



LAW OF MONGOLIA

February 4, 2016

Ulaanbaatar city

ABOUT HYGIENE

CHAPTER ONE GENERAL PROVISIONS

Article 1 The purpose of the law

1.1. The purpose of this law is to create a favorable environment and conditions for healthy and safe human life, to regulate relations related to prevention, reduction and elimination of negative impact of the environment on human health.

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Article 2. Hygiene legislation

Legislation on hygiene shall be in accordance with the Constitution of Mongolia, Law on Air, Law on Environmental Impact Assessment, Law on Construction, Law on Education, Law on Housing, Law on Water, Law on Waste, Law on Urban Development, Law on Urban Water Supply, Law on Sewerage Use, Law on Occupational Safety and Health, Law on Social Protection of Persons with Disabilities, Law on Food, Law on Ensuring Food Safety, Law on Nuclear Energy, Law on Health, this Law and other legislative acts enacted in conformity with these laws consists of.

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.

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Article 3 Definition of legal terminology

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

3.1.1. "Hygiene" means conditions and requirements aimed at creating a healthy and safe living environment and conditions for human beings, and monitoring and preventing adverse effects on health due to the environment;

3.1.2. "Environment" means the natural and social environment that directly or indirectly affects human life and activities;

3.1.3. "Hygienic conditions and requirements" means meeting the norms specified in hygiene rules, procedures, instructions and standards;

3.1.4. "Health risk" means potential adverse effects on human health due to non-compliance with hygienic conditions and requirements;

3.1.5. "Healthy and safe environment" means that the environment fully meets hygienic conditions and requirements;

3.1.6. "Surveillance" means the activity of observing, studying, collecting data, analyzing, evaluating, reporting and planning response to the positive and negative impacts of the environment on human health;

3.1.7. "Hygienic safety indicator" means the maximum permissible level of sensory, chemical, physical and biological parameters in the environment, substances and products;

3.1.8. "Maximum permissible level" means the concentration of factors that do not adversely affect human health as specified in the hygienic safety indicators;

3.1.9. "Health impact assessment" (hereinafter referred to as "assessment") means the process of identifying, preventing, reducing and eliminating negative impacts on human health from production, services and activities, and promoting positive impacts;

3.1.10. "Decentralized sanitation facility" means a low -capacity treatment plant, septic tank and toilet that are not connected to the central sewerage system;

3.1.11. "Hygienic protection zone" means a strip of land designated that does not pose a health risk to people, animals or the environment.

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CHAPTER TWO HYGIENE CONDITIONS AND REQUIREMENTS

Article 4. Environmental hygiene requirements

4.1. The population shall be provided with drinking water that meets the following conditions and requirements:

4.1.1. Drinking and domestic water shall meet hygienic conditions and requirements and be safe;

4.1.2. The members of the Government in charge of health and environment shall jointly approve the appropriate amount of drinking and household water required per day;

4.1.3. The Governor of the respective level shall take measures to provide the population of his / her territory with stable and accessible drinking water that meets the standards specified in 4.9 of this Law ;

4.1.4. To monitor and analyze the quality and safety of drinking and domestic water consumed by the population by the organization and official in charge of centralized and decentralized water supply of the territory in accordance with relevant standards and rules and take measures to improve water quality;

4.1.5. The Governor of the respective level shall be responsible for conducting regular risk assessments of water supply and sanitation facilities and taking measures in accordance with the assessments made.

4.2. The members of the Government in charge of health and construction shall jointly approve the instructions for conducting the risk assessment specified in 4.1.5 of this Law .

4.3. The air around the population shall meet the following hygienic conditions and requirements:

4.3.1. The air of human living, working and studying environment shall not adversely affect human health and the environment, shall meet air quality conditions and requirements, and shall not be polluted;

4.3.2. The amount of smoke and dust emitted by organizations that use mobile sources, large fixed sources of air pollution and sources that emit pollutants without the permission of the competent authority and have a negative physical impact shall meet air quality standards.

4.4. The soil of the population shall meet the following hygienic conditions and requirements:

4.4.1. To establish and use cemeteries, waste disposal points and sanitary facilities in accordance with hygienic conditions and requirements;

4.4.2. To spread infection to humans, livestock and animals, to collect, store, transport waste hazardous to the environment in accordance with hygienic conditions and requirements, to bury it in a designated special point or to destroy it in a designated facility;

4.4.3. Citizens, business entities and organizations shall clean and remove waste from their property, possession and use land and up to 50 meters of surrounding land, and maintain green facilities;

4.4.4. To build and use decentralized sanitary facilities by citizens, business entities and organizations in accordance with the standards specified in 4.7 of this law .

4.5. The list of wastes specified in 4.4.2 of this Law , the methodology for burial and destruction shall be approved jointly by the members of the Government in charge of health, agriculture and environment.

4.6. The Governor of the respective bagh or khoroo shall monitor whether citizens, business entities and organizations are cleaning and maintaining their land in accordance with Article 4.4.3 of this Law .

Standards for decentralized sanitation shall be jointly developed by the state central administrative bodies in charge of construction and health and approved by the state administrative body in charge of standardization.

4.8. Safety rules for organizations, business entities and citizens working with sources of radioactive and toxic chemicals, ionizing and non-ionizing radiation, physical factors (noise, vibration, electromagnetic fields, radio waves, ultrasound, etc.) and bacterial cultures. The state central administrative body in charge of the issue shall determine and ensure its implementation.

4.9. The state central administrative body in charge of health and environment shall jointly develop standards for drinking water, air and soil hygiene of human habitation and approve them by the state administrative body in charge of standardization.

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Article 5 Hygienic requirements for urban planning and construction

5.1. Planning and construction of cities and settlements shall create conditions for people to live in a healthy and safe environment, and shall meet hygienic conditions, construction norms and normative requirements.

5.2. The assessment specified in 9.2 of this law shall be based on sanitary and construction standards, norms and normatives for planning and construction of residential areas, redevelopment of public lands and green areas.

5.3. A hygienic conclusion shall be issued by the relevant inspection body to determine the location of the construction site, design the building, construct, commission, expand and change the purpose of the building.

5.4. Construction materials shall meet the requirements specified in Article 11 of the Construction Law and sanitary and safety indicators.

5.5. The members of the Government in charge of health and construction shall jointly approve the maximum permissible hygienic and safety indicators of construction materials.

5.6. Apartments, offices, industrial and service buildings, streets, roads and squares shall be designed and built to meet the needs of citizens with disabilities in accordance with Articles 9.3.3 and 9.3.4 of the Law on Social Protection of Persons with Disabilities.

5.7. Apartments, offices, production and service organizations shall plan and carry out landscaping of buildings in accordance with Article 3.1.11 of the Law on Construction and Article 12.6.3 of the Law on Urban Development.

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Article 6. Workplace hygiene requirements

6.1. The issues of labor safety and hygiene requirements in the workplace, prevention of industrial accidents, acute poisoning and occupational diseases shall be regulated by the Law on Labor Safety and Hygiene.

6.2. A person's place of work and study shall meet hygienic conditions and requirements.

6.3. Workplace hygiene standards shall be developed jointly by the state central administrative bodies in charge of health and labor matters and approved by the state administrative body in charge of standardization.

6.4. Hygiene standards for training and educational environment shall be developed jointly by the state central administrative bodies in charge of health and education and approved by the state administrative body in charge of standardization.

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Article 7 Hygienic requirements for production and services

7.1. Production and service facilities shall be constructed in accordance with the design approved by the competent authority and meet the hygienic requirements.

7.2. Relevant inspection body shall approve the standard rules of hygiene and infection control to be followed by production and service organizations.

7.3. The production and service provider shall develop, approve and follow the internal control procedure in accordance with the standard rules of hygiene and infection control specified in 7.2 of this law.

7.4. Manufacturers and service providers shall be fully responsible for ensuring the quality and safety of their raw materials, products and services, and for taking measures to prevent risks, eliminate negative consequences and identified violations and shortcomings.

7.5. Trade and service organizations shall have toilets and hand washing facilities that meet hygienic conditions and requirements and can be freely used by customers.

7.6. The member of the Government in charge of health shall approve the procedure for involving employees of trade and service organizations in preventive health examinations and tests.

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Article 8 Hygienic requirements for raw materials, products, substances and preparations

8.1. Raw materials, goods, products, substances, preparations, their packaging, equipment and tools shall meet the requirements of Mongolian and international standards, normative and technical documents and hygienic safety indicators.

8.2. Hygienic conclusion shall be issued by the relevant inspection agency on export and import of raw materials, products, substances and preparations other than those of high animal and animal origin that may adversely affect human health.

[/This part was amended according to the law dated November 15, 2018 /](#)

8.3. Raw materials, goods, products, substances, preparations, techniques and technologies to be exported or imported shall have a certificate issued by an authorized organization to prove that they do not adversely affect human health and the environment and meet hygiene requirements.

8.4. A domestic producer shall be responsible for the quality, safety and operational consequences of raw materials, goods, products, substances and preparations produced.

8.5. Goods, products, substances and preparations shall be stored in accordance with hygienic requirements and transported by special means of transport.

8.6 New products, substances, preparations, materials, techniques and technologies shall not have adverse effects on human health and the environment.

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CHAPTER THREE HEALTH IMPACT ASSESSMENT

Article 9. Health Impact Assessment

9.1 Health impact assessment shall be conducted in accordance with Articles 5.3 and 7.7 of the Law on Environmental Impact Assessment.

9.2 In addition to those specified in Articles 5.2 and 9.1 of this Law, an assessment shall be made of the circumstances that may or may have adversely affected human health.

9.3. The member of the Government in charge of health shall approve the procedure and methodology for evaluation and selection of evaluation organizations.

9.4. The evaluating organization shall submit the evaluation conclusions and recommendations to the state central administrative body in charge of health matters and the conclusions and recommendations shall be open to the public.

9.5. The state central administrative body in charge of health shall submit the evaluation report and recommendations to the relevant state central administrative body, jointly organize the implementation and monitor its implementation.

9.6. The state central administrative body in charge of health matters shall announce the direction of the assessment in the mass media and reflect the cost of the assessment in its annual budget.

9.7. The project implementer and the customer shall be responsible for the evaluation costs specified in Articles 5.2 and 9.1 of this Law.

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CHAPTER conditions and requirements to ensure the hygiene to local self-governing body, governors, BUSINESS UNITS AND BODIES AND CIVIL RIGHTS AND OBLIGATIONS

Article 10. Aimag, capital city, soum and district Citizens 'Representatives' Khurals

10.1. Citizens' Representatives Khurals of aimags, the capital city, soums and districts shall have the following rights and responsibilities:

10.1.1 monitor the implementation of the legislation on hygiene, discuss reports and information of the respective level Governor on its implementation, and make decisions;

10.1.2. Approve the budget required to meet sanitary conditions and requirements and monitor its implementation;

10.1.3. Other powers provided by law.

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Article 11 Rights and responsibilities of aimag, capital city, soum and district governors

11.1. Governors of aimags, the capital city, soums and districts shall have the following rights and responsibilities:

- 11.1.1. To implement the legislation on hygiene at the territorial level;
- 11.1.2. To develop issues on ensuring a healthy and safe environment for the population and submit them to the respective level Citizens' Representatives Khural for discussion;
- 11.1.3. monitor the implementation of special, ordinary protection and sanitary zone regimes for water sources within its jurisdiction;
- 11.1.4. To implement hygiene requirements for decentralized sanitary facilities;
- 11.1.5. To ensure hygienic conditions and requirements at waste dumps, sanitary facilities and cemeteries;
- 11.1.6. To be responsible for cleaning, landscaping, gardening and possession of public roads and areas;
- 11.1.7. To improve public control over the implementation of the legislation on hygiene at the territorial level and to support initiatives;
- 11.1.8. Involve business entities, organizations and citizens in the implementation of the legislation on hygiene;
- 11.1.9. To reflect and approve the expenses required to ensure a healthy and safe environment for the population of its territory in the annual budget and to monitor the expenditures;
- 11.1.10. Other powers provided by law .

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Article 12 Rights and responsibilities of bagh and khoroo public meetings and governors

Citizens' Public Khurals and Governors of baghs and khoros shall have the following rights and responsibilities:

- 12.1.1. To involve business entities, organizations and citizens in the work to ensure hygienic conditions and requirements within the territory;
- 12.1.2. To organize activities to involve business entities, organizations and citizens in trainings and advertisements to improve hygienic conditions and requirements;
- 12.1.3. To support the establishment of public control and initiative in the implementation of the legislation on hygiene at the territorial level;
- 12.1.4. To keep public roads and areas free of waste and waste throughout the territory;
- 12.1.5. Other powers provided by law .

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Article 13 Rights and responsibilities of business entities and organizations

13.1. A business entity or organization shall have the following rights and obligations:

- 13.1.1. To receive professional and methodological advice and assistance on hygiene;
- 13.1.2. require employees and clients to implement the legislation on hygiene;
- 13.1.3. To impose liability on employees who violate the legislation on hygiene;
- 13.1.4. comply with the requirements set by the competent authority and officials on the implementation of the legislation and standards on hygiene, take measures to completely eliminate the violations and respond;
- 13.1.5. To fully meet occupational health and safety requirements at all stages of operations;
- 13.1.6. To keep public roads and areas specified in 4.4.3 of this law free from waste, decree water, snow and ice, to increase greenery, to keep stairs, railings and fences intact;
- 13.1.7. To prevent communicable and non-communicable diseases, occupational diseases, industrial accidents and injuries;
- 13.1.8. To involve its employees in preventive health examinations and tests in accordance with the procedures set forth in Article 7.6 of this Law ;
- 13.1.9. Industrial and service organizations and business entities with 50 or more employees shall employ employees in charge of hygiene and labor safety in accordance with the procedures approved by the state central administrative bodies in charge of health and labor matters;

13.1.10. An industrial, service organization or business entity with 50 or less employees may hire an employee specified in 13.1.9 of this law on a contract basis;

13.1.11. To reflect the expenses related to ensuring hygienic safety in the budget of the organization every year;

13.1.12 other powers provided by law .

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Article 14 Civil rights and responsibilities

A citizen shall have the following rights to ensure hygienic conditions and requirements:

14.1.1. To live in a healthy and safe environment protected from adverse effects of the environment;

14.1.2. To receive information and make demands from state organizations and officials on the implementation of the legislation on hygiene;

14.1.3. To obtain information on raw materials, goods, products, substances and preparations from citizens and relevant legal entities;

14.1.4. Participate in public monitoring of the implementation of the legislation on hygiene;

14.1.5. To make proposals to state and relevant professional organizations and officials on issues related to ensuring a healthy and safe environment;

14.1.6. Other powers provided by law .

Citizens shall have the following obligations to ensure hygienic conditions and requirements:

14.2.1. To adopt healthy living habits;

14.2.2. Participate in activities organized by local administrations and professional organizations in the implementation of the legislation on hygiene, and fully comply with the requirements set in accordance with the law ;

14.2.3. If the activities of business entities, organizations and citizens do not meet the hygienic conditions and requirements, to make demands to the relevant persons and inform the competent authority;

14.2.4. To comply with the legislation on hygiene;

14.2.5. Other obligations specified in the law .

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Article 15 Hygiene training

15.1. Preschool education institutions and general education schools shall organize trainings on hygiene education for children in order to inculcate good hygiene practices and prevent adverse effects on health.

The members of the Government in charge of education and health shall jointly approve the content of the hygiene education training program.

15.3. Training and advertisement on hygiene education to the population shall be conducted through health and related professional non-governmental organizations and mass media.

15.4. Organizations, business entities and employers shall organize hygiene education training in cooperation with health organizations and relevant professional non-governmental organizations and provide support for training facilities and other expenses required for training.

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CHAPTER FIVE HYGIENE MANAGEMENT AND ORGANIZATION

Article 16 Hygiene management system

The hygiene management system shall consist of the state central administrative body in charge of health, the organization in charge of hygiene, health, control and law enforcement organizations at all levels and the hygienist and epidemiologist working in the organization specified in 13.1.9 of this law . .

The state central administrative body in charge of health matters shall perform the following functions:

16.2.1. To organize the implementation of the legislation on hygiene and ensure its implementation;

16.2.2. To ensure coordination of activities between state administrative bodies on hygiene and epidemiology;

16.2.3 develop national programs and projects in the field of prevention, reduction and elimination of negative impacts on human health, coordinate their implementation, conduct monitoring and evaluation, and evaluate the results;

16.2.4. To order and carry out research work on hygiene issues;

16.2.5. To coordinate cooperation between governmental and relevant non-governmental organizations and citizens in the field of ensuring hygienic conditions and requirements, eliminating potential and existing negative impacts, and cooperating with foreign countries and international organizations;

16.2.6. Other powers specified in the legislation.

16.3. There shall be a network of national reference laboratories for hygiene, epidemiology, bacteriology and toxicology with the capacity to monitor, evaluate, control and draw conclusions.

16.4. A part-time professional council shall be established under the state central administrative body in charge of health to discuss issues of hygiene and epidemiology, and issue opinions, conclusions and recommendations.

16.5. The Chairman of the Professional Council shall be the General Hygiene of Mongolia.

The member of the Government in charge of health matters shall approve the composition and working procedures of the professional council specified in Article 16.4 of this Law.

16.7. The General Hygiene of Mongolia shall perform the following functions:

16.7.1. To issue professional opinions related to the elimination of adverse effects on the health of the population;

16.7.2. To make proposals on improving the legislation on hygiene, to identify negative impacts on human health, to identify ways to prevent, reduce and eliminate them, and to organize activities to support positive impacts;

16.7.3. Analyze the urgent issues of hygiene and epidemiology, present their proposals and conclusions on further measures to the Government and the state central administrative body in charge of health matters and resolve them.

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CHAPTER SIX HYGIENE CONTROL, SURVEILLANCE AND PROHIBITIONS

Article 17 Monitor the implementation of hygiene legislation

17.1. State control over the implementation of the legislation on hygiene shall be exercised by relevant law and inspection bodies, Citizens 'Representatives' Khurals of all levels, Governors and other organizations and officials authorized by the legislation in accordance with their authority.

17.2. Governmental and non-governmental organizations, business entities and citizens shall monitor the implementation of the legislation on hygiene.

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Article 18 Involvement of non-governmental organizations

18.1. Monitor the implementation of the legislation on hygiene, demand to eliminate the revealed violations, and submit the issue to the competent authority for resolution.

18.2. The issue of determining the causes of adverse effects that pose a risk to human health and eliminating the consequences shall be raised with the relevant authorities.

18.3. Conduct research and implement projects to ensure a healthy and safe environment.

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Article 19 Surveillance and research

Surveillance and research shall be aimed at reducing, preventing, promoting and protecting the negative impact on human health.

19.2 Surveillance and research shall be performed by organizations at all levels in charge of hygiene.

19.3 Expenditures for monitoring and research shall be reflected in the state budget and implemented in accordance with international projects and programs.

19.4 The procedure for conducting surveillance and research shall be approved by the Government based on the proposal of the state central administrative body in charge of health matters.

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Article 20 Prohibitions in connection with hygienic conditions and requirements

The following shall be prohibited in connection with the provision of hygienic conditions and requirements:

20.1.1. To carry out activities and actions that may adversely affect human health and the environment;

20.1.2. To plan and build a new infectious and tuberculosis hospital in a residential area;

20.1.3. To plan and build a production and service center with technological activities that will have a harmful impact on human health and the environment within the sanitary protection zone;

20.1.4. To engage in open trade, production and service of food products in places, points and public roads and areas prohibited by the decision of the competent authority;

20.1.5. To perform surgery to pierce the skin and mucous membranes in a beauty salon;

20.1.6. To operate points for receiving, collecting and storing secondary raw materials in apartments, public roads, squares and ger districts, which may adversely affect the environment and human health;

20.1.7. To repair vehicles, wash machinery, dirty items, dump and dump parts, oils and lubricants in the open, and to engage in trade and services in places other than the permitted points;

20.1.8. To pollute public and service land and apartment environment with mucus, saliva, sputum, cigarette butts and pet excrement, to defecate in non-designated areas, to dump and burn waste in the open;

20.1.9. To defecate and dump garbage in non-designated places along international and national roads.

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Article 21 File a complaint

21.1. If a citizen or legal entity considers that his / her rights and legitimate interests have been harmed due to violation of the legislation on hygiene, he / she may file a complaint to the relevant authorized organization or official.

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CHAPTER SEVEN MISCELLANEOUS

Article 22. Liability for violators of the law

22.1. 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.

22.3. Imposition of a fine on a violator of the Law on Hygiene shall not serve as a ground for elimination of the violation or release from liability for damages caused to others as a result of the violation.

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CHAIRMAN OF THE PARLIAMENT OF MONGOLIA Z.ENKHBOLD