



LAW OF MONGOLIA

May 5, 2000

Ulaanbaatar city

ABOUT TOURISM

CHAPTER ONE General grounds

Article 1 The purpose of the law

1.1. The purpose of this law is to regulate relations between the state, citizens, business entities and organizations in connection with the promotion of tourism in the territory of Mongolia, conducting tourism activities and providing tourist services.

Article 2. Tourism legislation

2.1. Legislation on tourism shall consist of the Civil Code, the Law on Land, the Law on Environmental Protection, the Law on Special Protected Areas, and this law and other legislative acts enacted in conformity with them.

2.2. If an international treaty to which Mongolia is a party provides otherwise than this law, the provisions of the international treaty shall prevail.

2.3. If tourism activities are to be carried out in the State Special Protected Areas, the related relations shall be regulated by the Law on Special Protected Areas.

Article 3 Legal terminology

3.1. The following terms used in this law shall have the following meanings:

3.1.1 "Tourism" means travel of an individual from his / her place of permanent residence to another place for recreational, educational, religious or professional purposes for a period of one to 183 days;

3.1.2. "tourism organization" means a for-profit legal entity that compiles, advertises, sells, purchases, organizes tourism packages or specific services;

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

3.1.4. "tourism product" means a paid service provided by a tourism organization that attracts tourists and provides them with comfortable travel conditions;

3.1.5. "tourist" means a citizen of Mongolia, a foreign citizen or a stateless person doing tourism;

3.1.6. "tourist service organization" means an organization that provides services such as hotels, tourist camps, restaurants, resorts, transportation, communications and entertainment to tourists;

3.1.7. "Guide-interpreter" means an individual who guides, translates and interprets a tourist in accordance with a tourism program;

/ This part was amended according to the law dated November 30, 2001 /

3.1.8. "Premium hotel" means a service organization that meets the standard hotel service standard rating of 3 or more stars.

/ This provision was added by the law in 30 November 2001 /

CHAPTER TWO

Tourism Organization

Article 4. Tourism organization and its classification

4.1. A tourism organization shall carry out the following activities:

4.1.1. to plan, compile and advertise tourism products and services, sell them wholesale and retail, and organize tours;

4.1.2. to obtain visa and other travel documents;

4.1.3. to order air tickets, railways and means of transport, to buy and sell tickets;

4.1.4. to book hotels, tourist camps, accommodation and entertainment;

4.1.5. to organize reception, service and departure of tourists.

4.2. Tourism organizations are divided into tour operators and travel agents:

4.2.1. a tour operator shall carry out activities specified in 4.1.1-4.1.5 of this law;

4.2.2. A travel agent shall be engaged in the sale or purchase of all or part of the activities specified in 4.1.2-4.1.5 of this Law, as well as the products of a tour operator.

~~Article 5.~~ */ This article was amended according to the law dated November 30, 2001 /*

~~/ This article was repealed by the law in January 20, 2011 /~~

~~Article 6.~~ */ This article was repealed by the law in November 30, 2001 /*

~~Article 7.~~ */ This article was repealed by the law in November 30, 2001 /*

Article 8. Powers of tourism organizations

8.1. A tourism organization shall exercise the following powers:

8.1.1. a tourism organization shall operate in accordance with the classification specified in provision 4.2 of this law;

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

8.1.3. to submit a survey on tourists served in a given year to the state central administrative body in charge of tourism in accordance with established procedures;

/ This part was amended according to the law dated January 27, 2005 /

8.1.4. To provide tourists with accurate information about the social, economic, state structure, history, culture, customs and traditions of Mongolia;

8.1.5. to take necessary measures for the protection of very rare natural, historical and cultural objects and to inform the relevant authorities about the violations;

8.1.6. to involve tourism service staff in professional training and courses;

8.1.7. to set prices and tariffs for tourism products;

8.1.8. enter into agreements with tourism service organizations.

8.1.9. to serve as a professional guide-interpreter for tourists;

/ This provision was added by the law in 30 November 2001 /

8.1.10. to be graded by an authorized organization.

/ This provision was added by the law in 30 November 2001 /

8.2. Contribute to the social and economic development of Mongolia, develop a form of tourism that does not adversely affect the environment, does not contradict the health of the population and traditional customs.

Article 9. Tourism agreement

9.1. A tour operator or travel agent shall enter into an agreement on the sale and purchase of tourism products.

9.2. Relations related to the provision of tourism services shall be regulated by Articles 370-379 of the Civil Code, this law and the contract concluded by the tourism organization with the tourist. The contract shall include the following conditions:

/ This part was amended according to the law dated July 4, 2002 /

9.2.1. official name and address of the parties to the contract, state registration certificate number and bank account number;

/ This part was amended according to the law dated November 30, 2001 /

9.2.2. tourist composition, travel program and related information;

9.2.3. quality and price of tourism products and procedures for their payment;

9.2.4. travel time, procedures for welcoming and saying goodbye to tourists, rights and obligations of the parties;

9.2.5. Procedures for complaints and disputes between tourists regarding services.

9.3. Relevant provisions of the Civil Code shall apply to the performance of obligations of a tourism contract, termination, amendment or invalidation of the contract.

Article 10. Tourist service organization

10.1. Tourist service organizations shall meet the following requirements:

10.1.1. to operate in accordance with the requirements of the service standards and grades;

10.1.2. to set prices and tariffs for services in accordance with the assigned grades and to place them transparently;

10.1.3. to announce the terms of the collective agreement at least 3 months before the beginning of the next calendar year;

10.1.4. to openly display the name, rank and certificate of the organization and the right to receive tourists;

10.1.5. to serve tourists in accordance with the agreement concluded with the tourism organization and not to charge them a

duplicate service fee;

10.2. The state central administrative body in charge of tourism shall approve the procedure for grading high-class hotels and tourist camps.

/ This part was amended according to the law dated November 30, 2001 /

10.3. It is prohibited for a tourist service organization to carry out activities specified in Article 4.1 of this Law.

Article 11 Government promotion of tourism

11.1. The support and discounts provided by the state for export production shall equally apply to the services provided by tourism organizations and hotels to foreign tourists.

11.2. The issue of providing tax benefits to individuals and legal entities that have invested in the tourism sector shall be regulated in accordance with the relevant tax legislation.

11.3. In the competition announced for the purpose of developing the tourism region established in accordance with Article 14.1.1 of this Law, the state may provide appropriate funding for the implementation of the project to the winner on a contractual basis.

CHAPTER THREE

Guide-interpreter

Article 12 Requirements for guide-interpreters

12.1. Individuals who meet the following requirements may be provided with a guide-interpreter:

12.1.1. To be a citizen of Mongolia;

12.1.2. Must have mastered one or more foreign languages, attended a guide-interpreter training and obtained a certificate;

/ This part was amended according to the law dated November 30, 2001 /

/ This part was amended according to the law dated January 20, 2011 /

12.1.3. be medically qualified to provide guide-interpreter services.

~~12.2.~~ */ This part was amended according to the law dated November 30, 2001 /*

/ This part was amended according to the law dated January 27, 2005 /

/ This part was repealed by the law in January 20, 2011 /

~~12.3.~~ */ This part was annulled by the law dated November 30, 2001 /*

~~12.4.~~ */ This part was annulled by the law dated November 30, 2001 /*

~~12.5.~~ */ This part was annulled by the law dated November 30, 2001 /*

Article 13 Rights and responsibilities of a guide-interpreter

13.1. The guide-interpreter has the following rights and responsibilities.

13.1.1. to serve tourists in accordance with the program approved by the tourism organization, to prevent and ensure their safety;

13.1.2. to wear the badge of the tourism organization and the guide-interpreter with his / her name during his / her service to tourists;

13.1.3. To provide tourists with factual information on the socio-economic, state structure, nature, history, culture and customs of Mongolia, and not to disclose information related to the secrets of the state, individuals and organizations;

13.1.4. to compensate the damage caused to the tourist and the tourism organization through his / her own fault in the course of his / her service.

13.2. Guides-interpreters are not allowed to demand rewards from tourists or to operate tourism organizations.

/ This part was amended according to the law dated November 30, 2001 /

CHAPTER

Powers of the State Organization for Tourism

Article 14 Powers of the Government on Tourism

14.1. The Government shall exercise the following powers with respect to tourism:

14.1.1. To determine tourism development regions in Mongolia in accordance with the country's social and economic development policy;

14.1.2. Implement the unified state policy on tourism and organize the implementation of relevant legislation;

14.1.3. to approve a national tourism development program;

~~14.1.4.~~ */ This provision was repealed by the law in force from June 29, 2006 /*

14.1.5. Encourage foreign and domestic investment in the tourism sector and establish appropriate relations;

~~14.1.6.~~ */ This provision was repealed by the law in January 27, 2005 /*

14.1.7. To exercise control over the implementation of the legislation on tourism and to approve the rules of state control over tourism.

Article 15 The system of the state administrative body in charge of tourism

15.1. The system of the state administrative body in charge of tourism shall consist of the state central administrative body in charge of tourism, the tourism council under the Prime Minister and the local unit in charge of tourism.

/ This part was amended according to the law dated January 27, 2005 /

15.2. The Tourism Council (hereinafter referred to as the "Council") is responsible for advising and advising the Prime Minister on the development and implementation of a unified state policy on tourism.

15.3. The Council shall consist of the Chairman, one member of the state central administrative body in charge of state budget, finance, tourism and environment, and three members of the tourism organization nominated by the non-governmental organization in charge of tourism.

/ This part was amended according to the law dated January 27, 2005 /

15.4. The Chairman and members of the Council shall be appointed by the Prime Minister.

15.5. The Chairman of the Council shall be a member of the Government in charge of tourism.

/ This part was amended according to the law dated January 27, 2005 /

15.6. The rules of procedure of the Council shall be approved by the Government.

15.7. Governors at all levels may appoint a unit in charge of tourism, taking into account the needs of tourism development.

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

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

16.1.1. To develop and coordinate a unified state policy on tourism and provide professional management;

~~16.1.2.-/ This provision was repealed by the law in force since July 10, 2002 /~~

16.1.3. Develop a tourism development plan and ensure its implementation;

16.1.4. to coordinate activities between national and international tourism organizations;

16.1.5. To plan human resource development in the tourism sector and approve training structures and programs in cooperation with authorized organizations;

16.1.6. to approve the procedure for grading tourism organizations, high-class hotels and tourist camps;

/ This part was amended according to the law dated November 30, 2001 /

/ This part was amended according to the law dated January 20, 2011 /

16.1.7. to determine the number and location of tourist camps, hotels, resorts and spas operating in the tourism zone, and to maintain their unified register;

/ This part was amended according to the law dated November 30, 2001 /

16.1.8. To resolve issues related to the development of tourism infrastructure and financing of activities to promote Mongolia abroad and domestically in accordance with relevant legislation;

/ This provision was added by the law in 6/29/2006 /

16.1.9. To promote Mongolia abroad and at home;

/ This provision was added by the law in January 27, 2005 /

/ This part was renumbered by the Law of June 29, 2006 /

~~16.1.10.-/ This provision was repealed by the law in January 20, 2011 /~~

16.1.11. to compile tourism statistics and conduct research and analysis;

/ This provision was added by the law in January 27, 2005 /

/ This part was renumbered by the Law of June 29, 2006 /

16.1.12. to establish an integrated tourism information network and database;

/ This provision was added by the law in January 27, 2005 /

16.1.13. to determine the number of tourists to be received in the tourism zone;

/ This provision was added by the law in January 27, 2005 /

/ This part was renumbered by the Law of June 29, 2006 /

16.1.14. to determine the route of tourism;

/ This provision was added by the law in January 27, 2005 /

/ This part was renumbered by the Law of June 29, 2006 /

16.1.15. Prohibit activities that may adversely affect tourism development.

/ This provision was added by the law in January 27, 2005 /

/ This part was renumbered by the Law of June 29, 2006 /

16.2. The activities specified in Article 16.1.8 of this Law may be financed from foreign countries, international organizations, as well as donations, assistance and other sources not prohibited by law from foreign and domestic business entities, organizations and citizens.

/ This part was added by the law in 6/29/2006 /

~~Article 17~~ */ This part was amended according to the law dated November 30, 2001 /*

/ This article was repealed by the law in January 27, 2005 /

Article 18 Powers of Citizens' Representatives Hurals and Governors at all levels

18.1. Aimag, capital city, soum and district Citizens 'Representatives' Khurals shall exercise the following powers in relation to tourism:

18.1.1. To monitor the implementation of state policy and legislation on tourism in its territory and, if necessary, to discuss the Governor's report on this issue;

18.1.2. to ensure the implementation of the national tourism development program;

18.1.3. to submit proposals to the state central administrative body in charge of tourism on including certain parts of the territory in the tourism reserve zone;

18.1.4. to approve tourism development programs in its territory.

18.2. Governors of aimags, the capital city, soums and districts shall exercise the following powers in relation to tourism:

18.2.1. To implement the unified state policy on tourism in its territory and ensure and organize the implementation of the legislation on tourism;

18.2.2. To issue a land possession permit to a tourist service organization to be established in the given territory within the scope of its authority and to conclude an agreement in accordance with the relevant legislation in accordance with the number and location determined by the state central administrative body in charge of tourism;

18.2.3. To develop programs and projects in accordance with the policy of regional tourism development in its territory, submit proposals to the relevant level Citizens' Representatives Khural, develop and implement tourism development plans in accordance with the approved programs;

18.2.4. not to collect taxes, fees and charges from tourists passing through its territory, except as provided by law.

CHAPTER FIVE

/ This chapter was repealed by the law in force from June 29, 2006 /

CHAPTER
controls and sanctions for tourism activities

Article 22 Control over tourism activities

22.1. State and professional control over the implementation of tourism legislation.

22.2. State control over the implementation of the legislation on tourism shall be exercised by the state central administrative bodies and governors at all levels within the scope of their authority.

/ This part was amended according to the law dated January 27, 2005 /

22.3. The State Inspection Agency shall exercise professional control over the implementation of the tourism legislation.

/ This part was amended according to the law dated July 10, 2002 /

22.4. The appointment and dismissal of a senior state tourism inspector and a state inspector shall be regulated in accordance with Article 10 of the Law on State Inspection.

/ This part was amended according to the law dated June 10, 2010 /

Article 23 Rights and responsibilities of the state tourism inspector

23.1. The state tourism inspector has the following rights:

23.1.1. to inspect the compliance of tourism organizations, tourist service organizations and guide-interpreters with the legislation on tourism, regardless of their jurisdiction;

23.1.2. to obtain free of charge information and documents required for conducting inspections from relevant citizens, officials and organizations;

~~23.1.3. / This provision was repealed by the law in January 20, 2011 /~~

23.1.4. to enter the relevant organization for inspection;

23.1.5. to check the documents of the person who violated the legislation on tourism and, if necessary, to temporarily confiscate them in accordance with the procedures set forth in the Law on Investigation and Resolution of Violations;

/ This part was amended according to the law dated May 18, 2017 /

23.1.6. to impose administrative penalties specified in this law on a person who violates the legislation on tourism;

23.1.7. Submit a proposal to reduce the rating of a hotel that does not meet the requirements of the category to the state central administrative body in charge of tourism.

/ This part was amended according to the law dated January 27, 2005 /

23.2. The state tourism inspector has the following responsibilities:

23.2.1. to strictly follow the legislation and rules and regulations issued in accordance with it when monitoring the implementation of the legislation on tourism;

23.2.2. to respect the rights and legitimate interests of organizations and individuals and to keep secrets when taking measures to stop and eliminate detected violations;

23.2.3. to review and resolve complaints and suggestions made by tourists on violation of the legislation on tourism;

23.2.4. To monitor whether tourism organizations and guide-interpreters provide objective information to tourists about the social, economic, state structure, history, culture and customs of Mongolia.

Article 24. Liability for violators of the law

24.1. If the actions of an official violating this Law are not of a criminal nature, he / she shall be subject to liability specified in the Civil Service Law.

A person or legal entity that violates this Law shall be subject to liability specified in the Criminal Code or the Law on Violations.

/ This article was amended according to the law dated December 04, 2015 /

CHAIRMAN OF THE PARLIAMENT OF MONGOLIA R. GONCHIGDORJ