The information system must obligatorily provide registration and identification of e-commerce participants.

12. Participation in e-commerce using information systems carried out by the seller and the buyer independently or through agents.

13. The agent is obliged to maintain the confidentiality of information that became known to him in as a result of the provision of services to the seller or buyer.

In this case, the agent does not have the right to simultaneously represent the interests of the seller and the buyer in within one transaction.

14. The relationship of e-commerce participants and information intermediaries are determined by the terms of a public contract posted in a free access to the information system.

15. The information intermediary is not liable to third parties for obligations of e-commerce participants, except under contracts, prisoners using his information system, including in cases where when such responsibility is provided for by a public contract and (or) rules information intermediary.

E-commerce participants are not liable for obligations information intermediary.

16. The information intermediary has the right to ensure the delivery of goods, to guarantee fulfillment of obligations of e-commerce participants in the manner prescribed information intermediary rules.

In the event that for the provision of additional services related to electronic commerce, legislation provides for a license or other document

permissive nature, and also established the requirements that must match the person providing such services, information intermediary

must have a license (permitting document) and (or) comply established requirements.

IV. The procedure for organizing e-commerce

17. Transactions using information systems of information intermediaries can be in competitive or non-competitive forms.

18. Competitive forms of concluding transactions are the forms of organization e-commerce, in which the information system of the information the intermediary provides the following conditions:

the possibility of acceptance of the offer by at least two e-commerce participants; conclusion of an agreement with the person who offered the best conditions for the offeror execution of the contract.

If the specified conditions are met, the transaction is deemed to have taken place. When making transactions in competitive forms, the execution by the person who received the offer, within the period established for its acceptance, actions to fulfill the conditions specified in it contract (shipment of goods, provision of services, performance of work, payment the corresponding amount, etc.) is not an acceptance.

19. When using competitive forms of e-commerce, the price of the contract is determined by comparing the competitive offers of potential participants and selection of the best offer for the offeror.

20. The price of an agreement concluded using competitive forms of electronic commerce, is recognized as a market, provided that access to submitting competing bids to two or more potential participants within not less than 24 hours from the moment of placing the offer.

21. When using non-competitive forms of e-commerce, the transaction is concluded the offer with anyone who responds to his offer by accepting the offer, located in the information system.

22. When using non-competitive forms of e-commerce, the price of the contract is determined at the level established by the offer.

23. The information system should provide for automatic registration transactions.

24. Registration by an information intermediary is not allowed:

amendments and additions to the agreement concluded as a result of the transaction concluded in information system using competitive forms;

transactions made outside of its information system;

transactions that, in accordance with the law, are subject to mandatory state registration and (or) notarization.

25. Electronic commerce carried out in conformity from rules information intermediary, approved in accordance with those adopted by information intermediary procedures.

26. The rules of the information intermediary should be established in advance, be the same for all e-commerce participants and without fail should contain:

the rights and obligations of an information intermediary; requirements for e-commerce participants, the procedure for their admission to the commission transactions, their rights and obligations;

the procedure for registration and identification of an e-commerce participant; the procedure for organizing e-commerce, concluding transactions, processing and registration of contracts;

the procedure for setting prices based on the results of transactions in the information system information intermediary;

procedure for fulfilling obligations under concluded contracts, organizing settlements (payment for the goods and their delivery);

the procedure for disclosing information on completed transactions, measures to protect official and commercial secrets of e-commerce participants;

a provision on liability for violation of the rules of an information intermediary; measures to protect the interests of e-commerce participants and liability information intermediary for their violation;

permissible purposes and conditions of use by the information intermediary of personal data of the e-commerce participant, as well as measures of responsibility for their violation;

the procedure for considering disputes and disagreements arising in the process of electronic commerce, carried out from information systems information intermediary.

Information intermediary rules can also contain:

the procedure for accreditation of agents providing services to e-commerce participants on participation in e-commerce, a set of requirements for them;

the rights and obligations of agents;

the procedure and conditions for the provision of performance guarantees by the information intermediary transactions made using its information system;

other provisions in accordance with the law.

27. The rights and obligations under the transaction concluded in the information system arise from parties from the moment of electronic registration of the transaction in the information system, unless otherwise not provided by law.

V. Final provisions

28. In e-commerce, carried out using information systems of information intermediaries, it is not allowed:

discrimination of e-commerce participants, providing one participant e-commerce benefits or preferences not provided for by law,

inaccessible to other participants;

decision-making by officials of information intermediaries under the influence personal interest, or other illegal actions to the detriment of interests e-commerce participants;

putting pressure on e-commerce participants, disclosing information about participation in e-commerce (except as provided

legislation), unlawful non-admission, restriction or elimination competition;

collusion of e-commerce participants to change market conditions or price distortions;

provision or dissemination of inaccurate or distorted information, and also unreasonable restriction of access to information;

submission of applications by e-commerce participants for artificially low or inflated prices, with the subsequent refusal to sign the contract or from it execution in a proper manner;

the execution of transactions, one of the parties to which is an individual, not duly registered as an individual entrepreneur,

selling or offering for sale goods, performance of work, provision of services with using information systems of an information intermediary.

29. Persons guilty of violation of this Regulation are responsible for in the manner prescribed by law.