



## LAW OF MONGOLIA

April 29, 2020

### ON THE PREVENTION, FIGHTING AND SOCIAL AND ECONOMIC DEVELOPMENT OF CORONAVIRUS INFECTION / KOVID - 19 /

#### CHAPTER ONE GENERAL PROVISIONS

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

1.1. The purpose of this law is to prevent and fight the epidemic of coronavirus infection (KOVID-19) (hereinafter referred to as "pandemic"), to protect public health, to impose certain restrictions on human rights, to make relevant decisions, and to regulate relations related to minimizing the negative impact on the economy and resolving organizational issues by the Government through special procedures.

##### **Article 2. Legislation on prevention, control and reduction of negative social and economic impacts of the pandemic**

Legislation on prevention and control of pandemics and reduction of negative impact on society and economy shall consist of the Constitution of Mongolia, the Law on Disaster Protection, the Law on Health, this law and other legislative acts enacted in conformity with these laws.

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. Scope of the law**

3.1. The activities to prevent and fight the pandemic and reduce its negative impact on society and economy shall be regulated by this law, and relations other than those regulated by this law shall be regulated by relevant laws.

3.2. In accordance with the Law on Elections to the State Great Hural of Mongolia and the Law on Elections to Citizens' Representatives Hurals of Aimags, the Capital City, Soums and Districts, the law regulates the organization of public events and the selection of officials from the date of termination of this law. will be implemented on time.

##### **Article 4. Definitions of legal terms**

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

4.1.1. "Case" means any confirmed, suspected or probable case of the disease;

4.1.2. "Infection" means the penetration and reproduction of an infectious disease-causing person or animal;

4.1.3. "Quarantine" means measures aimed at preventing the spread of infectious diseases covering the population and territory within a certain period of time, catching and controlling the infection at its original source;

4.1.4. "Isolation" means the segregation of a person suspected of being infected and of suspected hand luggage, cargo, containers, vehicles, goods and postal items contaminated with the infection;

4.1.5. "Observation" means the monitoring of a person's health status for a certain period of time in order to determine the risk of transmission;

4.1.6. "Infected" means the body of an infected person or a person who died of an infection, items contaminated with the pathogen, hand luggage, cargo, containers, vehicles, goods and postal items that pose a risk to the health of the population;

4.1.7. "Disinfection" means taking measures to physically or chemically destroy or reduce the number of pathogens on the surface of human and animal bodies, or inside and outside hand luggage, cargo, containers, vehicles, goods and postal items;

4.1.8. "Suspected infection" means a person, hand luggage, cargo, container, vehicle, goods and postal item that is or may be exposed to a risk that may endanger the health of the population and may be a source of transmission of the disease.

#### **Article 5. Principles to be followed**

The following principles shall be followed in preventing and combating the pandemic and reducing its negative impact on society and economy: 5.1.

5.1.1. To protect human life, health and safety, and to have equal and accessible medical services;

5.1.2 be prompt, transparent and accountable;

5.1.3. To implement its activities within the framework of international health regulations;

5.1.4. To establish procedures other than those specified in other laws for the purpose of protecting public health, and to restrict certain human rights and freedoms;

5.1.5. Not to discriminate or stigmatize;

5.1.6. To ensure cooperation between organizations, exchange information, and receive participation and support from citizens and the public.

## **CHAPTER TWO MEASURES FROM GOVERNMENT AND OTHER ORGANIZATIONS**

#### **Article 6. Measures to be taken by the State Great Hural of Mongolia**

The State Great Hural of Mongolia shall implement the following measures to prevent and fight the epidemic and reduce its negative impact on society and economy: 6.1.

6.1.1. To discuss and resolve draft laws and other decisions of the State Great Hural related to urgent measures to be taken during the plague regardless of their order;

6.1.2. To promptly review draft laws and other decisions of the State Great Hural specified in 6.1.1 of this Law in accordance with the Law on Session Procedures of the State Great Hural of Mongolia;

6.1.3 Regularly monitor the measures taken by the Government to prevent and combat the pandemic and reduce its negative impact on society and economy.

6.2 The State Great Hural of Mongolia shall establish an ad hoc committee responsible for monitoring the implementation of this law, including all standing committees of the State Great Hural and representatives of minorities in the State Great Hural.

6.3. The temporary committee specified in 6.2 of this Law shall perform the following functions:

6.3.1. To openly discuss the implementation of this law on a monthly basis;

6.3.2. To propose to other Standing Committees to discuss the implementation of this law.

#### **Article 7. Measures to be taken by the Government**

The Government shall take the following measures in accordance with the requirements set forth in Article 11.1 of this Law to prevent and combat the pandemic and reduce its negative impact on society and economy: 7.1.

7.1.1. To take necessary measures such as quarantine, movement and time restrictions, remote communication in the field of prevention and control of the plague based on the proposal of the state central administrative body in charge of health matters and to approve procedures and instructions to be followed;

7.1.2. Total amount of approved annual budget expenditures for the purpose of protecting citizens' health and income during plague, preserving jobs, stimulating the economy, providing health care services, resolving funding required for quarantine and restriction regimes, and increasing relevant anti-crisis funds; To make budget adjustments between general budget governors and between capital and current expenditures without increasing them;

7.1.3. To support the Central Bank with interest subsidies on special mortgage loan products for real and service civil servants performing risky conditions;

7.1.4. To provide necessary protective clothing, tools, techniques, tools, equipment, information, training, psychological assistance and other support to organizations and employees working at the source and risk of infection during the plague, to create labor safety conditions, etc. resolve related costs;

7.1.5. To provide appropriate support to business entities and organizations whose activities have been disrupted due to the quarantine and restriction regime during the plague, and to citizens whose salaries and incomes have been cut off;

7.1.6. Approve the procedure for ensuring cooperation between organizations working in the field of prevention and combating the pandemic, reduction of negative impact on society and economy, exchange of information and involvement of other state organizations in this activity upon the proposal of the State Special Commission;

7.1.7. Restrict the celebration of public holidays and anniversaries nationwide and in some territories;

7.1.8. To postpone classes and training activities at all levels for a certain period of time, regardless of the form of ownership, to reduce tuition fees and to transfer them to the next payment;

7.1.9. In case of postponing or restricting the activities of educational institutions of all levels for a certain period of time, to provide quality and accessible distance learning in electronic or other form, to improve the participation and control of teachers and students;

7.1.10. To suspend the organization of religious meetings and gatherings of religious organizations with the participation of the public for a certain period of time;

7.1.11 provide citizens with regular, prompt and accessible accurate and objective information on ways to prevent, combat and protect their health from the pandemic;

7.1.12. To provide shelter, food and clean drinking water to homeless and very poor people during the plague and to organize activities to prevent infection;

7.1.13. To organize work to protect the health of specialized detention centers, as well as rehabilitation, arrest, detention, detention and other forms of deprivation of liberty, prevention of infection, provision of medical care, services, medicines and medical devices; ;

7.1.14. To resolve the issue of prohibiting the export of medicines, medical devices, diagnostic kits, reagents, disinfectants, personal protective equipment, food and other necessary goods across the state border;

7.1.15. To have food and other resources necessary to ensure preparedness and response to epidemics and public health emergencies, to approve the list of resources and to resolve expenses related to its formation;

7.1.16. To resolve the issue of providing additional, additional remuneration, compensation and incentives to civil servants appointed under the special working regime for pandemic prevention and control activities;

7.1.17. Approve the procedure for involving citizens, business entities and organizations in the prevention and control of the plague;

7.1.18. To take state regulatory measures aimed at stabilizing the prices of some consumer and strategically important products during the plague;

7.1.19. To restrict the movement of domestic passengers and vehicles across the state border for a certain period of time;

7.1.20. Intensify the prevention of domestic violence, decide on the services to be provided to victims, necessary investments in temporary shelters and financing of 24-hour telephone lines;

7.1.21. To prevent discrimination and stigma against a person who has contracted or may be infected with a plague, and to stop such activities in accordance with the law ;

7.1.22. To reduce the negative impact on children, the elderly, the chronically ill, those in need of regular health care, the disabled and pregnant women, and to provide financial support to vulnerable groups when taking measures during the plague;

7.1.23 provide citizens with equal and accessible health care, services, medicines and tools;

7.1.24. To take necessary measures to prevent pandemics during the organization of elections to the State Great Hural of Mongolia and Citizens' Representatives Hurals of aimags, the capital city, soums and districts and to resolve relevant expenses;

7.1.25. To organize measures to create grain and vegetable seed stocks and to prevent crop disruption;

7.1.26. To support business entities producing export products and to exercise state control over their activities.

7.2. Unless otherwise provided in the Budget Law and the Fiscal Stability Law, this Law shall be followed in implementing the measures specified in 7.1.2 of this Law.

7.3. The state central administrative body in charge of finance and budget shall develop a proposal to implement the measures specified in 7.1.2 of this Law and discuss and resolve it at the Cabinet meeting.

#### **Article 8. Measures to be taken by the State Special Commission**

The State Special Commission shall take the following measures to prevent and combat the pandemic:

8.1.1. In case a Mongolian citizen abroad requests to return, to organize the phased withdrawal taking into account other circumstances such as the spread of the disease, risk and possibility of direct flight in that country;

8.1.2. In case a foreign citizen residing in Mongolia requests to return, to make a relevant decision on crossing the state border;

8.1.3. To approve and implement the procedure for issuing permits to allow passengers to cross the state border within the scope of activities specified in Articles 8.1.1 and 8.1.2 of this Law;

8.1.4. Approve procedures for issuing permits for transit and transit of goods within the framework of transit and international cargo transportation and export of mineral resources;

8.1.5. To organize the work of creating and allocating the resources specified in 7.1.15 of this law.

#### **Article 9. Measures to be taken by other government organizations**

9.1. The member of the Government in charge of health shall approve the procedure for other necessary measures such as observation of pandemic cases, detection, diagnosis, confirmation, reporting, isolation and treatment of infected patients.

The member of the Government in charge of specialized inspection shall approve the procedure for response measures to be taken at the border crossing point, such as inspecting passengers, vehicles, goods and products entering the border crossing, detecting, tracking and isolating passengers suspected of infection.

9.3. The member of the Government in charge of health and emergency shall jointly approve the list of drugs, medical devices, equipment, disinfectants and instructions on stockpiling, storage, renewal and disbursement specified in 7.1.15 of this Law.

9.4. Medical devices for protection against communicable diseases shall be imported without a special license issued by the state central administrative body in charge of health on the basis of laboratory tests to determine whether they meet the hygienic requirements. The list of such protective devices shall be approved by the Cabinet member.

9.5. The state central administrative body in charge of health matters shall expedite register new types of drugs, disinfectants and disinfectants required for the treatment of pandemic infections.

9.6. Raw materials and equipment required for import of goods as well as for domestic production for the purpose of creating reserves specified in 7.1.15 of this Law shall be exempt from Customs and value-added tax.

9.7. Foreign citizens and stateless persons who have or may be infected with the pandemic may not be allowed to cross the border of Mongolia.

9.8. In addition to the border control authority, representatives of relevant authorities may work at the border crossing when passengers and vehicles are allowed to cross the state border during the quarantine regime.

9.9. Documents of passengers at the state border crossing point shall be checked in a simplified procedure and the relevant procedure shall be approved by the head of the state border protection organization.

9.10. The Chief Justice of the Supreme Court and the State Prosecutor General shall approve and organize the implementation of the procedure for 24 hours work of judges and prosecutors during the pandemic.

9.11. The Constitutional Tsets may conduct dispute resolution and other court proceedings and some court decisions electronically, and these bodies shall approve and organize the implementation of relevant regulations within their mandate without compromising the guarantees of fundamental civil rights and freedoms.

9.12. The member of the Government in charge of customs and communications shall jointly approve the procedure for ensuring the continuity and efficiency of the international postal exchange service and its rapid introduction through the state border and customs.

9.13. In order to mislead the public about the pandemic and prevent the spread of obvious false information in the electronic environment, the Central Police shall approve the regulation on electronic regulation in cooperation with the Communications Regulatory Commission and monitor its implementation.

9.14. The issue of extending the visa and residence permit of a foreign citizen or stateless person who is unable to leave Mongolia due to quarantine and restriction of movement shall be resolved until the situation is resolved, exemption from overdue fees and fines.

#### **Article 10. Measures to be taken by the central bank and commercial banks**

10.1. The Central Bank shall, if necessary, take the following measures to prevent, combat and reduce the negative social and economic impact of the pandemic:

10.1.1. To ensure the stability of the togrog and the banking and financial system, to support certain sectors of the economy and to improve the financial condition of banks, to carry out activities specified in the Law on Central Bank / Bank of Mongolia / and to use methods and tools;

10.1.2. To provide loans to domestic banks and financial institutions on the terms of receiving and purchasing foreign currency through loans and other transactions from domestic and foreign countries, international banks, financial institutions and legal entities for the purpose of increasing and regulating foreign exchange reserves.

10.2. The Central Bank shall determine the terms and conditions of loans and transactions specified in Article 10.1 of this Law.

10.3. Paragraphs 2, 4 and 7 of paragraph 1 of Article 23 of the Law on Central Bank / Bank of Mongolia / shall not apply to taking measures specified in Article 10.1 of this Law.

10.4. In case of a pandemic, no interest shall be charged on a bank account, foreign currency deposits shall not be covered by compulsory insurance, and transactions between citizens and legal entities shall be made in national currency.

10.5. To issue special mortgage loan products in the form of lease and ownership for real and service civil servants performing risky conditions.

10.6. In order to prevent the deterioration of the quality of loans in the construction sector and to preserve jobs, mortgage loans will continue to be financed in the amount of repayment of the principal payment provided by the Central Bank.

10.7. In cooperation with the Government, extend the repayment period of the mortgage loan for a total of up to 6 months without increasing the outstanding principal and interest payments.

#### **Article 11. Requirements for decisions and actions of authorized organizations and officials**

11.1. Decisions and measures to be taken by the competent authorities and officials on prevention and control of the pandemic shall meet the following requirements in case of restriction of the basic rights and freedoms of citizens protected by the Constitution of Mongolia: 11.1.

11.1.1. To be issued in accordance with the grounds and procedures specified in the law;

11.1.2. To protect national security, social order, public morals, public health or other fundamental human rights and freedoms;

11.1.3. It is necessary and appropriate to achieve the goal specified in 11.1.2 of this law;

11.1.4. Not to violate the provisions of the Constitution of Mongolia prohibiting the right to life, belief, freedom of religion or non-religion, as well as torture, inhuman and cruel treatment of anyone;

11.1.5. Not to discriminate or insult a person on the basis of ethnicity, language, race, age, sex, social origin, status, wealth, occupation, position, religion, opinion, education and other characteristics; to be.

11.2. The measures specified in this law shall have a specific scope and duration appropriate to the circumstances, and it shall be prohibited to misuse the collected information for purposes other than public health protection.

11.3. Decisions and measures to be taken for the purpose of preventing the pandemic and protecting public health shall be the least restrictive, realistic and appropriate for the fundamental rights and freedoms of citizens.

11.4. Decisions and measures specified in Article 11.1 of this Law shall be regularly, promptly, accessibly and comprehensively reported to the public through the mass media.

11.5. The National Human Rights Commission shall monitor the measures specified in this Law within the scope of its functions and powers specified in the Law on the National Human Rights Commission of Mongolia.

### **CHAPTER THREE RIGHTS AND OBLIGATIONS OF CITIZENS AND LEGAL ENTITIES**

#### **Article 12. Civil rights and obligations**

Citizens have the following rights to prevent and fight the epidemic:

12.1.1. To receive accurate and objective information on the measures being implemented from relevant organizations and officials;

12.1.2. To receive necessary medical care and services in case of illness or possible infection with plague;

12.1.3. To appeal to the court if he / she considers that his / her rights and freedoms have been violated due to non-compliance with the requirements set forth in Article 11.1 of this Law;

12.1.4. Other rights provided by law.

Citizens have the following responsibilities to prevent and fight the epidemic:

12.2.1. To comply with the decision, quarantine, traffic and time restriction regime, instructions, procedures, requirements, warnings, warnings and recommendations approved by the competent authority;

12.2.2 provide accurate information required for epidemiology, such as his / her health status and travel history;

12.2.3. To be inspected in accordance with the requirements of a professional organization;

12.2.4. In case of suspected signs of plague infection, isolate oneself and immediately notify a medical institution;

12.2.5 wear masks regularly, wash hands regularly and meet daily hygiene requirements in offices and public places;

12.2.6. Strictly follow the procedures for isolation and observation in case of plague infection;

12.2.7. To be in isolation under the conditions and terms set by the competent authority if he / she has come from the country of infection or may be infected;

12.2.8. To pay necessary expenses related to withdrawal, isolation, service, sterilization and disinfection;

12.2.9. To be responsible for expenses incurred due to violation of the decision of the competent authority;

12.2.10. Other obligations specified in the law.

12.3. It is prohibited to mislead the public and disseminate false information related to the prevention and control of the pandemic and the reduction of its negative impact on society and the economy.

12.4. ~~If~~ a citizen intentionally transmits an infectious disease to others, he / she shall be liable in accordance with the Criminal Code.

#### **Article 13. Rights and obligations of business entities and organizations**

13.1. Business entities and organizations have the following rights to prevent and fight the pandemic:

13.1.1. To receive accurate and objective information on measures taken to prevent and combat the plague;

13.1.2. To cooperate with professional organizations against plague, to receive advice, to make donations and assistance;

13.1.3. To appeal to the court if he / she considers that his / her rights and legitimate interests have been violated due to non-compliance with the requirements set forth in Article 11.1 of this Law;

13.1.4. Other rights provided by law.

13.2. Business entities and organizations shall have the following responsibilities to prevent and fight the epidemic:

13.2.1. To comply with the decisions, quarantine, traffic and time restriction regimes, instructions, procedures, requirements, warnings, warnings and recommendations approved by the competent authority;

13.2.2. To create necessary resources for prevention and control of plague;

13.2.3. To carry out regular ventilation, sterilization and disinfection in the workplace;

13.2.4. To create conditions to prevent infection of citizens and employees in accordance with the instructions and recommendations given by the competent authority;

13.2.5. To maintain the jobs of employees under quarantine, restriction of movement and isolation regime;

13.2.6. Not to organize events and meetings to personally involve the public in the manner prohibited by the procedure specified in 7.1.1 of this Law;

13.2.7. To create opportunities to conduct its activities electronically using information technology;

13.2.8. To increase rent in case of disaster, not to inflate prices of goods and services and not to create artificial shortages;

13.2.9. To reduce the negative impact on the elderly, chronically ill, in need of regular health care, disabled, pregnant, vulnerable and at-risk groups during the plague;

13.2.10. Other obligations specified in the law.

13.3. It is prohibited to mislead the public and disseminate false information related to the prevention and control of the pandemic and the reduction of its negative impact on society and the economy.

#### **Article 14. Duties of media organization**

14.1. The media organization shall inform the public free of charge and without hindrance on warnings and information given by the State Special Commission and other competent authorities on prevention, fight against pandemics and reduction of negative impact on society and economy.

14.2. Accurate and factual information on the pandemic and its prevention, control and reduction of negative social and economic impacts shall be obtained from reliable sources and disseminated to the public.

### **CHAPTER FOUR MISCELLANEOUS**

#### **Article 15. Donations**

15.1. Donations made by citizens, business entities, organizations, international organizations and foreign countries shall be registered by the State Special Commission, expenditures shall be made public and spent on financing necessary measures.

15.2. A certain part of the donations specified in 15.1 of this Law shall be concentrated in the fund specified in 5.3.17 of the Law on Government Special Funds. can be used to provide assistance to eligible target groups.

#### **Article 16. Mobilization of property**

16.1. Property and buildings owned by citizens, business entities and organizations may be mobilized for prevention and control of the pandemic.

16.2. In case of mobilization of property and facilities owned by citizens, business entities and organizations, compensation shall be provided in the amount of recurrent or operating expenses of the property.

16.3. The Government shall approve the procedure for calculating and paying compensation in case of mobilization of property and facilities owned by citizens, business entities and organizations upon the proposal of the State Special Commission.

16.4. Aimag and capital city governors shall prepare a list of mobilizable facilities in the respective aimag and capital city and submit it to the State Special Commission.

#### **Article 17. Liability for violators**

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

17.2. 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.

**Article 18. Validity of the law**

This law shall be effective until December 31, 2020.

The Parliament of Mongolia may extend the period specified in Article 18.1 of this Law once a month for up to six months.

**Article 19. Entry into force of the law**

This law shall come into force from the date of its adoption.

**CHAIRMAN OF THE PARLIAMENT OF MONGOLIA G.ZANDANSHATAR**