

LAW ON THE GOVERNMENT OF MONGOLIA

CHAPTER ONE

GENERAL PROVISIONS

Article 1. Purpose of the Law

The purpose of the present Law shall be to establish the principles of activities, duties, powers, and the structure and composition as well as the working organization of the Government (hereinafter referred to as "the Government") and to regulate matters pertaining to the relationship of the Government with other organizations.

Article 2. Legislation on the Government

Legislation on the Government shall consist of the Constitution of Mongolia, the present Law and other laws and regulations in force, which are consistent with the preceding.

Article 3. The Government and its duties

1. The Government shall be the highest executive body of the state under Article 38 of the Constitution.
2. The Government shall discharge the duty of directing economic, social and cultural development of the country in observance of laws of Mongolia.

Article 4. Grounds and Procedure on formation of the Government

1. The Government shall be formed subject to the grounds and procedures set forth in Section 1(6) of Article 25, Section 2 of Article 33 and Article 39 of the Constitution, Article 9 of the Law on the State Great Khural and Chapter VI of the Procedure of State Great Khural of Mongolia.
2. The State Great Khural shall decide questions concerning the dissolution and formation of the Government, and the resignation, removal and the appointment of its members as well as the issuance of vote of confidence in the Government subject to the grounds and procedures set forth in Section 1(6) of Article 25, Section 1(2) of Article 33 of the Constitution, Article 9 of the Law on the State Great Khural and Chapter VI of the Procedure of State Great Khural of Mongolia.

Article 5. Principles of activities of the Government

1. The fundamental principle of the activities of the Government shall be the ensurance of democracy, justice, freedom, equality and national unity and respect of law set forth in Section 2 of Article 1 of the Constitution.

2. The Government shall collectively consider issues and make decisions by the majority's opinion while respecting the minority's proposals and shall alone be responsible for the implementation of decisions taken and be responsible for its work to the State Great Khural, and shall function on the basis of combining the territorial and sectoral principles.

CHAPTER TWO

Powers of the Government

Article 6. Grounds for and the term of the mandate of the Government

1. The Government shall exercise the specific powers set forth in the present law and other laws within its powers, which are mentioned in Section 2 of Article 38 of the Constitution.
2. The term of the mandate of the Government shall be defined under Article 40 of the Constitution. However, in case the Government dissolves before the expiry of its terms of office, the term of office of a newly formed Government shall be the remaining term of office of the former Government.

3. Article 7. Powers of the Government to organize and ensure the implementation of law

In this regard the Government shall exercise the following powers:

1. To determine the methods of organizing and ensuring the implementation of law by the central state administrative bodies and local administrations and to co-ordinate the directing of this work.
2. To issue decrees and ordinances and to ensure their enforcement for the purpose of implementing the Constitution and other laws and regulations.
3. To supervise the conformity of decisions of the central state administrative bodies and the local administrations with the laws and regulations in force.
4. To control implementation of laws, regulations, Presidential decrees, and Government decisions by the central state administrative bodies, local administrations, state owned enterprises and organizations as well as entities with state capital participation, and to discuss reports and information of their leadership if it is necessary.
5. To supervise implementation of laws by the parties, public organizations and private sector entities within its competence.
6. In case of necessity, information of the parties, public organizations and private sector entities may be discussed at the request of their leadership.

7. To take measures on the improvement of laws and to organize legal information, training and advertisement of laws.

8. To report permanently to the State Great Khural on the implementation of the laws and other decisions of the State Great Khural.

Article 8. Powers of the Government to work out and implement a comprehensive policy on economic development, science, and technology.

In this regard the Government shall exercise the following powers:

1. To work out the Government's programme of action and a comprehensive policy on science and technology and Guidelines for economic and social development of the country /hereinafter referred to as "Guidelines") and to submit these to the State Great Khural.

2. To work out the state budget, credit and fiscal plans in conformity with implementation of the Guidelines approved by the State Great Khural and to submit these to the State Great Khural and to execute related decisions.

3. To organize and ensure the implementation of Guidelines and state budget and credit and fiscal plans through the central state administrative bodies and local administrations.

4. To take measures for the regulation of economic relations in conformity with the development interests of all economic sectors, and for the promotion of fair competition and restriction of monopoly as well as on the improvement of economic adjustment.

5. To take measures for the ensurance of the economic security of Mongolia.

6. To work out and ensure the nation-wide implementation of the policy on science and technology.

7. To take measures on the protection of the national wealth and state assets and to dispose of the state property within its competence.

Article 9. Powers of the Government to work out and implement a policy on the social development and social protection of the population.

In this regard the Government shall exercise the following powers:

1. To work out a policy on the development of culture and art on the basis of all forms of ownership and to implement measures on the ensurance of its economic and legal guarantees.

2. To take and implement measures on the protection of intellectual, historical and cultural heritages and on the support and development of traditional customs of the people.

3. To work out and implement a comprehensive policy on the educational system off all stages and contents.
4. To work out and implement a policy on the protection of public health and the development of sports and to co-ordinate the activities of the state and public organizations and citizens aimed at protecting public health under law.
5. To work out and implement a demographic policy including state policy on children, youth, women, and the elderly.
6. To work out and implement a concrete policy on employment, professional training, and labour and to take measures on the improvement of working, living, and housing conditions of citizens and on the protection of the rights and interests of consumers.
7. To take measures on the consolidation of family and improvement of social care and social security system as well as on the protection of weaker social groups such as the elderly, children, and the disabled.

Article 10. Powers of the Government to ensures the sectoral, intersectoral, and regional development.

In this regard the Government shall exercise the following powers:

1. To determine the priority of industries and sectors of economy and to work out and implement a policy on the establishment and development of proper relations between the sectors and the infrastructure.
2. To co-ordinate efforts of economic sectors and to regulate sectoral interrelations for achieving the common aims of economic and social development.
3. To ensure a relative and even development of aimags and regions and to develop and implement the common principles and models of establishing and expanding the proper economic ties between them and to render necessary assistance to local self-governing bodies in this area.
4. To link independence of local bodies and economic entities with the common interests of national development and security.

Article 11. Powers of the Government to protect environment and to use rationally natural resources.

In this regard the Government shall exercise the following powers:

1. To create the economic, legal, and institutional framework for environmental protection and to regulate the activities of governmental nongovernmental organizations in this field.

2. To elaborate and implement comprehensive measures on the creation of general geological survey and feasibility study system and on the protection, rational use, and restoration of natural resources as well as on the ensurance of ecological security and creation of links between the biological balance and national social and economic development.
3. To create a comprehensive control system of natural biological balance.
4. To prevent from natural disasters and serious environmental pollution, and to organize forces of the state and public organizations and citizens and take necessary measures for eliminating its consequences.
5. To organize the implementation of state policy on the protection and rational use of land, its subsoil, forests, water, atmosphere, fauna and flora.
6. To determine the protection regime of a strictly protected area and a nature complex area and the borderlines and the protection regime of a national monument area and a nature reserve and to ensure implementation thereof.

Article 12. Powers of the Government to direct activities of the central state administrative bodies and local administrations.

In this regard the Government shall exercise the following powers:

1. To determine a general scheme for the system and structure of public administration in conformity with the requirements for staff reduction and performance improvement and to submit it to the State Great Khural and to execute related decisions.
2. To train and retrain government employees, to upgrade their qualifications, and to take measures for ensuring their working conditions and social guarantees.
3. To organize nation-wide administrative and management control.
4. To determine the organizational structure, staff number, budget limit and salaries of the state administrative bodies and to appoint and recall high-ranking officers at proper stages unless otherwise stipulated by law.
5. To co-ordinate the co-operation between the state central administrative bodies themselves as well as that between these bodies and administrative bodies of aimags and the capital city for the common aims.
6. To take and implement necessary measures on the improvement of administrative and territorial structure of Mongolia and to render organizational and methodological assistance to the local self-governing bodies in exercising their powers and to take measures for the ensuring of their independence.

7. To control the exercise of powers by the Governors of aimags and the capital city and to provide centralised management of their activities.

8. If necessary, certain issues within its specific powers may be delegated to the governors of aimags and the capital city for their consideration within these territories.

Article 13. Powers of the Government to defend the country and ensure the national security.

In this regard the Government shall exercise the following powers:

1. To work out and implement a policy on the country's defence and ensuring of national security including military policy.
2. To take measures for strengthening the military forces.
3. To direct the safeguarding of the state frontier.
4. To elaborate and implement measures for ensuring the national security.
5. To take measures on the formation and restoration of necessary material reserves needed for the country's defence and national security.
6. To direct the protection of state secrets.
7. To protect the population from national disasters and other unforeseen dangers and to take measures for their prevention and elimination of their consequences and to direct civil defence.

Article 14. Powers of the Government to protect human rights and freedoms and to enforce public order

In this regard the Government shall exercise the following powers:

1. To take measures on the creation and enforcement of economic, social, legal and other necessary guarantees for ensuring human rights and freedoms.
2. To prevent violation of human rights and freedoms and to take and implement measures on the restoration of infringed rights as provided for by law.
3. To cooperate on the protection of human rights and freedoms with nongovernmental organizations and international organizations.
4. To direct the receipt and response by the central state administrative bodies and local administrations of petitions and complaints of citizens.

5. To organize and render administrative and legal services to the population.
6. To set up an information service within the framework of public administration and to create conditions for providing the population with true information.
7. To maintain public order and to take measures on the prevention of crimes.

Article 15. Powers of the Government to implement a state foreign policy

1. To work out and implement a state foreign policy on politics, economy, culture, science and humanity.
2. To submit proposals on the recognition of foreign States and on the establishment and severance of diplomatic relations with foreign states to the State Great Khural and to execute related decisions.
3. To decide matters relating to the establishment and abolishment of plenipotentiary missions of Mongolia to foreign countries and international organizations on the basis of relevant decisions of the State Great Khural and to approve statutes and determine the staff number and average salaries.
4. To submit proposals on the appointment and recall of heads of plenipotentiary missions to foreign countries and international organizations to the President of Mongolia.
5. To decide matters relating to the appointment and recall of heads of governmental plenipotentiary missions to foreign countries and international organizations.
6. To represent Mongolia within its competence before the United Nations and inter-governmental international organizations.

Article 16. Powers of the Government to conclude international treaties and agreements with the foreign States

In this regard the Government shall exercise the following powers:

1. To conclude international treaties on behalf of Mongolia with the consent of and subsequent ratification by the State Great Khural.
2. To submit proposals on the ratification and denouncement of international treaties and on the access of Mongolia to international treaties to the State Great Khural.
3. To decide matters relating to the conclusion and denouncement of international treaties and agreements on issues within its competence with the foreign States and international organizations.
4. To elaborate and implement the regulation on conducting of negotiations on and signing of international treaties of inter-organizational character of Mongolia.

5. To supervise and organize the performance of obligations by the Mongolian party under international treaties.
6. To take measures on the protection of rights and interests of the Mongolian party arising out of international treaties.

CHAPTER THREE

Structure of the Government

Article 17. Main structure and substructure of the Government

1. The Government shall comprise the Prime Minister and members of the Government. The Prime Minister of Mongolia shall lead the Government.
2. In the temporary absence of the Prime Minister, his/her duties shall be performed by any of the members of the Government as assigned by the Prime Minister. The member of the Government who temporarily performs the duties of the Prime Minister shall implement and be accountable for such implementation of the duties within the scope delegated by the Prime Minister.
3. The Government shall exercise its powers as a Cabinet.
4. The meeting of the Government shall be the primary form of the Cabinet's work organization.
5. The Government may have an advisory body with the purpose of issuing prior comments and conclusions on specific agenda items of a Government meeting in a specified field. The Government shall adopt the detailed regulations on the structure and proceedings of the advisory body.

Article 18. Ministry of Mongolia

1. A Ministry of Mongolia shall be the central state administrative body in charge of a certain field and specific functions of the Government powers.
2. The State Great Khural shall consider the matter and adopt a law on the establishment and dissolution of a Ministry of Mongolia in consultation with the President and upon submission of such a law by the Prime Minister.
3. The following Ministries shall function within the structure of the Government:

Functional Ministries:

- 1/ Ministry of Foreign Affairs
- 2/ Ministry of Finance and Economics

3/ Ministry of Justice and Home Affairs

Sectoral Ministries:

- 1/ Ministry of Environment
- 2/ Ministry of Defense
- 3/ Ministry of Education, Culture and Science
- 4/ Ministry of Infrastructure
- 5/ Ministry of Social Care and Labour
- 6/ Ministry of Industry and Commerce
- 7/ Ministry of Food and Agriculture
- 8/ Ministry of Health.

4. A Ministry of Mongolia shall be headed by a member of the Government – Minister of Mongolia.
5. A Deputy Minister shall be responsible to the Minister for professional activities of the Ministry and agencies within the competence of the Minister
A Deputy Minister shall be appointed and dismissed by the Government upon the nomination by the Prime Minister.
In the temporary absence of a Minister, his/her duties shall be performed by Deputy Minister.
6. A Minister of Mongolia may have secretarial staff. An advisory body shall be established in charge of advising the Minister on performing functions and achieving goals within the competence of the Minister. The Government shall adopt the uniform regulation on proceedings and staffing structure and budget of such an advisory body.
7. A Ministry of Mongolia shall have the State Secretary. The State Secretary shall have the primary duty of organizing and ensuring effective performance by the Ministry staff and assisting the Minister in efficient and prompt discharge of his/her duties. The State Secretary shall execute instructions of the Minister and Deputy Minister of Mongolia in conformity with the laws, Government policies and decisions.
8. A State Secretary shall be appointed and dismissed by the Government upon consideration of a conclusion by the Government Administrative Service Council.
9. A State Secretary shall issue orders and ensure implementation thereof within his/her competence and in conformity with the laws of Mongolia, decrees of the President and decisions of the State Great Khural and the Government.
10. The legal status of the Ministry of Mongolia shall be determined by law.

Article 18/1/. Government Secretariat and its structure

1. The Government Secretariat shall be the secretarial staff of the Government.
2. The Secretariat shall be headed by a member of the Government.
3. Head of the Secretariat shall, along with managing the performance of the Secretariat, be responsible, as a member of the Government, for implementation of powers specified in Article 20.5.12 of this Law.
4. The Head of the Secretariat shall be accountable to the Prime Minister.

5. The Secretariat shall discharge the duties specified in Article 30 of this Law.

Article 18/2/. A Government agency

1. The Government may establish, in accordance with structure adopted by the State Great Khural, a regulating or implementing Government agency to be in charge of certain field and sector of its competence.
2. Unless otherwise provided for by law, a head of a Government agency shall be appointed and dismissed by the Prime Minister of Mongolia upon consideration of a proposal by the relevant Minister.
3. Deputy head of a Government agency shall be appointed and dismissed by the Minister of Mongolia upon consideration of a conclusion by the Government Administrative Service Council.
4. The legal status of the Government agency shall be determined by law.

Article 19. Assignment of certain duties of the state executive bodies to other organizations

1. The Government may assign specific functions of a state executive body to a non-Governmental organization in accordance with the relevant laws and Government decisions and contracts based thereupon, and may finance fully or partially the relevant expenses.
2. An organization financed for implementation of specific functions of a state executive body shall execute Government decisions and be responsible to the relevant Minister of Mongolia.

CHAPTER FOUR

COMPOSITION OF THE GOVERNMENT

Article 20. Composition of the Government

1. The Government shall comprise the Prime Minister and members under Article 39 of the Constitution. In case a member of the State Great Khural has been appointed member of the Government, he/she shall retain his/her powers of a member of the State Great Khural.
2. A member of the Government shall be a Minister of Mongolia.
3. The main spheres of activities of the Prime Minister and Ministers shall be determined by this Law.
4. The following issues shall constitute the main spheres of the activities of the Prime Minister:
 - 1/ intelligence and counterintelligence
 - 2/ national radio and TV
 - 3/ foreign news

- 4/ state property policy
- 5/ economic planning and strategy:

5. Government members shall be in charge of planning, development, management, regulation, implementation, state monitoring and oversight, analysis and evaluation of policies in the following spheres of the activities:

1/ Minister of Foreign Affairs of Mongolia

- foreign policy
- political cooperation with foreign states and international organizations
- foreign economic relations
- treaties and agreements with foreign states and international organizations and monitoring of the treaties and agreements concluded
- protection of rights and interests of Mongolian citizens abroad
- visa and consular issues
- humanitarian cooperation with foreign states

2/ Minister of Finance and Economics of Mongolia

- concept for economic and social development and long-term policy, sustainable development strategy, economic security, macroeconomic coordination and regulation of development, investment, integrated policy and regulation for loan and aid, payments balance and economic cooperation.
- general directions of social and economic development, finances, loan and financial planning;
- policy for sectoral and inter-sectoral, as well as regional development;
- research of state centralized budget and budget planning;
- management of expenditures of state centralized budget;
- control of budgets of Ministries, Government agencies and municipalities;
- policy for strengthening and effective performance of customs system;
- planning of tax revenues, organization of tax collection and tax policy;
- state insurance policy;
- control and registration of state property.

3/ Minister of Justice and Home Affairs of Mongolia

- legal reform policy;
- legislative drafting;
- systematization of legislation, information, legal trainings, dissemination and research study;
- legal assistance;
- national archives, court decisions enforcement, fire fighting;
- supervision of legal grounds of the decisions of the state administrative bodies;
- registration and information on citizens, marriages, issues of citizenship and immigration;

- registration of mass media and non-governmental organizations;
- relationship between state and church;
- registration of immovable property;
- protection of intellectual property, patent and copyright;
- organizational, financial, material supplies and services to the judiciary;
- relationship of the Government with the judiciary, prosecutor's office, notary, advocacy and non-governmental organizations;
- police and investigating authorities, protection of the state border;
- maintenance of the public order, crime combat and prevention.

4/ Minister of Environment of Mongolia

- policy of environmental protection, the rational use of natural resources, their rehabilitation, policy of ecological balance;
- policy for conservation of the subsoil resources, forests, water, animals, and database for natural resources;
- prevention of climatic and natural disasters, environmental examination, policy of ecological safety;
- land management.

5/ Minister of Defense of Mongolia

- national defense and military policy
- policy of strengthening the army
- management of civil defense
- emergency commission.

6/ Minister of Education, Culture and Science of Mongolia

- policy of development of educational system;
- comprehensive policy of science and technology and implementation thereof;
- scientific and technological information;
- policy of development of arts and culture and protection and renovation of historical and cultural heritage;
- policy of books, publishing and digital publishing.

7/ Minister of Infrastructure of Mongolia

- fuel and energy policy
- policy of postal service, telecommunications and information technology
- policy of development of auto-roads
- policy of development of transportation system
- policy of construction and production of construction materials, urban development, water supply
- policy of housing and public utilities services
- technical supervision of the infrastructure
- geodesy and mapping
- policy of development of tourism

8/ Minister of Social Care and Labour of Mongolia

- policy of employment and reduction of unemployment and poverty;
- study of labour conditions, labour compensation of the workforce and living standards;
- labour safety and security, social insurance and care, oversight of the labour legislation;
- protection of consumer rights;
- labour relations, three-party partnership of the Government, the employer and the employee, settlement of collective labour disputes;
- social care policy;
- social insurance policy;
- demographic policy;
- youth social issues;
- social issues of herdsmen;
- employment of foreign citizens in Mongolia;
- employment of Mongolian workforce abroad;
- regulation of labour market.

9/ Minister of Industry and Commerce of Mongolia

- mineral policy;
- geology policy;
- restoration of domestic industry, structural reform of the industry;
- support of export, strengthening of competitiveness on foreign markets;
- export and import;
- technological policy;
- balancing and overseeing manufacturing and services;
- establishment of retail sales and raw materials market system;
- foreign trade and investment policy;
- petroleum policy;
- trade policy, regulation and oversight;
- organization of implementation of commitments of Mongolia under World Trade Organization treaties;
- standardization and measurement.

10/ Minister of Food and Agriculture of Mongolia

- food provision policy;
- policy for strengthened development of livestock husbandry;
- insurance of food safety;
- policy for establishment of a livestock protection system against sudden climatic disaster;
- policy for strengthened development of crop husbandry;
- state policy on veterinary and livestock breeding;
- seeds policy;

- use of agricultural land;
- policy for pasture land management and water supply;
- introduction of scientific achievements into the farming and livestock husbandry;
- fishing and use of sea resources;
- animal and plants quarantine;
- fighting rodents;
- state reserves;
- export and import of animal and vegetable food and raw materials.

11/ Minister of Health of Mongolia

- policy for protection and restoration of health;
- social and professional measures of public health;
- policy for provision and production of medicine and medical supplies and equipment;
- policy for and oversight over sanitation and infectious diseases;
- state inspection over medical services;
- policy for development of athletics and sports.

12/ Minister of Mongolia – Head of the Government Secretariat

- organization and management of local administration;
- implementation of Government decrees and decisions;
- provision of information to the Government;
- relations of the Government with the State Great Khural;
- professional and methodological assistance to Citizen Representative Meetings.

Article 21. Term of office of the Prime Minister and members of the Government.

1. The term of the Prime Minister and a member of the Government shall be the terms of office of the Government as set forth in Article 40 of the Constitution and shall start on the day of their appointment of the Prime Minister and a member of the Government and terminate on the day of appointment of new Prime Minister and a member of the Government concerned.

2. In the event of the resignation, removal as well as death of the Prime Minister or member of the Government on the grounds as provided for by law, their powers shall terminate before the expiry of their term of office. In case of such vacation of the offices of the Prime Minister or member of the Government, the State Great Khural shall appoint them within 30 days. The term of office of a newly appointed member shall be the remaining terms of office of the Government concerned.

3. In case the term of office of the Prime Minister terminates before the expiration of his/her term of office, his/her duties shall be assigned by the State Great Khural to a member of the Government until the appointment of new Prime Minister.

4. In case of vacation of the office of member of the Government, the Prime Minister may discharge his/her functions or assign them to one or several members of the Government until his/her appointment.
5. The dissolution of the Government in its entirety shall not be a hindrance for a new appointment of a member who has been performing his/her duties properly to the post of the Prime Minister or of a member of the Government.

Article 22. Grounds for voluntary retirement and resignation of the Prime Minister and member of the Government.

1. The Prime Minister may submit a petition requesting his/her resignation to the State Great Khural and a member of the Government may submit a petition requesting his/her resignation to the Prime Minister if they consider that they are unable to exercise their powers due to health and other good reasons.
2. The Prime Minister may submit a petition requesting his/her resignation and/or the dissolution of the Government in its entirety to the State Great Khural with the consent of the President if he/she considers that the Government is unable to: exercise its powers because he/she has different proposals on drafts of law and other resolutions of the State Great Khural as well as of Presidential decrees; or after instructing the Government on issues within his competence and the State Great Khural and President have not accepted these proposals or the State Great Khural has not issued a vote of confidence; or the Government's programme of action has not been approved by the State Great Khural within 30 days of discussion; or there is any other grounds provided for by law.
3. A member of the Government may submit a petition requesting his/her resignation to the Prime Minister at any time if he/she considers that he/she is unable to exercise his/her powers because he/she has different proposals from those of the Prime Minister or a majority of the other members concerning policy on issues in which he is in charge himself/herself, or other reason provided by law. However, he/she shall perform his/her duties till a final decision is taken.

Article 23. Powers of the Prime Minister

1. The Prime Minister shall lead the Government and shall be responsible to the State Great Khural for the implementation of the state laws under Section 1 of Article 40 of the Constitution including:
 1. In case a nominee for the member of the Government fails to obtain a majority vote of members of the State Great Khural, a nominee whose candidacy has not been nominated for the member of the Government during the term of that State Great Khural shall be nominated within 14 days;
 2. To determine domestic and foreign policies of the Government subject to laws and regulations and the Government's programme of action and Guidelines approved by the State Great Khural;

3. To direct the activities of the members of the Government and Governors of aimags and the capital city;
 4. To report on the activities of the Government and to submit proposals on measures to be taken to the State Great Khural during its sessions.
 5. To assign spheres of authority of the members of the Government within the main areas of activities defined by this Law and to supervise their performance. If required, they may be assigned additional work and duties. Proposal to make any changes on the issues within the charge of a minister of Mongolia as indicated in Section 4, Article 20 of this Law, or the change of assignment of issues from one minister to another, or for from one to another or the merger and separation of spheres of authority, shall be submitted to the State Great Khural and decisions taken shall be executed;
 6. To approve the subject matters of the agenda of the meeting of the Government and to fix the date of meeting and to preside over it;
 7. To represent the Government in internal and external affairs;
 8. To exercise any other powers provided for by law.
2. The Prime Minister may, in addition to general affairs of the Government activities, oversee activities of Government organizations in charge of certain spheres under central management.
3. In order to conduct negotiations on issues of domestic and foreign policies of the Government, the Prime Minister must exchange views with the other members of the Government including the member in charge of those issues and inform them in advance.

Article 24. Powers of member of the Government

1. A member of the Government shall have powers, issued by this Law and other laws and regulations including:
 1. To work out a state policy on issues within its charge and to execute the implementation of laws, Presidential decrees, and Government decisions on behalf of the Government and to be answerable alone for the development and current situation of as well the achievements in the relevant branches and industries to the Prime Minister, and to the State Great Khural, and to be jointly responsible for the activities of the Government to the State Great Khural;
 2. To coordinate activities of the Ministry as well as the organization mentioned in Article 18/2/.1 of this Law within the sphere in charge;
 3. To attend and speak freely at a permanently a meeting of the Government;

4. To adopt the charters and to determine the management staffing and salaries of state owned entities subordinated directly to the Ministry which he/she is in charge of and to appoint and remove chairmen (directors) thereof, unless otherwise provided for in the law;
5. To relate directly on issues within his charge with the Standing Committees and other working units of the State Great Khural and to express his/her position at the sessions of the State Great Khural and meetings of the Standing Committees;
6. To supervise and get information on the implementation by relevant organizations and economic entities of laws, Presidential decrees, Government decisions as well as of his own ordinances and to give them a prompt instruction to secure their enforcement fully;
7. To represent the Government on issues within charge and enter any entities freely and meet relevant officers without waiting.
8. To exercise any other powers provided for by law.

2. A Minister of Mongolia shall issue ordinances on issues within his/her charge in conformity with laws, resolutions of the State Great Khural, Presidential decrees and Government decrees, and secure their enforcement. If the matter under his consideration is directly related to other areas of activities, it must be decided upon agreement with the relevant member of the Government. If they cannot reach agreement over their different proposals themselves, the decision shall be taken by the Prime Minister or by the meeting of the Government unless otherwise stipulated by law.

3. A member of the Government is obliged to guard and defend the interests of all the citizens and the country, to strictly observe moral rules of statesman, and to keep state and business secrets.

4. A member of the Government shall pursue the Prime Minister's policy in making decisions as well as statements and in expressing his/her official position in any form. If he/she considers that the Prime Minister's policy must be changed on issues within his/her charge, he/she shall prepare and submit a draft decision to the Prime Minister for approval.

5. When a member of the Government goes abroad for a period exceeding one day he/she shall get a permission of and notify about the name and address of his/her destination.

6. A member of the Government cannot pursue any occupation not relating to his/her duties assigned by law and by the Prime Minister during his/her term of office.

7. If the Prime Minister or a member of the Government are engaged in the activities of joint or wholly owned private enterprises and other economic entities, they cannot direct the activities of such entities during their term of office.

8. The Prime Minister and Members of the Government shall furnish information to the Administrative Department of the Government on any income derived from or in connection with

their individual farms, property and private ownership annually as well as on any valuable things exceeding their monthly salary which were received as a gift from others in connection with the performance of their official duties.

Article 25. Guarantees for exercising powers by the Prime Minister and member of the Government

1. State and public organizations, economic entities and their officials as well as citizens are obliged to render assistance to the Prime Minister and members of the Government in exercising their powers and to enforce their decisions and prompt instructions.
2. The Prime Minister shall be issued the following guarantees for exercising his/her full powers:
 1. his/her person, dignity, transport and residence shall be inviolable.
 2. he/she shall have the winter and summer residences in the capital or nearby.
 3. The expenses of official and working visits, state ceremonies and other measures relating to the exercise of his/her full powers including the costs of maintaining winter and summer residences as well as service charges shall be financed by the state budget. The State Great Khural shall determine his/her salary and annual expenses at the suggestion of the Government.
 4. He/she shall be provided with special means of transport and communications.
 5. *(this paragraph has been deleted by the law of Oct 31, 1996).*
 6. He/she can not be summoned to criminal proceeding, arrested, detained or be held liable to any form of administrative penalty without the consent of the State Great Khural, and his/her person, residence, office and transport shall be immune from intrusion, inspection and search.
 7. His/her life, residence, transport and means of communications shall be subject to state protection, and if necessity his wife (husband) and pre-school age children may be protected by the State.
 8. His/her health shall be subject to special care and protection.
 9. He/she shall be entitled to benefits, which are determined by the State Great Khural and shall be subject to State protection for a period equal to the term of office actually served as Prime Minister, but not exceeding one term of such office upon termination of the term of office.

2. A member of the Government shall be issued the following guarantees for exercising his powers:

1. He/she shall be provided with the transport and means of communications.
2. He/she shall receive a salary and shall be entitled to enjoy other benefits as determined the State Great Khural corresponding to the table of ranks of high position civil servants.
3. He/she shall enjoy diplomatic privileges and immunities while travelling or staying abroad.
4. When he/she is arrested with evidence of his/her criminal offence at the time and in the place of committing a crime, the Prime Minister shall be notified within 24 hours. In the all other cases before mentioned, a Member of the Government may not be detained and be held liable to any form of administrative penalty, and his/her accommodation, transport, office and person shall be immune from inspection and search.
5. When his/her terms of office expires upon any grounds save for the commission of a crime, the State Great Khural enable him to hold his/her previous post which he/she was holding before his/her appointment to the post of member of the Government or shall take measures for not diminishing his/her living standard for the year concerned, if it is impossible.

3. The Prime Minister and members of the Government shall be exempt from any state and local public services except taxes during their terms of office.

4. Secrets of correspondence of the Prime Minister and members of the Government relating to the exercise of their powers shall not be subject to disclosure.

5. Other guarantees may be provided by law

6. A member of the State Great Khural who belongs to a minority political party or coalition faction in the State Great Khural and is in charge of a sphere assigned to a member of the Government shall be provided by the Government with the same nation-wide information as the relevant member of the Government.

CHAPTER FIVE

Relationship of the Government with the State Great Khural, President and other organizations

Article 26. Relationship of the Government with the State Great Khural

1. The Government shall enjoy confidence of the State Great Khural. In case the State Great Khural issues a vote of non-confidence in the Government, the Government shall dissolve.

2. The Prime Minister shall submit a draft resolution requesting a vote of confidence if the Government considers that it is required to take into consideration the public opinion and positions of the State Great Khural and President on activities of the Government.
3. A draft resolution on a vote of confidence as well as a draft statement on the dissolution of the Government which is prepared by the Prime Minister for their submission to the State Great Khural must be considered by three-fourths of members of the Government present and voting.
4. Where the State Great Khural has provided a vote of confidence or refused to discuss a request for the dissolution, the Government shall not consider this matter again at its own initiative within 6 months of decision.
5. The Prime Minister or any member of the Government concerned shall be responsible for the day to day relationship of the Government with the State Great Khural.
6. The Government shall submit to the State Great Khural annual reports on its activities and shall permanently furnish information on current matters.
7. The Government shall submit a draft programme of its action within 60 days of the commencement of its powers as well as other draft documents including the Guidelines for economic and social development at the fixed time. The Programme shall determine the fundamental goals and main measures to be taken by the Government within the areas of economic and social development and public administration during its terms of office. However, the Guidelines must cover the concrete goals and measures to be taken by the Government for the year concerned and the term of their implementation and the names of authorities in charge.
8. If the Government has different proposals on draft laws and other major matters of state policy from those of the State Great Khural, the Prime Minister may submit these proposals for its reconsideration, and the State Great Khural shall consider these matters and shall take decisions during its session.
9. The Prime Minister or member of the Government on his/her instruction shall submit draft laws and draft resolutions of the State Great Khural which have been elaborated by the Government subject to its right to legislative initiative to the Chairman of the State Great Khural under the relevant rules of procedure.
10. Official permission of the member of the Government in charge of legal affairs as well as the member of the Government who has been responsible for developing the draft shall be required prior to the submission of the draft to the State Great Khural mentioned in Paragraph 9 of this Article
11. A member of the Government is obliged to answer the questions of the members of the State Great Khural according to law.

Article 27. Relationship of the Government with the President

1. The Government shall take measures on the implementation of Presidential decrees and decisions of the National Security Council, and shall furnish information to the President thereon.
2. The Prime Minister shall permanently inform the President of subject matters on the agenda of the meeting of the Government in advance.
3. The President may at his own discretion attend a meeting of the Government and express his views. When he instructs the Government on issues within his competence, a draft decree shall be submitted to the Prime Minister.
4. The Prime Minister shall submit this draft decree for its consideration at the meeting of the Government within 7 days of its receipt and shall respond to it.
5. If the Prime Minister considers that the Government is not able to execute the provisions of this draft decree, he shall notify to the President about his/her reasons.
6. The Government shall inform the President in advance of its intention to submit a proposal on its dissolution before the expiry of its terms of office to the State Great Khural under Article 22 of this Law as well as of its submission of a draft resolution requesting a vote of confidence to the State Great Khural under Article 26, and shall consult on these matters with him.
7. The non-consent by the President to the Government's proposal on its dissolution before the expiry of its terms of office as well as to its request for a vote of confidence shall not hinder the consideration by the State Great Khural of this matter.
8. Relationship of the Government with nongovernmental (public) organizations.
 1. The Government shall relate on any issues in charge itself with the central and governing bodies of political parties which have obtained seals from the State Great Khural directly, and with political parties which have not obtained such seals and other public organizations through the relevant central state administrative bodies, as well as with noncentralized organizations through the central state administrative bodies and corresponding bodies of local administration.
 2. Public organizations with nation-wide organizational structure shall relate on issues concerning their activities with the Government through their high and central governing bodies.
 3. The Government shall take and implement measures for supporting proposals and initiatives by public organizations concerning the development of the country, improving the state and social structure, and implementing of state policy as well ensuring the enforcement of the law and shall cooperate with these organizations in this field.

CHAPTER SIX

WORK ORGANIZATION OF THE GOVERNMENT

Article 29. Meeting of the Government

1. The Government shall consider any issues within its competence provided by this law and other laws as well as other issues which have been instructed by the State Great Khural or have been suggested by the President.

The following questions shall fall only within the exclusive competence of the Government:

1. draft law;
2. any other draft resolutions to be submitted to the State Great Khural unless otherwise stipulated by law;
3. draft Presidential decrees on instruction to the Government;
4. proposals (draft) by its members on the change in the Government policy;
5. any issue which the Prime Minister has not solved alone as well as issues which the members of the Government could not reach agreement over.

2. The following rules shall be applied to preparation for and consideration of matters by the meeting of the Government.

1. The meeting shall be convoked by the Prime Minister. It also may be convened at the proposal of more than one third of the members of the Government.
2. The presence of two thirds of members shall be required to consider a meeting valid in all the other cases except those mentioned in Section 3 of Article 26 of this Law.
3. The member of the Government in charge of legal affairs shall review and introduce a draft law to be initiated by the Government to the Government meeting.
4. The member of the Government in charge of legal affairs shall prepare and introduce draft conclusions and comments of the Government on a draft law initiated by the President or a member of the State Great Khural.
5. The member of the Government as well as the Governors of aimags and the capital city are entitled to initiate subject matters of agenda of the meeting within their competence. The other organizations, officials and citizens shall forward their suggestions concerning subject matters of agenda of the meeting of the Government through a member of the Government unless otherwise stipulated by law.
6. A draft decision on subject matters of agenda and its grounds shall be submitted for consideration by the meeting upon their review and judgement on their preparation by a member in charge of the Government or several members if they are responsible for. A draft must be conformed with laws and regulations as well as Presidential decrees and must be elaborated satisfactorily and must be certified by the proper study as well as opinions of relevant Ministries thereon;

7. The Chairman of the Administration Department shall submit to the Prime Minister a draft approved by a member in charge as well as its grounds, and should notify about this matter, with his consent, to all the members of the Government not less than working days before its consideration.
 8. The Prime Minister shall number and approve subject matters of agenda of the meeting. Where all the members of the Government approve and sign a draft decision on subject matter, decisions may be taken without consideration by the meeting.
3. The Government shall adopt the detailed regulations on the meeting of the Government under this Law.
 4. The Prime Minister may decide to hold open or closed meetings and decisions except those relating to secrets protected by law shall be made public.

Article 30. Government decision

1. The Government shall issue decrees on any issues within its competence and the Prime Minister shall issue ordinances on urgent or one-time occasions.
2. Decisions on draft laws and other issues to be submitted to the State Great Khural, drafts of international treaties, and any other issues relating to the spheres of authority of a majority of Ministries as well as those specially provided for by law shall be made by a majority of votes.

In case of special authorization by the State Great Khural by law the Government may issue a legal act, which sets rules mandatory for the public, in conformity with the law and within its competence. This legal act shall be in the form of a decree.

The Government shall base issuance of such a decree which sets rules of mandatory for the public on the law which confers the special authorization.

3. When the Prime Minister has a different proposal on any other issues except those mentioned in Section 2 of this Article from a majority of members, and has the same proposal as a minister (member) in charge of the implementation of decision on such issues, decisions thereon may be taken.
4. In case of such decision, the Prime Minister is obliged to furnish information to the State Great Khural and the other members who had different proposals shall be entitled to furnish information to the State Great Khural. Where the Prime Minister or the member in charge of implementation of decision has the same proposal with a majority, and the other has the different one, issues shall be subject to reconsideration.
4. A draft decision considered by the meeting of the Government shall be subject to review and approval by the member in charge of implementation.

5. A Government decree shall be signed by ministers in charge of its implementation as well as by the Prime Minister.
6. The Chairman of the Administration Department of the Government must certify the conformity of a government decision with laws before it is signed by the Prime Minister.
7. Government decrees and ordinances of the Prime Minister shall enter into force on the day of their adoption unless provided otherwise.
8. All organizations, economic entities, officials and citizens are obliged to implement government decisions taken in conformity with laws within the territory of Mongolia.

Article 31. Publication of Government decisions

1. Government decrees and ordinances of the Prime Minister shall be officially published with the consent of the Chairman of the administration Department of the Government in the “Turiin Medeelel” bulletin within three working days of signing by the Prime Minister and shall be made public by the office of the Prime Minister through the newspapers and other means of communications.
2. Publication of government decrees and other decisions in the central or local newspapers and magazines shall be based on official texts published in “Turiin Medeelel”.
3. The Government decrees and Prime Minister’s ordinances shall be distributed to organizations in charge of implementation of their provisions and their implementation shall be supervised, ensured and reported on a timely basis.

Article 32. Minutes of meetings of the Government and their use and maintenance

1. The Administration Department of the Government shall keep minutes of the meetings of the Government (making official notices by hand or recording at the same time) under the rules of procedure approved by the Government.
2. All the members present and the Chairman of the Administration Department of the Government shall sign the minutes of the meeting of the Government which contain proposals by members on each subject matter in the agenda as well as the result of voting.
3. The Administration Department shall adopt the regulations on using and maintaining handwritten notes and taped recordings of meetings of the Government in archives.

Article 33. Cabinet Secretariat of the Government

1. The Cabinet Secretariat shall be in charge of the development and implementation of the Government decisions, assistance to coordination of mutual activities of central and local state administrative

organizations, management of human resources and provision of common services. These include:

- 1/ support for development and implementation of Government decisions and regulation of activities of Ministries and Government agencies to this end;
- 2/ support for strategic management and planning and management of financial resources of the Government;
- 3/ management of state administration and human resources and introduction of the best management practices in this regard;
- 4/ provision of advising, management and regulation of development and implementation of common services policy;
- 5/ prompt provision of effective advising and services to the Prime Minister and members of the Government;
- 6/ processing and introduction of items of the Government meeting agendas;
- 7/ ensuring organizational and logistical side of the Government meetings;
- 8/ documentation and publication of the Government decisions;
- 9/ delivery of the Government decisions to organizations and individuals in charge of implementation thereof and overseeing implementation thereof;
- 10/ organization and management of minutes of the Government meetings and Government correspondence;
- 11/ accepting and processing of suggestions, petitions and complaints by organizations and individuals addressed to the Government in accordance with relevant procedures;
- 12/ organization of monitoring of implementation of laws and Government decisions.

2. The Government shall adopt the statute of the Administration Department and shall determine the structure, staffing and salaries within its own budget.

3. In case of necessity, the Government may establish advisory units and other working groups within the limits of the budget.

Article 34. Office and working group of the Prime Minister

1. Office of economic strategy and planning shall operate under the Prime Minister.

2. The Prime Minister shall have an advisor(s) and working group charged with advising the Prime Minister and performing urgent duties in implementation of his/her duties.

3. Staffing and budget of the working group of the Prime Minister shall be determined by the Government.

4. Advisor(s) and staff of the working group of the Prime Minister shall report directly to the Prime Minister and shall belong to the Cabinet Secretariat.

Article 35. Prohibition of carrying out political activities in the Government and apparatuses of governmental organizations

It shall be prohibited to carry out any political activities by a political party or a non-Government organization within the Government and its agencies.

Article 36. Seal and stamp of the Government

1. The Government shall use the seal with Soyombo and Stamp and the format made under the prescribed rules.
2. The Government shall adopt the regulations on making and using the seal and stamp of the Government.

Chairman of the State Great Khural

N.Bagabandi

General Secretary of the
Secretariat of the State
Great Khural N.Rinchindorj

May 6, 1993 The city of Ulaanbaatar