

February 4, 2016 Ulaanbaatar city

## ON HYGIENE

### CHAPTER ONE

#### GENERAL PROVISIONS

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

1.1.Purpose of this law is to regulate relationship with respect to creating favorable conditions for human health and safety; prevent, mitigate and eliminate negative environmental impacts on human health.

##### Article 2.Legislations on hygiene

2.1.Law on Hygiene shall comprise of 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 Utilization of Urban Settlement's Water Supply and Sewage, Law on Labor Safety and Hygiene, Law on Social Welfare of Disabled Persons, Law on Food, Law on Ensuring Food Safety, Law on Nuclear Energy, this law and other legislative acts adopted in compliance with them.

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

##### Article 3.Definition of terms

3.1.The terms used in this law shall be construed as follows:

3.1.1."hygiene" means conditions and requirements for creation of favorable conditions for human health and safety, engaging in surveillance and prevention of negative environmental impacts on human health;

3.1.2."environment" refers to natural and social environment that have direct and indirect impacts on human life and activities;

3.1.3."hygiene requirements and conditions" refers to compliance with hygiene regulations, procedures, guidelines and standards;

3.1.4."health risk" means potential or existing impacts due to non – compliance with hygiene conditions and requirements for human health;

3.1.5."healthy and safe environment" means full compliance with environmental and hygiene conditions and requirements;

3.1.6."surveillance" means activities to observe and research negative and positive environmental impacts on human health, collect data and information, make analysis, assess, inform and plan responding action;

3.1.7."hygiene safety indicator" means highest acceptable level of perception, chemical, physical and biological indicators existing in the environment, substances, goods and products;

3.1.8."highest acceptable level" means content of factor specified in hygiene safety indicator, that has no impact on human health;

3.1.9."health impact assessment" /hereinafter refers to as "assessment"/ means activities to define ways to identify, prevent, minimize and eliminate impacts on human health from production, service and operations and support positive impacts;

3.1.10."decentralized sanitation facility" means low capacity treatment facility, sewage and latrine that are not connected to the centralized sewage system;

3.1.11."hygiene protection zone" means strip of land established for not causing health risks to human, livestock, animals and environment.

#### CHAPTER TWO

##### HYGIENE CONDITIONS AND REQUIREMENTS

##### Article 4.Hygiene requirements on environment

4.1.Shall provide the population with drinking and domestic water which meets following conditions and requirements:

4.1.1.drinking and domestic water shall be safe and in compliance with hygiene conditions and requirements;

4.1.2.Government members in charge of health and environmental issue shall jointly approve daily required acceptable level/proper amount of drinking and domestic water ;

4.1.3.Governor at the respective level shall implement measures to provide population in their respective jurisdiction with sustainable and sufficient drinking water that meets with standard set forth in article 4.of this law;

4.1.4. Organization and officials in charge of centralized and decentralized water supply of that territory shall conduct monitoring and analysis on quality and safety of drinking and domestic water used by the population in accordance with relevant standard and regulations and take measure to improve water quality;

4.1.5. Governor at the respective level shall be obliged to have risk assessment conducted on water supply and hygiene facility regularly and take measure in accordance with the assessment result.

4.2. Cabinet members in charge of health and construction shall jointly approve instruction to conduct the risk assessment specified in article 4.1.5 of this law.

4.3. Ambient air in the residential area of the population shall meet the following hygiene conditions and requirements:

4.3.1. Ambient air in the living, working and studying environment shall not have negative impact on human health and the environment, shall be free from pollution and meet air quality requirements and conditions;

4.3.2. Smoke and dust level created by an entity using mobile source, substantial fixed source for the air pollution and source which produces pollutants and causes physical impacts without permission from competent authority, shall meet air quality standard.

4.4. Soil in the vicinity of the settlement area shall meet the following conditions and requirements:

4.4.1. Shall establish and use cemetery, dedicated dump area and hygiene/sanitation facility in accordance with hygiene conditions and requirements;

4.4.2. Shall collect and transport environmentally hazardous waste that contaminate human, livestock and animals as per hygiene conditions and requirements and bury in established landfill area or dispose of in the dedicated facility;

4.4.3. Citizens and entities shall clean and dispose of garbage within 50 meters in the vicinity of the area under their property, ownership and utilization and maintain green area;

4.4.4. Citizen, entities and organizations shall build and use decentralized sanitation facility as per article 4.7 of this law.

4.5. Government members in charge of health, agriculture and environmental affairs shall jointly approve waste list, burial and disposal methodologies set forth in article 4.4.2 of this law.

4.6. Governor of the respective bag and khoroo shall oversee cleaning and maintenance activities of citizens and entities on their responsible areas as per article 4.4.3 of this law.

4.7. Central State Administrative Organizations in charge of construction and health shall jointly develop standard for the decentralized sanitation facility and State Administrative Organization in charge of standardization shall approve it.

4.8. State Central Administrative Organization in charge of the matter shall set and ensure fulfillment of safety regulation of organizations, entities and citizens that handle or work with radioactive and toxic chemicals, ionizing and non-ionizing radiation, generator of physical factors (including, noise, vibration, electromagnetic field, radio wave and ultra sound) and bacterial culture.

4.9. State Central Administrative Organizations in charge of health and environment shall jointly develop hygiene standards for drinking water for the population, air and soil within the living environment and State Central Administrative Organization in charge of standardization shall approve it.

Article 5. Hygiene requirements for urban development and constructions

5.1. Urban development and construction shall constitute healthy and safe living condition for the people and meet hygiene conditions as well as construction norms and normatives.

5.2. Assessment specified in article 9.2 of this law shall be conducted to plan and build populations's residential/settlement area and re-plan public tenure and ger area based on hygiene and construction standards, norms and normatives.

5.3. Hygiene conclusion shall be made by relevant inspection organization to locate construction site, develop construction design drawing, build, commission, expand construction and modify its dedicated use/purpose.

5.4. Construction materials shall meet with hygiene safety indicators as well as requirements set forth in article 11 of the Law on Construction.

5.5. Government members in charge of health and construction shall jointly approve the highest acceptable level for hygiene safety indicators of the construction materials.

5.6. Housing, entities, industrial and services buildings, streets, roads and areas shall be planned and built to meet the needs of disabled persons as specified in articles 9.3.3 and 9.3.4 of the Law on Social Welfare/Protection of Disabled Persons.

5.7. Housing, entities, industrial and services organizations shall plan and complete landscaping in the vicinity of the construction as specified in article 3.1.11, Law on Construction and article 12.6.3, Law on Urban Development.

Article 6. Hygiene requirements in the workplace

6.1.Law on Labor Safety and Hygiene shall regulate issues with regard to workplace labor safety and hygiene requirements and prevention of industrial accident, acute poisoning and occupational disease.

6.2.Working and studying place/premise of a person shall meet hygiene conditions and requirements.

6.3.State Central Administrative Organizations in charge of health and labor affairs shall jointly develop workplace hygiene standard and State Administrative Organization in charge of standardization shall approve it.

6.4.State Central Administrative Organizations in charge of health and education shall jointly develop hygiene standard for educational and training environment and State Administrative Organization in charge of standardization shall approve it.

#### Article 7.Hygiene requirements for industries and services

7.1.Industrial and service facilities shall be built as per design drawing reviewed and approved by competent authority and meet hygiene requirements.

7.2.Relevant control authority shall approve detailed regulation on hygiene and infection control to be observed by production and service organizations.

7.3.Production and service owner shall develop and observe internal procedure in compliance with the detailed regulation on hygiene and infection control specified in article 7.2 of this law.

7.4.Production and service owner shall ensure quality and safety of its raw materials, products and service and shall be fully responsible on taking measure to prevent risks and eliminating consequences and revealed breaches in a timely manner.

7.5.Commercial and service organization shall have restrooms and handwashing facilities that meet hygiene conditions and requirements and which is easily/freely used by customers.

7.6.Government member in charge of health shall approve procedure to provide commercial and service employees with preventive medical check – up and analysis.

#### Article 8.Hygiene requirements for raw materials, products and substances

8.1.Raw materials, goods and products and their packages, equipment and tools shall meet Mongolian and international standards, normatives, technical documents and requirements of hygiene safety indicators.

8.2.Relevant inspection organization shall make hygiene conclusion for the export and import of raw materials, goods and products, substances and preparations other than that are originated from livestock and animal, that may potentially impact human health and have high risk.

*/This paragraph was amended by the law of 15 November, 2018/*

8.3.Raw materials, goods and products, substances and technology to be exported and imported shall have certificate issued by the competent authority that is entitled to prove it is environmentally friendly and meets hygiene requirements.

8.4.Domestic manufacturer shall be responsible for quality, safety and operational consequences of raw materials, goods and products and substances produced.

8.5.Goods and products shall be stored in accordance with the hygiene requirements and transported by dedicated vehicles.

8.6.New products, substances, materials and technology shall be free of human health and environmental impacts.

### CHAPTER THREE

#### HEALTH IMPACT ASSESSMENT

##### Article 9.Health impact assessment

9.1.Health impact assessments shall be conducted in accordance with articles 5.3 and 7.7, Law on Environmental Impact Assessment.

9.2.In addition to occasions specified in article 5.2 and 9.1 of this law, the assessment shall be conducted in cases, where there is a potential or existing health impact on human health.

9.3.Government member in charge of health affairs shall approve procedure and methodology to conduct assessment and select assessment organization.

9.4.Assessment organization/organization that carried out assessment, shall submit assessment conclusion and recommendations to the State Central Organization in charge of health affairs and the conclusion and recommendations shall be publicly available.

9.5.State Central Organization in charge of health affairs shall submit the conclusion and recommendations to relevant State Administrative Organization, organize implementation action together with it and control its fulfillment.

9.6.State Central Organization in charge of health affairs shall announce its assessment field/sector through the press media and include assessment cost in its annual budget.

9.7. Project implementer and owner shall bear costs to conduct assessment specified in articles 5.2 and 9.1 of this law.

#### CHAPTER FOUR

### RIGHTS AND OBLIGATIONS OF LOCAL SELF – GOVERNMENT, GOVERNOR, ENTITIES, ORGANIZATIONS AND CITIZENS TO ENSURE COMPLIANCE WITH HYGIENE CONDITIONS AND REQUIREMENTS

#### Article 10. Citizens' Representatives' Meeting of aimag, city, soum and district

10.1. Citizens' Representatives' Meeting of aimag, city, soum and district shall have following rights and obligations:

10.1.1. to control implementation of hygiene legislation, discuss implementation report and data from the Governor of that level and make a decision;

10.1.2. to approve budget required for ensuring hygiene conditions and requirements;

10.1.3. other full powers specified in laws.

#### Article 11. Rights and obligations of Governor of aimag, city, soum and district

11.1. Governor of aimag, city, soum and district shall have following rights and obligations:

11.1.1. to implement hygiene laws and legislations throughout the subordinating territory/locally;

11.1.2. to develop proposal on ensuring healthy and safe environment for the population and have it discussed at Citizens' Representatives' Meeting of that level;

11.1.3. to oversee implementation of special, normal protection and hygiene zone regime within the respective territories;

11.1.4. to implement hygiene requirements on decentralized sanitation facility;

11.1.5. to ensure hygiene conditions and requirements at landfill, sanitation facility and cemetery;

11.1.6. to be responsible on cleaning, landscaping, gardening and ownership of the public roads and areas;

11.1.7. to provide support to improve public control on implementation of hygiene law and promote initiatives within the respective territories;

11.1.8. to involve entities, organizations and citizens in implementing hygiene legislation;

11.1.9. to have an approval of expenses for ensuring healthy and safe environment for the population within the respective territories in an annual budget and monitor the spending;

11.1.10. other full powers specified in laws.

#### Article 12. Rights and obligations of Citizens' Common Assembly and Governor of bagh and khoroo

12.1. Citizens' Common Assembly and Governor of bagh and khoroo shall have following rights and obligations:

12.1.1. to involve entities, organizations and citizens in ensuring hygiene conditions and requirements locally;

12.1.2. to organize a work to involve entities, organizations and citizens in trainings and promotions to improve hygiene conditions and requirements;

12.1.3. to provide support to the public control and promotion of initiatives to implement hygiene laws locally;

12.1.4. to ensure public road and areas free of waste throughout the local area/ its territory;

12.1.5. other full powers specified in laws.

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

13.1. Entities and organizations shall have following rights and obligations:

13.1.1. to get professional and methodological advices as well as assistances in terms of hygiene;

13.1.2. to require its employees and customers implementing hygiene laws;

13.1.3. to charge employee in breach of hygiene law with responsibility;

13.1.4. to fulfill requirements from competent authority and officials about implementing hygiene laws and standards, take measure to fully eliminate the breach and provide response;

13.1.5. to ensure full compliance with labor safety and hygiene requirements at all operational phases;

13.1.6. to ensure the public roads and areas specified in article 4.4.3 of this law free of waste, ditch water, snow and ice, increase green areas and ensure completeness of stairs, railings and fences;

13.1.7.to prevent infectious and non-infectious diseases, occupational diseases, industrial accident and injuries;

13.1.8.to provide employees with preventive medical check up and analysis as per procedure specified in article 7.6 of this law;

13.1.9.Plant and service organizations having 50 or more employees shall employ hygiene and labor safety officer in accordance with procedure approved by State Central Administrative Organizations in charge of health and labor issues;

13.1.10.Plant and service organizaitons having 50 or fewer employees shall hire officer specified in article 13.1.9 of this law on contractual basis;

13.1.11.Shall include budget to be incurred with regard to ensuring hygiene safety in organizational budget on annual basis;

13.1.12.other full powers specified in laws.

#### Article 14.Rights and obligations of citizens

14.1.The citizens shall have following rights in ensuring hygiene conditions and requirements:

14.1.1.to be protected from the environmental impacts and live in healthy and safe environment;

14.1.2.to obtain information on implementation of hygiene laws from the state organizations and officials and put requirement;

14.1.3.to get information about raw materials, goods and products and substances from citizens and relevant legal body;

14.1.4.to participate in the public control on implementation of hygiene laws;

14.1.5.to put proposal on ensuring healthy and safe environment to and have it solved by state and relevant professional organizations and officials;

14.1.6.other full powers specified in laws.

14.2.The citizen shall have following obligations in ensuring hygiene conditions and requirements:

14.2.1.shall adopt/practice healthy lifestyle;

14.2.2.to attend events organized by the local government and professional organizations to implement hygiene laws and ensure complete fulfillment of requirements given within the legal framework;

14.2.3.to require relevant party and inform to the competent authority in case of failure by organizaitons, entities and citizens ensure compliance of their activities with hygiene conditions and requirements;

14.2.4.to observe and fulfill hygiene laws;

14.2.5.other full powers specified in laws.

#### Article 15.Hygiene training

15.1.Preschool educational organization and secondary schools shall organize hygiene awareness training for children in areas to form proper hygiene habits and prevent health impacts.

15.2.Government members in charge of education and health issues shall jointly approve curriculum for health awareness training.

15.3.Health awareness traninngs and promotions for the population shall be run through health and relevant professional nin-government organizaitons and mass media.

15.4.Organizations, entities and employers shall organize health awareness training along with health and relevant professional nin-government organizaitons and provide support on training facility and other costs required for the training.

### CHAPTER FIVE

#### HYGIENE MANAGEMENT AND ORGANIZATION

##### Article 16.Hygiene management system

16.1.Hygiene management system shall consist of State Central Administrative organization in charge of health, organization in charge of hygiene issues, all level of health, supervision/control and law enforcement organizations and hygienist and epidemiologist working at organizations specified in article 13.1.9 of this law.

16.2.State Central Administrative organization in charge of health issue shall implement following duties:

16.2.1.to organize a work to implement hygiene law and ensure its fulfillment;

16.2.2.to ensure relationship between state administrative organizaitons in terms of hygiene and epidemiology;

16.2.3.to develop program and projects to prevent, mitigate and eliminate human health impacts, coordinate its implementation, conduct monitoring and evaluation and assess its outcome;

16.2.4.to request/organize to have science research studies conducted on health and hygiene issues;

16.2.5.to coordinate and organize cooperation of government and relevant non-government organizations as well as citizens in ensuring hygiene conditions and requirements and mitigating potential and existing impacts; cooperate with foreign countries and international organizations;

16.2.6.other full powers specified in laws.

16.3.Shall have national laboratory chain for hygiene, epidemiology, bacteriology and toxicology that is capable of/qualified for conducting hygiene survey, assessment, control and making conclusion.

16.4.State Central Administrative Organizaion in charge of health issue shall have non – permanent professional council assigned to discuss hygiene and epidemiological issue and provide proposal, conclusion and recommendations.

16.5.Head of Professional Council shall be General/Principle Hygienist of Mongoilia.

16.6.Cabinet member in charge of health issue shall approve members and operational procedure of the professional council specified in article 16.4 of this law.

16.7.General Hygienist of Mongolia shall implement following duties:

16.7.1.to provide professional conclusion with regard to elimination of negative impacts on public health;

16.7.2.to provide proposal to improve hygiene law, define ways to identify, prevent, mitigate and eliminate human health impacts and organize activities to support positive impacts;

16.7.3.to make analysis on urgent issues of hygiene and epidemiology and present/submit proposals and conclusions on further measure to the Government and State Central Administrative Organizaion in charge of health issue for settlement/decision making.

## CHAPTER SIX

### HYGIENE CONTROL, SURVEY AND PROHIBITED ITEMS

#### Article 17.Control on fulfillment of hygiene law

17.1.Relevant legislative and supervision bodies, all level Citizens' Representatives' Meeting, Governor and other legally entitled organizaitons and officials shall implement state control on the fulfillment of hygiene law within/under its power.

17.2.Government and non – government organizations, entities and citizens shall oversee implementation of hygiene law.

#### Article 18.Participation of non – governmental organizations

18.1.Shall control implementation of hygiene law, require eliminating revealed breach and submit the issue to the competent authority for settlement.

18.2.Shall raise an issue to relevant authority to identify reason for impacts that cause health impact and eliminate its consequences.

18.3.Shall conduct research and implement project to ensure healthy and safe environment.

#### Article 19.Surveillance and research

19.1.Surveillance and research shall be directed to implement activities to mitigate and prevent impacts on human health/health impacts as well as support and protect health.

19.2.All level organizations in charge of hygiene shall carry out surveillance and research.

19.3.Cost for the surveillance and research shall be included in the state budget and spent in coordination/connection with international projects and programs.

19.4.The Government shall approve procedure to conduct survey and research based on proposal of State Central Administrative Organization in charge of health issue.

#### Article 20.Prohibitions with regard to hygiene conditions and requirements

20.1.The following shall be prohibited to ensure hygiene conditions and requirements:

20.1.1.to engage in any act or operation that has negative impact on human health and environment;

20.1.2.to plan or construct new facilities for communicable diseases and tuberculosis clinics within residential area;

20.1.3.to plan and build production and service premises with technological operation that is toxic and harmful to the human health and environment within the hygiene protection zone;

20.1.4.street vending and runing production and services at place and spot where it is prohibited by decision of competent authority and public roads and areas;

20.1.5.to conduct any operation involving pricking or piercing of skin and mucous membrane at cosmetic surgery clinic;

20.1.6.to run one stop point to receive, collect and store secondary raw materials that may have environmental and human health impact within housing area, public road and areas as well as ger area/district;

20.1.7.to wash/clean autotechnical repair, vehicles and polluted items at places except allowed places, dispose of and pour out spare parts, grease and lubricants in an open area and run trade and service using it;

20.1.8.to pollute public and service areas, housing areas with snivel, spit, cigarette end and stool of pet, relieve oneself in public places, dispose of and burn waste in an open area;

20.1.9.to relieve oneself and dispose of garbage at non – dedicated point along domestic and international roads.

#### Article 21.Lodging a complaint

21.1.If citizen and legal entities consider that they suffered loss with regard to their rights and legal interests due to breach of the hygiene laws they may lodge complaint to the relevant competent authority and official.

### CHAPTER SEVEN

#### MISCELLANEOUS

#### Article 22.Liabilities for lawbreakers

22.1.Unless an official who has breached this law is subject to criminal liability, he or she shall be held liable as provided by the Law on Public Service.

22.2.An individual, legal person who has breached this law is subject to the liability in accordance with Criminal law or Law on Offence.

22.3.Imposition of fines on the offenders of this law shall not constitute a release from their liability to rectify the offense and indemnify for the damage caused to others as a result of such offense.

/This article was amended by the law of 11 May 2017/

SPEAKER OF THE PARLIAMENT OF MONGOLIA Z.ENKHBOLD