

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 as well as Articles 36 and 37 of Law on the State Great Hural of Mongolia.
2. The State Great Hural 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, Articles 38, 39, 40 and 41 of Law on the State Great Hural of Mongolia, and Section 2 of Article 21, Sections 1 and 2 of Article 22, Sections 2, 3 and 4 of Article 26 as well as Sections 6 and 7 of Article 27 of this Law.

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 Hural, 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 Hural on the implementation of the laws and other decisions of the State Great Hural.

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 Hural.
2. To work out the state budget, credit and fiscal plans in conformity with implementation of the Guidelines approved by the State Great Hural and to submit these to the State Great Hural 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 borderlines and protection regime of lands under special protection and to organize its implementation.

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 Hural 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 aimaks 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 aimaks 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 aimaks 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 Hural 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 Hural 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 Hural.
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 Hural.
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. Ministries shall constitute the main structure of the Government. The State Great Hural may establish Departments (State Committees, General Administrations) constituting the main structure of the Government with account taken of the vital requirements of work.
2. If necessary, the Government may create institutions which are empowered to exercise certain administration functions within issues in charge of Minister of Mongolia according to a scheme which is determined by the State Great Hural. These institutions shall constitute a substructure of the Government and their managerial staff shall be appointed and removed by the Government.

Article 18. Ministries and Departments of Mongolia

1. Ministries and Departments constituting the main structure of the Government shall be the central state administrative bodies in charge of specific spheres and areas of the activities of the Government and shall organize the implementation of law, Presidential decrees and Government decisions, and shall be responsible for their work and development of industries and branches to the Government as well as to the State Great Hural.
2. The State Great Hural shall consider the matter and adopt law on the establishment of Ministries and Departments constituting the main structure at the Government upon elaboration and submission of proposals by the Prime Minister concerning their duties and functions, structure, staff number, and salaries.
3. The following Ministries shall function within the main structure of the Government.
 1. Ministry of Environment of Mongolia
 2. Ministry of Construction and City Development
 3. Ministry of Defence of Mongolia
 4. Ministry of External Relations of Mongolia
 5. Ministry of Geology and Mineral Resources of Mongolia
 6. Ministry of Roads, Transport and Communications of Mongolia
 7. Ministry of Finance of Mongolia
 8. Ministry of Culture of Mongolia
 9. Ministry of Fuel and Energy of Mongolia
 10. Ministry of Trade and Industry of Mongolia
 11. Ministry of Justice of Mongolia
 12. Ministry of Demographic Policy and Labour of Mongolia
 13. Ministry of Food and Agriculture
 14. Ministry of Science and Education of Mongolia
 15. Ministry of Health of Mongolia.
4. The following Departments shall function within the main structure of the Government.
 1. State Security General Department of Mongolia
 2. Statistic Board of Mongolia
 3. Board of National Development of Mongolia
 4. General Department of Police of Mongolia

5. Radio & Television Administration of Mongolia.

5. Ministries of Mongolia (hereinafter referred to as "Ministries") shall be headed by a member of the Government. A Minister of Mongolia may have a Deputy Minister in charge of working out and implementation of a policy on issues within the competence of the Ministry concerned.

6. Departments constituting the main structure of the Government (hereinafter referred to as "Departments") shall be directed by the Chairman appointed by the Government. Where the Chairman of Department needs to be to a cabinet member because of vital requirements of work, the State Great Hural shall appoint him /her as a Minister of Mongolia. In this case he/she shall discharge specific duties which the other members of the Government are not answerable for and may have a Deputy in charge of the working out and implementation of a policy on issues within the competence of the Department concerned.

The other Departments shall be subordinated to the Prime Minister or any member of the Government subject to law or scheme determined by the Prime Minister.

7. The legal status of Ministries and Departments shall be determined by law.

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

1. The Government may assign specific duties such as of the state executive bodies or certain functions of infrastructure as the state regulation, information and research work to nongovernmental agencies and other similar organizations under relevant laws and regulations, Government decisions taken thereon and contracts, and may finance the relevant expenses[?].

2. The institutions in charge of specific duties of the state executive bodies or certain functions of infrastructure and in particular those which are financed out of the state budget shall execute Government decisions, and shall be directly responsible for their work to the Minister of Mongolia (member of the Government) as well as to the Government 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.

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 Minister shall be in charge of the following spheres of activities of administration, state regulation and state control as a member of the Government:

1. Minister of Environment:

protection and restoration of environment, ecological policy, data processing on land, its subsoil, forests, water, fauna and flora, management system of land tenure, information on meteorology, climate, environment, measures on prevention of population from unforeseen natural disasters, and control of natural tourism and travel.

2. Minister of Construction and City Development:

construction, architecture, city construction, production of building and building materials, geodesy, policy on project design, and state control of construction techniques.

3. Minister of Defence:

defence of the country, military policy, military forces and civil defence.

4. Minister of External relations:

state foreign policy, and political, economic, cultural, scientific and humanitarian cooperation with foreign states and international organizations.

5. Minister of Geology and Mineral Resources:

geological survey, prospect of mineral resources, protection and extraction of mineral resources, policy on development of mining and metallurgical industries, and minerals and raw material base and its utilization.

6. Minister of Roads, Transport and Communications:

policy on development of roads, transport and communications, and services for all modes of transport, roads and communications.

7. Minister of Finance:

state policy on finance, budget, taxation, state insurance and customs, protection of state assets, accounting, financial control, accounting methodology, foreign trade balance, relationship with foreign states and international financial institutions, and joint policy of the Government and Bank of Mongolia;

8. Minister of Culture:

protection and restoration of historical and cultural heritages, policy on development of culture and art, press and relationship between the State and the church.

9. Minister of Fuel and Energy:

comprehensive policy on energy, production of fuel and energy, and electrification of the country;

10. Minister of Trade and Industry:

coordination of policies on industry, trade and services, internal and external trade, market adjustment, state reservation and distribution of material resources, tourism, and implementation of external economic cooperation and foreign investment policy.

11. Minister of Justice:

legal policy, methodology of legislative drafting, codification, legal information, legal training and advertisement, legal assistance, supervision over legal grounds of decisions of the central state administrative bodies, public registry of means of communications and public organizations, citizenship, immigration, coordination of activities of police, investigation organizations, public notary offices, State archives and prisons, as well as of prevention of crimes, and relationship of the Government with courts, public procurator's offices and bar association.

12. Minister of Demographic Policy and Labour:

demographic policy, employment, professional training, state policy on social insurance and social care, labour protection, technical security, state control of labour legislation, and regulation of labour relations between trade unions and employers.

13. Minister of Food and Agriculture:

cattle breeding, agriculture, irrigation, food policy, manufacture of products of agricultural origin, plant interdiction, veterinary, cattle pedigree service, and technological policy on utilization of agricultural land and production.

14. Minister of Science and Education:

science, technology, policy on development of educational system of all stages, and scientific and technological information.

15. Minister of Health:

social and professional measures on the protection of public health, production and supply of medicines, medical instruments and techniques, healthy prosperity, research on infectious diseases, state control of medical services and policy on development of sports.

16. Chairman of Board of National Development - Minister of Mongolia:

concepts and strategies of national development of Mongolia, strategy, guidelines for economic and social development, macro-economic adjustment ensuring the economic security and correlation, foreign investment, technology, sectoral, intersectoral, as well as regional development policy, external economic co-operation, patent, state statistics, standardisation, and measurement.

5. If it is required to handle the important matters of the country's life and secure the prompt activities of the Government, the State Great Hural may appoint the Deputy Prime Minister (without ministry) to be a cabinet minister at the suggestion by the Prime Minister.
6. In the temporary absence of the Prime Minister his/her duties shall be performed by any of the Deputy Prime Ministers.
7. If the Prime Minister and Deputy Prime Ministers are absent at the same time, the Prime Minister shall give an instruction to any of Ministers to discharge his/her duties.

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

1. The term of the Prime Minister and members shall be the terms of office of the Government as set forth in Article 40 of the Constitution and shall start from the days of their appointment of the Prime Minister and 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 Hural 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. Where the term of office of the Prime Minister terminates before the expiration of his/her term of office, his/her duties shall be discharged until the appointment of a new Prime Minister under Sections 6 and 7 of this Law.
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 Hural 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 Hural 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 Hural as well as of Presidential decrees; or after instructing the Government on issues within his competence and the State Great Hural and President have not accepted these proposals or the State Great

Hural has not issued a vote of confidence; or the Government's programme of action has not been approved by the State Great Hural 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 Hural for the implementation of the state laws under Section 1 of Article 40 of the Constitution including:

1. To submit his/her proposals on the changes in the structure and composition of the Government and on the appointment, retirement and resignation of members of the Government to the State Great Hural in consultation with the President;
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 Hural;
3. To direct the activities of the members of the Government and Governors of aimaks 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 Hural 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 Hural 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 co-ordinate the activities of the Departments and Administrations dealing with such areas as the state security, state radio and television, and local administration under a centralised management together with the general issues of activities of the Government.

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 Hural, and to be jointly responsible for the activities of the Government to the State Great Hural;
 2. To co-ordinate the directing of activities of Ministries and Departments on issues within its charge as well as of organizations mentioned in Section 2 of Article 17 of this Law;
 3. To attend and speak freely at a permanently a meeting of the Government;
 4. To adopt the charters and to determine the managerial staff number and salaries of state owned entities subordinated directly to the ministry and departments which he/she is in charge and to appoint and remove the their chairman;
 5. To relate directly on issues within his charge with the Standing Committees and other working units of the State Great Hural and to express his/her position at the sessions of the State Great Hural 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 Hural, 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 can not 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.
5. 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.
6. 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.

7. A member of the Government can not pursue any occupation not relating to his/her duties assigned by law and by the Prime Minister during his/her term of office.
8. 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 can not direct the activities of such entities during their term of office.
9. 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 Hural 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. H/she shall be entitled to the aid and advice on the performance of his/her duties and on the execution of prompt actions and shall have the Information Service.
 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 Hural, 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 Hural and shall be subject to State protection for a period not exceeding one term of office upon termination of his/her 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 Hural 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 Hural 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.

CHAPTER FIVE

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

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

1. The Government may be issued a vote of confidence by the State Great Hural.
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 Hural 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 Hural must be considered by three-fourths of members of the Government present and voting.
4. Where the State Great Hural 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 Hural.
6. The Government shall submit to the State Great Hural 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 Hural, the Prime Minister may submit these proposals for its reconsideration, and the State Great Hural 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 Hural which have been elaborated by the Government subject to its right to legislative initiative to the Chairman of the State Great Hural under the relevant rules of procedure.

10. A member of the Government is obliged to answer the questions of the members of the State Great Hural 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 Hural 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 Hural 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 Hural 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 Hural 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 Hural 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 Hural 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, Chairman of Department constituting the main structure of the Government as well as the Governors of aimaks 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.
 4. 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 Residential decrees and must be elaborated satisfactorily and must be certified by the proper study as well as opinions of relevant Ministries and Departments thereon;
 5. 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.

6. 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 problems.
2. Decisions on draft laws and other issues to be submitted to the State Great Hural, drafts of international treaties, and any other issues relating to the spheres of authority of a majority of Ministries and Departments as well as those specially provided for by law shall be made by a majority of votes.
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 Hural and the other members who had different proposals shall be entitled to furnish information to the State Great Hural. 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 published with the consent of the Chairman of the administration Department of the Government in the central State organ within three working days of signing by the Prime Minister and shall be made public by the Information Service 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 their official original and published in the central state organ.
3. The Government shall dispatch its decrees and decisions to the organizations in charge of implementation of their provisions and should supervise their implementation and should get information on the results of these measures.

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

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 saving of handwriting notes and records of meetings of the Government in archives.

Article 33. Administration Department of the Government

1. The Secretarial staff of the Government shall be Administration Department.
2. The Administration Department shall render legal and technical services in organizing the activities of the Government and shall assist the Government in co-ordinating the activities of the central state administrative bodies as well as in directing local administrations including:
 1. To provide the Prime Minister and members of the Government with subject matters of the meeting of the Government and other necessary information, and shall render to them professional methodological and technical assistance;
 2. To receive matters by authorized organizations and officials addressed to the meeting of the Government and to prepare and submit these to it for its consideration under the relevant rules of procedure;
 3. To secure organization and technical preparation of the meeting of the Government;
 4. To publish and make public government decisions in any form;
 5. To dispatch Government decisions to the organizations and officials in charge of their implementation, and shall exercise technical control over these matters and shall prepare reports on their final result;
 6. To keep minutes of the meetings of the Government and to be in charge of correspondence of the Government.
 7. To receive proposals, petitions and complaints by citizens and organizations addressed to the Government and respond to them under the relevant rules of procedure;
 8. To render to the central state administrative bodies the necessary methodological assistance in the organization of management systems;

9. To aid and advise the Government on rendering professional and methodological assistance to the Hural of Representatives of aimaks and the capital city as well as on directing the activities of Ministries, Departments as well as of Governors of aimaks and the capital city;
10. To organize the supervision over the implementation of laws and Government decisions;
11. To train and retrain government employees, to upgrade their qualifications, and to ensure their working conditions and social guarantees.

3. The Government shall adopt the statute of the Administration Department and shall determine the structure, staff number, and salaries within its own budget.

4. The Administration Department may have within its structure the working units assisting the Government in directing local administrations, and other working units (divisions, sections) in charge of correspondence, information, control, and personnel policy of public administration outside divisions dealing with administration functions. An officer of the Secretariate staff of the Prime Minister shall be answerable to the Prime Minister and shall be a subordinate of the Administration Department.

5. In case of necessity, the Government may establish councils and other working groups within its own budget.

Article 34. Management of the Administration Department

1. The Administration Department shall be headed by the Chairman who is appointed by the Government.

2. The Chairman of the Administration Department shall be a civil servant and the expiry of the term of the mandate of the Government shall not be a ground for his removal.

3. The Chairman of the Administration Department shall direct the activities of the Department and shall be in charge of the arrangement of prompt co-ordination of the activities of Ministers, Departments, and of governors of aimaks and the capital city on the instruction by the Government or by the Prime Minister.

4. The Chairman of the Administration Department shall be responsible for his work to the Prime Minister.

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 in Government organisations[?].

Article 36. Seal and stamp of the Government

1. The Government shall use the seal with Sojombo 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 Hural

N.Bagabandi

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

May 6, 1993 The city of Ulaanbaatar

LAW OF MONGOLIA

The city of Mongolia May 11, 1993

On Invalidation of Law

In connection with the adoption of Law on the Government of Mongolia The State Great Hural decrees:

To hold the MPR's Law on the Government of 4th January 1991 and the Law on the Structure of the Government of 30th July 1992 invalid since the effective day of Law on the Government of Mongolia.

Chairman of the State Great Hural

N.Bagabandi

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

Resolution of the State Great Hural

May 11, 1993 N 36 The City of Ulaanbaatar

On some measures for implementing law

The State Great Hural resolves to order the Government of Mongolia to take the following measures in connection with the adoption of Law on the Government of Mongolia.

1. To secure conformity of the laws and regulations in force with this law within June 1993,
2. To determine a general scheme on the structure and composition of executive bodies of all instances, and to elaborate a draft law on legal status of Ministries and Departments of Mongolia, and to submit these to the State Great Hural before October 1993.

Chairman of the State Great Hural

N.Bagabandi

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