

LAW OF MONGOLIA ON SANITATION

May 7, 1998

Ulaanbaatar City

(State news #7, 1998)

CHAPTER ONE

GENERAL PROVISIONS

Article 1. Purpose of the Law

1.1 The purpose of this Law shall be to govern relationships concerning the maintaining of sanitary conditions, defining the general requirements for sanitation in order to ensure the right of an individual to healthy and safe working and living conditions, ensuring normal sanitary conditions, defining the rights and duties of individuals, economic entities and organizations with this respect.

Article 2. Legislation on Sanitation

2.1 The legislation on sanitation shall consist of the Constitution of Mongolia, this Law, and other acts of legislation enacted in conformity therewith.

2.2 If an international agreement to which Mongolia is a party provides otherwise than this Law, then the former shall prevail.

Article 3. Definitions

3.1 For the purposes of this law:

3.1.1 "Sanitation" shall mean activities to eliminate adverse natural and social factors having potential impact on the public health, and to prevent the public health from diseases;

3.1.2 "Normal sanitary conditions" shall mean a healthy and safe environment for a human to work and to live;

3.1.3 "Sanitation regime" shall mean activities of the population to protect health, to avoid negative impact on the health of others, and to not spread infectious diseases;

3.1.4 "Sanitation control" shall mean activities to monitor the enforcement of the legislation, standards and regulations concerning the ensuring of normal sanitary conditions.

CHAPTER TWO

GENERAL REQUIREMENTS FOR ENSURING NORMAL SANITARY CONDITIONS

Article 4. Requirements for Building Urban Areas

4.1 In choosing locations for urban areas and/or constructions, developing their blueprints and putting them into exploitation the sanitary norms, standards, and regulations shall be observed and conclusions from sanitary and other specialized inspection agencies shall be obtained.

Article 5. Requirements for Supply with Drinking and Household Water

5.1 Local administrative bodies, agencies in charge of water use, economic entities and individuals shall take measures to establish security zones for drinking water sources, water distribution network, main water reservoirs, pumping stations, water distribution sites and protect them from contamination in accordance with the relevant regulations.

5.2 Agencies in charge of water use shall conduct industrial inspection and analysis of the quality of drinking and household water in accordance with the standards and regulations, and take measures to improve the quality of water.

Article 6. Requirements for Quality of Air of Localities

6.1 The quality of air of localities where humans live, work and study shall match standards and hygienic norms, and shall not be polluted.

6.2 Amount of dust, smog and pollution from the high density of traffic and economic entities in the urban areas shall match the sanitary standards and hygienic norms.

Article 7. Requirements for Soil Sanitation

7.1 The soil of land within human settlements shall match the sanitary standards and hygienic norms, and shall not be contaminated.

7.2 Cemeteries, waste disposal sites, lavatories, sewage facilities, and water holes shall be built and used in conformity with the sanitary standards and hygienic norms.

7.3 Organizations, economic entities and individuals that engage in activities and services based on the use of special disposals of hospitals, microorganism culture, radioactive and toxic chemicals shall be prohibited from dumping their disposals at the public disposal sites without a conclusion or permission of a specialized inspection agency.

7.4 It shall be prohibited to contaminate the environment by disposing waste in the places other than the specified points.

7.5 Disposals infectious to human and animal health and/or hazardous to environment shall be buried or destroyed at specified points.

7.6 The list of disposals referred to in 7.5 of this law shall be defined and enforced by the state central administrative bodies in charge of matters of protection of human and animal health and environment.

Article 8. Requirements for Housing and Buildings and Facilities for Public Use and Services

8.1 Housing, buildings and facilities for public use and services shall not have adverse impact on the public health and shall match sanitary standards and appropriate hygienic norms.

Article 9. Requirements for Working and Studying Conditions

9.1 Areas for production, service, study, its facilities, equipment, construction, and tools shall not be hazardous to health and working ability of employees, observers, users, and students and shall match the sanitary and safety standards and planning norms.

Article 10. Requirements for Working with Ionizing and Non-ionizing Rays, Toxic Chemicals and Micro-organism Culture

10.1 Safety regulations for the organizations, economic entities and individuals that work with radioactive and toxic chemicals, ionizing and non-ionizing rays, physical factors (noise, oscillations, vibrations, electro-magnetic fields, radio waves, ultrasound etc.) and micro-organism culture shall be established and their implementation ensured by the state administrative central body in charge of that matter.

10.2 The state administrative central body in charge of the respective matter and hygiene and infectious disease inspection agency shall oversee activities of and give conclusions on importing, production, use, storage, transportation, burying and destroying of radioactive and toxic chemicals, ionizing and nonionizing light sources and micro-organism culture.

Article 11. Requirements for Food Sanitation

11.1 Production, transportation, storage, sale, and usage of foodstuffs shall, in addition to meeting quality and hygienic standards and appropriate norms be carried out by holders of license from the relevant health and sanitary agencies.

Article 12. Requirements for New Products, Substances, Preparates, Materials Techniques and Technologies

12.1 New products, substances, preparates, materials, techniques and technologies shall meet the requirement of not being hazardous or harmful to human life and health and environment.

Article 13. Requirements for Border Sanitation

13.1 In exporting and importing technologies, goods, products and substances that have impact on national security, conclusions of the sanitary and specialized inspection agencies shall be obtained.

Article 14. Requirements for Import Products, Substances, Preparates, Materials, Techniques and Technologies

14.1 Products, substances, preparates, materials, techniques and technologies to be imported shall not be hazardous to human health and environment and shall meet the requirements of standards and quality guarantees recognized in the territory of Mongolia as well as international and regional ones.

14.2 Citizens, economic entities and organizations when importing products, substances, preparates, materials, techniques and technologies shall in advance set out in the contracts the requirement specified in 14.1 of this Law and if the law provides so, obtain permission from the state administrative central body in charge of foreign trade matters and have the contracts, permission for importation and quality certificates examined by the state frontier specialized quality inspection authority when crossing the state frontier

14.3 In introducing the production of and putting into use imported products, substances, preparates, materials, techniques and technologies a conclusion of a specialized inspection agency shall be obtained.

14.4 Importer organizations, economic entities and individuals shall be

responsible for meeting the requirements for safe transportation, storage, sale and use of highly toxic chemicals that are permitted for entry through the state frontier by the relevant authority.

CHAPTER THREE

POWERS OF THE LOCAL SELF-GOVERNING BODIES AND GOVERNORS WITH RESPECT TO ENSURING NORMAL SANITARY CONDITIONS

Article 15. Powers of Aimag, Capital city, Soum, and District Khurals of Citizens' Representatives and Governors

15.1 Aimag, capital city, soum, and district Khurals of Citizens' Representatives shall exercise the following powers to ensure normal sanitary conditions:

15.1.1 To monitor the implementation of the legislation on sanitation, to consider the respective Governor's report on related matters and approve relevant decisions;

15.1.2 To approve budget required for improving sanitary conditions and monitor its spending;

15.1.3 Such other powers as conferred by law.

15.2 Aimag, capital city, soum, and district Governors shall exercise the following powers:

15.2.1 To draft proposals for ensuring normal sanitary conditions and submit to the Khural of Citizens' Representatives of the respective level;

15.2.2 To organize actions to ensure the implementation of the legislation on sanitation in their respective territory;

15.2.3 To make and enforce decisions for observing sanitary conditions in their respective territories;

15.2.4 To involve organizations, economic entities, and individuals of their respective territory in the actions aimed at ensuring normal sanitary conditions;

15.2.5 To control the use and operation of markets, sources of drinking and household water, rivers, springs, sewage system, clean water network, water drainage system, arms of rivers, water holes, lavatories, waste disposal points, cemeteries, and cleaning facilities located in their particular territory and take actions to eliminate the breaches revealed;

15.2.6 To monitor sanitary conditions, the state of amenities, planting of trees and gardens, and usage of streets and squares;

15.2.7 To promote movement for sanitation based on the public initiative of their respective territory and provide assistance in exercising public control;

15.2.8 To include in each year annual budget expenditure required for ensuring normal sanitary conditions and control spending of the budget;

15.2.9 Such other powers as conferred by legislation.

Article 16. Powers of the Bagh and Khoroo Public Meetings

16.1 Bagh and Khoroo Public Meetings and Governors shall exercise the following powers to ensure normal sanitary conditions within their respective territories:

16.1.1 To involve organizations, economic entities and individuals in the activities to ensure normal sanitary conditions within their respective territories;

16.1.2 To organize activities to involve individuals, economic entities, and organizations in the training and promotional activities for improving sanitary conditions;

16.1.3 To promote and provide support to public movement for controlling sanitary conditions;

16.1.4 To organize actions for enforcing sanitary requirements at the waste disposal and sewage points and cemeteries, and for observance of the sanitary security zone regime at the water sources and monitor implementation thereof.

CHAPTER FOUR

DUTIES OF ORGANIZATIONS, ECONOMIC ENTITIES AND INDIVIDUALS TO ENSURE NORMAL SANITARY CONDITIONS

Article 17. Duties of Organizations and Economic Entities

17.1 Organizations and economic entities shall have the following duties to ensure normal sanitary conditions:

17.1.1 To approve and enforce internal regulations in conformity with the legislation on sanitation;

17.1.2 To inform immediately the sanitary and specialized inspection agencies in the event of occurrence of conditions which are harmful or hazardous to human health and sanitary situation and provide appropriate assistance in eliminating their consequences;

17.1.3 To timely fulfill the demands concerning implementation of sanitation legislation made by sanitary inspection agencies and inspectors report the fulfillment thereof and take actions to fully remedy the breaches;

17.1.4 To not contaminate their respective localities;

17.1.5 To conduct trainings and promotional activities among the employees aimed at meeting sanitary requirements, protecting health, and promoting healthy lifestyle;

17.1.6 To organize measures for preventing from infectious diseases, toxicity, industrial accidents and injuries at the economic entity or organization;

17.1.7 Organizations and economic entities engaging in production and services shall include their employees in prophylactic medical examinations.

Article 18. Citizens' Duties

18.1 An individual shall have the following duties to ensure normal sanitary conditions:

18.1.1 To participate in the sanitation activities conducted by local administration, sanitary and specialized inspection agencies and timely fulfill their demands;

18.1.2 To make demands to the organizations, economic entities, or individuals whose activities have adverse impact on the sanitary situation and immediately inform the relevant authorities;

18.1.3 Residents of housing that are not connected to the central water supply and water disinfecting drainage to build and use lavatories, sewage pits and waste disposal containers in accordance with the sanitary regulations and standards;

18.1.4 To include their pets and domestic animals (dogs, cats, pigs, birds etc.) in veterinary examinations according to the established rules, to observe the sanitary regime, to not waste human and animal excretions, trash and waste in the urban streets, squares, lawns, localities of residential areas, and prevent from animal diseases that are infectious to humans (glanders, tuberculosis, strangles etc.).

CHAPTER FIVE

MISCELLANEOUS

Article 19. Monitoring the Enforcement of the Sanitation Legislation

19.1 Khurals of Citizens' Representatives, Municipal Khurals, Governors of all levels, specialized inspection agencies and authorities and officials conferred rights by relevant legislation shall monitor the enforcement of the legislation on sanitation and acts of legislation enacted in conformity therewith.

Article 20. Liability for the Breaches of the Legislation on Sanitation

20.1 In case of breach of 6.2 of this law, a competent police officer shall prohibit vehicle from entering traffic or a state inspector specifically authorized by legislation shall impose a fine of 10,000-50,000 togrogs on an individual or official, and 150,000-200,000 togrogs on an organization or economic entity; in case of repeated breach shall terminate the operations of an organization or a economic entity.

20.2 In case of breach of 7.3, 7.4 and 7.5 of this law a competent police officer or a state inspector specifically authorized by legislation shall impose a fine of 5,000-10,000 togrogs on an individual, and of 150,000-250,000 togrogs on an organization or economic entity and shall oblige to redress harm or compensate the loss caused.

20.3 Unless a breach of legislation on sanitation other than of 20.1 and 20.2 of this law is subject to criminal liability, then a competent state inspector or official shall impose liability in accordance with the Administrative Code and other applicable legislation

Article 21. Entry into Force

21.1 This Law shall come into force on 1 July 1998.

R. Gonchigdorj
SPEAKER OF THE PARLIAMENT