

COORDINATION OF PRIVATE CAPITAL ACCOUNTING IN NON-GOVERNMENTAL NON-PROFIT ORGANIZATIONS WITH INTERNATIONAL EXPERIENCES

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Abstract: this article presents the issues of improving private capital accounting in non-governmental non-commercial organizations in accordance with international experiences.

Key words : reserve capital non-profit activities, commercial activities, earmarked revenues, grants, state subsidies , entrance and membership fees, donations, aid money, donor funds.

In financing the activities of non-governmental non-profit organizations (NGOs), it is appropriate to expand the sources of own funds, not limited to the funds allocated by the state.

The Law of the Republic of Uzbekistan "On Non-Governmental Non-Commercial Organizations" ¹mentions the following sources of financing the activities of NGOs:

access and membership contributions , if they are in the charter mean caught if one of the founders , participants (members) . times and regularly respectively coming receipts ;

optional proprietary contributions and donations ;

entrepreneurship from the activity obtained , only charter purposes for used earnings (profit) ;

not prohibited by law another receipts .

It is necessary to clarify the concepts of "entry fees", "membership fees", "one-time income", "regular income", "voluntary property contributions", "voluntary property donations" mentioned in the law. They are not defined, and the factors that differentiate them from each other are not revealed. Determining the legal status of these concepts, the authorized fund and targeted sources of financing in NGOs allows for the correct formation of their authorized capital (Table 1).

Table 1

Description of the concepts of contributions and their orientation²

Definitions of Contributions	Their orientation
are a one-time payment that gives the right to membership for the purpose of forming the charter fund provided for in the charter by the members of non-governmental non-profit organizations and is not returned to the members in the event of the organization's liquidation.	It is directed to the charter capital (fund).
Additional contributions – this excess of entry fees by members of non-governmental non-profit organizations are	It is directed to the charter capital (fund).

¹Republic of Uzbekistan "On non-governmental non-commercial organizations". April 14, 1999. <https://lex.uz/docs/11360>

² Author development based on research .

voluntary funds	
Membership Fees – non-governmental non-profit organizations are non-refundable funds paid by members of non-governmental organizations to cover expenses provided for in the budget in order to fulfill the organization's charter tasks	The target income is directed to cover the expenses provided for in the estimate
Target Contributions – are funds provided by non-governmental non-profit organizations to cover targeted expenses, for example, to expand the material base, create a reserve fund, or implement targeted projects	target income, directed to cover the target costs

When studying the accounting balance of NGOs operating in different fields in Samarkand region, we can see that most of them do not have authorized capital (fund). We formalize the results of this study in the following table (Table 2):

Table 2

The state of reflecting the sources of their funds in the accounting balance sheet of non-governmental non-commercial enterprises in Samarkand region³

Non-governmental non-profit organizations	Us - tav capital	Addi tiona l capital	Reserve cap - tali	Retained earnings	The goal is income	Total
1. Samarkand Regional Council of the Youth Union of Uzbekistan			139777	43068	2290311	2473156
2. " Sabr " republican socio-economic development center			569496 , 2	8689 , 9	259475 , 7	837661 , 8
3. Chamber of Commerce and Industry of Uzbekistan Samarkand regional administration			364851	20425	84618	469894

As can be seen from the data of this table, funds are not shown in the authorized capital (fund) of NGOs. We don't think it should be like that. Because, in any organization , it is required to have a charter capital (fund). We believe that the ideas "if the organization has a charter, there will be a charter fund", "if the organization has funds, it will also have its source" should be the main module of any organization's funds and their formation.

In non-governmental non-commercial organizations, the charter capital and target income should be separated from each other. They can be distinguished by several signs and aspects. First, since non-governmental non-profit organizations are self-governing organizations on a voluntary basis, which do not make income

³ Author's development based on information from NGOs .

(profit) of individuals and legal entities and direct it only to charter activities, its charter capital (fund) is formed at the expense of founders' contributions. Therefore, as we mentioned above, the charter capital of NGOs should take the form of a share fund or a charter fund. Second, the founder's contributions are a one-time payment. This amount is credited to the account of the member (founder) of the organization. If the organization is closed, this amount will not be returned to the founders. The founders do not have property rights, their interest is socio-economic benefit as a result of their voluntary association with this organization. The organization benefits from the work done by its members for the benefit. Thirdly, the organization's expenses related to the implementation of its statutory tasks are covered by the targeted income of the organization's members, including membership fees, targeted contributions, donations and other sources. Fourthly, the profit obtained in the activities of non-governmental non-profit organizations is transferred directly to retained earnings without being distributed among the founders.

entitled "Non-governmental non-commercial organizations in Uzbekistan: legal regulation, legal bases of their activity, accounting and taxation in the context of further changes in the law", ⁴"Civil Code of the Republic of Uzbekistan does not provide for the formation of authorized capital for non-commercial organizations. However, in practice, which legislation does not include a direct ban on the formation of the authorized capital (fund) in NGOs, it is possible to find that the articles of incorporation of the organization include the amount of the authorized capital, the procedure for its formation, and the contributions of the founders. We recommend against this for the following reasons:

The formed authorized capital (fund) reflects the contribution of the founders (participants) of the organization being created. In this case, the obligation to the founders (participants) and their right to contribute to the property arise . It is worth noting that from a legal and economic point of view, the formation of the authorized capital (fund) in the organization of NGOs does not have any meaning, which, according to the Law "On Non-Governmental Non-Commercial Organizations", its founders have the right both to the property of NGOs and to the profits received from their activities. does not have⁵

Formation of the authorized capital of NGOs in accounting leads to the following situations. We imagine that the founders contributed money and other long-term assets as a contribution to the authorized capital. Charter activity has begun. During the activity, current assets are spent, fixed assets are amortized (according to the legislation on accounting, all legal entities, including NGOs, are subject to mandatory depreciation calculation). If there are no sources other than authorized capital in the liabilities, how to reflect the reduction of the passive part of the balance sheet as a result of the reduction of assets. This cannot be, because

⁴ Yuldashev B.T., Indina I.A., Khaidarov Sh.U., Indina E.A. Negosudarstvennyye nonkommercheskie organizatsii v Uzbekistan : legal regulation, economic fundamentals, accounting, accounting and taxation, and the latest zakonodatelstva . Metodicheskoe posobie. - T.: Jurist-media center; 2010. <https://www.osce.org/files/f/documents/3/7/106791.pdf>

⁵ Republic of Uzbekistan "On non-governmental non-commercial organizations". April 14, 1999. <https://lex.uz/docs/11360>

in such cases it is necessary to reflect the loss in the balance sheet or reduce the authorized capital. In the absence of commercial activity in NGOs, there can be no loss, the reduction of the charter capital will not be possible without making changes to the charter capital by carrying out continuous re-registration in the bodies.

This problem will not arise if in the founding documents it is written not as the authorized capital, but as "obligation to transfer the property of the founders to the NGO" ⁶.

We studies based on this to recommendations relatively the following thoughts let us know . First , Uzbekistan Republic Citizenship Codex commerce organizations for and authorized capital in order puter substances not included . From this except in the codex non-state non-profit authorized capital in organizations organize to reach forbidding substances too not included . So this is it condition non-state non-profit authorized capital in organizations organize reach possible means _ Secondly , the authorized capital means this in the organization of course him back to give according to commitment surface to come does not mean Above methodical In the manual, we cannot agree with the opinion that " It should be noted that from the legal and economic point of view, the formation of the authorized capital (fund) does not have any meaning in the organization of NGOs, because the absence of rights to property does not require the absence of authorized capital." The limitation that the authorized capital is only in the case of property rights is a one-sided approach to the authorized capital. Authorized capital is a source of private funds . It is expedient to divide the authorized capital into the following types: authorized capital, which is obtained on the condition of return, and creates the right of ownership; and an irrevocable, i.e. non-vested charter fund. In some literature, it is proposed to call it charter capital if it is subject to repayment, and charter capital if it is not subject to repayment. Thirdly, in sources related to the field, to the authorized capital: "authorized capital is the amount registered in the state registration of the organization, recorded in the founding documents. The charter capital determines the minimum amount of assets of a legal entity that guarantees the interests of its creditors ⁷. From this definition, it can be concluded that the authorized capital of the organization serves as a guarantee for these creditors. How can a legal entity that does not have a charter capital provide a payment guarantee to its creditors? Fourthly, if there are no resources other than authorized capital in the liabilities of A, as a result of the reduction of assets, how is the reduction of the passive part of the balance sheet carried out? This cannot be, because in such cases it is necessary to reflect the loss in the balance sheet or reduce the authorized capital. In the absence of commercial activity in NGOs, there can be no loss, reduction of the charter capital will not be

⁶Negosudarstvennye nonkommercheskie organizatsii v Uzbekistane: pravovoe regulirovanie, ekonomicheskie osnovy yatelnosti, bukhgaltersky uchet i logooblojenie v svete poslednix izmeneniy zakonodatelstva. Tashkent NABA RUz. 192-s.

⁷<https://www.google.com/search?q=%D1%83%D1%81%D1%82%D0%B0%D0%B2%D0%BD%D0%BE%D0%B9+%D1%84%D0%BE%D0%BD%D0%B4&oq=%D1%83%D1%81&aqs=chrome.1.69i5913j69i57j0j69i6113.2698j0j7&sourceid=chrome&ie=UTF-8>

possible without making changes to the charter list by carrying out continuous re-registration" - is ⁸also reasonable. It is natural that losses incurred in any organization, as well as unreimbursed costs in NGOs, are transferred to the authorized capital, and the authorized capital is established for this purpose. This does not mean reducing the amount of authorized capital by going to the organizations that register the organization. As a result of subsequent activities, these unreimbursed costs will be covered.

"Most non-profit organizations, including non-investment funds, are organized in such a way that its participants do not have rights to the property transferred to this organization, even to membership fees. Accordingly, they are not responsible for the obligations of non-profit organizations. In such cases, not the authorized capital, but the authorized fund is established" ⁹justifies the fact that NGOs should have an authorized fund.

Other sources in Russia also emphasize the need to establish a charter fund. For example, "After the state registration of non-profit organizations, the amount of the authorized capital provided for in its founding documents in the form of founders' contribution is reflected in the credit of the 80 "Authorized capital" account in correspondence with the 75 "Settlement with founders" account. ¹⁰"

Some authors emphasize that NGOs do not have a charter capital, but a charter fund: "Non-profit organizations are an economic entity of the country's economy and perform activities that are not related to profit. In such cases, they are not obliged to form the authorized capital, instead they can have a authorized fund or a property basis for their activities ¹¹. "

Accounting scholars I.E. Isaeva, I.V. Evaluating the private capital of non-profit organizations as an economic category in the accounting system, Yarkova makes the following comments: "The sources of funds of non-profit organizations include their own funds, state funds and donations, sponsorships, donations, patronage (sponsorship), grants, membership fees and patronages. consists of funds" ¹².

Authors from another direction point out that the charter capital of non-profit organizations should be established if they are engaged in entrepreneurial activities along with chartered activities: "In non-profit organizations, where the right to engage in entrepreneurial activities is provided for in the founding documents, it is necessary to include an article on the charter capital in the charter of the organization. In such cases, it is permissible to reflect a certain part of the founding contributions in the credit of the 80 "Charter capital" account ¹³.

⁸ Yuldashev B.T., Indina I.A., Khaidarov Sh.U., Indina E.A. Negosudarstvennyye nonkommercheskie organizatsii v Uzbekistan : legal regulation, economic fundamentals, accounting, accounting and taxation in the latest laws . Metodicheskoe posobie. - T.: Jurist-media center; 2010. <https://www.osce.org/files/f/documents/3/7/106791.pdf>

⁹ Uchet ustavnogo kapitala. https://www.pravo.vuzlib.su/book_z724_page_17.html

¹⁰ Osobennosti bukhgalterskogo ucheta v nekommercheskix i obshchestvennyx organizatsiyax <http://www.nko-ural.ru/additional/1/3>

¹¹ <https://arbatcredit.ru/fond-ustavnoj-kapital/>

¹² Isaeva I.E., Yarkova I.V. Sobstvennyy kapital nekommercheskoy organizatsii kak ekonomicheskaya category v sisteme bukhgalterskogo ucheta //Audit i finansovyy analiz. 2015, No. 6, pp. 17-20. https://auditfin.com/fin/2015/6/fin_2015_61_rus_02_02.pdf

¹³ Novodvorsky V. D., Perfilov G. A. Priznaki predprinimatelskoy deyatelnosti nekommercheskih organizatsiy //

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