

**LAW OF MONGOLIA  
ON TOURISM**

May 5, 2000  
Ulaanbaatar city

(Turiin medeelel #19, 2000)

**CHAPTER ONE  
GENERAL PROVISIONS**

**Article 1. Purpose of the Law**

1.1. The purpose of this Law shall be to govern relationships arising between the State, citizens, business entities and organizations connected with promotion of tourism, engaging in tourism activities, and provision of tourism services in the territory of Mongolia.

**Article 2. Legislation on Tourism**

2.1. Legislation on tourism shall consist of the Civil Code, Land Law, Environmental Protection Law, Law on Specially Protected Areas, 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.

2.3. Relationships arising from engaging in tourism business in the specially protected areas shall be governed by the law on the Specially Protected Areas.

**Article 3. Definitions**

3.1. For the purposes of this law:

3.1.1. "Tourism" means travel by individuals beyond their permanent residence for between one and 183 days for familiarization, relaxation and recuperation, as well as religious and business purposes;

3.1.2. "Tourism organization" means a for-profit legal entity engaged in the provision, promotion, sale and purchase of tourism products, and the organization of complex or individual tourism services;

3.1.3. "tourism region" means an area with historical, cultural and natural resources appropriate for tourism development in Mongolia;

3.1.4 "Tourism product" means a paid service rendered by tourism organizations to provide tourists travel conveniences and to induce the interests thereof;

3.1.5. "Tourist" means a Mongolian citizen, foreign national or a stateless person travelling for tourism purposes;

3.1.6. "tourism service organization" means an organization providing hotel, tourist camp, catering, relaxation and leisure, transportation, communications or sightseeing services to tourists;

3.1.7. "guide-interpreter" means an individual guiding and providing interpretation and explanation to tourists according to the tour program

3.1.8. "High-level hotel" means a service entity which satisfies 3 stars and over level of complex hotel services

## **CHAPTER TWO**

### **TOURISM ORGANIZATION**

#### **Article 4. Tourism organizations and their classification**

4.1. Tourism organizations shall engage in the following activities:

4.1.1. Plan, provide, promote and conduct the wholesale and retail sales of tourism products and services, organize tours;

4.1.2. Compile visa applications and other travel-related documents;

4.1.3. book, sell and purchase air, railroad and other transportation tickets;

4.1.4. make hotel, tourist camp, accommodation and leisure reservations;

4.1.5. make tourist arrival, service and departure arrangements.

4.2. Tourism organizations shall be classified as tour operators and tour agencies:

4.2.1. A tour operator shall engage in the activities specified in 4.1.1-4.1.5 of this law;

4.2.2. A tour agency shall engage in all or part of the activities specified 4.1.2- 4.1.5 of this law, as well as act as intermediary in the sale and purchase of the tour operator's products.

#### **Article 5. License to engage in high-class hotel services**

5.1. A license to operate high-level hotel services shall be issued by the state central administrative body in charge of tourism matters

5.2. Applicants for high-level hotel services shall submit, in addition to the documents specified in paragraph 1, Article 11 of the Law on Licensing of Business Activities, the following documentation:

5.2.1. Master construction plan of the high-level hotel, drawings of technical and technological systems scaled 1:100 and 1:200, and expert conclusions of the relevant inspection authorities;

5.2.2. Expert conclusions on the standard of the hotel building, its classification, grading, and technology;

5.2.3. Conclusion of the commission for approving of the level of the hotel.

5.3. All other relationships concerning activities of high-level hotels which are not governed by this law shall be governed the Law on Licensing of Business Activities

**Article 6.** Deleted

**Article 7.** Deleted

#### **Article 8. Powers of the Tourism Organizations**

8.1. The tourism organization shall exercise the following powers:

8.1.1. To conduct activities in accordance with 4.2 of this Law;

8.1.2. To advertise, sell and purchase, on its behalf, its own tourism products;

8.1.3. To furnish a report concerning tourists accommodated in a particular year to the state central administrative body in charge of tourism matters in accordance with the prescribed procedures

8.1.4. To provide tourists with true and objective information on Mongolia's society, history, culture, customs and traditions;

8.1.5. To take necessary measures within its control, to protect and preserve rare objects of national, historical, cultural and natural value, and report the breaches to the relevant authorities;

8.1.6. To involve its tourism service staff in certified training courses;

8.1.7. To set prices and tariffs for its tourism products;

8.1.8. To conclude contracts with tourism service organizations.

8.1.9. To offer guide-interpreter services to the tourists;

8.1.10. To obtain grading from the relevant authorities

8.2. Endeavor to develop environmentally-friendly tourism that shall contribute to the socio-economic development of Mongolia, as well as to the health, customs and traditions of the population.

### **Article 9. Tourism contract**

9.1. A tour operator and the agency shall conclude contracts for sale of tourism products.

9.2. Relationships connected with providing tourism services shall be governed by Articles 370-379 of the Civil Code, this law and agreements made between a tourism organization and tourist(s). The agreement shall provide the following

9.2.1. The official names and addresses, the state registration certificate numbers, and the bank account numbers of contracting parties;

9.2.2. Composition of tourists, the tour program and other information related thereto

9.2.3. Quality and price of the tourism product, and payment method;

9.2.4. Duration of the travel, the tourists' arrival and departure regulations, rights and obligations of the parties;

9.2.5. Procedures to settle tourists' complaints and disputes concerning services.

9.3. Performance of contractual obligations, termination, modification, grounds for considering the tourism contract null and void shall be as provided in the applicable provisions of the Civil Code.

### **Article 10. Tourist service organization**

10.1. The tourist service organizations shall meet the following requirements:

10.1.1. To operate in accordance with the provisions set for the services of a particular standard and grade;

10.1.2. To set its service prices and tariffs in conformity with the grade conferred, and to display them;

10.1.3. To announce its public contractual terms at least 3 month in advance of the beginning of the subsequent calendar year;

10.1.4. To openly display its license showing the organization's name, grade conferred, and the right to receive tourists;

10.1.5. To render tourist services in accordance with a contract concluded with a tourism organization, and avoid double-charging tourists for the services rendered;

10.2. The state central administrative body in charge of tourism matters shall approve the procedure for setting high level grades to hotels and tourist camps

10.3. The tourist service organization shall be prohibited from engaging in the activities provided in 4.1 of this law.

### **Article 11. State promotion of tourism**

11.1. Support and benefits provided by the State to export-related production shall also apply to the services provided to foreign tourists by tourism organizations and hotels.

11.2. Matters of tax incentives for the natural persons and legal entities who invest in the tourism sector shall be governed by applicable tax legislation.

11.3. Any person, whose proposal has won a tender announced for the development of a tourism region, as provided in subpara.14.1.1 of this Law, may be granted, on a contractual basis, relevant financial assistance by the State for the implementation of his/her project.

## **CHAPTER THREE GUIDE-INTERPRETER**

### **Article 12. Requirements for guide-interpreters**

12.1. Any individual who meets the following requirements may provide guide-interpreter services:

12.1.1. be a Mongolian citizen;

12.1.2. possess the knowledge of one or more foreign languages, have completed a guide-interpreter training course and hold a certificate, and have obtained grading and classification of guide-interpreter from the relevant authority

12.1.3. Meet health requirements necessary for rendering guide-interpreter services.

12.2. The state central administrative body in charge of tourism matters shall determine the grading and classification as guide-interpreter of individuals meeting the requirements set forth in Article 12.1 of this law

12.3. Deleted

### **Article 13. Rights and duties of the guide-interpreters**

13.1. The guide-interpreter shall exercise the following powers and duties:

13.1.1. To provide services to tourists in accordance with the program approved by the relevant tourism organization and ensure tourists' safety;

13.1.2. To wear openly a badge with the indication of his/her name and the name of the tourism organization concerned, while rendering services to tourists;

13.1.3. To provide to tourists objective information on Mongolia's socio-economic, and state structure, nature, history, culture, people's customs and traditions and avoid disclosing confidential information pertaining to the State or official secrets or individual privacy;

13.1.4. To compensate to the tourists or the tourism organization concerned for damages caused at own fault in the course of providing services.

13.2. The guide-interpreter shall be prohibited from demanding gratuities from tourists, and from engaging in the tourism organization's business

## **CHAPTER FOUR**

### **POWERS OF THE STATE BODIES WITH RESPECT TO TOURISM**

#### **Article 14. Powers of the Government with regards to tourism**

14.1. The Government shall exercise the following powers in the matters related to tourism:

14.1.1. To define the regions for tourism development in Mongolia in coordination with state policies on socio-economic development;

14.1.2. To implement the unified state policies regarding tourism, and organize the implementation of the applicable legislation;

14.1.3. To approve the national program of development of tourism;

14.1.4. Deleted.

14.1.5. To support domestic and international investments in the tourism sector, and establish constructive relations;

14.1.6. Deleted

14.1.7. To exercise oversight of the implementation of the tourism legislation and approve Regulations of the State Tourism Inspection.

#### **Article 15. System of the State Central Administrative Body in Charge of Tourism Matters**

15.1. The system of the state central administrative body in charge of tourism matters shall consist of the state central administrative body in charge of tourism matters, the Tourism Board under the Office of Prime Minister, and the local tourism unit (an employee).

15.2. The Tourism Board (hereinafter referred to as the "Board") shall be responsible for advising and rendering conclusions to the Prime Minister with respect to the development and implementation of the state unified policies on tourism.

15.3. The Board shall be composed of a chairperson, each one member proposed by the state central administrative bodies in charge of finance, budget, tourism and environmental matters, and three members proposed by non-governmental tourism organizations respectively

15.4. The Chairperson and members of the Board shall be appointed by the Prime Minister.

15.5. The Chairperson of the Board shall be a member of the Government in charge of tourism matters

15.6. The Government shall approve the work rules of the Board.

15.7. Governors of all levels may, taking into consideration the demand for the development of tourism, designate a unit (an employee) in charge of tourism matters.

**Article 16. Powers of the state central administrative body in charge of tourism matters**

16.1. The state central administrative body in charge of tourism matters shall exercise the following powers with respect to tourism:

16.1.1. To develop and coordinate the unified state policies with respect to tourism and to provide specialized administration;

16.1.2. *Deleted*

16.1.3. To develop a tourism development plan, and to ensure its implementation;

16.1.4. To coordinate relations between tourism organizations at the domestic and international level;

16.1.5. To plan human resources development in the tourism sector and approve training structure and programs thereof jointly with the relevant authorities;

16.1.6. To approve rules for the grading and licensing of tourism organizations, high-level hotels and tourist camps, and approve regulations for the grading and classification of guide-interpreters

16.1.7. To determine the number and location of tourist camps, relaxation and recuperation centres, and sanatoriums to operate in the tourism regions, and keep a unified registry thereof

16.1.8. Matters pertaining to the financial assistance in the development of tourism infrastructure, popularizing Mongolia in the country and abroad shall be considered in compliance with the related legislation.

16.1.9. To issue licenses to high-level hotels

16.1.10. To consolidate, research and analyse statistical data on tourism

16.1.11. To set up a unified tourism information network and database

16.1.12. To set the number of tourists to be received in a tourism region

16.1.13. To set tourist routes and itineraries

16.1.14. To prohibit the conduct of any activity that could possibly adversely impact the development of tourism

16.2. Activities stated in the article 16.1.8 of this law may be subsidized from contributions and donations of foreign countries, international organizations and national and foreign businesses, organizations and citizens and from other eligible sources.

**Article 17. Powers of State administration in charge of tourism –**

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**Article 18. Powers of Hurals of Citizens' Representatives and Governors of All Levels**

18.1. Aimag, soum and district Hurals of Citizens' Representatives shall exercise the following powers with respect to tourism:

18.1.1. To oversee the implementation of the state policies and the legislation on tourism within their respective territories, and, where necessary, consider Governor's report on this matter;

18.1.2. To ensure the implementation of the national program on development of tourism;

18.1.3. To submit to the state central administrative body in charge of tourism matters proposals regarding the inclusion of particular parts of their respective territories in the tourism resource region;

18.1.4. To approve tourism development programs in their respective territories.

18.2. Aimag, capital city, soum and district governors shall exercise the following powers with regards to tourism:

18.2.1. To implement, in their respective territories, the state unified policies regarding tourism, and ensure and organize the implementation of the tourism legislation;

18.2.2. To issue, within the limits of their authority and in accordance with number and location approved by the state central administrative body in charge of tourism matters and applicable legislation, permits to possess land by tourist service organization to be established in the given territory, and conclude agreements to this effect;

18.2.3. To develop programs and projects in conformity with the policies of regional tourism development in their respective territories, and submit proposals to the relevant Hural of Citizens' Representatives, develop and implement tourism plans in line with the approved programs;

18.2.4. To not receive taxes, charges or fees unless prescribed by law from tourists passing through their respective territories.

## **CHAPTER FIVE**

### **TOURISM FUND**

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## **CHAPTER SIX**

### **MONITORING OF TOURISM ACTIVITIES AND LIABILITY**

#### **Article 22. Monitoring of tourism activities**

22.1. The state and specialized monitoring shall be exercised on the implementation of the tourism legislation.

22.2. The state central administrative bodies and Governors of all levels shall exercise state monitoring of implementation of the tourism legislation within the limits of their respective powers

22.3. Specialized monitoring of the implementation of the tourism legislation shall be exercised by the state inspection division

22.4. Matters regarding the appointment and dismissal of the state senior and state tourism inspectors shall be governed by Article 21 of State Inspection Law.

#### **Article 23. Powers and duties of the State Tourism Inspector**

23.1. A State Tourism Inspector shall exercise the following powers:

23.1.1. To examine the state of implementation of the tourism legislation by the tourism and tourism service organizations and guide-interpreters, regardless of the form of ownership thereof;

23.1.2. To require, free of charge, any data and information necessary for inspection purposes from citizens, officers or organizations involved;

23.1.3. To submit, along with the relevant justification, proposals to the state central administrative body in charge of tourism matters for the revocation of licenses specified in Article 5 of this Law 23.1.4. To have access to relevant organizations for inspection purposes;

23.1.5. To inspect documents of persons committing breaches of the tourism legislation and to temporarily seize them, where deemed necessary;

23.1.6. As provided in this law, to impose administrative penalties on the persons breaking the tourism legislation;

23.1.7. To submit proposals to the state central administrative body in charge of tourism matters to downgrade hotels failing to comply with the grade standards conferred

23.2. A State Tourism Inspector shall have the following duties:

23.2.1. To strictly abide by the legislation and the regulations adopted in conformity therewith in the course of conducting the supervision of the fulfillment of the tourism legislation;

23.2.2. To respect the rights and legitimate interests, and to avoid disclosing confidential information of the organizations and natural persons concerned, in the course of suppressing and eliminating the breaches revealed;

23.2.3. To dispose complaints and proposals of tourists concerning the breaches of the tourism legislation;

23.2.4. To oversee whether the tourism organizations or the guide-interpreters provide to tourists true information on Mongolia's society, economy, government structure, history, culture and customs and traditions.

#### **Article 24. Liability for breaches of the tourism legislation**

24.1. A judge or a state tourism inspector shall, taking into the consideration the nature of the breach and the amount of damage caused, impose the following administrative sanctions for the breaches of legislation on tourism, unless the person responsible is subject to criminal liability:

24.1.1. Confiscation of illegally gained income, and a fine of up to 60,000 togrogs on an official, and up to 250,000 togrogs on an organization for breach of 10.3 of this Law;

24.1.2. A fine of 15,000-50,000 togrogs on a guide-interpreter for breach of 13.2 of this Law;

24.1.3. A fine of up to 50,000 togrogs on an official, and up to 100,000 togrogs on an organization, for disobedience of lawful demands of a state tourism inspector regarding breaches revealed in the conduct of tourism activities;

24.1.4. A fine of up to 10,000 togrogs on an official and up to 50,000 togrogs on an organization, for the failure to timely submit tourism-related information to the relevant authority or official ;

24.1.5. A fine of up to 50,000 togrogs on any person for charging or receiving any charges or duties in breach of this Law, from tourists passing through his/her territory;



24.1.6. A fine of up to 100,000-250,000 togrogs on an organization for breach of 8.1.6 of this Law

CHAIRMAN OF THE  
STATE IKH KHURAL

R. GONCHIGDOR