

# LAW OF MONGOLIA

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Ulaanbaatar city

## ABOUT RAILWAY TRANSPORT

### CHAPTER ONE GENERAL PROVISIONS

#### **Article 1. Purpose of the law**

1.1. The purpose of this law is to define the principles of railway transport operations and to regulate relations related to ensuring traffic safety.

#### **Article 2. Legislation on railway transportation**

Legislation on railway transport shall consist of the Constitution of Mongolia, 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.

#### **Article 3 Legal terminology**

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

3.1.1. "Railway object" means a strip, infrastructure, roads, areas, rolling stock and other equipment and property related to railway transport safety;

3.1.2. "Infrastructure" means energy, water supply, signaling communication, information facilities, crossings, etc. to ensure the normal operation of engineering structures, stations, crossings and train traffic, such as the upper and lower structures of railway lines and bridges and pipelines; technical and technological sets such as fences;

3.1.3. "Railway line" means the road between the railway station and its direct continuation at the station;

3.1.4. "Rolling stock" means locomotives, wagons, as well as other railway vehicles;

3.1.5. "Branch road" means a road branched from a railway line or station road for the purpose of replacement and loading and unloading works;

3.1.6. "Public use road" means a road that receives, sends, sorts and performs train work at railway lines and stations, receives and distributes cargo and luggage, serves passengers, as well as other branches of public service;

3.1.7. "Public use area" means a warehouse or area specially designed for public use for the purpose of loading, unloading, sorting and storing passenger deck and customer's luggage, luggage and cargo;

3.1.8. "Exclusive use road" means a branch road intended to meet the owner's own needs or to provide services to certain consumers on a contractual basis;

3.1.9. "Exclusive use area" means a warehouse or area specially designed for loading, unloading, sorting and storage of cargo, luggage and baggage of a client;

3.1.10. "Railway crossing" means the intersection of a road and a sidewalk at the same level as a railway;

3.1.11. "Railway strip" means land intended for carrying out special technological activities along the railway line and ensuring transportation safety;

3.1.12. "Railway danger zone" means the area where train, shift, loading and unloading operations are performed;

3.1.13. "Railway safety zone" means a place intended to reduce the damage caused to legal entities and citizens by accidents and catastrophes that may occur on the railway and to ensure safe conditions;

3.1.14. "Size" means the size of the distance limit set for railway objects, rolling stock, buildings and structures located near the railway in accordance with traffic safety and technical requirements;

3.1.15. "Railway organization" means infrastructure possessor and carrier;

3.1.16. "Infrastructure owner" means a legal entity that has the right to own or possess infrastructure and has a license to use infrastructure;

3.1.17. "Carrier" means a legal entity licensed to conduct railway transportation activities;

3.1.18. "Public road user" means a legal entity that owns a public road;

3.1.19. "Public use area owner" means a legal entity that owns a public consumption area;

3.1.20. "Owner of a specialized use road" means a legal entity with a specialized use road in its possession;

3.1.21. "Owner of exclusive use area" means a legal entity with exclusive use area in its possession;

3.1.22. "Subsidiary client" means a citizen or legal entity that has its own warehouse or area on a public or exclusive use road owned by others, or has a public or exclusive consumption road connected to a station or crossroads through another branch road;

3.1.23. "Railway transportation operation" means a complex work of organizational and technological interconnection during the preparation, receipt, loading, transportation, unloading, handover and passenger transportation and shift work of freight, cargo, freight and containers for transportation. , services;

3.1.24. "Traffic diagram in infrastructure" means a planning document regulating train traffic within the infrastructure;

3.1.25. "Integrated traffic map" means a planning document regulating train traffic within all basic structures of Mongolia;

3.1.26. "Strictly calculated tools and equipment" means railway repair and service tools and equipment with special procedures for use and handover, the use of which may adversely affect the safety of railway transport.

#### **Article 4. Scope of the law**

4.1. This law shall regulate all types of railway transport activities regardless of the type and form of ownership.

#### **Article 5. Basic principles of railway transport operations**

The following principles shall be followed in railway transportation activities:

5.1.1. To have unified regulation of rules;

5.1.2. To be under constant control;

5.1.3. To ensure access, quality and safety of services;

5.1.4. To ensure continuous operation;

5.1.5. To create competitive market conditions;

5.1.6. To coordinate with other transport sector activities.

5.2 The state shall monitor and regulate railway transport activities and participate in the development of railway transport.

#### **Article 6. Ownership of railway objects**

6.1. The railway corridor shall be state property.

6.2. Infrastructure of special importance to the state economy and society may be established in the ownership of a state-owned or state-dominated legal entity or transferred to its ownership after a certain period of use, and the Government shall determine the direction of these infrastructure and railway lines.

6.3 Railway objects, branches and exclusive use roads may be of any type and form of ownership, except for railway corridors and infrastructure that are of special importance to the economy and society of the country.

6.4. The terms and conditions of transferring a certain percentage of infrastructure after a certain period of operation to a state-owned or state-dominated legal entity in accordance with Article 6.2 of this Law shall be agreed with the infrastructure owner and reflected in the infrastructure construction and operation license.

#### **Article 7. Railway transport tariffs and fees**

7.1. The railway authority shall set fees and tariffs for railway transport services related to natural monopolies and market-dominated works and services in accordance with this law and the Law on Prohibition of Unfair Competition.

7.2. Tariffs for international railway transportation shall be set in accordance with international agreements of Mongolia.

7.3. Tariff change shall be announced to the public at least 10 days before it enters into force.

## **CHAPTER TWO STATE REGULATIONS ON RAILWAY TRANSPORTATION**

#### **Article 8. Powers of the State Great Hural**

The State Great Hural shall exercise the following powers:

8.1.1. To determine the state policy on railway transportation;

8.1.2. To inspect the implementation of the legislation on railway transportation;

8.1.3. To resolve the issue of Mongolia's accession and withdrawal from international agreements on railway transportation.

#### **Article 9. Powers of the Government**

The Government shall exercise the following powers:

9.1.1. To implement the state policy and legislation on railway transportation;

9.1.2. To issue and revoke infrastructure construction licenses;

9.1.3. To determine the size, term and conditions of the strip to be used by the railway organization;

9.1.4. To resolve the issue of exempting land possessors of railway corridors from land fees in accordance with the legislation;

9.1.5. Other powers specified in the legislation.

#### **Article 10. Powers of the state central administrative body in charge of railway transportation**

The State Central Administrative Body Responsible for Railway Transportation shall exercise the following powers:

10.1.1. To organize the implementation of the legislation on railway transport and ensure its implementation;

10.1.2. To exercise state representation in the activities related to the use of state property in the railway transport sector and transportation to be carried out by the state order in accordance with laws and international agreements;

10.1.3 approve the general set of rules for railway transportation;

10.1.4. In order to prevent unfair competition in the railway transport sector, to review changes in tariffs, products, services and contracts, and to make proposals and conclusions;

10.1.5. To issue, extend, suspend and revoke licenses for the use of infrastructure, to conduct railway transportation activities and to manufacture, install and repair infrastructure and rolling stock;

10.1.6. To issue, extend, suspend and revoke certificates for certain objects and activities related to railway transport safety;

10.1.7. To monitor the expansion and construction of railway facilities and branch roads;

10.1.8. To take measures to ensure the safety of railway transport;

10.1.9. To appoint a general expert to investigate technical accidents and catastrophes of railways;

10.1.10. To develop state standards to be followed in the railway transport sector and approve them in cooperation with the competent authority;

10.1.11. To approve the list of positions to be filled by railway professional staff and the list of positions and positions directly related to train and shift traffic;

10.1.12. To compile and maintain a unified statistical and information database of the railway transport sector;

10.1.13. To approve procedures for transportation, loading, unloading and storage of dangerous goods by rail in cooperation with the General Intelligence Agency;

10.1.14. Approve, in consultation with the General Intelligence Agency, the rules for the use of special trains for high-ranking government officials, such as the President of Mongolia, the Speaker of the State Great Hural, the Prime Minister and foreign heads of state;

10.1.15. To represent Mongolia in international railway cooperation;

10.1.16. To give preference to certain types of transportation (passengers, post, freight of special importance to the country's economy and society, etc.);

10.1.17. To approve the procedure for performing special transportation and military transportation in consultation with the competent authority;

10.1.18. Other powers specified in the legislation.

*/ Paragraph 10.1 was amended according to the law dated August 17, 2012 /*

~~10.2.~~

*/ This part was annulled by the law dated August 17, 2012 /*

10.3. The Railway Transport Inspection Service and the Unified Train Traffic Coordination Center shall operate under the auspices of the State Central Administrative Body.

*/ This section was added by the law in 17 August 2012 /*

10.4. The State Central Administrative Body may have a training and research organization attached to it.

*/ This section was added by the law in 17 August 2012 /*

#### **Article 11 Powers of aimag, capital city, soum and district governors**

11.1 Governors of aimags, the capital city, soums and districts shall exercise the following powers:

11.1.1. To organize social order work in railway corridors, objects, stations and stations in cooperation with the railway organization;

11.1.2. Unless otherwise provided by law, an employee working in shifts directly related to railway traffic shall not be included in mobilization, except for conscription;

11.1.3. To provide wood, gravel, stones, sand and water required for disaster relief and ensuring the continuous and normal operation of the railway organization in accordance with the legislation;

*/ This part was amended according to the law dated February 02, 2017 /*

11.1.4. If necessary, to organize compensation for equipment and human resource assistance from business entities, organizations and citizens of the territory to eliminate the consequences of disasters, accidents and defects and ensure safety.

*/ This part was amended according to the law dated February 02, 2017 /*

#### **~~Article 12~~**

*/ This article was annulled by the law in 17 August 2012 /Print*

#### **Article 13. Railway transport inspection service and its powers**

13.1. The Railway Transport Inspection Service (hereinafter referred to as “Supervision Service”) shall exercise administrative control over railway transport safety, service quality, labor protection and safety.

13.2. The inspection service shall consist of a senior state inspector and a state inspector.

13.3. The rights of the senior state inspector and the state inspector shall be granted by the state general inspector of specialized inspection upon the proposal of the state central administrative body.

*/ This part was amended according to the law dated August 17, 2012 /*

13.4. The senior state inspector of railway transport shall be the head of the inspection service.

13.5. The Supervision Service shall exercise the following powers:

13.5.1. To monitor the implementation of the legislation related to ensuring the safety of railway transportation, conducting transportation activities and other decisions made on the basis of its implementation;

13.5.2. To check whether the machinery, equipment, facilities and works, services and technological procedures related to railway transportation used in railway transportation comply with the requirements of railway transport safety and standards, regardless of the form and location of property;

13.5.3. To monitor the safety of train and shift traffic, and to restrict and suspend the use of railway facilities in the event of a catastrophe, accident or defect;

13.5.4. To study the causes of accidents, failures and defects in railway transport, issue professional opinions and take measures;

13.5.5. To submit proposals to the competent authority on suspension or revocation of licenses and certificates;

13.5.6. To inspect cargo, containers, luggage, luggage weight and transport documents and other related information;

13.5.7. To have free access to and travel to buildings and rolling stock used by railway transport by an authorized official of the Supervision Service in the course of performing his / her duties;

13.5.8. Other powers specified in the legislation.

13.6. Employees of the inspection service shall wear special uniforms.

#### **Article 14. Unified train traffic control center, its functions and powers**

14.1. The Unified Train Traffic Coordination Center (hereinafter referred to as the “Traffic Coordination Center”) shall be responsible for coordinating the train traffic of railway organizations.

14.2. The operating procedure of the traffic control center shall be determined by the general set of rules of railway transportation.

14.3. The train traffic control center shall have the following full rights:

14.3.1. Approve the unified traffic plan;

14.3.2. To organize and coordinate train traffic between infrastructure structures within the scope of ensuring traffic safety;

14.3.3. To ensure coordination of traffic management and organization between infrastructure owners;

14.3.4. To make proposals and conclusions related to train traffic management and have them resolved;

14.3.5 provide professional and methodological guidance to the infrastructure owner's activities aimed at implementing train traffic management;

14.3.6. To develop an integrated technological procedure for railway organizations participating in transportation activities;

14.3.7. Other powers specified in the legislation.

## **Article 15. General set of rules for railway transportation**

The following rules shall be established by the general set of rules of railway transportation:

- 15.1.1. The procedure for technical operation of the railway;
- 15.1.2. Railway signaling and communication procedures;
- 15.1.3. Train traffic management procedure;
- 15.1.4. Procedure for investigation and registration of accidents and defects in railway transport;
- 15.1.5. Procedures for transportation of goods by rail;
- 15.1.6. Procedures for transportation of passengers, luggage and cargo by rail;
- 15.1.7. Regulations on railway transportation and brokerage activities;
- 15.1.8. Train drawings regulation procedure;
- 15.1.9. Procedures for use of infrastructure and methodology for setting tariffs;
- 15.1.10. Procedures for issuing certificates for certain objects and activities related to railway transport safety;
- 15.1.11. Procedures for placement, production, services and access to railway and other facilities in railway danger zones, railway corridors and safety zones;
- 15.1.12. Procedures for keeping records and handing over rolling stock entering the border of Mongolia;
- 15.1.13. Special disciplinary procedures, working hours and working conditions of employees directly related to train traffic;
- 15.1.14. Procedures for training, conducting training and taking professional examinations of railway employees approved jointly with the relevant state central administrative body;
- 15.1.15. Model model of contract for use of infrastructure, public and private roads, cooperation between infrastructure owner and carrier and provision of transportation services;
- 15.1.16. Procedures for exchange of information between railway organizations.

## **Article 16. Railway transportation service license**

16.1. A railway transport service license (hereinafter referred to as "license") shall have the following types:

- 16.1.1. To build and use infrastructure;
- 16.1.2. Production, assembly and repair of infrastructure and rolling stock;
- 16.1.3. To engage in railway transportation activities.

When applying for a license, in addition to those specified in Article 11 of the Law on Licensing of Business Activities, the following documents shall be submitted and submitted to the State Central Administrative Body:

*/ This part was amended according to the law dated August 17, 2012 /*

- 16.2.1. Preliminary feasibility study;
- 16.2.2. Notarized copy of the license and certificate related to the railway objects and activities owned by the company.

16.3. In addition to those specified in Article 16.2 of this Law, the following documents shall be submitted when applying for a license to build and operate infrastructure: 16.3.

- 16.3.1. Environmental impact assessment;
- 16.3.2. Amount of investment and source of financing;
- 16.3.3. The date of commencement of operations and the boundary of the land to be possessed.

The State Central Administrative Body shall receive the application and examine the following circumstances:

*/ This part was amended according to the law dated August 17, 2012 /*

16.4.1. Whether the legislation on railways, standards, common set of railway transport rules and implementation of railway transport safety have been ensured;

16.4.2. Whether the set of technical and technological rules and instructions for domestic use has been met;

16.4.3. Whether it is capable of carrying out licensed activities.

16.5. When reviewing and resolving the license for construction and operation of infrastructure, the relevant state central administrative body shall examine the following circumstances and issue a conclusion: 16.5.

16.5.1. Whether there are circumstances that conflict with the country's defense and security, public interests and legitimate interests;

16.5.2. Whether the land to be allocated for possession coincides with the land for special needs of the state or owned by others;

16.5.3. Whether to take measures to prevent disturbance of the environmental balance;

16.5.4. Other relevant issues assigned by the Government.

16.6. After submitting the application, the applicant may request to postpone the examination of the application for a certain period of time in order to comply with the terms and conditions of the license, provide a set of documents and other issues, in which case the period specified in 16.9 of this Law .

16.7. The State Central Administrative Body shall review the application for a license to build infrastructure, review the application for a license to use infrastructure, conduct railway transportation activities, manufacture, assemble and repair infrastructure and rolling stock, and issue a license or 16.7. make one of the decisions to refuse to grant.

*/ This part was amended according to the law dated August 17, 2012 /*

16.8. The State Central Administrative Body shall review the application for a license to build infrastructure and related documents within 14 days and submit it to the competent authority together with the conclusion.

*/ This part was amended according to the law dated August 17, 2012 /*

*/ This part was amended according to the law dated August 17, 2012 /*

16.9. The competent authority shall review and resolve the issue of issuing a license to build infrastructure within 45 days, and the issue of issuing a license to use infrastructure, manufacture, install and repair infrastructure and rolling stock, and conduct railway transportation activities within 21 days. This period may be extended by up to 14 days.

16.10. An application for extension of a license shall be submitted 21 days prior to the expiration of the license, and the competent authority shall decide whether to extend the license within 14 days.

16.11. The decision to grant or refuse to issue a license shall be answered in writing within the period specified by law.

#### **Article 17. Standardization in the field of railway transport**

17.1. Standards to be followed in the railway transport sector shall be developed, approved and enforced in accordance with this law and the legislation on standardization, technical regulation and accreditation of conformity assessment.

*/ This part was amended according to the law dated December 21, 2017 /*

17.2. The State Central Administrative Body may apply advanced international and foreign standards by registering with the competent authority, provided that they do not contradict the legislation, the interests of producers and consumers, and cause harm to national security, public interest, human health and the environment.

*/ This part was amended according to the law dated August 17, 2012 /*

*/ This part was amended according to the law dated December 21, 2017 /*

**CHAPTER THREE**  
**ORGANIZATIONS, CITIZENS AND THEIR RIGHTS AND OBLIGATIONS PARTICIPATING IN**  
**TRANSPORTATION ACTIVITIES**

**Article 18. Organizations and citizens participating in transportation activities**

18.1. "Participant in transportation activities" means the owner of infrastructure, carrier, owner of public and exclusive roads and areas responsible for ensuring the safety of railway transport and organizing transportation in accordance with the legislation on railway transport and the general set of rules of railway transportation. business entities, organizations and citizens.

18.2. A participant in transportation activities shall enter into an agreement with other organizations engaged in transportation activities in accordance with the model set forth in Article 15.1.15 of this Law and take measures to define responsibilities and scope of activities in accordance with the general set of railway transport regulations.

18.3. Participants in transportation activities shall have the following common rights:

18.3.1. To conduct railway transportation activities in accordance with the legislation on railway transportation and decisions made on the basis of its implementation;

18.3.2. Approve and enforce technical, technological rules, regulations and instructions to be applied domestically within the scope of implementation of legislation, general set of railway transport rules, other rules and standards;

18.3.3. To set and enforce prices and tariffs for railway transportation services in accordance with this law and other relevant legislation, taking into account the sustainable economic development of the country and the interests of consumers;

18.3.4. Other rights specified in the legislation.

18.4. Participants in transportation operations shall have the following general obligations:

18.4.1. To have a license and certificate;

18.4.2. To have professional staff required to conduct railway transportation activities;

18.4.3. To comply with the legislation on railway transportation, general set of rules of railway transportation and other relevant rules and standards;

18.4.4. To ensure railway traffic safety and comply with the ordinance related to train traffic management of the Unified Traffic Coordination Center;

18.4.5. To ensure uninterrupted and normal operation of the owned railway facilities, to maintain their registration and to conduct inspections and services in accordance with established procedures and technologies;

18.4.6. To spend a certain part of operating income to ensure railway transport safety;

18.4.7. To submit information and reports on activities related to railway transportation to the relevant state administrative body in accordance with the general set of rules of railway transportation;

18.4.8. Other obligations specified in the legislation.

18.5. Relations related to transportation activities of transportation participants shall be regulated by the Civil Code, general set of rules of railway transportation and other relevant legal acts.

**Article 19. Rights and obligations of infrastructure owner**

The infrastructure owner shall have the following rights:

19.1.1. To use the infrastructure itself or to use it by the carrier on a contractual basis;

19.1.2. To receive payment for the use of infrastructure and other maintenance and service fees specified in the contract;

19.1.3. To approve the traffic map in the infrastructure in accordance with the established procedure and to vote on the unified traffic map;



19.1.4. Other rights specified in the legislation.

The infrastructure owner shall have the following responsibilities:

19.2.1. To ensure technical safety of its own infrastructure and create conditions for normal operation;

19.2.2. To organize train traffic and implement traffic management within the framework of its own infrastructure services in accordance with the unified traffic schedule and traffic schedule in the infrastructure;

19.2.3. Taking into account the capacity of the infrastructure, conclude a infrastructure operation agreement with the carrier, including the carrier of its jurisdiction or with its own investment, on equal terms and create conditions for transportation;

19.2.4. To conclude contracts with owners of specialized use roads within the scope of infrastructure activities and take measures to organize train traffic;

19.2.5. Other duties specified in the legislation.

19.3. If the infrastructure owner is engaged in transportation activities, the financial estimates of the infrastructure and transportation activities shall be separate.

19.4. The infrastructure owner shall have a security guard responsible for protecting railway objects, transported cargo, luggage and cargo from criminal attacks, and an internal control service responsible for ensuring compliance with legislation, common set of railway transport rules and traffic safety.

#### **Article 20. Rights and obligations of the carrier**

The carrier has the following rights:

20.1.1. To use infrastructure, specialized use roads and rolling stock in accordance with the agreement;

20.1.2. To carry out transportation by itself or through other carriers in accordance with the order or contract;

20.1.3. To receive payment for services agreed upon in the contract;

20.1.4. Other rights specified in the legislation.

The carrier shall have the following responsibilities:

20.2.1. In order not to create unfair competition, not to provide more favorable conditions for transportation to carriers, including organizations directly under its jurisdiction;

20.2.2. To ensure technical and operational safety of the rolling stock owned by him / her;

20.2.3. Other duties specified in the legislation.

20.3. It shall be prohibited for the carrier to refuse to provide services on grounds other than those specified in the legislation and the general set of rules of railway transportation.

#### **Article 21. Owner of public and private roads and areas**

21.1. The owner of a public or exclusive road or area shall enter into an agreement with the infrastructure owner, carrier and sub-client and provide services for preparing, loading, unloading and storing cargo, freight, wagons and containers for transportation on its road and area.

21.2. Relations related to the use of public and private use roads and areas shall be regulated by a common set of railway transport rules.

### **CHAPTER FOUR RAILWAY OBJECTS**

#### **Article 22. Basic requirements for railway objects**

22.1. Infrastructure, specialized use roads, areas, rolling stock and other devices and facilities related to railway transport safety shall comply with railway traffic and technical safety, technological procedures, standards and requirements.

### **Article 23 Construction and renovation of infrastructure**

The construction and improvement of infrastructure shall be financed from the infrastructure owner's and state and local budgets, as well as other sources not prohibited by law.

23.2. The state or local budget may invest in the construction of a new railway line connecting state and aimag level cities.

23.3. The Government, local self-governing and administrative organizations, as well as other relevant organizations shall provide full support to the construction of railway lines specified in 23.2 of this Law.

23.4. The legislation on prohibition of unfair competition shall be followed in obtaining the support of investment and authorized organizations specified in Articles 23.2 and 23.3 of this Law.

## **CHAPTER FIVE BASIC REQUIREMENTS FOR RAILWAY TRAFFIC SAFETY**

### **Article 24. Activities to ensure the safety of railway transport**

24.1. Railway transport safety shall be ensured by the following activities of railway and other organizations and citizens:

24.1.1. To create conditions for safe travel of passengers;

24.1.2. To ensure traffic safety;

24.1.3. To transport cargo, luggage and cargo intact;

24.1.4. To meet safety requirements for railway employees;

24.1.5. Not to have a negative impact on the environment.

### **Article 25. Organization of work to ensure railway transport safety**

25.1. The normal operation of the railway organization, its branches, public and private use roads and area owners' train and shift traffic technology shall be regulated by the unified traffic map and traffic map in the infrastructure and they shall be approved by the head of the competent authority.

In order to ensure traffic safety, the supplier shall take measures not to interrupt the power supply of the infrastructure directly related to the train traffic.

25.3. For the purpose of ensuring the safety of passenger and luggage transportation, passenger trains shall be received at stations and crossings only on designated routes.

25.4. The railway organization, owner of public and exclusive roads and areas shall have strict calculation tools and equipment with signs and numbers, and the list, procedure for their use and transfer shall be established by the state central administrative body and the list shall be registered with the General Intelligence Agency.

*/ This part was amended according to the law dated August 17, 2012 /*

25.5. The infrastructure owner shall have a recovery and firefighting train with equipment designed to eliminate the consequences of disasters, accidents and defects, and shall be obliged to keep them in constant readiness.

*/ This part was amended according to the law dated February 02, 2017 /*

25.6. The railway organization, the owner of public and private use roads and areas shall be obliged to take immediate measures to eliminate the consequences of disasters, accidents and defects that interfere with the railway transportation activities.

*/ This part was amended according to the law dated February 02, 2017 /*

25.7 Relevant state administrative and local authorities, business entities and citizens shall be obliged to assist in eliminating the consequences of the situation that may cause damage to human life, health, cargo, luggage and traffic safety.

25.8. Expenses and damages incurred by railway organizations, owners of public and private roads and areas, and other organizations and citizens responsible for repairing the damage caused

by disasters, accidents and defects shall be reimbursed by the railway organization in accordance with relevant legislation. entitled to issue.

*/ This part was amended according to the law dated February 02, 2017 /*

#### **Article 26. Transportation of dangerous goods, operation and protection of dangerous facilities**

26.1. Buildings and structures of the place of production, storage, loading, unloading and transfer of dangerous goods (hereinafter referred to as “dangerous facilities”) shall be located at a safe distance from the infrastructure. The state central administrative body in charge shall approve.

26.2. The owner of a hazardous facility shall be responsible for its safety and shall immediately notify the infrastructure owner in the event of an accident or injury related to the hazardous facility.

26.3. The consignor and consignee shall ensure the safety of dangerous goods during preparation, loading and unloading for transportation by rail.

26.4. The owner of the infrastructure and the carrier shall be obliged to participate in the elimination of the consequences of accidents, catastrophes and defects during the transportation of dangerous goods using their fire and recovery equipment.

#### **Article 27. Railway corridors, dangerous and safe zones and their regimes**

27.1. The size of the railway corridor shall be determined based on this law and land legislation, taking into account the application for a license and project documents.

27.2 The regime and size of the railway corridor and safety zone shall be determined by the Government taking into account the conditions and requirements of urban development and railway transport safety.

27.3. The infrastructure corridor shall be used by the infrastructure owner with certain conditions, terms and fees.

27.4. If trees, shrubs, grasses and plants in the railway corridor impede transport safety, the railway organization shall ensure safety conditions by transplanting, pruning, cutting, nailing and burning them without causing fire.

27.5. Railway organizations, public and private use roads, site owners and sub-clients shall provide barriers and protection in railway corridors and dangerous areas.

27.6. It is prohibited to engage in works and services on the railway corridor other than those specified in the regime established in accordance with this law.

27.7. The railway organization shall lease vacant and vacant land belonging to the railway corridor to citizens and legal entities in strict accordance with the requirements of railway transport safety for storage, unloading, servicing and other purposes other than agriculture, passenger service, flammable and dangerous cargo. can be.

27.8. The regime of the danger zone shall be determined by the state central administrative body.

*/ This part was amended according to the law dated August 17, 2012 /*

27.9. If railway corridors, dangerous and safe zones overlap with other special regimes, the strictest regime established for them shall apply.

27.10. Permission to possess, use and conduct any activities in the security zone outside the railway corridor shall be issued by the Governor of the respective territory in consultation with the state central administrative body taking into account the recommendations and conclusions on security.

*/ This part was amended according to the law dated August 17, 2012 /*

#### **Article 28. Regime of use of railway crossings**

28.1. The State Central Administrative Body shall approve the procedure for opening, using, closing railway crossings, equipping and repairing them with security signals, signs and devices, as well as determining the rating of railway crossings in consultation with the police.

In determining the location of a railway crossing, the proposals of the local self-governing body and the railway organization shall be taken into account.

28.3. The infrastructure owner shall be responsible for the normal operation, operation, maintenance and safety of the railway crossing.

28.4. When vehicles with crawler machinery and oversized cargo are taken out of the railway crossing, it shall be carried out with the permission of the infrastructure manager in charge of the crossing under the supervision of an employee appointed by him / her.

28.5. If it is necessary to cross the railway at the same level as other railway lines and roads, the person constructing the railway shall be obliged to cross the railway at the same level.

## **CHAPTER SIX**

### **LABOR REGULATION AND SOCIAL GUARANTEES OF RAILWAY EMPLOYEES**

#### **Article 29. Working conditions of railway employees**

29.1. Labor regulation, working conditions and social security of employees of a railway organization shall be regulated by this law, the Labor Law, other legislation enacted in conformity with them, and collective and labor agreements.

29.2. Train and shift movement organizers and transportation service employees shall wear uniforms while performing their official duties.

29.3. Citizens who have reached the age of 18 and have obtained the right to perform the work directly related to train and shift movement and have obtained the right to perform the work shall be employed.

29.4. The time and procedure for conducting a medical examination shall be determined by the state central administrative body in charge of health matters.

29.5. Employees participating in the testing of railway equipment directly related to train and shift traffic, working in hazardous areas and inspecting and inspecting trains shall be subject to accident insurance at the expense of the employer.

29.6. The employer shall be liable for damages caused by not being covered by accident insurance specified in 29.5 of this Law.

#### **Article 30. Labor discipline of railway employees**

Labor discipline of employees of a railway organization shall be regulated by the Labor Law, this law and other legislative acts enacted in conformity therewith.

30.2. The administration of a railway organization shall impose the following disciplinary sanctions on an employee who violates labor discipline: 30.2.

30.2.1. To warn;

30.2.2. To reduce the basic salary by up to 20% for a period of up to 30 months;

30.2.3. To transfer to non-railway railway work for a period of up to 1 year;

30.2.4. Dismissal.

#### **Article 31. Social security of railway employees**

An employee of a railway organization shall be provided with the following social guarantees:

31.1.1. To receive a one-time grant equal to six months' average salary if a man has worked for the railway organization for at least 25 years and a woman who has worked for at least 20 years has been granted a pension by the railway organization;

31.1.2. In case of traveling by rail within the territory of Mongolia, free travel by train on the way to and from the annual trip.

An employee of a railway organization shall enjoy other social guarantees specified in the legislation.

31.3. Compensation shall be paid to the family of an employee who died due to an industrial accident or illness caused by acute poisoning in accordance with Article 97.1.2 of the Labor Law.

31.4. The railway organization shall be responsible for the expenses related to the social security specified in Articles 31.1 and 31.3 of this Law.

## **CHAPTER SEVEN OTHER ISSUES OF RAILWAY TRANSPORT ORGANIZATION**

### **Article 32. Insurance in railway transport**

32.1. A passenger shall be obliged to be covered by accident insurance while traveling by train.

32.2. Railway objects, cargo, luggage and baggage to be transported by railway may be covered by insurance in accordance with the procedures specified in the legislation.

### **Article 33. Language used for railway transportation**

33.1. A railway organization operating in the territory of Mongolia, regardless of the type and form of ownership, shall use the official state language when conducting railway transportation activities and conducting official business.

33.2. Necessary information may be delivered to passengers, consignors and consignees at railway stations, stations and other places in languages other than the official state language.

## **CHAPTER EIGHT RESPONSIBILITY FOR RAILWAY VIOLATORS**

### **Article 34. Liability for violators of the law**

34.1. 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 D. LUNDEEJANTSAN**